

NPDES: What Do I Need to Know?

I'm sure every applicator is curious to know how NPDES will impact future pesticide applications. As you probably know, on October 31, 2011, EPA issued a final National Pollutant Discharge Elimination System (NPDES) Pesticide General Permit (PGP) for point source discharges from the application of pesticides to waters of the United States. This action was in response to a 2009 decision by the U.S. Sixth Circuit Court of Appeals.

The first thing you need to do is determine if EPA or the state is the permitting authority in which you conduct applications. EPA issues permits in the following states: AK, ID, MA, NH, NM and OK. EPA also issues permits in all U.S. territories, some federal facilities and Indian country lands. If you fall under EPA's permitting authority you will have to comply with the requirements in EPA's PGP. For the EPA PGP and additional information, please visit this website: http://cfpub.epa.gov/npdes/home.cfm?program_id=410

The remaining 44 states have been authorized by the EPA to administer NPDES programs. If you fall under this category you will have to contact the state permitting agency to obtain information on the state's PGP requirements. For example, the Florida Department of Environmental Protection is the authorized permitting authority in Florida and the Ohio Environmental Protection Agency is the authority in Ohio. To determine the permitting authority for your state, please visit this website: http://cfpub.epa.gov/npdes/contacts.cfm?program_id=410&type=STATE

Now that you have figured out who you report to, what do you do next? The most important thing to do is obtain a copy of the permit and read it! The permit will tell you who needs to apply for coverage, thresholds for coverage, reporting requirements, fees and other very important information. There is simply too much information to cover each of the 45 different permitting authorities' requirements in this newsletter; therefore, it is imperative to contact EPA or the state agency to obtain this information. The website above also offers links to each state's PGP.

It seems there are a number of gray areas that have yet to be answered regarding NPDES permits, but ADAPCO has specialists on site that can help. We are always willing to help answer NPDES related questions, and you can also send an email to pgp@epa.gov or contact your state agency.