

Pesticide Application Discharge NPDES Permit

Ohio General Permit
Renewed



Court Mandate / NPDES Permit

- Applications “in, over, or near” surface water
- Ohio General NPDES permit (OHG870003):
 - Effective October 18, 2022
 - Expires October 17, 2027

Surface Waters of the State

Any water body connected to streams/lakes

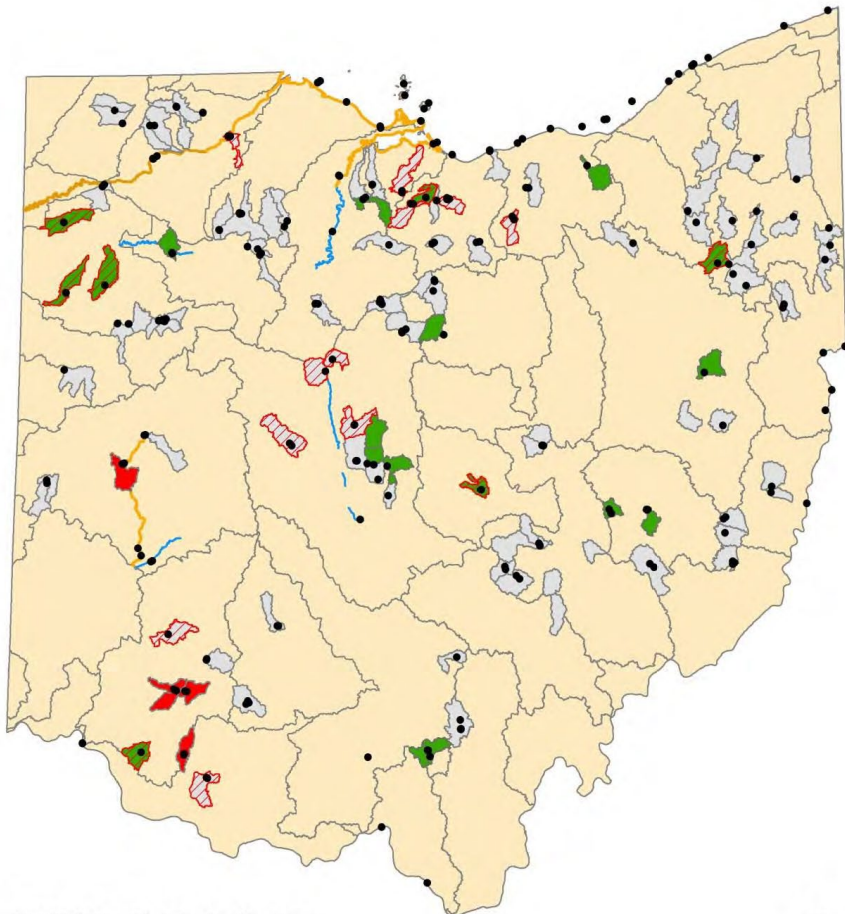
- Includes ditches & swales
- Includes upground reservoirs
- Includes waters connected to ground water

WOTS Update

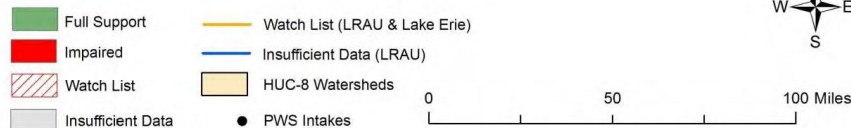
"Waters of the state" means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and other bodies or accumulations of water, surface and underground, natural, or artificial, regardless of the depth of the strata in which underground water is located, that are situated wholly or partly within, or border upon, this state, or are within its jurisdiction, except those private waters that do not combine or effect a junction with natural surface or underground waters. **"Waters of the state" does not include an ephemeral feature for which the United States Army Corps of Engineers lacks the authority to issue a permit under 33 U.S.C. 1344.**



Atrazine Impairments



PDWS Pesticide Indicator



- Garbry Creek
- Sterling Run
- Second Creek
- West Fork East Fork Little Miami River
- Headwaters Stonelick Creek

Use Patterns Covered

- Mosquito/Insect Control
- Weed/Algae Control
- Nuisance Animal Control
- Forest Canopy Pest Control
- Intrusive Vegetation Control
- Invasive Plant Management
 - Resource Conservation Areas
 - Mitigation Areas

NOIs Required

- Direct application to drinking water reservoirs
- Fish eradications (lampreycides, etc.)
- Aerial forestry applications
- Lake Erie aerial herbicide apps. >80 acres
- Waters listed in OAC 3745-1-05
- Copper-based pesticide application to waterbodies identified in Part II of the permit

NOI Submittal

- Once every permit term - \$200 fee
- Use of Ohio EPA eBusiness Center required*
- Exceptions
 - New application area
 - New pesticide

Information Website

- <https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/pesticide-application-discharges--general-permit>
- Permit information and compliance documents

Who submits NOI?

- Decision-maker always submits NOI
- For-hire applicator never submits NOI

Technology-based Effluent Limits

- Use of best management practices (BMPs)
 - Appropriate pesticide use
 - Regular maintenance
 - Equipment calibration, cleaning, and repairing
- GOAL: Minimize pesticide discharges into waters of the state

Water-Quality-based Limits

- Ohio Administrative Code 3745-1
- “Free froms”
 - Suspended solids, sludge-forming materials
 - Floating debris, oil, scum
 - Color or odor
 - Toxicity
- Numeric criteria
- Drinking water contaminant levels

Other Basic Requirements

- Keep records of what was applied and how much
- Visual monitoring
- Adverse incident reporting

Over a threshold?

- 6,400 acres (land containing surface waters)
- 20 linear stream miles (streams/ditches)
- 80 acres (lakes or wetlands)

Counting Thresholds

- Each application counts for:
 - Mosquito/Insect Control
 - Forest Canopy Pest Control
 - Nuisance Animal Control in Water

Part V Conditions

- Integrated Pest Management
- Pesticide Discharge Management Plan
- Annual Report

Pesticide Discharge Management Plans (PDMP)

- How you meet the treatment technology standards:
 - Pest surveillance and responses
 - Monitoring of dose
 - FIFRA documentation
 - Spill prevention and response
 - Maintenance procedures

Integrated Pest Management

- Permit uses Ohio Dept. of Agriculture rules

Exempt from IPM and PDMP

- Invasive plant management in resource conservation areas and mitigation areas
- Small public entities and businesses no longer exempt*

Annual Reports

- Required for all applications over annual thresholds
- Due by February 15 of each year
- Must be submitted electronically, via email or the eBusiness Center

Annual Reports

- Name, address, contact
- For each use pattern
 - Product registration #s
 - Amount of each product used
 - HUC 8 watersheds affected
 - Pests controlled

Who does what?

- Decision-Maker
 - Annual reports
- For-Hire Applicator
 - Pesticide Discharge Management Programs

Renewal Permit

- Previous permit expired 12/31/2021
- Current permit effective 10/18/2022
- NOIs for renewals shall be submitted within 45 days of the effective date of the new version

Pesticide Discharge Management Plan

- Part V
- Minimize discharges to waters of the State
- How will you implement Part III conditions?
 - Technology-based effluent limits
 - Water-quality-based effluent limits
 - Monitoring requirements

PDMP Team

- Who is involved and what are their roles?
 - Who prescribed the application?
 - Who is responsible for the PDMP?
 - Who is implementing the PDMP?
 - Who is the applicator?

Problem Description

- Location
- Objective
- Target
- Threshold(s)
- Limitations
- Data supporting need for application

Control Measures Description

- What did we do to minimize discharges?
 - Prevention
 - Mechanical/physical methods
 - Cultural methods
 - Biological control agents
 - Pesticide use

Pest Surveillance

- Data supporting pesticide use
- Data demonstrating pesticide effectiveness

Schedules and Procedures

- Plan for...
 - Managing pesticide application
 - Minimizing adverse environmental effects

Spills/Adverse Incidents

- Minimizing potential for incidents
- Response to incidents
 - Chain of command
 - Important contacts

Pesticide Monitoring

- Determining a location
- Procedures
- Schedule
- People involved
- Noncompliance records

Endangered & Threatened Species

- Any listed species in the treatment area?
 - U.S. Fish and Wildlife Service – iPaC Application
 - ODNR Wildlife
- Critical habitats?
- Are your operations likely to have adverse effects?

Signature Requirements

- Corporation
 - President, VP, secretary, treasurer
- Partnership/Sole Proprietorship
 - Proprietor, general partner
- Municipality
 - Principal executive officer, ranking elected official

Why a PDMP?

- It is required
- Minimize pesticide use & discharges
 - Minimize adverse environmental effects
- Justification
- Organization/Preparedness
- Protection

Changes in Draft Permit

- New NOI submittal requirements for direct application of copper-based products to specific waterbodies
 - Part II list based on sediment copper data that indicates adverse impacts may occur
 - NOI must include: application map, treatment area/frequency, application rates, and additional information that may be required to demonstrate compliance

Changes in Draft Permit

- Waterbodies exceeding sediment copper concentration threshold:

Grand Lake St. Marys

Griggs Reservoir

Meander Creek Reservoir

Barnesville Reservoir

East Branch Reservoir

Hargus Lake

Lake Waynoka

Cambridge Reservoir

Ross Lake

Coe Lake

Norwalk Memorial Reservoir

Barberton Reservoir

Wallace Lake

Timbre Ridge Lake

Singer Lake

Alum Creek Lake

Findley Lake

Summit Lake

Delaware Lake

Lake Olander

McKarns Lake

O'Shaughnessy Reservoir

Evans Lake

Changes in Draft Permit

- Requirement to submit annual reports electronically
- Removal of PDMP/IPM exemption for small entities
- Updated definitions for “Waters of the State” and “Pesticide Residue”

Questions?

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