

Pesticides General Permit - Summary *

The Texas Commission on Environmental Quality (TCEQ) issued a new general permit on November 2, 2011 to authorize the discharge of biological pesticides or chemical pesticides (including insecticides, nematocides, rodenticides, fungicides and herbicides) that leave a residue in water when such applications are made into, over, or near waters of the U.S.

Control of the following is authorized under the Pesticides General Permit:

- **mosquito and other insect pest**
(examples include Mayflies, Caddisflies, Stoneflies, and Blackflies)
- **vegetation and algae**
(examples include free floating plants such as duckweed and emergent plants such as cattails, noxious weeds, non-native and potentially invasive plants, filamentous algae, Cyanobacteria, or phytoplankton)
- **animal pest**
(examples include fish, lampreys, mollusks, rodents or pathogens)
- **area wide pest**
(examples include aerial crop dusting, aerial and ground application for the control of nuisance and disease borne mosquitoes; ground application for maintaining right-of-ways or drainage ditches, other governmental infrastructure for crucial functions of health and safety; urban landscaping, treating orchard pests; or controlling fruit flies)
- **forest canopy pest**
(examples include spraying trees to control target pests like aphids or pecan weevils, or application of pesticides to manage fungi, insects, weed or vertebrate pests in forest trees management)

The general permit clarifies who is authorized to operate under the pesticides general permit and who must obtain an individual permit. It also describes the requirements for operators covered under the general permit which uses annual thresholds based on the size of area where pesticides are applied:

- For mosquito and other insect pests, area-wide pest and forest canopy pest controls, the threshold is 6,400 acres or greater.
- For vegetation and algae and animal pest controls, the threshold is 100 acres in water or 200 linear miles at water's edge.

The permit covers the following groups of operators:

- **Level IA** consists of public entities applying Restricted Use Pesticides (RUP), State-Limited-Use (SLU) pesticides, or Regulated Herbicides (RH) to a pest management area above the annual threshold where there is public or private access or private entities applying RU, SLU, or RH where there is public access. These operators are required to obtain authorization by submitting a completed application form to the TCEQ and may be state or federal agencies, cities, counties, and pest control companies.

- **Level IB** consists of public entities applying General Use Pesticides (GUP) to a pest management area above the annual threshold where there is public or private access, private entities applying GUP where there is public access, or private entities applying RUP, SLU pesticides or RH or GUP where there is only private access. Operators in this level are required to submit a completed Self-Certification Form to the TCEQ Regional office to obtain coverage.
- **Level II** consists of public or private entities applying RUP, SLU pesticides, RH, or GUP to a pest management area below the annual threshold but greater than one acre. These operators are required to keep onsite a complete Self-Certification Form and may include state or federal agencies, cities, counties, farmers, homeowner's associations, or pest control companies.
- **Level III** consists of public or private entities applying GUP to less than one acre per year where there is public or private access. These operators are required to follow the product label instructions which accompany the pesticide.

Answers to Common Questions

What are "waters of the U.S."?

Waters of the U.S. include, but are not limited to, intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, and all waters which are currently used, were used in the past, or may be used in the future for interstate or foreign commerce. Exceptions: For purposes of this general permit, waters of the U.S. do not include playa lakes, stock ponds, other isolated wetlands, or conveyances without a hydrologic surface connection to waters of the U.S. For a complete definition, see page 12 of the permit.

Where can I read the permit?

The permit is available on TCEQ's website, <http://www.tceq.texas.gov/permitting/stormwater/pestgpair>.

Who is considered to be an operator?

Operators are usually property owners, persons, or entities who control the timing, location, method, and means of pest management.

Where can I find the Self Certification Form and Notice of Intent?

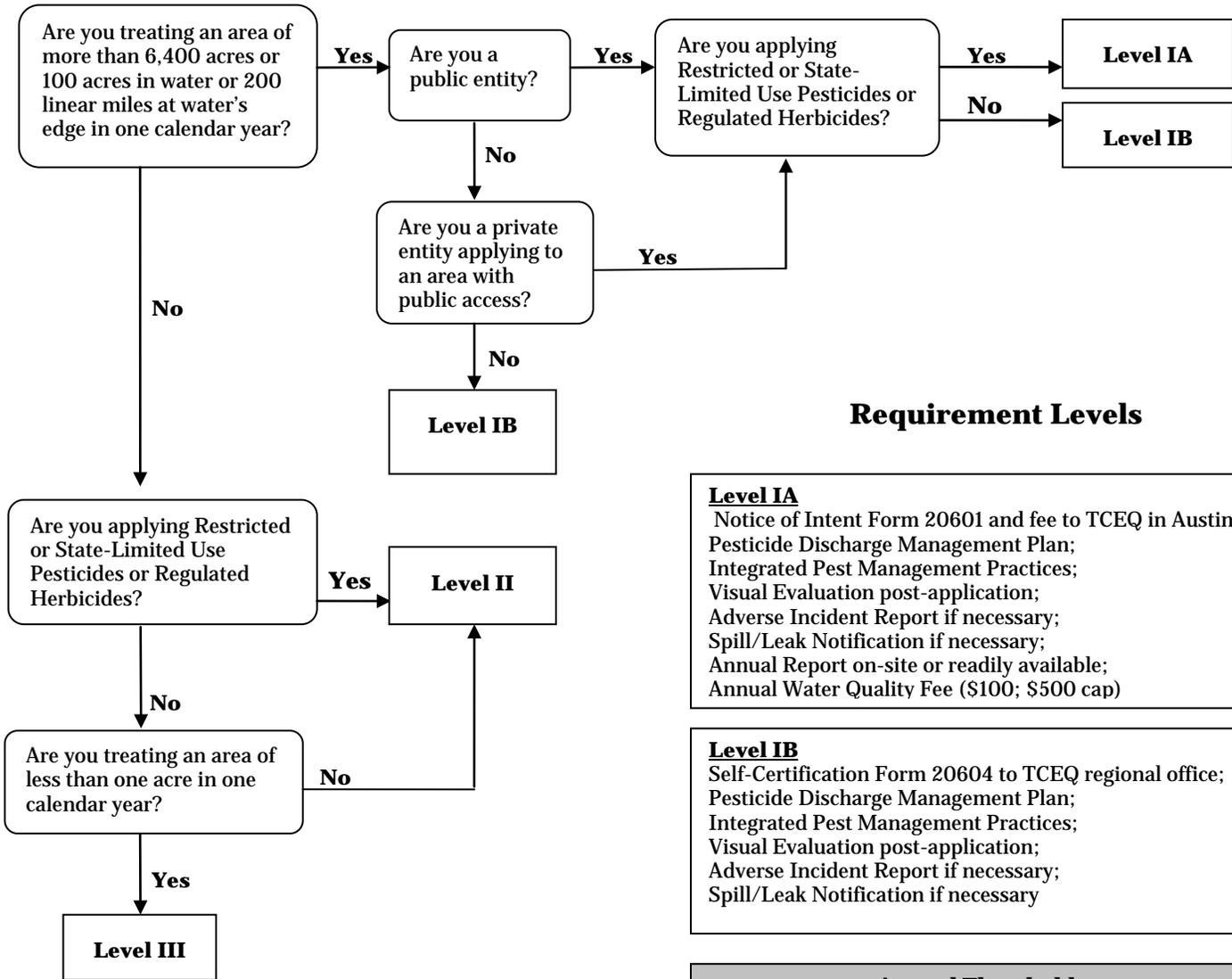
Level IA operators must use the Notice of Intent Form TCEQ-20601. Level IB operators must use the Self-Certification Form for Level IB TCEQ-20604. Level II operators must use the Self-Certification Form for Level II TCEQ-20605. To obtain the required forms, visit: www.tceq.texas.gov/search_forms.html.

Who do I contact with questions?

For general questions about the permit, contact the Water Quality Division at (512) 239-4671 or email PGP@tceq.texas.gov. If you are a small business or local government and have compliance questions, call 1-800-447-2827 or visit www.texasenvirohelp.org.

Pesticides General Permit - Flow Chart *

The Texas Commission on Environmental Quality (TCEQ) has issued a new Texas Pollutant Discharge Elimination System (TPDES) general permit to authorize the discharge of biological pesticides and chemical pesticides that leave a residue in water, when such applications are made into, over, or near waters of the U.S.



Requirement Levels

Level IA
 Notice of Intent Form 20601 and fee to TCEQ in Austin;
 Pesticide Discharge Management Plan;
 Integrated Pest Management Practices;
 Visual Evaluation post-application;
 Adverse Incident Report if necessary;
 Spill/Leak Notification if necessary;
 Annual Report on-site or readily available;
 Annual Water Quality Fee (\$100; \$500 cap)

Level IB
 Self-Certification Form 20604 to TCEQ regional office;
 Pesticide Discharge Management Plan;
 Integrated Pest Management Practices;
 Visual Evaluation post-application;
 Adverse Incident Report if necessary;
 Spill/Leak Notification if necessary

Annual Threshold

Level II
 Self-Certification Form 20605 on-site or readily available;
 Visual Evaluation post-application;
 Adverse Incident Report if necessary

Level III
 Follow directions on product label

*** This document is intended to summarize permit applicability and requirements. It is not all inclusive of the terms, conditions and requirements of the Pesticides General Permit.**