

Notice of Intent (NOI) for Pesticide Discharges



Wyoming Pollutant Discharge Elimination System (WYPDES)

Department of Environmental Quality

Application for Permit to Discharge Wastewater for:

Notice of Intent for Pesticides Discharges

Modified: December 8, 2015

The general permit for pesticides discharges currently authorizes the discharge of pesticides to, over, in water, or at water's edge, of surface waters of the state associated with:

- Mosquito and Other Flying Insect Pest Control
- Weed and Algae Control
- Nuisance Animal Control
- Forestry Canopy Pest Control
- Class 1 Waters Discharges (for those discharging to, over, in water, or at water's edge of state designated Class 1 Waters)
- Opt-In Category (for those who don't meet minimum threshold requirements, or who practice a pesticides use that is inconsistent with the categories listed above, and who desire to be covered for discharges associated with pesticide uses)
- Minimum thresholds:

Treatment Area Thresholds for each Individual Treatment Area		
PGP PART	Pesticide Use Pattern	Threshold (all discharges to Class 1 waters of the state are required to submit an NOI).
Part I, Section 1.1.1 Part I, Section 3.4.1	Mosquitoes and Other Flying Insect Pests	640 acres of treatment area for larvacide use. 6400 acres of treatment area for adulticide use.
Part I, Section 1.1.1 Part I, Section 3.4.2	In Water: Weeds and Algae At Waters Edge: Weeds and Algae	80 acres of treatment area 20 linear miles of treatment area at water's edge
Part I, Section 1.1.1 Part I, Section 3.4.3	In Water: Nuisance Animals At Waters Edge: Nuisance Animals	80 acres of treatment area 20 linear miles of treatment area at water's edge
Part I, Section 1.1.1 Part I, Section 3.4.4	Forest Canopy	6400 acres of forest canopy
Part I, Section 1.1.1 Part I, Section 3.4.6	Opt-In: Any entity or individual not otherwise eligible or who have a use category not fitting in the five use patterns listed above may Opt-In to permitting for pesticides discharges.	There are no minimum thresholds; all are required to submit an NOI.

The pesticides discharged from any of these activities must not have the potential to contribute violations of any water quality standards. For more details such as effluent limits and monitoring requirements, please read and review the General Permit for Pesticide Discharge found on-line at <http://deq.wyoming.gov/wqd/pesticides-permitting/>.

Please Note: An NOI is only required to be submitted if all of the following four conditions are satisfied:

1. You are an applicator or a decision maker who is also applying the pesticides; and
2. You discharge pesticides related to one of the four pesticide use patterns listed above; and
3. For a single project, you exceed a treatment area threshold value listed in the table above; and
4. You discharge pesticides to a Water of the US in Wyoming.
 - a) Drainages that have water in it (live water). Dry drainages are not considered to be a Water of the US in Wyoming.

Mail or hand deliver the application to:

WYPDES Permits Section
Department of Environmental Quality/WQD
200 West 17th Street
Cheyenne, WY 82002

(An original signature of the applicant is required. Faxes cannot be accepted)

When to file:

The Notice of Intent (NOI) must be submitted at least 30 days prior to the first anticipated date of discharge.

General Application Instructions:

1. Please provide as much information as possible on the application form. Additional spaces may be inserted in the application form to accommodate additional information.
2. Please provide a response to ALL items, even if it is to indicate that the item is "not applicable". Leaving items blank may result in the application being returned as incomplete.
3. Do not staple or bind any of the permit application materials. Use only binder clips or paper clips.
4. Please provide an email address when possible.

- ✓ Please print or type. Submission of illegible materials will result in return of the application to the applicant.
- ✓ All items must be completed accurately and in their entirety or the application will be deemed incomplete and the processing will be delayed or application returned.
- ✓ An original signature of the applicant is required. Faxes cannot be accepted.
- ✓ Fees: Permits issued under the WDEQ (Wyoming Department of Environmental Quality) program are subject to a fee of \$100 per year, for each year covered under the permit. Unless otherwise requested, this pesticide permit authorization will cover 5 years (\$500 fee required).
- ✓ The Notice of Intent (NOI) must be submitted at least 30 days prior to the first anticipated date of discharge.

1. **Contact Information:** The applicator is the company, organization or individual that has day-to-day supervision and control of activities occurring at the discharge site and which will be the permit holder.

<i>Permittee Contact Name:</i>	<i>If applicable, Consultant Contact Name:</i>
<i>Company Name:</i>	<i>Company Name:</i>
<i>Mailing Address:</i>	<i>Mailing Address:</i>
<i>City, State, and Zip Code:</i>	<i>City, State, and Zip Code:</i>
<i>Telephone Number:</i>	<i>Telephone Number:</i>
<i>Fax number:</i>	<i>Fax number:</i>
<i>E-Mail Address:</i>	<i>E-Mail Address:</i>

2. **Location of establishment where records will be maintained:**

<i>Name:</i>
<i>Street Address (if applicable):</i>

3. Treatment Area Location(s) (Add additional spaces as necessary or list on another sheet of paper) LIST ONLY THOSE SITES THAT REQUIRE THE SUBMITTAL OF AN NOI (It meets/exceeds a threshold or is a Class 1 water of the state). If the planned area(s) for the spray activity are occurring in more than 5 separate sections (square miles) of land, just list the associated Townships and Ranges for those sections.

<i>Pesticide Use Pattern (if for mosquito control; indicate whether larvicide or adulticide)</i>	<i>Address¹</i>	<i>Water Body (if name known)</i>	<i>Acres Or Miles²</i>	<i>Section</i>	<i>Township</i>	<i>Range</i>	<i>County</i>	<i>Duration of project (months or days)</i>	<i>Landowner where application taking place.</i>

¹ Address can be a physical address, a ranch name, (if it is commonly known), etc.

² Specify miles (mi) or acres (ac).

4. Check the box (es) corresponding to the type of pesticide use pattern applying for. Check only those boxes of use areas that exceed treatment area thresholds. For applications to Class 1 waters; check the Class 1 Water box and the use pattern(s). For Opt-In Permitting; check the Opt-In box and the use pattern(s).

Please note, only one NOI has to be submitted

- Mosquito and Other Flying Inset Pest Control
- Weed and Algae Control
- Nuisance Animal Control
- Forest Canopy Pest Control
- Discharges to Waters Designated as Class 1 Waters of the State
- Opt-In Permitting

5. Attachments:

For all projects: Attach a site map that shows the location of the water being affected by the application and that is requiring the permit coverage. All sites are allowed to be on one map.

6. Other information:

Any optional information the applicator wishes to have considered:

7. Certification: *I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. In addition, I certify that I am aware of the terms and conditions of the General Permit for Pesticide Discharges and I agree to comply with those requirements.*

<i>Authorized signatories for this application are the following:</i>	
<i>For corporations:</i>	<i>A principal executive officer of at least the level of vice president, or the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the overall operation of the facility from which the discharge originates.</i>
<i>For partnerships:</i>	<i>A general partner.</i>
<i>For a sole proprietorship:</i>	<i>The proprietor.</i>
<i>For a municipal, state, federal or other public facility:</i>	<i>Either a principal executive officer or ranking elected official.</i>

Printed Name of Person Signing Title

Signature of Applicant* Date Telephone

*All permit applications must be signed in accordance with 40 CFR Part 122.22, "for" or "by" signatures are not acceptable.

Section 35-11-901 of Wyoming Statutes provides that:

Any person who knowingly makes any false statement, representation, or certification in any application ... shall upon conviction be fined not more than \$10,000 or imprisoned for not more than one year, or both.

Wyoming Statute 35-11-312 requires discharge permit fees be paid prior to permit issuance. Therefore, payment of permit fees must be accompanied with this notice of intent.

Any notice of intent received without proper fee payment will be returned. Pesticide authorizations are issued for a period of five years.

A check for \$500 per authorization must be included with this notice of intent.

I have enclosed a check for \$ _____

Check Number _____

For Agency Use Only

Date Check Received _____

Check Amount _____

Permit Term _____

Approval _____