GENERAL PERMIT NO. GAG820000

STATE OF GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

PESTICIDE GENERAL PERMIT

In compliance with the provisions of the Georgia Water Quality Control Act (Georgia Laws 1964, p.416, as amended), hereinafter called the "State Act," the Federal Clean Water Act, amended (33 U.S.C. 1251 et seq.), hereinafter called the "Clean Water Act", and the Rules and Regulations promulgated under each of these Acts, this general permit authorizes the discharge of biological pesticides or chemical pesticides that leave a residue (including but not limited to insecticides, nematicides, rodenticides, fungicides, and herbicides) into and adjacent to, waters of the State of Georgia.

This permit is conditioned upon the permittee complying with all applicable limitations, monitoring requirements and other conditions set forth in this permit.

This permit shall become effective on August 1, 2016.

This permit shall expire at midnight, July 31, 2021.

Issued this 15th day of July 2016

Director,
Environmental Protection Division

TABLE OF CONTENTS

PART I COVERAGE UNDER THIS PERMIT

A. Eligibility
B. Obtaining Authorization to Discharge
C. Annual Treatment Area Thresholds
D. Terminating Coverage
E. Responsibilities
F. Signatory Requirements

PART II EFFLUENT LIMITATIONS

A. Technology-based Effluent Limitations
B. Pest Management Practices
C. Site Monitoring
D. Water Quality-Based Effluent Limitations

PART III PESTICIDE DISCHARGE MANAGEMENT PLAN (PDMP)

A. Development of a Pesticide Discharge Plan
B. Pesticide Discharge Plan Modifications
C. Pesticide Discharge Plan Availability

PART IV RECORD KEEPING AND REPORTING

A. Record Keeping for all Operators
B. Reporting and Record Keeping for Operators That Exceed an Annual Threshold
C. Biennial Reporting

PART V CORRECTIVE ACTION & SPILLS

A. Corrective Action
B. Adverse Incident Documentation and Reporting
C. Reportable Spills and Leaks

PART VI DEFINITIONS, ABBREVIATIONS AND ACRONYMS

PART VII ENVIRONMENTAL PROTECTION DIVISION (EPD) CONTACTS

PART I.

COVERAGE UNDER THIS PERMIT

This permit covers any operator that meets the eligibility requirements identified in Part I.A.1. and, if so required, submits a Notice of Intent (NOI) in accordance with Part I.B.1.

An operator as defined in Part VI of this permit, includes the person responsible for pesticide management activities resulting in the discharge of pesticides to waters of the State of Georgia (the State). The operator generally includes the entity in control of the financing of and making the decision (including the ability to modify those decisions) for the application of pesticides that result in a discharge to a water of the State.

If you apply pesticides to waters of the State in the following manner(s), you are considered an operator for the purposes of this general permit. An operator includes, but is not limited to, the following pesticide applicators:

Public entities with pest control responsibilities
Research and Development (R&D) pesticide applicators
Applicators that apply pesticides in response to an emergency situation
For-Hire Pesticide Contractors

If you apply, as part of your business, or your company applies any type of pesticide into waters of the State (i.e., point source discharges), or if you perform applications as part of a maintenance contract, for the purpose of this general permit you are considered a for-hire contractor. In the event that an operator utilizes the services of a for-hire pesticide contractor, it is only necessary for one of the two parties to obtain coverage under this general permit. The decision of who must obtain coverage under this general permit is the responsibility of the two parties involved.

For the purposes of this permit "pesticide research and development" is defined as activities undertaken on a systematic basis to gain new knowledge (research) and/or the application of research findings or other scientific knowledge for the creation of new or significantly improved products or processes (experimental development). These types of activities are generally categorized under the four-digit code of 5417 under the 2007 North American Industry Classification System (NAICS).

A "declared pest emergency situation" is an event defined by a public declaration by a federal agency, state, or local government of a pest problem determined to require control through application of a pesticide beginning less than ten days after identification of the need for pest control.

A. ELIGIBILITY

1. **Activities Covered:** This permit is available to operators of discharges to waters of the State from the application of biological pesticides and chemical pesticides which leave a residue (hereinafter collectively called "pesticides") when the pesticide application is for the following use patterns:

   a. **Mosquito and Other Nuisance Insect Pests Control** - to control public health/nuisance and other flying insect pests that develop or are present during a portion of their life cycle in or above standing or flowing water. Public health/nuisance and other flying insect pests in this use category include but are not limited to mosquitoes and black flies.

   b. **Weed and Algae Control** - to control invasive or other nuisance weeds and algae in water and at water's edge, including irrigation ditches, irrigation canals and along roadsides and utility right of way where to target the identified species effectively, a portion of the pesticide will unavoidably will be deposited over or into waters of the State.

   c. **Nuisance Animal Control** - to control invasive or other nuisance animals in water and at water's edge. Aquatic nuisance animals in this use category include, but are not limited to, fish, lampreys, and mollusks.

   d. **Forest Canopy or Other Area-Wide Pest Control** - aerial or ground application of a pesticide over or into a forest canopy or other vegetation to control the population of a pest species (e.g., insect or pathogen) where to target the pests effectively a portion of the pesticide unavoidably will be applied over and deposited to water.

2. Limitations of Coverage

   a. This general permit does not apply to the application of pesticides to areas which do not require a National Pollutant Discharge Elimination System (NPDES) permit, including:

      i. Any introduction of pollutants from non-point source agricultural and silvicultural activities including storm water runoff from orchards, cultivated crops, pastures, and forest lands; and

      ii. Return flows from irrigated agriculture.

   b. Section 305(b) of the Clean Water Act (CWA) requires States to assess and describe the quality of its waters every two years in a report called the 305(b) report. Section 303(d) of the CWA requires States to submit a list of all waters that are not meeting their designated uses. For the purposes of this permit, impaired waters are those that have been identified by the State of Georgia pursuant to Section 303(d) of the CWA as not meeting applicable State water quality standards.

      Point source discharges from a pesticide application to waters of the State are not eligible for coverage under this permit if the water is identified as impaired for that pesticide or its degradates. A list of these waters is available on EPD's website: http://epd.georgia.gov/georgia-305b303d-list-documents

c. Point source discharges from pesticide application to waters of the State that are currently or previously covered by another permit are not eligible for coverage under this permit if any of the following circumstances apply:

i. The discharges are covered by another NPDES permit; or

ii. The discharges were included in a permit that within the last five years has been or is in the process of being denied, terminated, or revoked by EPD.

MS4 Stormwater NPDES permits cover non-point source discharges, therefore permit holders for MS4 NPDES permits are eligible for coverage under this general permit for the point source discharge of pesticides to waters of the State.

B. OBTAINING AUTHORIZATION TO DISCHARGE

1. To obtain authorization under this permit an operator must meet the eligibility requirements identified in Part I.A.1. Some operators will be required to submit a Notice of Intent (NOI). The submission of an NOI is an acknowledgement that the conditions of this general permit apply to the proposed discharge and that the applicant agrees to comply with the applicable conditions of this permit.

a. Operators that are not required to submit an NOI:

If an operator meets the eligibility requirement to be covered under this general permit in Part I.A.1. and does not exceed a pesticide application annual (i.e., calendar year) treatment area threshold in Table 1 below for one or more pest management areas, applies pesticides for the sole purpose of R & D or applies pesticides in response to a declared emergency situation, the operator is not required to submit an NOI.

b. Operators that must submit an NOI:

If an operator meets the eligibility requirement to be covered under this general permit in Part I.A.1. and exceeds a pesticide application annual (i.e., calendar year) treatment area threshold in Table 1 below for one or more pest management areas, a complete and accurate NOI must be submitted in accordance with the Rules, Chapter 391-3-6-15(3)(b)(2), for discharges to waters of the State resulting from the application of pesticides. The NOI must be submitted to EPD (Refer to Part VII) within thirty days of exceeding the applicable threshold.

C. ANNUAL TREATMENT AREA THRESHOLDS

1. The following table provides annual thresholds for designated use patterns:

TABLE 1 Annual Treatment Area[1] Thresholds		
PGP Part	Pesticide Use	Annual Threshold
I.A.1.a.	Mosquitoes and Other Nuisance Insect Pests	8960 acres of treatment area[2]
I.A.1.b.	Weed and Algae Control:	
	- In Waters of the State	200 acres of treatment area[3,5]
	- At Water's Edge:	200 linear miles of treatment area at water's edge[4,5]
I.A.1.c.	Nuisance Animal Control:	
	- In Waters of the State	200 acres of treatment area[3,5]
	- At Water's Edge	200 linear miles of treatment area at water's edge[4,5]
I.A.1.d.	Forest Canopy Pest Control Area-Wide Pest Control	8960 acres of treatment area

1 Treatment area is defined as the area of land including any waters or linear distance along water's edge, to which pesticides are being applied. Multiple treatment areas may be located within a single "pest management area." (Refer to Part VI)

2 The threshold calculations should include the acreage for each application of adulticide, for a cumulative total to compare with the threshold. It is not a requirement of this permit to include applications of larvicide when calculating annual treatment area thresholds.

3 The threshold calculations should include the area of the applications made to waters of the State.

4 The threshold calculations should include the linear extent of the application made at water's edge to waters of the State.

5 For the threshold calculation for weed, algae and animal control in water and at water's edge, count each pesticide application activity as a single activity or area. Treating both sides of a ten-mile stream is equal to twenty miles of water treatment area. The number of pesticide applications to the same treatment area is not a cumulative total. For example, treating both sides of a ten-mile stream, five times per year is equal to twenty miles of treatment area. Therefore, if you treat both sides of a ten-mile stream, five times per year and you also treat both sides of a twenty-mile river, five times per year, the total treatment area is 60 miles of treatment area. Also, if you treat different sections of a ten-mile stream bank at different intervals throughout the year, it is still considered 10-miles of treatment area.

2. The following table summarizes the conditions and requirements of this permit:

TABLE 2	**PERMIT CONDITIONS AND REQUIREMENTS**
Thresholds	**Permit Requirements**
Discharges: ▪ Below Annual Treatment Area Threshold ▪ Emergency Applications ▪ R & D Applications	Part I.B.1.a. – Obtaining Authorization to Discharge: The submittal of an NOI is not required for coverage under this permit. Part I.C.3.a. – Discharge Authorization Date: Coverage under this permit is automatically authorized as described in this Part. Part I.C.4.a. – Continuation of this Permit: Authorization for coverage continues as described in this Part. Part I.D.2.a. – Terminating Coverage: Coverage is automatically terminated under this permit when the operator no longer has a discharge from the application of pesticides or the discharges are covered under another NPDES permit. Part II.A. – Technology-Based Effluent Limitations: Minimize discharges resulting in the application of pesticides to waters of the State to the extent achievable. Part II.C. – Site Monitoring: Conduct visual spot checks as specified in the permit. Part II.D. – Water Quality-Based Effluent Limitations: The discharge must be controlled as necessary to meet applicable numeric and narrative State water quality standards. Part IV.A. – Record Keeping: Keep a copy of any adverse incident report, rationale for determining that reporting of an adverse incident is not required and a copy of any corrective action documentation. Part V – Corrective Action and Adverse Incident Documentation: All operators must comply with the requirements of Part V of this permit.
Discharges: Exceed Annual Treatment Area Threshold	Part I.B.1.b. – Obtaining Authorization to Discharge: Submittal of an NOI is required. Part I.C.3.b. – Authorization to Discharge: Coverage under this permit is authorized as described in this Part. Part I.C.4.b. – Continuation of this Permit: Coverage under this permit continues as described in this Part. Part I.D (1, 2.b., 3) – Terminating Coverage: Submittal of an NOT is required to terminate coverage Part II.A. – Technology-Based Effluent Limitations: Minimize discharges resulting in the application of pesticides to waters of the State to the extent achievable. Part II.B. –Pest Management Practices (PMP): Implement PMP by identifying the problem, developing a pest management strategy, and developing a pesticide use plan. Part II.C. – Site Monitoring: Conduct visual spot checks during any pesticide application and any post-application surveillance or efficacy check. Part II.D. – Water Quality-Based Effluent Limitations: The discharge must be controlled as necessary to meet applicable numeric and narrative State water quality standards. Part III – Pesticide Discharge Management Plan: Prepare a plan that contains schedules and procedures of control measures used to comply with the conditions of this permit. Part IV – Record Keeping and Reporting: Additional record keeping and biennial reporting is required. Part V – Corrective Action and Adverse Incident Documentation: All operators must comply with the requirements of Part V of this permit.

3. DISCHARGE AUTHORIZATION DATE

Discharges to waters of the State as a result of the application of a pesticide(s) must be covered under an NPDES permit.

a. Operators described in Part I.B.1.a.,that are not required to submit an NOI, are automatically covered under this general permit unless otherwise notified by EPD.

b. Operators described in Part I.B.1.b. that are required to submit an NOI are automatically covered under this general permit unless otherwise notified by EPD. However, the following conditions must be met to maintain coverage after exceeding an annual treatment area threshold. If the operator fails to submit an NOI within thirty days of exceeding the threshold, then coverage is automatically terminated.

i. The operator's complete NOI has been received by EPD.

ii. Within ten (10) days of EPD's receipt of the NOI, the operator has not received a written response from EPD stating that the operator is not covered by this general permit, then the operator will remain covered under this permit.

EPD may deny coverage based on an incomplete or incorrect NOI submittal, past noncompliance by the applicant at similar facilities, or other factors.

4. CONTINUATION OF THIS PERMIT

If the Director is unable, through no fault of the operator, to issue the new permit before the expiration of the existing permit, the Director shall extend the existing permit.

a. Operators covered under this general permit that are not required to submit an NOI will automatically remain covered by this permit until the earliest of:

i. Authorization for coverage under a reissued permit or a replacement of this permit is granted.

ii. A formal permit decision by EPD not to reissue this general permit, at which time EPD will identify a reasonable time period for covered dischargers to seek coverage under an alternative permit. Coverage under this permit will cease when coverage under another permit is granted/authorized.

iii. EPD has informed the permittee that coverage under this general permit has been terminated.

b. Operators covered under this general permit that are required to submit an NOI will remain covered by this permit if an NOI has been submitted within 180-days of the expiration of this permit and continuing until the earliest of:

i. Authorization for coverage under a reissued permit or a replacement of this permit is granted, following a timely and appropriate submittal of a complete NOI requesting authorization to discharge under the new permit and compliance with the requirements of the NOI.

ii. A formal permit decision by EPD not to reissue this general permit, at which time EPD will identify a reasonable time period for covered dischargers to seek coverage under an alternative permit. Coverage under this permit will cease when coverage under another permit is granted/authorized.

iii. EPD has informed the permittee that coverage under this general permit has been terminated.

D. TERMINATING COVERAGE

1. DENIAL OF NOI

EPD may deny coverage under this permit based on incomplete or incorrect NOI submittal or past noncompliance by the applicant at similar facilities. The Director may, at any time, revoke coverage under this permit in accordance with the State Rules, Section 391-3-6-.15(11).

2. SUBMITTING A NOTICE OF TERMINATION

a. Operators that are not required to submit an NOI and those operators that are covered under this general permit as a result of a declared pest emergency situation, are terminated from permit coverage when they no longer have a discharge from the application of pesticides or their discharges are covered under another NPDES permit.

b. Operators that are required to submit an NOI to obtain coverage under this permit must submit a complete and accurate Notice of Termination (NOT), in order to terminate permit coverage. Operators required to submit an NOT should submit that information to EPD (Refer to Part VII). Authorization to discharge under this permit terminates at midnight of the day that a complete NOT is received by EPD. If an NOT is submitted without meeting one of the conditions identified in Part I.D.3., then the NOT is not valid. The operator is responsible for complying with the terms of this permit until authorization is terminated.

3. WHEN TO SUBMIT A NOTICE OF TERMINATION

An operator who meets an annual treatment area threshold and is required to submit an NOI, must submit a NOT within 30 days after one or more of the following conditions have been met:

a. A new operator has taken over responsibility of the pest control activities covered under an existing NOI;

b. All discharges have ceased from the application of pesticides for which permit coverage was obtained and the operator does not expect to discharge during the remainder of the permit term for any of the use patterns as identified in Part I.A.1.

E. RESPONSIBILITIES

1. COMPLIANCE

The operator must comply with this permit. Any permit noncompliance is a violation of the Federal Act, State Act, and the Rules.

It shall not be a defense of the operator in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of this permit.

2. RIGHT OF ENTRY

The operator shall allow the Director of EPD and its authorized representatives, agents, or employees after they present credentials to:

a. Enter the operator's premises where a regulated activity or facility is located, or where any records required by this permit are kept;

b. Review and copy any records required by this permit;

c. Inspect any facilities, equipment, practices, or operations regulated or required by this permit; and

d. Sample any substance or parameter at any location.

3. SUBMITTAL OF INFORMATION

The operator shall furnish any information required by the EPD to determine whether cause exists to modify, revoke and reissue, or terminate coverage under this permit or to determine compliance with this permit. The operator shall also furnish EPD with requested copies of records required by this permit. If the operator determines that any relevant facts were not included in the NOI or that incorrect information was submitted in the NOI or in any report to the EPD, the operator shall promptly submit the additional or corrected information.

4. AVAILABILITY OF REPORTS

Except for data determined to be confidential by the Director of EPD under O.C.G.A. 12-5-26 all reports prepared to comply with this permit shall be available for public inspection at an EPD office. Notices of Intent, operators' names and addresses, and permits shall not be considered confidential.

5. CIVIL AND CRIMINAL LIABILITY

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

6. PROPERTY RIGHTS

The issuance of this permit does not convey any property rights of either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, or any infringement of Federal, State or local laws or regulations.

7. CONTESTED HEARINGS

Any person aggrieved or adversely affected by any action of the Director of EPD shall petition the Director for a hearing within 30 days of notice of the action.

8. SEVERABILITY

The provisions of this permit are severable. If any permit provision or the application of any permit provision to any circumstance is held invalid, the provision does not affect other circumstances or the remainder of this permit.

9. DUTY TO MITIGATE

All reasonable steps must be taken to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

10. UPSET PROVISION

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond reasonable control. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation [40 CFR 122.41(n)(1)].

a. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Part I.E.10.b.iii. are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

b. An operator who wishes to establish the affirmative defense of upset must demonstrate through properly signed, contemporaneous operating logs, or other relevant evidence that:

   i. An upset occurred and the operator can identify the cause(s) of the upset;

   ii. The permitted activity was at the time being properly operated;

   iii. A 24 hour notice of the upset was submitted; and

   iv. The operator complied with any remedial measures required under Part I.E.9.

c. In any enforcement proceeding, the operator, as the one seeking to establish the occurrence of an upset, has the burden of proof (40 CFR 122.41(n)(4)).

11. OTHER FEDERAL AND STATE LAWS

The operator must comply with all other applicable federal and state laws and regulations that pertain to the application of pesticides. For example, this permit does not negate the requirements under FIFRA and its implementing regulations to use registered pesticides consistent with the product's labeling. Additionally, there are other laws and regulations that may apply to certain activities that are also covered under this permit (e.g., United States Coast Guard regulations).

F. SIGNATORY REQUIREMENTS

All NOIs, reports and other documents required by this permit must be signed as follows in accordance with 391-3-6-.15(5)(a-g):

1. For a corporation: By a responsible corporate officer. For the purpose of this subsection, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated activity including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for NOI requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

2. For a partnership or sole proprietorship: By a general partner or the proprietor, respectively; or

3. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this subsection, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit or the agency.

All other reports, plans, and other material required by this permit must be signed in accordance with Part I.F. (1-3) of this permit.

PART II

EFFLUENT LIMITATIONS

A. TECHNOLOGY-BASED EFFLUENT LIMITATIONS

To meet the effluent limitations in Part II of this permit, all operators (including those not required to submit an NOI) must implement site-specific control measures to minimize the discharge of pollutants resulting from application of pesticides to waters of the State to the extent achievable using best management practices that are technologically available and economically practicable and achievable.

1. To minimize discharges resulting from applications of pesticides, all operators shall:

   a. Use the lowest effective amount of pesticide product per application and optimum frequency of pesticide applications necessary to control the target pest, consistent with reducing the potential for development of pest resistance;

   b. Perform regular maintenance activities to reduce leaks, spills, or other unintended discharges of pesticides associated with the application of pesticides covered under this permit; and

   c. Maintain pesticide application equipment in proper operating condition by adhering to any manufacturer's conditions and industry practices, and by calibrating, cleaning, and repairing such equipment on a regular basis to ensure effective pesticide application and pest control. The operator must ensure that the equipment's rate of pesticide application is calibrated to deliver the precise quantity of pesticide needed to achieve greatest efficacy against the target pest.

B. PEST MANAGEMENT PRACTICES (PMPs)

The requirements of this Part only apply to operators that exceed the annual threshold in Table 1 of Part I.C.

1. IDENTIFY THE PROBLEM

Prior to the first pesticide application covered under this permit that will result in a discharge to waters of the State and at least once each calendar year thereafter, during which an operator will have a discharge to waters of the State, the operator shall comply with the following for each treatment area and pesticide use pattern:

   a. Identify the target (i.e., pests, weed, algae, etc...), and

   b. Establish densities and/or establish biological or weather conditions to serve as action threshold(s) for implementing pest strategies.

      The action threshold(s) is the point at which pest populations or environmental conditions can no longer be tolerated necessitating that pest control action be taken based on economic, human health, aesthetic, or other effects. Sighting a single pest does not always mean control is needed. Action thresholds help determine both the need for control actions and the proper timing of such actions.

c. Establish procedures to determine target pest densities; and/or establish procedures to determine when conditions are conducive to meeting action thresholds.

d. For Weed, Algae Control and Nuisance Animals Control:

i. Identify areas with weed or algae problems and characterize the extent of the problems;

ii. Identify possible factors contributing to the weed or algae problem (e.g., nutrients, invasive species, etc); and

iii. Identify areas with problems related to the target and characterize the extent of the problem, for example, water use goals not attained for wildlife habitat, fisheries, vegetation, and recreation.

e. For Mosquitoes and Other Nuisance Insect Pest Control:

i. Identify known breeding site for source reduction, larval control, and habitat management area;

ii. Identify target pest(s) to develop pest management strategies based on developmental and behavioral considerations for each target; and

iii. Analyze, to the extent possible, existing surveillance data to identify new or unidentified sources of mosquitoes or other nuisance insect problems as well as sites that have recurring problems.

f. For Forest Canopy and Area-Wide Pest Control:

i. Identify current distribution of the target pest and assess potential distribution in the absence of control measures; and

ii. Develop a site-specific control strategy based on developmental and behavioral considerations for each target pest.

2. DEVELOP A PEST MANAGEMENT STRATEGY

This part applies to discharges from the application of pesticides for all use patterns as defined in Part I.A.1. that exceed an annual threshold as described in Table 1.

The operator shall evaluate, select, and implement one or more of the following management strategies that successfully minimize discharges of pesticides, while considering effectiveness and efficiency, impact to water quality, impact to non-target organisms, pest resistance, feasibility, and cost effectiveness:

a. No action;
b. Prevention;
c. Mechanical or physical methods;
d. Cultural methods;
e. Biological control agents; and
f. Pesticides application.

3. DEVELOPMENT OF A PESTICIDE USE PLAN

If a pesticide is selected that will result in a discharge of pollutants to waters of the State, the operator shall:

a. Apply pesticides only when the action threshold(s) have been met or disease is present;

b. Reduce the impact on the environment and on non-target organisms by evaluating the restrictions, application timing, and application methods in addition to applying the pesticide only when action thresholds have been met;

c. For Canopy Pest, Area-Wide, Mosquito and Other Nuisance Insect Pests: assess environmental conditions (e.g. temperature, precipitation, and wind speed) in the treatment area prior to each pesticide application to identify whether existing environmental conditions support development of pest populations and are suitable for treatment activities;

d. For Mosquito and Other Nuisance Insect Pest Control:

i. In situations or locations where practicable and feasible for effective control, use larvicides as a preferred pesticide when larval action thresholds have been met; and

ii. In situations or locations where larvicide use is not practicable or feasible for effective control, use adulticides when adult action thresholds have been met.

e. For Forest Canopy and Area-Wide Pest Controls: Use pesticides against the most susceptible developmental state.

C. SITE MONITORING

This Part applies to all operators covered under this general permit.

1. Visual Evaluation Requirements

All operators covered under this permit must conduct visual spot checks in the area of and around where pesticides are applied for possible and observable adverse incidents caused by application of pesticides, including but not limited, to the unanticipated death or distress of non-target organisms and disruption of wildlife habitat, recreational, or municipal water use. Visual assessments of the application site must be performed:

a. During any post-application surveillance or efficacy check, if surveillance or an efficacy check is conducted; and

b. During any pesticide application, when considerations for safety and feasibility allow.

D. WATER QUALITY-BASED EFFLUENT LIMITATIONS

This Part applies to all operators covered under this general permit.

The discharge must be controlled as necessary to meet applicable numeric and narrative State water quality standards in accordance with the State Rules, Section 391-3-6-.03.

If at any time the operator becomes aware, or EPD determines, that the discharge causes or contributes to an excursion of applicable water quality standards, corrective action must be taken as required in Part V of this permit.

PART III

PESTICIDE DISCHARGE MANAGEMENT PLAN

If the pesticide application exceeds an annual treatment area threshold as outlined in Table 1 (Part I.C.) of this permit a Pesticide Discharge Management Plan (PDMP) must be developed, maintained, and implemented. The plan must be maintained on site. The requirements are outlined below:

A. DEVELOPMENT OF A PESTICIDE DISCHARGE MANAGEMENT PLAN

This Part applies to any operator that exceeds an annual treatment area threshold in Table 1 of Part I.C. of this permit. The plan must be kept up-to-date thereafter for the duration of coverage under this general permit.

1. The contents of the PDMP must contain the following elements:

a. Pesticide Discharge Management Team. The operator shall identify PDMP team members by name or title as well as their individual responsibilities, including:

i. Person(s) responsible for managing pests in relation to the pest management area;

ii. Person(s) responsible for developing and revising the PDMP;

iii. Person(s) responsible for developing, revising, and implementing corrective actions and other effluent limitation requirements; and

iv. Person(s) responsible for pesticide applications. If the pesticide applicator is unknown at the time of plan development, indicate whether or not a for-hire applicator will be used and the anticipated time that the applicator will be identified.

Identification of team members must include any written agreement(s) between the permittee and any other for-hire pesticide applicator that specify the division of responsibilities between operators as necessary to comply with the provisions of this permit.

b. Pest Management Area Description. The operator shall provide the following:

i. Description of the pest management area, including the identification of target pest(s), source of the pest problem, and source of the data used to identify the problem. Include in the plan a general location map (e.g., USGS quadrangle map, a portion of a city or county map, or other map) that identifies the geographic boundaries of the area to which the plan applies and location of the waters of the State;

ii. Action threshold(s) for the pest management area, including a description of how they were determined;

iii. List of pesticide(s) or any degradates for which the water is impaired. Refer to Georgia's 305(b)/303(d) list for the most current list of impaired waters:
http://epd.georgia.gov/georgia-305b303d-list-documents

c. Control Measure Description

i. Documentation of the evaluation of control measures for the pest management area; and

ii. Documentation of the control measures that will be implemented to comply with the effluent limitations. Include in the description the active ingredient(s) of the pesticide(s) evaluated.

d. Schedules and Procedures

The following procedures pertaining to control measures used to comply with the effluent limitations must be included in the PDMP:

i. Procedures for determining the lowest effective amount of pesticide product per application and the optimum frequency of pesticide applications necessary to control the target pest, consistent with reducing the potential for development of pest resistance;

ii. Procedures and schedule of maintenance activities for preventing spills and leaks of pesticides associated with the application of pesticides covered under this permit;

iii. Schedules and procedures for calibrating equipment;

iv. Procedures and methods for conducting pre-application pest surveillance; and

v. Procedures and methods for assessing environmental conditions in the treatment area.

2. The following procedures pertaining to other actions necessary to minimize discharges must be included in the PDMP:

i. Procedures for stopping, containing, and cleaning up leaks, spills, and other releases. Employees who may cause, detect, or respond to a spill or leak must be trained in these procedures and have necessary spill response equipment available. If possible, one of these individuals should be a member of the PDMP team;

ii. Procedures for notification of appropriate facility personnel, emergency response agencies, and regulatory agencies;

iii. Procedures for responding to any adverse incident resulting from pesticide applications;

iv. Procedures for notification of the adverse incident; and

v. The process for determining the location of any surveillance in Part IV, including a schedule for any surveillance performed and the person (or position) responsible, for performing the surveillance, and procedures for documenting any observed impacts to non-target organisms resulting from the pesticide discharge.

e. Signatory Requirements

The PDMP and any revisions to the plan shall be signed and dated in accordance with Part I.F. of this permit.

B. PESTICIDE DISCHARGE MANAGEMENT PLAN MODIFICATIONS

The PDMP must be revised whenever necessary to address any of the triggering conditions for corrective action in Part V of this permit or when a change in pest control activities significantly changes the type or quantity of pollutants discharged. Changes to the PDMP must be made before the next pesticide application that results in a discharge, if practicable, or if not, as soon as possible thereafter. The revised PDMP must be signed and dated in accordance with Part I.F. of this permit.

The PDMP must be reviewed at a minimum of once per calendar year and whenever necessary to update the pest problem identified and pest management strategies evaluated for the pest management area.

C. PESTICIDE DISCHARGE MANAGEMENT PLAN AVAILABILITY

A copy of the current PDMP must be retained, along with all supporting maps and documents, at the address provided in Section II the NOI. The PDMP and all supporting documents must be readily available upon request.

PART IV.

RECORD KEEPING AND REPORTING

This part applies to all operators covered under this permit.

All operators covered under this general permit shall keep written records as required in this permit. These records shall be accurate, complete, and sufficient to demonstrate compliance with the conditions of the permit. The operator may rely on records and documentation developed for other obligations, such as requirements under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), provided all requirements of this permit are satisfied and a copy of the document or portion of, is kept with the written records and made available when requested by EPD.

A. RECORD KEEPING FOR ALL OPERATORS

All operators must keep the following records:

1. A copy of any Adverse Incident Reports as required by Section V.B. of the permit;

2. The rationale for any determination that reporting of an identified adverse incident is not required; and

3. A copy of any corrective action documentation.

B. REPORTING AND RECORD KEEPING FOR OPERATORS THAT EXCEED AN ANNUAL THRESHOLD

This part applies to any operator that exceeds an annual treatment area threshold in Table 1 and may require input from any pesticide applicator hired by the operator to perform activities covered under this permit.

Records listed below are required to be kept at the address provided on the NOI. Records of equipment calibration are to be maintained only by the pesticide applicator performing the pest application activity (on behalf of self or client):

1. A copy of the NOI submitted to EPD, a copy of this permit (an electronic copy is also acceptable) and any correspondence exchanged between the operator and EPD specific to coverage under this permit;

2. The date on which it was known that an annual treatment area threshold would be exceeded during any calendar year, as identified in Table 1;

3. Surveillance method(s) used, date(s) of surveillance activities, and findings of surveillance;

4. Target pest(s);

5. Pest density or rationale used to determine that action thresholds are met, prior to pesticide application;

6. Company name and contact information for pesticide applicator;

7. Pesticide application date(s);

8. Description of treatment area, including location and size (acres or linear feet) of treatment area (closest estimated size) and identification of any waters, either by name or by location, to which pesticide(s) are discharged;

9. Name of each pesticide product used;

10. Quantity of pesticide applied (and specify if quantities are for the pesticide product as packaged or as formulated and applied);

11. Concentration (%) of active ingredient in formulation;

12. For pesticide applications directly to waters, the effective concentration of active ingredient required for control;

13. Any unusual or unexpected effects identified to non-target organisms that occurs as a result of the pesticide application;

14. Documentation of any equipment calibration; and

15. A copy of the PDMP, including any modifications made to the PDMP during the term of this permit.

All required records must be documented as soon as possible but no later than 14 days following completion of such activity. Any records required under this permit must be maintained for at least three years from the date that coverage under this permit expires or is terminated. All records kept under this permit must be made available, and copies of such records must be provided to EPD, including an authorized representative of EPD, upon request.

C. BIENNIAL REPORTING

This part applies to any operator that exceeds an annual treatment area threshold in Table 1 of this permit.

Within 30 days of the close of the reporting period January through December, and every other January thereafter, a report must be prepared that includes the following:

1. Name of Operator;

2. Contact person name, title, e-mail address (if any), and phone number; and

3. For each pest treatment area, report the following information:

   a. Identification of any waters or other treatment area, including size (best estimated size), either by name or by location, to which pesticide(s) are discharged;

   b. Pesticide use pattern(s) (i.e., mosquito and other flying insects, weed and algae, nuisance animals, or forest canopy or other area-wide pest control) and target pest(s);

   c. Company name(s) and contact information for pesticide applicator(s), if different from the NOI submitter;

   d. Total amount of each pesticide product applied by the EPA registration number(s) and by application method (e.g., aerially by fixed-wing or rotary aircraft, broadcast spray, etc.);

e. Whether this pest control activity was addressed in the PDMP prior to pesticide application;

f. If applicable, a report of any adverse incidents as a result of these treatment(s) as described in Part IV.B.; and

g. A description of any corrective action(s), including spill responses, resulting from pesticide application activities and the rationale for such action(s).

A copy of the report must be retained at the address provided in Section II of the NOI and must be readily available upon request. The operator may rely on records and documentation developed for other obligations, such as requirements under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), provided all requirements of this permit are satisfied and a copy of the document or portion of, is kept with the written records and made available when requested by EPD.

PART V

CORRECTIVE ACTION AND SPILLS

A. CORRECTIVE ACTION

1. Situations Requiring Revision of Control Measures

This Part applies to all operators covered under this general permit.

If any of the following situations occur, the operator must review and, as necessary, revise the evaluation and selection of control measures to ensure that the situation is eliminated and will not be repeated in the future:

a. An unauthorized release or discharge associated with the application of pesticides occurs (e.g., spill, leak, or discharge not authorized by this or another NPDES permit);

b. The operator becomes aware, or EPD concludes, that the control measures are not adequate/sufficient for the discharge to meet applicable water quality standards;

c. Any monitoring activities indicate that the operator failed to:

i. Use the lowest amount of pesticide product per application and optimum frequency of pesticide applications necessary to control the target pest, consistent with reducing the potential for development of pest resistance;

ii. Perform regular maintenance activities to reduce leaks, spills, or other unintended discharges of pesticides associated with the application of pesticides covered under this permit; or

iii. Maintain pesticide application equipment in proper operating condition by adhering to any manufacturer's conditions and industry practices, and by calibrating, cleaning, and repairing such equipment on a regular basis to ensure effective pesticide application and pest control. The operator must ensure that the equipment's rate of pesticide application is calibrated to deliver the precise minimum quantity of pesticide needed to achieve greatest efficacy against the target pest.

d. An inspection or evaluation of the activities by an EPD official reveals that modifications to the control measures are necessary to meet the non-numeric effluent limits in this permit; or

e. The operator observes during visual monitoring, or is otherwise made aware of, an adverse incident.

2. Corrective Action Deadlines

This Part applies to all operators covered under this general permit.

If the operator determines that changes to the control measures are necessary to eliminate any situation identified in Part V.A.1. of this permit, such changes must be made before the next pesticide application that results in a discharge, if practicable, or if not, as soon as possible thereafter.

3. Other Corrective Action Documentation

For situations identified in Part V.A.1., other than for adverse incidents or reportable spills and leaks, the operator must document the situation triggering corrective action and the planned corrective action within five (5) days of becoming aware of that situation and retain a copy of this documentation. This documentation must include the following information:

a. Identification of the condition triggering the need for corrective action review, including any ambient water quality monitoring that assisted in determining that discharges did not meet water quality standards;

b. Brief description of the situation;

c. Date the problem was identified;

d. Brief description of how the problem was identified and how the operator learned of the situation and date the operator learned of the situation;

e. Summary of corrective action taken or to be taken including date initiated and date completed or expected to be completed; and

f. Any measures to prevent reoccurrence of such an incident, including notice of whether PDMP modifications are required as a result of the incident.

4. Effects of Corrective Action

This Part applies to all operators covered under this general permit.

The occurrence of a situation identified in Part V.A.1. of this permit may constitute a violation of the permit. Correcting the situation according to Part V.A.1. does not absolve the operator of liability for any original violation. However, failure to comply with Part V.A.1. constitutes an additional permit violation. EPD will consider the appropriateness and promptness of corrective action in determining enforcement responses to permit violations.

EPD may impose additional requirements and schedules of compliance, including requirements to submit additional information concerning the condition(s) triggering corrective action or schedules and requirements more stringent than specified in this permit. Those requirements and schedules will supersede those of Part V.A.1. if such requirements conflict.

B. ADVERSE INCIDENT DOCUMENTATION AND REPORTING

This Part applies to all operators covered under this general permit.

1. Twenty-Four (24) Hour Adverse Incident Notification

If the operator observes or is otherwise made aware of an adverse incident, including any noncompliance that may endanger health or the environment, that may have resulted from a discharge from the pesticide application, the operator must immediately notify the applicable EPD Incident Reporting Contact at the EPD District Office that services the County of the pesticide application. For a list of EPD District Offices, reference Part VII of this permit.

This notification must be made by telephone within 24 hours of becoming aware of the adverse incident and must include at least the following information:

a. The caller's name and telephone number;

b. The name and mailing address of the operator;

c. The name and telephone number of a contact person, if different than the person providing the 24-hour notice;

d. How and when the operator became aware of the adverse incident;

e. Description of the location of the adverse incident;

f. Description of the adverse incident identified and the pesticide name for each product applied in the area of the adverse incident; and

g. Description of any steps taken or steps that will be taken to correct, repair, remedy, cleanup, or otherwise address any adverse effects.

If the operator is unable to notify EPD within 24 hours, the operator must do so as soon as possible and also provide a rationale for why the operator were unable to provide such notification within 24 hours. The adverse incident notification and reporting requirements are in addition to what the registrant is required to submit under FIFRA section 6(a)(2) and its implementing regulations at 40 CFR Part 159.

2. Reporting of adverse incidents is not required under this permit in the following situations:

a. The operator is aware of facts that clearly establish that the adverse incident was not related to toxic effects or exposure from the pesticide application;

b. The operator has been notified in writing by EPD that the reporting requirement has been waived for this incident or category of incidents;

c. The operator received information and notification of an adverse incident but that information is clearly erroneous; or

d. An adverse incident occurs to pests that are similar in kind to pests identified as potential targets on the FIFRA label.

3. Thirty (30) Day Adverse Incident Written Report

Within thirty (30) days of a reportable adverse incident pursuant to this permit, the operator must provide a written report of the adverse incident to the EPD District Office that services the County of the pesticide application. EPD District Offices contact information is located at: http://epd.georgia.gov/district-office-locations.

The adverse incident report must include at least the following information:

a. Information required to be provided in Part V.B.1.;

b. Date and time the operator contacted EPD with a notification of the adverse incident and who the operator spoke with at EPD and any instructions received from EPD;

c. Location of incident, including the names of any waters affected and appearance of those waters (sheen, color, clarity, etc);

d. A description of the circumstances of the adverse incident including species affected, estimated number of individual and approximate size of dead or distressed organisms;

e. Magnitude and scope of the affected area (e.g. aquatic square area or total stream distance affected);

f. Pesticide application rate, intended use site (e.g., banks, above, or direct to water), method of application, name of pesticide product, description of pesticide ingredients, and EPA registration number;

g. Description of the habitat and the circumstances under which the adverse incident occurred (including any available ambient water data for pesticides applied);

h. If laboratory tests were performed, indicate what test(s) were performed, and when, and provide a summary of the test results within 5 days after they become available;

i. If applicable, explain why the operator believes the adverse incident could not have been caused by exposure to the pesticide;

j. Actions to be taken to prevent recurrence of adverse incidents; and

k. Signature and date in accordance with Part I.F. of this permit.

4. Adverse Incident to Threatened or Endangered Species or Critical Habitat

Notwithstanding any of the other adverse incident notification requirements of this section, if the operator become aware of an adverse incident to a federally-listed threatened or endangered species or its federally-designated critical habitat, that may have resulted from a discharge from the pesticide application, the operator must immediately notify the National Marine Fisheries Services (NMFS) in the case of an anadromous or marine species, or the U.S. Fish and Wildlife Service (FWS), Georgia Ecological Services, and DNR Wildlife Resources Division, Coastal Georgia Sub-Office in the case of a terrestrial or freshwater species. This notification must be made by telephone immediately upon becoming aware of the adverse incident and must include at least the following information:

a. The caller's name and telephone number;

b. The name and mailing address of the Operator;

c. The name of the affected species;

d. How and when the operator became aware of the adverse incident;

e. Description of the location of the adverse incident;

f. Description of the adverse incident, including the EPA pesticide registration number for each product that was applied in the area of the adverse incident; and

g. Description of any steps taken or steps that will be taken to alleviate the adverse impact to the species.

Additional information on federally-listed threatened or endangered species and federally-designated critical habitat are available on the following websites: Anadromous or marine species (http://www.habitat.noaa.gov/protection/efh/efhmapper/index.html); and Terrestrial or freshwater species (http://ecos.fws.gov/tess_public/reports/species-listed-by-state-report?state=GA&status=listed).

Additional information on threatened and endangered species in Georgia can be found at http://www.georgiawildlife.com/node/2722.

C. REPORTABLE SPILLS AND LEAKS

1. Spill, Leak, or Other Unpermitted Discharge Notification

Where a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under 40 CFR Part 302 (Designation, Reportable Quantities, and Notification) occurs in any 24-hour period, the operator must notify the Department of Natural Resources Emergency Operations Center in accordance with O.C.G.A. §12-14-3 as soon as the operator knows the release has occurred. Contact information for these notifications must be in locations that are readily accessible and available in the area where the spill, leak, or other unpermitted discharge may occur. For 24-hour State wide emergencies call (800) 241-4113.

Local requirements may necessitate also reporting spills or leaks to local emergency response, public health, or drinking water supply agencies.

2. Five-Day Spill, Leak, or Other Unpermitted Discharge Documentation

Within 5 days of becoming aware of a spill, leak, or other unpermitted discharge triggering the notification in Part V.C.1., the operator must document and retain the following information:

a. Information required to be provided in Part V.B.1.;

b. Summary of corrective action taken or to be taken including date initiated and date completed or expected to be completed; and

c. Any measures to prevent recurrence of such a spill or leak or other discharge, including notice of whether PDMP modifications are required as a result of the spill or leak.

PART VI.

Definitions, Abbreviations and Acronyms

Active Ingredient – Any substance (or group of structurally similar substances if specified by the EPD) that will prevent, destroy, repel or mitigate any pest, or that functions as a plant regulator, desiccant, or defoliant within the meaning of FIFRA sec. 2(a). [40 CFR152.3] Active ingredient also means a pesticidal substance that is intended to be produced and used in a living plant, or in the produce thereof, and the genetic material necessary for the production of such a pesticidal substance. [40 CFR 174.3]

Best Management Practices (BMPs) – Are examples of control measures that may be implemented to meet effluent limitations. These include schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to minimize the discharge of pollutants to waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control spillage or leaks, waste disposal, or drainage from raw material storage. [State Rule 391-3-6-.06(4)(a)(5)]

Biological Control Agents – These agents are organisms that can be introduced to the treatment area(s), such as herbivores, predators, parasites, and hyperparasites.

Biological Pesticides (also called biopesticides) - Include microbial pesticides, biochemical pesticides and plant-incorporated protectants (PIP). Microbial pesticide means a microbial agent intended for preventing, destroying, repelling, or mitigating any pest, or intended for use as a plant regulator, defoliant, or dessicant, that (1) is a eucaryotic microorganism including, but not limited to, protozoa, algae, and fungi; (2) is a procaryotic microorganism, including, but not limited to, Eubacteria and Archaebacteria; or (3) is a parasitically replicating microscopic element, including but not limited to, viruses. Biochemical pesticide means a pesticide that (1) is a naturally-occurring substance or structurally-similar and functionally identical to a naturally-occurring substance; (2) has a history of exposure to humans and the environment demonstrating minimal toxicity, or in the case of synthetically-derived biochemical pesticides, is equivalent to a naturally-occurring substance that has such a history; and (3) has a non-toxic mode of action to the target pest(s). Plant-incorporated protectant means a pesticidal substance that is intended to be produced and used in a living plant, or in the produce thereof, and the genetic material necessary for production of such a pesticidal substance. It also includes any inert ingredient contained in the plant, or produce.

CFR – Code of Federal Regulations

Chemical Pesticides – All pesticides not otherwise classified as biological pesticides.

Control Measure – Any BMP or other method used to meet the effluent limitations. Control measures must comply with manufacturer specifications, industry standards and recommended industry practices related to the application of pesticides, and relevant legal requirements. Additionally, control measures could include other actions that a operator would implement to reduce and/or eliminate pesticide discharges to waters of the State to comply with the effluent limitations in Part II of this permit.

Cultural Methods - Manipulation of the habitat to increase pest mortality by making the habitat less suitable to the pest. Some examples of cultural methods include but are not limited to, properly discarding containers that hold water, (i.e. tires, cans, buckets etc.) in order to reduce the source of mosquitoes, eliminating or minimizing emergent and standing vegetation, the use of precision irrigation practices that will result in less standing water and crop rotation.

Declared Pest Emergency Situation – This public declaration may be based on:
(1) Significant risk to human health;
(2) Significant economic loss; or
(3) Significant risk to:
    i. Endangered species,
    ii. Threatened species,
    iii. Beneficial organisms, or
    iv. The environment.

Director – Means the Director of the Environmental Protection Division of the Department of Natural Resources, State of Georgia.

Discharge – When used without qualification, means the "discharge of a pollutant."

Discharge of a pollutant – Any addition of any "pollutant" or combination of pollutants to waters of the State from any "point source," or any addition of any pollutant or combination of pollutants to the water of the contiguous zone or the ocean from any point source other than a vessel or other floating craft that is being used as a means of transportation. This includes additions of pollutants into waters of the State from: surface runoff that is collected or channeled by man; discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works.

EPA – Environmental Protection Agency

EPA Approved or Established Total Maximum Daily Loads (TMDLs) – "EPA Approved TMDLs" are those that are developed by a State and approved by EPA. "EPA Established TMDLs" are those that are issued by EPA.

EPD - The Georgia Environmental Protection Division of the Department of Natural Resources.

Facility or Activity – Any NPDES "point source" (including land or appurtenances thereto) that is subject to regulation under the NPDES program.

Federal Act - Clean Water Act (CWA).

Federal Facility – Any buildings, installations, structures, land, public works, equipment, aircraft, vessels, and other vehicles and property, owned, operated, or leased by, or constructed or manufactured for the purpose of leasing to, the federal government.

FIFRA- Federal Insecticide, Fungicide and Rodenticide Act

For-Hire Applicator - Includes persons who make contractual pesticide applications for which they or their employer receives compensation (e.g., lawn care firms, pest control companies).

General Permit – An NPDES permit, issued under 391-3-6-.15 of the Rules and 40 CFR Part 122.28, that authorizes a category of dischargers under the Clean Water Act within a geographical area. A general permit is not specifically tailored for an individual discharger.

Impaired Water (or Water Quality Impaired Water or Water Quality Limited Segment) – A water is impaired for purposes of this permit if it has been identified by a State or EPA pursuant to Section 303(d) of the Clean Water Act as not meeting applicable State water quality standards. Impaired waters include both waters with approved or established TMDLs, and those for which a TMDL has not yet been approved or established.

Inert Ingredient - Any substance (or group of structurally similar substances if designated by the Director), other than an active ingredient, that is intentionally included in a pesticide product.

Inert ingredient also means any substance, such as a selectable marker, other than the active ingredient, where the substance is used to confirm or ensure the presence of the active ingredient, and includes the genetic material necessary for the production of the substance, provided that genetic material is intentionally introduced into a living plant in addition to the active ingredient.

Mechanical/Physical Methods - Mechanical tools or physical alterations of the environment, for pest prevention or removal.

Minimize - To reduce and/or eliminate pesticide discharges to waters of the State through the use of "control measures" to the extent technologically available and economically practicable and achievable.

NAICS – (North American Industry Classification System) The standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy.

Non-point source – Any source which discharges pollutants into waters of the State other than a point source.

Non-target Organisms – Includes the plant and animal hosts of the target species, the natural enemies of the target species living in the community, and other plants and animals, including vertebrates, living in or near the community that are not the target of the pesticide.

Operator – The person legally responsible for pesticide management activities resulting in the discharge of pesticides to waters of the State. For-hire commercial applicators and employees are not operators for the purposes of this general permit. However, for-hire commercial applicators are operators for the purposes of this general permit if they are legally responsible for pest management activities. For the purposes of this permit the operator also refers to the permittee.

Permittee – Any person authorized under this general permit.

Pest – Any organism under circumstances that make it deleterious to man or the environment, if it is:
(a) Any vertebrate animal other than man;
(b) Any invertebrate animal, including but not limited to, any insect, other arthropod, nematode, or mollusk such as a slug and snail, but excluding any internal parasite of living man or other living animals;
(c) Any plant growing where not wanted, including any moss, alga, liverwort, or other plant of any higher order, and any plant part such as a root; or
(d) Any fungus, bacterium, virus, or other microorganism, except for those on or in living man or other living animals and those on or in processed food or processed animal feed, beverages, drugs and cosmetics.

Pest Management Area – The area of land, including any water, for which an operator is conducting pest management activities covered by this permit.

Pest Management Practices (PMP) – An effective and environmentally sensitive approach to pest management that relies on a combination of common-sense practices. PMP uses current, comprehensive information on the life cycles of pests and their interaction with the environment. This information, in combination with available pest control methods, is used to manage pest damage by the most economical means, and with the least possible hazard to people, property, and the environment.

Pest Management Strategy – An action, or no action, taken to reduce the population of target pests below the action threshold.

Pesticide – (1) Any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest(s). (2) any substance or mixture of substances intended for use as a plant regulator, defoliant, or dessicant, and (3) any nitrogen stabilizer.

The term "pesticide" includes but is not limited to herbicides, rodenticides, insecticides, fungicides, plant growth regulators, defoliants, and various other substances used to control pests. The definition encompasses all uses of pesticides authorized under FIFRA including uses authorized under sections 3 (registration), 5 (experimental use permits), 18 (emergency exemptions), 24(c) (special local needs registration), and 25 (b) (exemptions from FIFRA).

Pesticide Product – A pesticide in the particular form (including composition, packaging, and labeling) in which the pesticide is, or is intended to be, distributed or sold. The term includes any physical apparatus used to deliver or apply the pesticide if distributed or sold with the pesticide.

Pesticide Residue – Includes that portion of a pesticide application that is discharged from a point source to waters of the State and no longer provides pesticidal benefits. It also includes any degradates of the pesticide.

Point source – Any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

Pollutant – Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into water. For purposes of this definition, a "biological pesticide" is considered a "biological material," and any "pesticide residue" resulting from use of a "chemical pesticide" is considered a chemical waste.

Reportable Quantity - The amount of a hazardous substance which, if released into the environment in such quantity within any 24 hour period, must be reported to EPD in the event of a spill or release. The reportable quantity for mixtures is the amount of the hazardous substance components of a mixture. Reportable quantities are those listed in 40 C.F.R. Part 302 - Designation, Reportable Quantities and Notification.

Silvicultural activities (as defined in 40 CFR §122.27)-

a) *Permit requirement*. Silvicultural point sources, as defined in this section, as point sources subject to the NPDES permit program.

(b) *Definitions.* (1) *Silvicultural point source* means any discernible, confined and discrete conveyance related to rock crushing, gravel washing, log sorting, or log storage facilities which are operated in connection with silvicultural activities and from which pollutants are discharged into waters of the United States. The term does not include non-point source silvicultural activities such as nursery operations, site preparation, reforestation and subsequent cultural treatment, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, or road construction and maintenance from which there is natural runoff. However, some of these activities (such as stream crossing for roads) may involve point source discharges of dredged or fill material which may require a CWA section 404 permit (See 33 CFR Part 209.120 and Part 233). (2) *Rock crushing and gravel washing facilities* means facilities

which process crushed and broken stone, gravel, and riprap (See 40 CFR Part 436, Subpart B, including the effluent limitations guidelines). (3) *Log sorting and log storage facilities* means facilities whose discharges result from the holding of unprocessed wood, for example, logs or roundwood with bark or after removal of bark held in self-contained bodies of water (mill ponds or log ponds) or stored on land where water is applied intentionally on the logs (wet decking). (See 40 CFR Part 429, Subpart I, including the effluent limitations guidelines).

Spill or release – Means the discharge, deposit, injection, dumping, spilling, emitting, releasing, leaking, or placing of any hazardous substance into the air or into or on any land or water of the State, except from an underground storage tank and all plumbing and piping relating thereto or except high-level or low-level radioactive waste from a federally licensed nuclear facility or as authorized by state or federal law or a permit from EPD. This term shall also mean the discharge of oil into waters of this State which will cause a significant film or sheen upon or discoloration of the surface of such waters or adjoining shorelines or cause a sludge or emulsion to be deposited beneath the surface of such waters or upon adjoining shorelines. Accidental discharges of oil made by an individual during maintenance of that individual's personal vehicle or farm machinery shall be exempt.

State Act - Georgia Water Quality Control Act.

State Rules - The Georgia Rules and Regulations for Water Quality Control (Chapter 391-3-6).

Target Pest – The organism toward which pest control measures are being directed.

Total Maximum Daily Loads (TMDLs) – A TMDL is a calculation of the maximum amount of a pollutant that a water body can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL includes wasteload allocations for point source discharges, load allocations for nonpoint sources, and/or natural background, and must include a margin of safety and account for seasonal variations. [See Section 303(d) of the Clean Water Act and 40 CFR 130.2 and 130.7]

Toxic or Adverse Incident – Effects that occur within waters of the State on non-target plants, fish or wildlife that are unusual or unexpected as a result of exposure to a pesticide residue (e.g., effects are to organisms not otherwise described on the pesticide product label or otherwise not expected to be present), and may include but are not limited to:

(a) Distressed or dead juvenile and small fishes;
(b) Washed up or floating fish;
(c) Fish swimming abnormally or erratically;
(d) Fish lying lethargically at water surface or in shallow water;
(e) Fish that are listless or nonresponsive to disturbance;
(f) Stunting, wilting, or desiccation of non-target submerged or emergent aquatic plants;
(g) Other dead or visibly distressed non-target aquatic organisms (amphibians, turtles, invertebrates, etc.); and
(h) Skin rashes, vomiting, lethargy or breathing distress in humans or domestic animals

Treatment Area – The area of land including any waters, or the linear distance along water's edge, to which pesticides are being applied. Multiple treatment areas may be located within a single "pest management area."

The "treatment area" includes the entire area, whether over land or water, where the pesticide application is intended to provide pesticidal benefits. In some instances, the treatment area will be larger than the area where pesticides are actually applied. For example, the treatment area for a stationary drip treatment into a canal should be calculated by multiplying the width of the canal by the length over which the pesticide is intended to control weeds. The treatment area

for a lake or marine area is the water surface area where the application is intended to provide pesticidal benefits.

Treatment area calculations for pesticide applications that occur at water's edge, where the discharge of pesticides directly to waters is unavoidable, are determined by the linear distance over which pesticides are applied. For example, treating both sides of a five mile long river, stream, or ditch is equal to ten miles of treatment area. Treating five miles of shoreline or coast would equal a five mile treatment area.

Use Patterns – The term used to describe the type of discharge and expected nature of pesticide applications that are covered under this general permit.

Waters or Waters of the State – Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, wetlands, and all other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State (Georgia) which are not entirely confined and retained completely upon the property of a single individual, partnership or corporation.

Water Quality Standards – A water quality standard defines the water quality goals of a water body, or portion thereof, by designating the use or uses to be made of the water and by setting criteria necessary to protect the uses. Water quality standards also include an antidegradation policy and implementation procedures.

Wetlands - Means those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

You - As used in this permit is intended to refer to the operator as the context indicates and that party's activities or responsibilities.

Part VII –

GEORGIA ENVIRONMENTAL PROTECTION DIVISION (EPD) OFFICES

All Notices of Intent and Notices of Termination shall be submitted to:

EPD Watershed Protection Branch
Wastewater Regulatory Program
2 Martin Luther King, Jr. Drive, Suite 1152 East
Atlanta, Georgia 30334
Phone: (404) 463-1511
Fax: (404) 656-2453

All other required correspondence including but not limited to incident reports and any other reports shall be sent to the EPD District Offices. EPD District Offices contact information is located at: http://epd.georgia.gov/district-office-locations