

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF A PROPOSED PESTICIDES GENERAL PERMIT AUTHORIZING THE APPLICATION OF PESTICIDES INTO WATERS OF THE UNITED STATES

The Texas Commission on Environmental Quality (TCEQ or Commission) proposes to issue a new general permit (Proposed Texas Pollutant Discharge Elimination System Permit Number TXG870000) authorizing the application of biological pesticides or chemical pesticides that leave a residue in water when such applications are made into or over, including near waters of the United States. The proposed general permit applies to the entire state of Texas. This general permit is authorized by Section 402 of the Clean Water Act (CWA) and Chapter 26 of the Texas Water Code.

PROPOSED GENERAL PERMIT. The Executive Director has prepared a draft pesticides general permit and the pesticide use patterns covered under this permit include mosquito and other nuisance insect pests, vegetation and algae, nuisance animal, area-wide and forest canopy pest control.

The Executive Director has made a preliminary decision that the general permit, if issued, meets all statutory and regulatory requirements. The proposed permit will expire five years from the date of issuance in accordance with 30 TAC §205.5(a).

The Executive Director has reviewed this action for consistency with the goals and policies of the Texas Coastal Management Program (CMP) according to Coastal Coordination Council regulations, and has determined that the action is consistent with the CMP.

A copy of the proposed general permit and fact sheet are available for viewing and copying at the TCEQ Office of the Chief Clerk located at the TCEQ's Austin office, at 12100 Park 35 Circle, Building F. These documents are also available at the TCEQ's 16 regional offices and at the pesticides general permit TCEQ website

http://www.tceq.state.tx.us/permitting/water_quality/stakeholders/pesticidegp_stakeholder_group.html.

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments about this general permit. In addition, the TCEQ will hold a public meeting on this general permit. A public meeting is not a contested case hearing. The public meeting will be held as follows:

January 12, 2011, from 1:30 - 5:00p.m. at the TCEQ Austin Office, 12100 Park 35 Circle, Building E, Room 201S.

All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 or electronically at www.tceq.state.tx.us/about/comments.html within 30 days from the date this notice is published in the Texas Register or at the end of public meeting, whichever is later.

APPROVAL PROCESS. After the comment period, the Executive Director will consider all the public comments and prepare a written response. The response will be filed with the TCEQ Office of the Chief Clerk at least ten days before the scheduled Commission meeting when the Commission will consider approval of the general permit. This commission meeting will be open to the public. The Commission will consider all public comments in making its decision and will either adopt the Executive Director's response or prepare its own response. The Commission will issue its written response on the general permit at the same time the Commission issues or denies the general permit. A copy of any issued general permit and response to comments will be made available to the public for inspection at the agency's Austin and regional offices. A notice of the Commissioners' action on the proposed general permit and a copy of its response to comments will be mailed to each person who made a comment. Also, a notice of the Commission's action on the proposed general permit and the text of its response to comments will be published in the *Texas Register*.

MAILING LIST. In addition to submitting public comments, you may request to be placed on a mailing list to receive future notices mailed by the Office of the Chief Clerk. You may request to be added to: (1) the mailing list for this specific general permit; (2) the mailing list for a specific county; and/or (3) the mailing list of a specific applicant name and permit number. Clearly specify which list(s) to which you wish to be added and send your request to TCEQ Office of the Chief Clerk at the address above. Unless you otherwise specify, you will be included only on the mailing list for this specific general permit.

AGENCY CONTACTS AND INFORMATION. If you need more information about this general permit or the permitting process, please call the TCEQ Office of Public Assistance, Toll Free, at 1-800-687-4040. General information about the TCEQ can be found at our web site at www.TCEQ.state.tx.us.

Further information may also be obtained by calling the TCEQ's Water Quality Division, Concentrated Animal Feeding Operation (CAFO) Permits Team, at (512)239-4671.

Si desea información en Español, puede llamar al 1-800-687-4040.

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