

Public Notice

DEQ Requests Comments on Proposed Water Quality General Permit (2000J) for Pesticide Use in Irrigation Systems



State of Oregon
Department of
Environmental
Quality

DEQ invites the public to provide written comment on the conditions of a proposed general permit for pesticide applications to control weeds and algae within irrigation system boundaries. This permit is known officially as a National Pollutant Discharge Elimination System general permit.

Summary

Subject to public review and comment, DEQ intends to issue a water quality general permit for pesticide use within irrigation system boundaries. The following entities register to obtain permit coverage:

- Irrigation districts under ORS Chapter 545, water improvement districts under ORS Chapter 552 and water control districts under ORS Chapter 553
- Irrigation districts or companies with an individual permit for the application of aquatic pesticides

This permit will go into effect November 2019 and have a five-year term expiring in 2024.

Where can I get more information?

View information on this proposed permit and fact sheet online at

<https://www.oregon.gov/deq/wq/wqpermits/Pages/Pesticide.aspx>

How do I participate?

You may submit your comments by mail, fax or email. Please refer to "2000J" in the subject line.

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DEQ
Water Quality
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Portland, OR 97232-4100

Fax: 503-229-5675

Email: NPDESgeneralpermit@deq.state.or.us

All comments are due by 5 p.m., Monday, Aug. 12, 2019. All comments will become part of the public record.

About the facility and the receiving water

This permit is for pesticide use to control weeds and algae within irrigation system boundaries.

An irrigation system is a controlled system consisting primarily of manmade canals, ditches and ponds designed and operated for the delivery and management of water for irrigation purposes. Nuisance plant growth within irrigation canals consists primarily of submerged and floating aquatic vegetation, algae/moss and pondweed. Nuisance weeds and algae can partially block water delivery.

Pesticides are applied to irrigation systems to control weed and algae growth that would otherwise overtake canals and choke off water supply. Weed and algae growth in canals is common and can be excessive to the point where it interferes with system operations, increases risk of system failure, and reduces water available for agriculture.

The proposed permit does not cover discharges in all waterbodies of the state. It cannot be used for waterbodies listed as water quality limited categories 4 and 5 on DEQ's impaired waters 303(d) list for a pesticide or its by-product unless a total maximum daily load (pollution reduction plan) is provided.

What types of pollutants does the permit regulate?

The permit regulates the discharge of pesticides – both biological pesticides and chemical pesticides.

Biological pesticides are certain microorganisms including bacteria, fungi, viruses and protozoa which are effective in controlling target pests. Biological pesticides do not work through a toxic mode of action.

Chemical pesticides are applied as a product and are intended to be toxic to the target species. The discharges covered under this permit are the chemical pesticide residue left after the pesticide has performed. The residual will be no higher than, and in many instances lower than, the concentration of the pesticide as applied.

Water Quality

Permitting and Program
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DEQ is a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water.

Effluent limits and pest management measures are included in this permit. These include:

- meeting water quality standards;
- minimizing the discharge of pesticides;
- following applicable label, bulletin and federally mandated pesticide use requirements;
- using the optimal amount of pesticide;
- calibrating equipment;
- assessing wind, water temperature and other environmental details to ensure proper application;
- being consistent with any TMDL implementation plan for temperature; and
- preventing leaks and spills.

The draft permit contains numeric effluent limits and pest management measures for use of acrolein-, copper-, or xylene-based aquatic pesticides within irrigation system boundaries.

How did DEQ determine the proposed permit requirements?

DEQ evaluates types and amounts of pollutants and the water quality of the surface water for this statewide general permit and determines permit requirements to ensure the proposed discharges will meet applicable statutes, rules, regulations and effluent guidelines of Oregon and the U.S. Environmental Protection Agency.

Currently, some irrigation systems have individual NPDES permit coverage and some are covered under the 2300A pesticide general permit.

The 2000J is a single general permit that allows DEQ to achieve the same desired environmental outcome in a manner that is less costly for each registrant and more efficient for DEQ to administer.

For this permit action, DEQ considered requirements of individual NPDES permits for irrigation systems, the 2300A pesticide general permit, literature and other state and federal NPDES pesticide general permit requirements. The fact sheet provides more information.

How does DEQ monitor compliance with the permit requirements?

Visual monitoring ensures that there is no adverse environmental impact.

Operators of irrigation districts that apply acrolein-, copper-, or xylene-based pesticides will use a laboratory test result from a water sample to determine compliance with effluent limits and submit a monthly monitoring report.

Operators submit a written annual report. Electronic submissions will be required in the future.

What happens after the public comment period closes?

DEQ will hold a public hearing if DEQ receives written requests for a hearing during the public comment period from at least 10 people or from an organization representing at least 10 people.

DEQ will consider and respond to all comments received and may modify the proposed permit based on comments. DEQ gives equal weight to written and oral comments.

Alternative formats

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us.