



west virginia department of environmental protection

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**WV/NPDES WATER POLLUTION CONTROL PERMIT
PESTICIDE GENERAL PERMIT FOR POINT SOURCE DISCHARGES
WV/NPDES PERMIT NO. WV0116645 MODIFICATION**

The Division of Water and Waste Management is proposing to modify West Virginia National Pollutant Discharge Elimination System (NPDES) Pesticide General Water Pollution Control Permit. The General Permit covers discharges to waters of the state from the application of (1) biological pesticides or (2) chemical pesticides that leave a residue (hereinafter collectively “pesticides”), when the pesticide application is for one of the following pesticide use patterns:

1. Mosquito and Other Flying Insect Pest Control
2. Weed and Algae Pest Control
3. Animal Pest Control
4. Forest Canopy Pest Control

The draft modification includes the following changes:

On page 3 of the General Permit, Discharges to Waters Designated as Tier 3 is being changed from:

You are not eligible for coverage under this permit for discharges from a pesticide application to Tier 3 waters designated by a State.

to the following:

Except for discharges from pesticide applications made to restore or maintain water quality or to protect public health or the environment that either do not degrade water quality or only degrade water quality on a short-term or temporary basis, Operators are not eligible for coverage under this permit for discharges to waters of the State designated as Tier 3 (Outstanding National Resource Waters) for antidegradation purposes under 47 CSR 2.

Section J text is being changed from:

Permit coverage for construction activities encompassed by this permit expires upon satisfactory stabilization of the site. Satisfactory stabilization means ALL disturbed areas shall be covered by some permanent protection.

Promoting a healthy environment.

Stabilize includes pavement, buildings, waterways (riprap, concrete, grass, or pipe), a healthy, vigorous stand of grass that uniformly covers more than 70 percent of the ground, stable outlet channels with velocity dissipation which directs site runoff to a natural watercourse, and any other approved structure or material. The permittee will request a final inspection by sending in the Notice of Termination. The Notice of Termination shall also include as-built drawings, certified by a registered professional engineer, for any permanent ponds or basins. Sites not stabilized will continue to have coverage under this permit and will be assessed an annual permit fee as promulgated by the West Virginia Legislature. Sites will be assessed a prorated annual fee based upon the completion date and proper stabilization. The Notice of Termination must be submitted within 30 days after final stabilization is achieved.

to the following:


Terminating Permit Coverage

To terminate permit coverage, the permittee must submit a complete and accurate Notice of Termination (NOT) to DWWM. If a permittee submits a NOT without meeting one or more of the conditions identified below, the NOT is not valid. Permittees are responsible for complying with the terms of this permit until authorization is terminated.

When to Submit a NOT

A permittee must submit a NOT within 30 days after one or more of the following conditions have been met:

- a. The permittee has ceased all discharges from the application of pesticides for which the permit coverage was obtained and does not expect to discharge during the remainder of the permit term for any of the use patterns as identified in Section A.**
- b. The permittee has obtained coverage under an individual permit or an alternative general permit for all discharges required to be covered by an NPDES permit.**

BY: 
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