

## NPDES Permitting of Discharges from the Application of Pesticides Checklist

As of October 31, 2011, discharges from applications of pesticides must comply with NPDES requirements. The pesticide discharge checklist assesses the work done to date and work plans in the future. In the future, the reviews will look to evaluate quality of existing program and identify where enhancements are needed. [EPA Contact: Prasad Chumble 202-564-0021]

### I. State Authority

1. Does existing state law provide the authority to issue NPDES permits for discharges from the application of pesticides?  Yes  No  
\_\_\_\_\_
  2. Are there any obstacles in state law preventing the state NPDES permitting authority from fully implementing the NPDES requirements?  Yes  No  
\_\_\_\_\_
  3. Do state regulations provide for permitting of all discharges from the application of pesticides? Including:
    - a. All pesticide use patterns  Yes  No
    - b. All operators of discharges, including decision-makers and applicators  Yes  No
    - c. All locations/waters within the state  Yes  No
  4. Does the state have other laws/regulations, in addition to these NPDES requirements, that control discharges from these types of pesticide applications?  Yes  No
    - a. If yes, describe briefly:  
\_\_\_\_\_
  5. Describe how the state identifies "waters" for which permit coverage is required for these discharges (e.g., includes both waters of the U.S. and waters of the state, includes applications made to dry areas that are delineated as waters of the U.S. but do not contain water at the time of application, observable high water mark, bank full, etc.):  
\_\_\_\_\_
  6. Describe whether any special waters (e.g., ONRWs, impaired waters) are addressed differently than under the PGP under the state NPDES pesticide permit(s):  
\_\_\_\_\_
- Comments:  
\_\_\_\_\_

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### II. Permits

1. Has the state issued any individual permit(s) for discharges from the application of pesticides?  Yes  No
  - a. If yes, describe the reason(s) these discharges are not being covered under a general permit:  
\_\_\_\_\_
2. How many individual permits for these types of discharges have been issued since October 31, 2011?  
\_\_\_\_\_

3. Does the state expect to issue any additional individual permits for these types of discharges?  Yes  No  
 a. If yes, describe the reason(s) for issuing individual permits:  
 \_\_\_\_\_

4. Approximately how many individual permits does the state expect to issue over the course of five years?  
 \_\_\_\_\_

5. Has the state issued any general permit(s) to control discharges from the application of pesticides?  Yes  No  
 a. If yes, how many general permits have been issued or are expected to be issued?  
 \_\_\_\_\_

6. Are all discharges requiring permits from these types of pesticide applications covered by the general permit(s)?  
 a. All pesticide use patterns  Yes  No  
 b. All operators of discharges, including decision-makers and applicators  Yes  No  
 c. All locations/waters within the state  Yes  No

Comments:  
 \_\_\_\_\_

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### III. Notices of Intent (NOIs)

1. Are Notices of Intent (NOIs), or similar, required to be submitted by permittees?  Yes  No  
 a. If yes, describe the criteria for who must submit NOIs, including where more than one Operator is involved with the discharge:  
 \_\_\_\_\_

2. How many NOIs have been received to date for the state pesticide general permit(s)?  
 \_\_\_\_\_

3. What is the state's estimate of the number of NOIs expected for these general permits?  
 \_\_\_\_\_

4. Does the state have an electronic NOI system for submission of NOIs?  Yes  No  
 a. If the state does not have an electronic NOI system, how are NOIs managed?  
 \_\_\_\_\_

5. Are NOI data available online?  Yes  No  
 a. If no, does the state plan on making these data available online and if so, when?  Yes  No  
 \_\_\_\_\_

Comments:  
 \_\_\_\_\_

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**IV. Program Implementation**

1. If applicable, describe how the state reviews/plans to review any pesticide management plans required under the permits:

2. If applicable, describe how the state manages or intends to manage any reports required under the permits:

3. If applicable, describe how the state manages or intends to manage any ambient water quality monitoring required under the permit:

4. Describe any existing ambient water quality data for pesticides in state waters as well as any plans the state has or may be aware of to collect such information:

5. Describe how the state addresses permitting requirements for discharges associated with pest emergency situations.

6. Describe any problems that have arisen associated with NPDES permits hindering a pesticide applicator's ability to respond to a pest emergency.

7. Summarize the outreach that the state has provided on NPDES permitting of discharges associated with pesticide applications:

8. Describe state agency resources available to administer NPDES permits for discharges from pesticide applications:

Comments

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**V. Additional Comments**

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