

Department of Health (DOH) Clean Water Branch (CWB) National Pollutant Discharge Elimination System Pesticides General Permit

State of Hawaii, Department of Health
Clean Water Branch

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Summary

- Department of Health (DOH), Clean Water Branch (CWB) Background.
- Introduction to National Pollutant Discharge Elimination System (NPDES) Permits.
- NPDES Pesticides General Permit.
- Questions.



DOH-CWB Background



DOH-CWB Background

- State of Hawaii, Department of Health, Environmental Health Administration, Environmental Management Division.
- Administers and enforces Statewide water pollution laws and rules. Achieved through permitting of point sources, compliance monitoring, inspections, investigations of complaints, and ambient water quality monitoring.



DOH-CWB Background

- According to Hawaii law, no person or organization may discharge, place, release, dump, or allow pollutants into State waters except in compliance with the State Water Quality Standards or an NPDES permit issued by the DOH. (Ref: HRS 342D, HAR 11-54, and HAR 11-55)
- State waters include, but are not limited to, streams, lakes, ponds, ocean, wetlands, springs, flooded agricultural fields (e.g. taro or watercress fields), mud flats, natural gulches or ditches, and any thing else that is either fed by a State water or overflows to a State water (e.g. irrigation ditches and reservoirs).



Introduction to NPDES Permits



Introduction to NPDES Permits

- National Pollutant Discharge Elimination System (NPDES).
- Permit system required by federal law.
- NPDES permits required for all point source pollutant discharges into State waters.
- DOH delegated authority to administer NPDES program in Hawaii.



NPDES Pesticides General Permit



NPDES Pesticides General Permit

- DOH-CWB issued a new NPDES General Permit on October 21, 2012, to authorize point source discharges from the application of pesticides (including insecticides, herbicides, fungicides, rodenticides, and various other substances to control pests) to State waters.
- This NPDES Pesticides General Permit is located in Hawaii Administrative Rules (HAR), Chapter 11-55, Appendix M. See DOH-CWB website at: <http://health.hawaii.gov/cwb/>



NPDES Pesticides General Permit

- You are required to obtain NPDES permit coverage if you apply a pesticide to a State water or in an area that will unavoidably enter a State water.
- You are **not** required to obtain NPDES permit coverage if you apply a pesticide on land.



Do I Need A Permit?

Will you be applying a pesticide to a State water or will the pesticide get into a State water during its application?

YES

If "NO" — NPDES Permit coverage is NOT required

Is the reason you are applying the pesticide to control:
Mosquitos, other flying insects, weeds, algae, animals, or forest canopy pests?

YES

If "NO" — An Individual NPDES Permit may be required

Are you a county, state, federal government or large entity defined in HAR 11-55-01?

NO

If "YES" — Comply with the Pesticide General Permit

Will you be exceeding any of the following during the calendar year:

- For mosquito or other flying insect pest – adulticide treatment area greater than 6400 acres.
- For weed and algae pest or animal pest – treatment greater than 20 lineal miles or treatment area greater than 80 acres of water.
- For forest canopy pest – treatment area greater than 6400 acres.

NO

If "YES" — Comply with the Pesticide General Permit

You are automatically covered under the Pesticide General Permit and DO NOT need to submit a Notice of Intent (i.e., application), Pesticide Discharge Management Plan, or annual report.

You are required to comply with requirements as applicable. For example:

- HAR Ch. 11-55, Appendix M, Sections 2—Technology based effluent limits. (e.g. Only use amount of pesticide and frequency of pesticide application necessary to control target pest, maintain pesticide equipment, etc.)
- HAR Ch. 11-55, Appendix M, Section 3—Water quality based effluent limits. (e.g. Comply with all numerical and narrative Water Quality Standards as required in HAR 11-54.)
- HAR Ch. 11-55, Appendix M, Section 4—Monitoring. (e.g. Visual monitoring for adverse incidents such as death of non-target organisms.)
- HAR Ch. 11-55, Appendix M, Section 6— Corrective actions.
- HAR Ch. 11-55, Appendix M, Section 7—Record keeping and annual reporting.



NPDES Pesticides General Permit

- Small Entities that apply pesticides to a state water, but do not exceed the threshold requirements during the calendar year are automatically covered under the Pesticide General Permit and DO NOT have to submit a Notice of Intent, Pesticide Discharge Management Plan, or annual report.
- A “Small Entity” is a:
 - Local government serving a population of 10,000 or less.
 - Private enterprise that does not exceed Small Business Administration size standards (13 CFR 121.201).
 - Based on what industry you are in, # of employees, or annual receipts.
 - E.g., Rice milling companies, meat/poultry processors, and spice manufacturers are “small” if they have 500 employees or less.
 - E.g., Soybean farmers, shellfish farmers, pig farmers, and beef cattle ranchers are “small” if annual receipts are \$750,000 or less.



Questions?

- Contact information for NPDES Pesticides General Permit questions.
 - DOH-CWB Email: cleanwaterbranch@doh.hawaii.gov
 - DOH-CWB website: <http://health.hawaii.gov/cwb/>
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