

Draft Statewide General National Pollutant Discharge Elimination System (NPDES) Permit for Residual Pesticide Discharges from Aquatic Animal Invasive Species Control Applications to Waters of the United States.

ADDITIONS SHOWN IN BOLD DOUBLE-UNDERLINE; DELETIONS SHOWN IN STRIKETHROUGH

1. Page 5, Limitations and Discharge Requirements, Section II.C. Application: add language for Dischargers to submit applications so State and Regional Water Board staff have sufficient time to assess the application and coordinate on any changes or additional permit conditions.

C. Application

To obtain authorization under this Order, the Discharger must submit a complete application to the State Water Board **at least 90 days before the expected application of aquatic animal invasive species control pesticides** as described below:

2. Limitations and Discharge Requirements, page 15, IV. Discharge Prohibitions: add language specifying that the Lahontan Region has a pesticide prohibition and the permit is not applicable without an exemption to that prohibition from the Lahontan Board:

D. All pesticides are prohibited from the waters of the Lahontan Region (Region 6). The use of this permit is invalid in the Lahontan Region unless the discharger has requested a prohibition exemption from the Lahontan Water Board and the Lahontan Water Board has granted an exemption for the use of algaecides or aquatic herbicides.

3. Page 16, Table 3. Receiving Water Limitations: add “Maximum Daily” to column title, delete less than symbol (“<”) in row 4, column 2.

Table 3. Receiving Water Limitations

Constituent	<u>Maximum Daily Effluent Limitation</u>	Basis
Chlorine	10 µg/L – Monthly Average	U.S. EPA's Ambient Water Quality Criteria for Freshwater Aquatic Life Protection
Chlorine	20 µg/L – Daily Maximum	U.S. EPA's Ambient Water Quality Criteria for Freshwater Aquatic Life Protection
Chlorine	<10 µg/L – Daily Maximum	California Ocean Plan
Copper ¹	Dissolved Freshwater ² Copper Chronic = $0.960 \exp\{0.8545 [\ln(\text{hardness}^3)] - 1.702\}^{4,5}$ Dissolved Saltwater ⁴ Copper Chronic = 3.1 µg/L ^{4,5}	California Toxics Rule
Pf CL145A-S	6 mg Active Ingredient/Liter	Approximately One-Tenth of the Lowest LC50 Value: Oncorhynchus mykiss [rainbow trout] 96-hr LC50 = 59.09 ⁶
Toxicity	Aquatic pesticide applications shall not cause or contribute to toxicity in receiving water(s).	Regional Water Boards' Basin Plans

4. Page 20, Limitations and Discharge Requirements, Section VII.D Aquatic Pesticide Application Plan Approval and Modification: add language to explicitly state there will be coordination with Regional Board staff.

D. Aquatic Pesticide Application Plan Approval and Modification

The Discharger shall include the APAP in the application package which must be submitted to the Deputy Director or his/her designee for approval. **State Water Board staff will coordinate with Regional Water Board staff in reviewing the application package for completeness and applicability to this Order.** After receipt of a complete application package, and in accordance with Section II.C. above, the Deputy Director or his/her designee will issue an NOA which will provide regulatory coverage for the Discharger under this Order. The Discharger shall also submit major changes to the APAP to the Deputy Director or his/her designee for approval. Examples of major changes include using a different product other than what is specified in the APAP, changing an application method that may result in different amounts of pesticides being applied, or adding or deleting BMPs. Since the APAP

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shall include: (1) ALL the water bodies or water body systems in which pesticides are being planned to be applied or may be applied to control aquatic animal invasive species and (2) ALL the application areas and the target areas in the system that are being planned to be applied or may be applied, changes in monitoring locations are not considered major changes. However, the Discharger must report these changes in the annual report.

5. Page C-7, Table C-1 Monitoring Requirements: add monitoring for hardness if copper is monitored.

Table C-1. Monitoring Requirements

Sample Type	Constituent/Parameter	Units	Sample Method	Minimum Sampling Frequency	Sample Type Requirement	Required Analytical Test Method
Visual	1. Monitoring area description (pond, lake, open waterway, channel, etc.) 2. Appearance of waterway (sheen, color, clarity, etc.) 3. Weather conditions (fog, rain, wind, etc.)	Not applicable	Visual Observation	1	Background, Event, and Post-Event Monitoring	Not applicable
Physical	1. Temperature ²	°F	Grab ⁴ or In Situ Probe ⁵	6	Background, Event, and Post-Event Monitoring	7
	2. pH ³	Number				
	3. Turbidity ³	NTU				
	4. Electrical Conductivity ³ @ 25°C	µmhos/cm				
Biological/ Chemical	1. Pf CL145A-S ²	mg Al/L ⁹	Grab ⁴	6	Background, Event, and Post-Event Monitoring	7,8
	2. Chlorine ³	µg/L				
	3. Copper ³	µg/L				
	<u>4. Hardness (if copper is monitored)</u>	<u>mg/L</u>				
	<u>45. Dissolved Oxygen³</u>	mg/L				

¹ All applications at 10 percent of all application areas or six application areas, whichever is greater. If applying to less than six application areas, monitor at all application areas.
² Field testing.
³ Field or laboratory testing.
⁴ Samples shall be collected at three feet below the surface, or mid-depth if water body is less than six feet deep.
⁵ If an in situ water quality probe is used, the probe should be placed at approximately three feet below the surface or mid-depth in water bodies less than six feet deep.
⁶ If applying six or more times a year, collect six samples for each environmental setting (agricultural, urban, or wetland). If applying less than six times a year, collect a sample during each application for each environmental setting (agricultural, urban, or wetland).
⁷ Chemical pollutants shall be analyzed using the analytical methods described in 40 C.F.R. part 136.
⁸ Pf CL145A-S concentrations shall be quantified for each application event that requires receiving water monitoring as described on U.S. EPA's product label and this MRP. Turbidity monitoring is required for determining the active

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Sample Type	Constituent/Parameter	Units	Sample Method	Minimum Sampling Frequency	Sample Type Requirement	Required Analytical Test Method
<p>ingredient concentration during treatments. Pf CL145A-S concentration data shall be reported both as raw NTU values and as calculated dead Pf CL145A-S concentration determined using a linear regression analysis of known Pf CL145A-S concentrations in spiked source water to be treated versus turbidity.</p> <p>⁹ Milligrams active ingredient per liter of treated water.</p>						

6. Page E-1, Notice of Intent Status: add new check box for existing enrollees.

I. NOTICE OF INTENT STATUS (see Instructions)

<p>Mark only one item: A. <input type="checkbox"/> New Applicator B. <input type="checkbox"/> Change of Information: WDID# _____</p> <p>C. <input type="checkbox"/> Change of ownership or responsibility: WDID# _____</p> <p>D. <input type="checkbox"/> Enrolled under Order 2011-0003-DWQ: WDID# _____</p>

7. Attachment D – Fact Sheet page D-25, A. Discharge Prohibitions: add rationale specifying that the Lahontan Region has a pesticide prohibition and the permit is not applicable without an exemption to that prohibition from the Lahontan Board:

A. Discharge Prohibitions

5. **All pesticides are prohibited from the waters of the Lahontan Region (Region 6). The use of this permit is invalid in the Lahontan Region unless the discharger has requested a prohibition exemption from the Lahontan Water Board and the Lahontan Water Board has granted an exemption for the use of algacides or aquatic herbicides. This prohibition is based on the Lahontan Water Board's region-wide waste discharge prohibition for pesticides in water with exemption criteria to allow certain uses of aquatic pesticides.**