

PA DEP Pesticide General Permit (PAG-15) Summary Tables

Table 1: This permit is available to operators who discharge to Waters of this Commonwealth from the application of (1) biological pesticides or (2) chemical pesticides which leave a residue when the pesticide application is for one of the covered uses (left column). Examples of pesticide applications that are not covered are shown on the right column.

Activities Covered Under the General Permit	Activities NOT Covered
<p>Mosquito and Other Flying Insect Pest 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 (e.g. aerial spraying of lakes for mosquito larvae)</p>	<p>Irrigation return flows and agricultural runoff are not covered as these activities are exempted from permit requirements under the Clean Water Act (40CFR 122.3 (e) and (f)). General Definitions of CWA (Sec. 502(14)) supports this regulation.</p>
<p>Aquatic Weeds and Algae Control – To control invasive or other nuisance weeds and algae in water and at water's edge, including irrigation ditches and/or irrigation canals.</p>	
<p>Aquatic 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.</p>	
<p>Forest Canopy Pest Control - Aerial application of a pesticide over a forest canopy 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. (e.g. aerial spraying of forests to control Gypsy moth)</p>	

SEC. 502. [33 U.S.C. 1362] DEFINITIONS

(14) The term “point source” means 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, or vessel or other floating craft, from which pollutants are or may be discharged. *This term does not include agricultural stormwater discharges and return flows from irrigated agriculture.*

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Table 2: Operators who apply to large treatment areas on an annual basis will be subject to greater requirements in the permit. These larger operators must submit a Notice of Intent (NOI) to DEP for coverage under the General Permit. Smaller operators who do not meet the annual treatment area threshold for NOI submittal are automatically covered by the General Permit and will have fewer requirements. Larger operators are required to submit an NOI if they apply pesticides that result in a discharge to a Water of this Commonwealth and know or reasonably should have known that those activities will exceed one or more of the annual treatment area thresholds listed below.

Pesticide Use Patterns	Annual Threshold for NOI Submittal
Mosquitoes and other flying or aquatic nuisance insects	640 acres of treatment area ¹
Weed, algae, bacteria, or fish parasite control - In water - At water's edge	100 acres of treatment area ¹ 20 linear miles of treatment area at water's edge ²
Aquatic Nuisance Animal Control In water At water's edge	100 acres of treatment area ¹ 20 linear miles of treatment area at water's edge ²
Forest Canopy Pest Control	640 acres of treatment area ¹

¹ Calculations should only include applications to: (1) Waters of this Commonwealth and (2) conveyances with a hydrological surface connection to water of this Commonwealth at the time of pesticide application. For calculating annual treatment area totals, count each pesticide application activity as a separate activity. For example, applying pesticides twice a year to a ten acre site should be counted as twenty acres of treatment area.

² Calculations should include the linear extent of the application made at water's edge adjacent to: (1) waters of this Commonwealth and (2) conveyances with a hydrologic surface connection to waters of this Commonwealth at the time of pesticide application. For calculating annual treatment totals, count each pesticide application activity and each side of a linear water body as a separate activity or area. For example, treating both sides of a ten mile ditch is equal to twenty miles of water treatment area.

Note: An “operator” is any entity involved in the application of a pesticide that results in a discharge to waters of this Commonwealth and has control over the financing for, or the decision to perform pesticide applications that result in discharges to waters of this Commonwealth, including the ability to modify those decisions and performs activities that are necessary to ensure compliance with the permit (e.g., they are authorized to direct workers to carry out activities required by the permit or perform such activities themselves).

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Table 3. This table includes a summary of the permit requirements for all operators and the additional requirements for those who need to submit a Notice of Intent (NOI).

Requirements for All Operators	Additional Requirements for NOI Operators
Maintain or have access to a copy of the Pesticide General Permit	Implement Integrated Pest Management (IPM) practices which include the establishment of action thresholds or pest densities for when to begin pest management and an evaluation of all possible management tools
Minimize pesticide discharge by following label instructions and applying no more than the recommended application rate	
Perform regular maintenance activities to reduce leaks, spills, or other unintended discharges	Prepare a Pesticide Discharge Management Plan (PDMP) for the treatment area which includes the responsibilities of each applicator, an area description, an evaluation of pest control measures, and schedules and procedures for adverse incident and spill prevention, equipment maintenance, and pest surveillance
Maintain pesticide application equipment by calibrating, cleaning, and repairing such equipment on a regular basis	
Conduct visual spot checks in and around the treatment area for observable adverse effects when feasible (e.g. death or distress of non-target organisms or disruption of wildlife habitat, recreational or municipal water use)	Maintain records from the date on which you determined you will exceed an annual threshold, including any correspondence with DEP, a copy of the NOI, basic pest management information from each treatment area, your PDMP, and annual reports
Report any hazardous condition to DEP and keep records from any such report	Submit an annual report (3800-PM-WSFR0345f) to DEP on paper or electronically. Treatment Area details, Pesticide use patterns, Pesticides use details, and any adverse incidents as a result of Pesticides application details by no later than February 15 th of the following year. Also whether the PDMP or control measures were revised.