



INSTRUCTIONS FOR COMPLETING THE NOTICE OF INTENT REGISTRATION FORM FOR THE PESTICIDE GENERAL PERMIT

GENERAL INFORMATION

The Division of Water and Waste Management (DWWM) has developed and issued a WV/NPDES Pesticide General Permit to replace the previous Pesticide General Permit Number WV0116645. The current reissued WV/NPDES Permit Number WV0116645 will become effective on January 4, 2018 and will expire on December 4, 2022. The purpose of this general permit is to regulate discharges of biological or chemical pesticides, when the pesticide application is for one of the following pesticide use patterns: mosquito and other flying pests control, weed and algae pest control, animal pest control or forest canopy pest control. Operators must file a completed site registration application with the Division of Water and Waste Management to obtain the coverage under this general permit. Operators previously covered under the Pesticide General Permit must also submit a Notice of Intent.

After development of a draft general permit, the DWWM advertised its intent to reissue this general permit and has fulfilled its public notice requirements. Applicants having existing facilities need not perform any public notice activities. Applicants for a proposed new discharge, however, must complete and submit a notarized Statement for Billing form to meet their public notice requirements.

Upon receipt of the completed site registration application form, permit application fee and required Statement for Billing, the DWWM will review the contents to determine if the information provided meets the minimum requirements. Dischargers will be notified in writing that their activity is covered under the General Permit.

For a registration application form to be considered complete, it must have the following attachments:

- A. A topographic map or maps identifying the pest management area(s)
- B. Pesticide Discharge Management Plan
- C. Ground Water Protection Plan

WHO SHOULD APPLY FOR PERMIT COVERAGE

All operators whose activities will result in a discharge and know or reasonable should have known that those activities will exceed one or more of the annual (i.e. calendar year) thresholds listed in the table below.

Pesticide Use	Annual Threshold
Mosquitoes and Other Flying Insect Pests	6400 acres of treatment area
Aquatic Weed and Algae Control:	
-In Water	80 acres of treatment area ¹
-At Water's Edge:	20 linear miles of treatment area at water's edge ²
Animal Pest Control:	
-In Water	80 acres of treatment area ¹

-At Water's Edge	20 linear miles of treatment area at water's edge ²
Forest Canopy Pest Control	6400 acres of treatment area
<p>1. Calculations should include the area of the applications made to: (1) waters of the State and (2) conveyances with a hydrologic surface connection to waters of the State 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 the State and (2) conveyances with a hydrologic surface connection to waters of the State 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 twice a year is equal to forty miles of water treatment area.</p>	

WHEN TO APPLY FOR PERMIT COVERAGE

State NPDES rules require permit applications to be filed at least 180 days prior to the commencement of the activity. The Agency is attempting, through this General Permit process, to streamline the permitting of this activity. Therefore:

1. Operators who know, or should reasonable known prior to the discharge beginning, that they will meet one or more of the annual treatment area thresholds must submit their permit registration application at least 90 days prior to their first pesticide application.
2. Operators who do not know or would not reasonably know that they will exceed an annual treatment area threshold before their pesticide applications begins, must submit their permit registration application at least 60 days prior to meeting the threshold.
3. If an operator is responding to a declared pest emergency situation that will cause them to exceed an annual threshold, then they must submit a permit registration application no later than 90 days after responding to the declared emergency situation.

WHERE TO SUBMIT

The applicant should retain a copy of all application forms for their records. The NOI application form and all attachments should be mailed to:

Division of Water & Waste Management
 Permitting Section
 601 57th Street, SE
 Charleston, WV 25304-2345

FEES

Prior to filing this application, you may wish to obtain a copy of the Legislative Rules of the Division of Environmental Protection, Office of Water Resources, Title 47, Series 26, Water Pollution Control Permit Fee Schedules, effective July 1, 1993, in order to determine the appropriate permit application fee required to accompany your submission of this application. You can obtain a copy of the rules from the Secretary of State's Office, State Capitol Building, Charleston, WV 25305 or from their website www.sos.wv.gov

The following Table has been derived from the Legislative Rules for facilities that elect to be covered under the Pesticide General Permit. You may use the Table to determine your applicable permit application fee.

Average Discharge Volume (gallons per day)	Existing Facility	New Facility
Less than 1,001	\$180	\$720
1,001 to 5,000	\$360	\$1,080
5,001 to 50,000	\$540	\$1,800
50,001 to 100,000	\$720	\$2,160
Greater than 100,000	\$900	\$2,700

Permit modification application fees where a discharge volume is involved will be the same as those for an application for an existing facility. The fee for applications for modifications where no discharge volume is involved is \$100.

In accordance with Title 47, Legislative Rules of the Department of Environmental Protection, Division of Water and Waste Management, Series 26, Water Pollution Control Permit Fee Schedules, an existing facility means a facility for which a State water pollution control permit or a NPDES permit has previously been issued. Any other facility is a new facility.

SIGNATURE AND CERTIFICATION

State statute provides for severe penalties for submitting false information on this application form. State regulations require this application to be signed as follows:

1. For a corporation: by a responsible corporate officer (See 47 CSR 10 Section 4.6.a.1. for an expanded definition of responsible corporate officer).
2. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.
3. For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official. (See 47CSR 10 Section 4.6.a.3. for an expanded definition of a principal corporate officer of a Federal Agency).