



United States Environmental Protection Agency
Office of Water, Office of Wastewater Management
Water Permits Division



Pesticide General Permit

On October 24, 2016, the Environmental Protection Agency (EPA) issued a final National Pollutant Discharge Elimination System (NPDES) Pesticide General Permit (PGP) for point source discharges from the application of pesticides to waters of the United States. The 2016 PGP, which has an effective date of October 31, 2016, replaces the 2011 PGP that expired at midnight on October 31, 2016, and authorizes certain point source discharges from the application of pesticides to waters of the United States in accordance with the terms and conditions described therein.

EPA's PGP covers discharges in areas where EPA is the NPDES permitting authority, which include four states (Idaho, Massachusetts, New Hampshire, and New Mexico), Washington, D.C., all U.S. territories except the Virgin Islands, most Indian Country, and federal facilities in four additional states (Colorado, Delaware, Vermont, and Washington). The remaining 46 states and the Virgin Islands are authorized to develop and issue their own NPDES pesticide permits.

In areas where EPA's PGP applies, all eligible Operators will be covered under the PGP automatically until January 12, 2017 without having to submit a Notice of Intent (NOI). For any discharges that occur beyond January 12, 2017, Operators who are required to submit NOIs (as identified in the PGP) will need to submit those NOIs at least 10 days prior to discharge (or 30 days prior to discharge to National Marine Fisheries Service (NMFS) Listed Resources of Concern). This means that an Operator required to submit an NOI who has a discharge occurring on January 13, 2017 would need to submit an NOI by January 2, 2017 (or December 14, 2016 for discharges to NMFS Listed Resources of Concern) to ensure uninterrupted permit coverage. The Agency encourages those Operators who are required to submit NOIs to do so as early as possible. EPA developed an electronic NOI (eNOI) system to simplify NOI submission.

The provisions of the PGP are designed to improve protection of our nation's water quality by minimizing discharges of pesticides to waters of the United States. EPA's final permit covers discharges of biological pesticides, and chemical pesticides that leave a residue, from Mosquito and other flying insect pest control, Weed and algae control, Animal pest control, and Forest canopy pest control.

The 2016 PGP contains the same requirements and provisions as the 2011 permit. The permit requires permittees to minimize pesticide discharges through the use of pest management measures and monitor for and report any adverse incidents. Some permittees are also required to submit NOIs prior to beginning to discharge and implement integrated pest management (IPM)-like practices, which should reduce the amount of pesticides discharged to waters of the United States. Record-keeping and reporting requirements in the permit will provide valuable information to EPA and the public regarding where, when, and how much pesticides are being discharged to waters of the United States.

As a result of consultation with federal resource agencies as required by the Endangered Species Act (ESA), the permit includes additional requirements for certain Operators who discharge to waters of the United States containing NMFS Listed Resources of Concern. EPA's website (<https://www.epa.gov/npdes/pesticide-permitting>) includes information on these resources, including their geographic locations. Operators with discharges to waters of the United States containing NMFS Listed Resources of Concern must determine their eligibility for coverage through additional ESA-related criteria outlined in the permit and submit an NOI and annual reports and implement IPM-like practices.

The PGP does not cover, nor is permit coverage required for, pesticide applications that do not result in a point source discharge to waters of the United States, such as terrestrial applications for the purpose of controlling pests on agricultural crops, forest floors, or range lands. Also, agricultural runoff and irrigation return flows continue to be exempt from permitting, as provided under the CWA.

For More Information: To see EPA's PGP, Fact Sheet, and interactive tool to help potential permittees determine their permitting requirements click here: <https://www.epa.gov/npdes/pesticide-permitting>.