



**American Water Works  
Association**

## Utility Member Benefit

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## Regulatory Alert

**TO: AWWA Section Government Affairs Contacts  
All Utilities**

**FROM: AWWA Government Affairs**

**DATE: July 14, 2010**

<b>Who:</b>	<b>Water Utility Managers</b>
<b>What:</b>	<b>Opportunity to submit comments on National Pollutant Discharge Elimination System Pesticide General Permit for Point Source Discharges From the Application of Pesticides (Docket ID No. EPA-HQ-OW-2010-0257)</b>
<b>When:</b>	<b>Comments due July 19, 2010</b>

On June 4, 2010, the U.S. Environmental Protection Agency issued a *Federal Register* notice proposing a general permit for the direct application of pesticides to U.S. waters.

If your utility has not already submitted comments to this docket (EPA-HQ-OW-2010-0257), AWWA encourages you to do so before the July 19 deadline.

The permit applies to pesticide applications used to control algal blooms and the excessive growth of aquatic weeds in reservoirs and canals. The permit will not, however, apply to most agricultural pesticide applications because of specific statutory exclusions under the Clean Water Act.

The general permit proposed by EPA will only apply in nine states, Indian Country lands, and U.S. territories where EPA has primacy for the National Pollutant Discharge Elimination System (NPDES) program. However, it will serve as a model for the development of similar general permits in the other 41 states.

Highlighted below are key points AWWA will submit to the EPA:

1. Finalize the general permit proposal identifying practical alternatives to individual permits, except in the most challenging of application scenarios.
2. Recognize that pesticides play an important role in protecting the drinking water supply and can be used effectively through compliance with the Federal Insecticide Fungicide and Rodenticide Act (FIFRA) label requirements.

3. Actively pursue extension of the current court stay to facilitate education of regulatory personnel and implementation by regulated entities.
4. Re-evaluate the threshold for filing a Notice of Intent (20 acres or 20 linear miles of cumulative, annually treated area), and set the threshold consistent with the agency's intent of capturing pesticide applications of significant scope.

Comments can be submitted by mail to the address below or online at [www.regulations.gov](http://www.regulations.gov).

Water Docket, U.S.  
Attn: Docket Id. EPA-HQ-OW-2010-0257  
Environmental Protection Agency,  
Mail Code: 2822T,  
1200 Pennsylvania Avenue, NW.  
Washington, DC 20460

For more information on the notice, visit [http://cfpub.epa.gov/npdes/home.cfm?program\\_id=410](http://cfpub.epa.gov/npdes/home.cfm?program_id=410).

If you are interested in AWWA's detailed comments, please contact Steve Via at [svia@awwa.org](mailto:svia@awwa.org).