

# Vector Control General Permit Amendment

Item #5



State Water Resources Control Board  
Hearing/Adoption Meeting, April 3, 2012

# Background

General Permit, Order No. 2011-0002-DWQ,  
drafted with input from:

- Mosquito and Vector Control Association of California (MVCAC);
- Department of Pesticide Regulation;
- California Department of Public Health;
- U.S. EPA Region 9; and
- U.S. EPA Headquarters.

# Background

Following adoption in 2011, MVCAC was concerned with a last-minute change to language in Provision A.2, restricting discharges to waterbodies impaired by pesticide active ingredients “***or any pesticide in the same chemical family.***”

# Background

## MVCAC concerns:

- Various water bodies are impaired [303(d) listed] for organophosphates and pyrethroids:
  - OP Impairment – Due to chlorpyrifos, diazinon, and **malathion**;
  - Pyrethroid Impairment – Due to bifenthrin, esfenvalerate, fenvalerate, lambda cyhalothrin, and **permethrin**.
- Malathion and Permethrin – Listed as adulticide active ingredients in the Permit.

# Background

## MVCAC concerns:

- Adulthood Active Ingredients Available for Use:
  - Etofenprox – Pyrethroid-like substance
  - OP – Malathion and Naled
  - Pyrethrins
  - Pyrethroids – Permethrin, Prallethrin, Resmethrin, and Sumithrin
- Provision A.2 language prevents the use of OP, Pyrethrins, and Pyrethroids.

# Background

The restriction has the effect of entirely prohibiting mosquito control in areas with water bodies impaired by chlorpyrifos, diazinon, and pyrethroids resulting in a much greater mosquito exposure and public health concern.



# Background

State Water Board staff, taking into consideration the public health concerns and after reevaluating the water quality impacts, proposes amending the General Permit.



# Purpose of Amendment

- Remove “**or any pesticide in the same chemical family**” in Provision A.2 and elsewhere in the permit;
- Add five adulticide and nine larvicide products to the permit; and
- Add some clarifying language.

# Comment Letters

- Received on 3/12/2012
- MVCAC
- San Francisco Baykeeper (SFBK)



# Summary of MVCAC Comments

## Related to other issues in the Permit:

- Requests removal of certain larvicide monitoring requirements.
- Asks that staff document the process for adding new products into the Permit.
- Supports the proposed amendment despite remaining concerns with the NPDES permitting requirement, which MVCAC asserts hampers effective mosquito control and exposes permittees to fines and lawsuits for alleged noncompliance.

# Response to MVCAC Comments

- Larvicide monitoring is needed to assess impacts.
- Process for adding new products is outlined in Response to Comments.
- Under current law, a permit is required to ensure compliance with CWA requirements.

# Summary of SFBK Comments

- Removal of phrase “**or any pesticide in the same chemical family**” is unlawful without adequate justification.
- Permit should focus on eliminating larvae and not applying adulticides.
- State Water Board should first study impacts before adopting proposed change.

# Response to SFBK Comments

- No current evidence that vector control pesticide discharges would “significantly increase,” “cause serious impacts to,” or “seriously threaten water quality” if amended Permit is adopted.
- Except for malathion and permethrin, no other permitted adulticide active ingredient is causing impairment of California’s surface water bodies.
- Impairment by malathion and permethrin not directly related to vector control programs.

# Response to SFBK Comments

- Restricting the ability of vector control agencies to effectively control mosquitoes and protect public health is not an intended consequence of the Permit.
- Not amending the Permit could lead to unacceptable risks to public health.
- State Water Board's role is to regulate pollutant discharges, not to promote specific mosquito control techniques.

# QUESTIONS?

