



February 5, 2014

Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24th Floor  
Sacramento, CA 95814

RE: Comment Letter – Draft Vector Control Permit MRP Amendments

Thank you for the opportunity to comment on the changes to the Vector Control Permit. The Mosquito and Vector Control Association of California (MVCAC) appreciates the State Water Resources Control Board's (SWRCB) recognition of the important role that mosquito and vector control districts play in protecting public health and the environment. To that end the SWRCB staff has worked diligently to understand the methods that the districts utilize to fulfil their mission and have developed changes to the Vector Control Permit reflecting the data submitted by MVCAC members. The proposed changes will reduce the cost and impediments to districts meeting their important role.

The MVCAC and its 64 members strongly support the permit changes with the following modifications (modification in highlighted, italics, underlined):

***Page C-15 (Under Reporting Protocols Section):***

To the extent feasible, ~~T~~the Discharger or Coalition shall arrange all reported ~~data information~~ in a tabular format. The ~~data information~~ shall be summarized to clearly illustrate whether the facility is operating in compliance with effluent and receiving water limitations.

**Justification:** Recommend changing “facility” to “Discharger” to appropriately reflect vector control applications.

**Page 1**

4. On March 1, 2011, the State Water Board adopted Order 2011-0002-DWQ (later amended by Order 2012-0003-DWQ on April 3, 2012), Statewide NPDES Permit for Biological and Residual Pesticide Discharges to waters of the United States from Vector Control Applications (hereafter Vector Control Permit). The Vector Control Permit covers the point source discharge of biological and residual pesticides resulting from direct and indirect spray applications for vector control. The Vector Control Permit covers only pesticides that are approved by U.S. EPA and registered by the California Department of Pesticide Regulation (CDPR) for applications in accordance with specific application rates or are covered by either a Research Authorization or Conditional Registration by CDPR.

**Page C-9**

IV. Reporting Requirements

A. General Monitoring and Reporting Requirements

6. Additional monitoring and reporting requirements may be added to the MRP by the Deputy Director), including separate requirements for products subject to a Conditional Registration or a Research Authorization.

**Permit changes to make consistent with the above recommendation:**

**II. PERMIT COVERAGE AND APPLICATION REQUIREMENTS**

**A. General Permit Coverage**

This General Permit covers the point source discharge of biological and residual pesticides resulting from direct and spray applications for vector control using:

1) larvicides containing monomolecular films, methoprene, *Bacillus thuringiensis* subspecies *isralensis* (or *Bti*), *Bacillus sphaericus* (or *B. Sphaericus*), temephos, petroleum distillates, or spinosad; and 2) adulticides containing malathion, naled, pyrethrin, permethrin, resmethrin, sumithrin, prallethrin, piperonyl butoxide (PBO), etofenprox, or N-octyl bicycloheptene dicarboximide (or MGK-264). Users of products containing these active ingredients are required to obtain coverage under this General Permit prior to application to waters of the US. This General Permit only covers the discharge of larvicides and adulticides that are currently registered, Conditionally Registered or have been issued a Research Authorization by the California Department of Pesticide Regulation or ~~Attachments E and F6 list the currently registered products containing these active ingredients.~~ The State Water Board Deputy Director of the Division of Water Quality (Deputy Director) shall update the list of the products that meet these requirements within 15 days of receipt of the list from CDPR. The list may be included as an attachment to the permit or posted to the Board's website.

IX.B.2. The State Water Board Deputy Director of the Division of Water Quality (Deputy Director) may add monitoring and reporting requirements to the Monitoring and Reporting Program (MRP), including separate requirements for products subject to a Conditional Registration or a Research Authorization.

**Justification:** Conditional Registrations and Research Authorizations are recognized under CDPR's regulatory structure. This language harmonizes the language utilized between the regulatory bodies. Conditional Registrations and Research Authorizations require reporting to CDPR and it is appropriate to give the Deputy Director of the Board the right to request this additional monitoring information or to review the monitoring protocols of the body conducting the research.

The modification to the method for updating the products that meet the requirements reduces the need for additional review by the Board staff and would allow the list to be maintained on the Board website instead of requiring a permit modification each time the list of products is updated.

Thank you again to the staff and we look forward to continuing to work with you on ways to improve the ability to protect public health and the environment.

If you have any questions, please contact Greg Hurner at (916) 201-5962.

Sincerely,

A handwritten signature in cursive script that reads "Greg Hurner". The signature is written in black ink and is positioned below the word "Sincerely,".

Greg Hurner