

Summary of Substantive Revisions to the Pesticide Application Point Source Discharges General NPDES Permit

Based on comments provided by interested parties during the public notice comment period and proposed modifications to USEPA's revised draft permit, the following changes were made to the permit.

1. Section 1.0, Coverage under this Permit – clarified who meets the definition of an operator and added two statements to clarify permit coverage.
2. Section 1.1.1, Activities Covered – removed examples from the Other Pest Control Activities use pattern and revised the names of some of the use patterns.
3. Section 1.2.2, Operators Required to Submit a Notice of Intent – clarified who was required to submit a Notice of Intent (NOI).
4. Section 1.2.3, Discharge Authorization Date – added 30 day automatic coverage language and added Table 2, NOI Change of Information Submittal Deadlines and Discharge Authorization Date.
5. Section 1.2.5.1, Submitting a Notice of Termination – added a statement clarifying when a permittee can terminate permit coverage.
6. Section 1.6, Endangered Species Compliance – clarified requirements for coordination with Illinois Department of Natural Resources.
7. Section 2.0, Technology-Based Effluent Limitations – added clarifying language as to who this section will apply to.
8. Section 2.1, Level 1: Technology-Based Effluent Limitations – renamed this section, clarified who was required to perform Level 1 technology-based effluent limitations, and updated Level 1 technology-based effluent limitations (sections 2.1.1 – 2.1.3).
9. Section 2.2, Level 2: Technology-Based Effluent Limitations – renamed this section, clarified who was required to perform Level 2 technology-based effluent limitations, increased annual treatment area thresholds in Table 3 consistent with USEPA's revised draft permit, added language on how to calculate annual treatment area thresholds, and updated Level 2 technology-based effluent limitations (sections 2.2.1 – 2.2.5).
10. Section 4.1, Visual Monitoring Requirements – revised language on how and when visual monitoring can be done and added a statement clarifying who is required to conduct visual monitoring.
11. Section 5.0, Pesticide Discharge Management Plan – added language clarifying who is required to prepare and submit a Pesticide Discharge Management Plan (PDMP), listed who was exempt from the PDMP requirement including small entities and pesticide applications performed in accordance with the Vector Control Act, and added language stating that for the first year of the permit the PDMP can be submitted 90-days after coverage under the permit.

12. Section 6.0, Corrective Action – added clarifying language as to who must comply with this section.
13. Section 6.4.1, Twenty-Four Hour Adverse Incident Notification – now required to notify Illinois Emergency Management Agency (IEMA) instead of IEPA.
14. Section 6.4.2, Fifteen Day Adverse Incident Written Report – changed from submitting report in five days to fifteen business days.
15. Section 6.4.3, Adverse Incident to Federally Threatened or Endangered Species or Critical Habitat – this section was added to the permit consistent with USEPA’s revised draft permit.
16. Section 6.5.2, Fifteen Day Spill, Leak, or Other Unpermitted Discharge Documentation – changed from submitting report in five days to fifteen business days.
17. Section 6.6, Other Corrective Action Documentation – changed documentation requirement from five days to fifteen business days.
18. Section 7.0, Recordkeeping and Annual Reporting – added clarifying language as to who was required to meet the requirements of this section.
19. Section 7.1, Level 1: Recordkeeping – renamed this section, clarified who was required to perform Level 1 recordkeeping and added a statement requiring that permittees under the Vector Control Act are only required to perform Level 1 recordkeeping.
20. Section 7.2, Level 2: Recordkeeping – this section was added to the permit.
21. Section 7.3, Level 3: Recordkeeping – this section was added to the permit.
22. Section 7.5, Annual Reporting – clarified who was required to prepare and submit an annual report and added a statement exempting pesticide applications performed in accordance with the Vector Control Act.
23. Appendix A – the definitions for Best Management Practices, Control Measure, Federal Facility, Integrated Pest Management, and North American Industry Classification System have been removed from the permit, revised the definitions for Action Threshold, Adverse Incident, Applicator, Operator, Outstanding Resource Waters, Pest Management Area, Total Maximum Daily Loads, Treatment Area, and Waters, and added definitions for Annual Treatment Area Threshold, Small Entity, and Pest Management Measure.
24. Appendix B – added the Standard Permit Conditions - Attachment H.
25. Several typos and wording corrections were made throughout the permit.
26. Corrected information on form submission and website addresses throughout the permit.