

**MARYLAND DEPARTMENT OF THE ENVIRONMENT  
WATER MANAGEMENT ADMINISTRATION**

**NOTICE OF TENTATIVE DETERMINATION**

**General Permit for Discharges from the Application of Pesticides**

The Department is proposing to issue **General Discharge Permit No. 11PE (federal NPDES Permit No. MDG87)** for discharges to waters of the State from the application of (1) biological pesticides or (2) chemical pesticides that leave a residue (hereinafter collectively "pesticides"), when the pesticide application is for one of the following pesticide use patterns: mosquito and other flying insect pest control; aquatic weed and algae control; aquatic nuisance animal control; and forest canopy pest control. This general permit is for operators that apply pesticides in or near water. The permit regulates discharges from pesticides applied directly to surface waters to control pests, or applied to control pests that are present in or over, including near, surface waters.

The permit establishes narrative technology-based limitations based on minimizing excess pesticides and implementing integrated pest management practices; establishes narrative water quality based limitations; establishes narrative monitoring requirements, including visual monitoring; and requires development of a pesticide management plan, if operating over a certain threshold. Operators are also required to comply with reporting and record keeping requirements beginning no later than three months after the permit effective date.

The general permit is needed to comply with court-ordered requirements for the federal Environmental Protection Agency (EPA) and states to issue national pollutant discharge elimination system (NPDES) permits for both chemical pesticide applications that leave a residue or excess in water and all biological pesticide applications that are made in or over, including near, waters of the United States. EPA has proposed a draft NPDES pesticides general permit to be issued by EPA in states and areas where EPA is the NPDES permitting authority and for use as guidance by Maryland and other states delegated by EPA to issue NPDES permits. Maryland's proposed permit closely follows EPA's proposed pesticide general permit. However, Maryland has made some adjustments to the EPA proposed general permit which allow for transition to the new requirements and provide clarifications for use of the permit in Maryland.

The Department will hold a public hearing concerning the tentative determination on February 8, 2011 **at 11:00 a.m.** in the Aeris Conference Room at MDE, 1800 Washington Blvd, Baltimore, MD 21230.

Any hearing impaired person may request an interpreter at the hearing by contacting Tyrone Hill, Office of Fair Practices at (410) 537-3964 at least ten working days prior to the scheduled hearing date. TTY users should contact the Maryland Relay Service at 1 800 201-7165.

The draft permit is available on MDE's website at [www.mde.state.md.us](http://www.mde.state.md.us) under the "Notices and Alerts" section. Any questions regarding this tentative determination, including the draft permit and fact sheet should be directed to Edward Gertler at the Maryland Department of the Environment, Water Management Administration, at [edward.gertler@maryland.gov](mailto:edward.gertler@maryland.gov), by telephone at 410-537-3323 between the hours from 8:00 a.m. to 5:00 p.m., Monday through Friday. Copies of the document may be obtained at a cost of \$ 0.36 per page.

Written comments concerning the tentative determination will also be considered in the preparation of a final determination if received by Edward Gertler at the above address, on or before **Tuesday, February 15, 2011**.

**Publication Date in Maryland Register: January 3, 2011**