EPA's Pesticide General Permit (PGP) Notice of Intent Requirements

U.S. EPA, Office of Water

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EPA's PGP Notice of Intent (NOI)

- Background
- What is an NOI?
- Who must submit an NOI?
- Timing of NOI Submission
- What information is included in the NOI?
- How to submit an NOI?



- 2006 EPA Rule clarified EPA's longstanding interpretation that discharges from pesticide applications did not require National Pollution Discharge Elimination System (NPDES) permit coverage.
- EPA was sued on that rule and lost.
- As a result of a 2009 decision by the 6th Circuit Court of Appeals in National Cotton Council et al. v. EPA:
 - Point source discharges of "biological pesticides" and "chemical pesticides" that leave a residue are pollutants under the Clean Water Act (CWA).
 - These discharges need to be covered under an NPDES permit.
- October 31, 2011: EPA issued its Pesticide General Permit that provides a mechanism for certain dischargers to comply with this new requirement.



Areas Where EPA is the NPDES Permitting Authority for Pesticides

- All discharges, including from Federal facilities:
 - States: AK, ID, MA, NH, NM, OK
 - TX (but for oil, gas, and geothermal related discharges only)
 - Other: DC, all territories except VI, and most tribal lands
- Discharges from Federal facilities only:
 - CO, DE, VT, WA
- Discharges on Indian Country lands:
 - All, except in ME
- Notes:
 - AK DEC recently authorized but program to be phased in for pesticides.
 - OK DEQ authorized but not to regulate pesticide activities.

Everywhere else, EPA <u>does not issue</u> permits (the 44 NPDES-authorized states and the VI issue those permits). State-issued general permits must meet all CWA requirements that the Federally-issued permit must meet, but can be more stringent.

A directory of state NPDES agencies is available at: www.epa.gov/npdes/pesticides/statecontacts.



Poll Question #1

- Under which permit(s) will your discharges be covered?
 - EPA's permit
 - State permit(s)
 - Both EPA and state permit(s)
 - Neither
 - Unsure



Types of NPDES Permits

- Individual Permits
 - 1 application submitted 1 permit issued.
 - Single permit written specific to one permittee.
- General Permits
 - 1 permit issued Many NOIs submitted by many permittees.
 - Single permit written for a class of permittees.
- EPA expects the majority of discharges from pesticide applications to be covered under general permits.



Scope of the PGP

- PGP covers point source discharges to waters of the U.S. from the application of biological pesticides, and chemical pesticides that leave a residue.
- The PGP covers the following pesticide use patterns:
 - Mosquitoes and Other Flying Insect Pests
 - Weed and Algae
 - Animal Pests
 - Forest Canopy Pests
- Agricultural Runoff and Irrigation Return Flow continue to be exempt under the CWA and do not require a permit.
- Other stormwater discharges containing pesticides only require a permit to the extent that these discharges required permit coverage independent of the Sixth Circuit Court's decision.



Waters of the United States

- Definition in Appendix A of the PGP is consistent with the NPDES regulations (same as for all other NPDES permits).
- Guidance to identify Waters of the U.S. available on EPA's PGP website (under "Additional Resources for Permittees").
- Generally include discharges of pesticides within the ordinary high water mark of waters of the U.S., whether those areas are wet or dry at the time of pesticide application.



What is an NOI?

- Notice of Intent (NOI) document submitted by an Operator to notify a permitting authority of their intent for their eligible discharges to be covered under a General Permit.
- NOIs are not "applications" per se, but are similar to permit applications in that they notify the permitting authority of a discharge requiring permit coverage.
- NPDES regulations require NOIs to include basic information on the discharger, type of discharges, and receiving water.
- NOIs cover discharges for the life of the permit (but may be modified or terminated).
- No fee to submit EPA's NOI (or obtain coverage under EPA's PGP).
- Federal regulations: In certain instances, discharges can be covered under a general permit without submission of NOI.



Operators of Discharges

- "Operator" PGP defines as any entity associated with an application of a pesticide which results in a discharge to waters of the U.S.
- Types of Operators for PGP
 - Decision-makers
 - Applicators
 - For-hire applicators
- EPA's PGP only requires certain Decision-makers to submit NOIs.
- All other Operators under the EPA's PGP are covered automatically without needing to submit an NOI.



Who is an Operator?

- "Decision-makers" Operators who have control over the decision to perform pesticide applications.
- "Applicators" Operators who have day-to day control of or perform activities that are necessary to ensure compliance with the permit.
 - "For-hire Applicators" subset of Applicators who make contractual pesticide applications for which they or their employer receives compensation (e.g., lawn care firms, pest control companies).



Decision-maker vs. Applicator

Examples

- Local Park Department determines that a specific pesticide is to be applied in a specific location at a certain rate, but hires an Applicator to actually apply the pesticides → the Park Department is a Decision-maker.
- A Federal Agency provides funds for pest control to another entity which manages land, but the funding Agency does not make decisions as to the type of, quantity of, or method by which pesticides will be applied
 → the funding Agency is not a Decision-maker.
 - The funded entity which makes those decisions is the Decision-maker.
 - That entity may in turn hire Applicators to apply the pesticides.
 - If the entity both makes the decisions and applies the pesticides, that entity would be both the Decision-maker and Applicator.



Poll Question #2

- Who do you represent?
 - Federal government
 - State government
 - Tribal government
 - Local government
 - For-hire Applicator/Other



Criteria for Who Must Submit an NOI

- Certain **Decision-makers** that EPA identified as performing more significant pesticide applications, including:
 - Any Federal or State Agency for which pest management for land resource stewardship is an integral part of the organization's operations
 - Special purpose districts with a specific responsibility to control pests (e.g., mosquito and weed control districts, irrigation districts)
 - Entities discharging to Tier 3 waterbodies (Outstanding National Resource Waters)
 - Entities discharging to Waters of the U.S. containing National Marine Fisheries Services Service (NMFS) Listed Resources of Concern
 - Other Decision-makers that apply pesticides in excess of specified annual treatment area thresholds



Any Agency for which pest management for land resource stewardship is an integral part of organization's operations

- Federal agencies (e.g., BLM, FWS)
- State agencies (e.g., State DOT, DNR)
- Most pest control activities performed by these agencies will trigger the requirement to submit an NOI.
- Examples of agency activities that do not trigger requirement to submit NOI:
 - Federal Social Security Administration controlling mosquitoes onsite
 - State Department of Motor Vehicles controlling weeds around its customer service center



Special Purpose Districts with a Specific Responsibility to Control Pests

- Mosquito Control Districts
- Weed Control Districts
- Irrigation Districts
- Other special purpose districts with pest control as a critical component of the district's operation.



Decision-makers discharging to Tier 3 waters

- PGP <u>is</u> available for discharges to Tier 3 waters from pesticide applications that are made:
 - to restore or maintain water quality, or
 - to protect public health or the environment

that either do not degrade water quality, or only degrade water quality on a short-term or temporary basis.

 A list of Tier 3 waters in geographic areas covered under the PGP is available on EPA's website at: www.epa.gov/npdes/pesticides.



Decision-makers discharging to Waters of the U.S. containing NMFS Listed Resources of Concern

Background:

- EPA "consulted" with NMFS and the U.S. Fish and Wildlife Service (FWS) on the PGP.
- Permittees do not need to undergo Endangered Species Act (ESA) "consultation" to obtain coverage under the PGP.
- General permits are less burdensome than individual permits because one permit undergoes ESA consultation.
- As a result of ESA consultation completed with NMFS, PGP does offer coverage for Operators who discharge to waters of the U.S. that contain NMFS Listed Resources of Concern, but includes additional requirements for discharges with certain overlaps:
 - NMFS Species/Habitat: Salmon, Sturgeon, Eulachon
 - Locations: ID, WA, OR, CA, MA & DC
 - Maps available at: www.epa.gov/npdes/pesticides (under "Additional Resources")
- EPA expects this to affect small percentage (~2%) of discharges covered under the PGP.
- EPA continues to be in consultation with FWS on the PGP. Permit includes no additional protections for species managed by FWS.



Decision-makers discharging to Waters of the U.S. containing NMFS Listed Resources of Concern

Eligibility under the PGP:

Discharges to NMFS Listed Resources of Concern are only eligible for PGP if they meet at least one of five criteria in Part 1.1.2.4 of the permit:

- B: ESA § 7 consultation previously concluded for those pesticide applications
- C: ESA § 10 permit previously issued for those pesticide applications
- D: Applications made only for declared pest emergency situations
- E: Prior written correspondence from NMFS that unlikely to adversely affect resources
- F: Demonstration that unlikely to adversely affect resources or the pest poses greater threat to species than the pesticide

Note: Appendix I of PGP outlines procedures for Decision-makers to determine which of these five criteria apply.

Requirements

If eligible for the PGP, Decision-makers with overlap must:

- submit an NOI
- submit annual reports
- implement IPM-like practices

Thresholds for Decision-makers required to submit NOI

Mosquito and Other treat > 6,400 acres/calendar year*

Flying Insect Pest Control: (only count adulticiding toward NOI threshold)

Forest Canopy Pest Control: treat > 6,400 acres/calendar year

Weed and Algae Control: treat > 20 linear miles along water's edge OR

80 acres of water

Animal Pest Control: treat > 20 linear miles along water's edge OR

80 acres of water



Thresholds for Decision-makers required to submit NOI

Definitions:

Pest Management Area – entire area, including land and water, for which an Operator is responsible and authorized to conduct pest management activities.

Example: Pest management area for an Operator who is a mosquito control district is the total area of the district.

Treatment Area –entire area, whether over land or water, where a pesticide application is intended to provide benefits within the pest management area. In some instances, the treatment area will be larger than the area where pesticides are actually applied.

Example: Treatment area for a stationary drip treatment into a canal includes entire width and length of the canal over which the pesticide is intended to control weeds.

Annual Treatment Area Threshold – area (in acres) or linear distance (in miles) where a Decision-maker authorizes/performs covered pesticide applications during a calendar year.



Calculating Annual Treatment Areas

- Mosquito and Forest Canopy Pest Control Count each application to a treatment area as a <u>separate</u> area treated. Count all areas where pesticides are applied within the treatment area, including portions of where pesticides are applied over land (although there must be discharges to waters of the U.S. within the overall treatment area to be covered).
 - Example: applying pesticides 3x/year to same 3,000 acres = 9,000 acres total
- Weed & Algae and Animal Control Count each treatment area only once, regardless of how many times the pesticides are applied in a calendar year.
 - Example: treating same 10 mile treatment area 3x/year = 10 miles total

If treating multiple Pest Management Areas within a state:

- 1. Calculate total treatment areas separately for each use pattern (as outlined above) within all the Pest Management Areas in the state.
- 2. Check if a threshold is exceeded for any use pattern within the state.
- 3. If any thresholds are exceeded, the Decision-maker is required to submit an NOI.

Only need one NOI to cover all applications per state (may list multiple Pest Management Areas within the NOI).



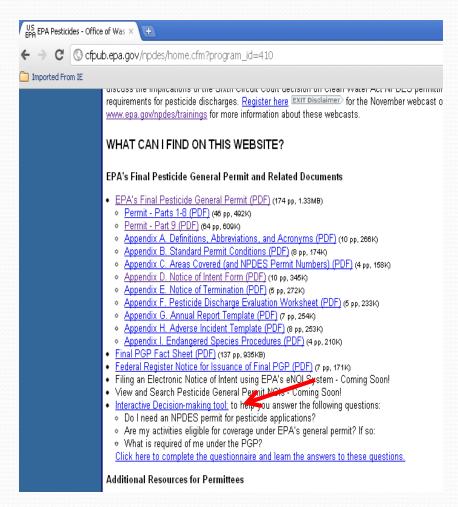
Who Must Submit an NOI? Pesticides Permit Decision Tool

EPA has developed an interactive tool to help potential permittees determine:

- Do I need an NPDES permit for pesticide applications? If so:
- Are my activities eligible for coverage under EPA's general permit? If so:
- What is required of me under the PGP? (Includes information on NOIs.)

Available at: www.epa.gov/npdes/pesticides

Note: Although this webcast focused on NOIs, EPA will hold future webcasts on other topic areas such as recordkeeping and documentation.





Timing of NOI Submission

NOI Submission Deadlines and Authorization Dates

	Discharge to WOUS that <u>do not</u> <u>contain</u> NMFS Listed Resources	Discharge to WOUS <u>containing</u> NMFS Listed Resources
Discharge not in response to a Declared Pest Emergency Situation	If required to submit NOI (regardless of size of treatment area), submit at least 10 days prior to discharge. Discharge authorized no earlier than 10 days after EPA posts online receipt of complete and accurate NOI. If required to submit NOI for exceeding a treatment threshold, submit at least 10 days before exceeding that threshold. Discharges authorized no earlier than 10 days after EPA posts online receipt of complete and accurate NOI.	Submit NOI at least 30 days prior to discharge. Discharges authorized no earlier than 30 days after EPA posts online receipt of complete and accurate NOI. Exception: Discharges may be authorized sooner (no earlier than 10 days after EPA posts receipt of NOI) in cases where agreement was previously established with NMFS for the discharge.
Discharge in response to a Declared Pest Emergency Situation	Submit NOIs within 30 days after beginning to discharge . Discharges authorized immediately.	Submit NOIs within 15 days after beginning to discharge. Discharges authorized immediately for a period of at least 60 days.



Poll Question #3

- If you need to submit an NOI, under which criteria do you have to submit an NOI?
 - Agency with responsibility to control pests
 - Special Purpose District responsible for controlling pests
 - Discharge to a Tier 3 water
 - Discharge to areas with NMFS-listed resources
 - Will exceed an annual treatment area threshold



Questions



NOI Sections

- Electronic Submission Waiver
- SECTION A NOI Status (only for paper NOIs)
- SECTION B Operator Information
- SECTION C Pest Management Area (PMA) Information
- SECTION D Endangered Species Protection Information
- SECTION E Certification



What information required in the NOI?

Electronic Submission Waiver

- Decision-makers <u>must file</u> an electronic-NOI (eNOI) unless requesting a waiver because the use of eNOI would incur undue burden or expense (will need to provide reason in paper NOI).
 - Provides faster permit coverage
 - Less burden for permittees and EPA
 - Less chance to make mistakes on NOI form
- Found on the paper NOI form in Appendix D of permit.

Electronic Submission Waiver (skip if submitting through EPA's eNOI system)
I hereby acknowledge my waiver request from the use of EPA's electronic Notice of Intent system (eNOI) because my use of eNOI will incur undue burden or expense over my use of this paper NOI form.
Briefly describe the reason why use of the electronic system causes undue burden or expense.



SECTION A - NOI Status

Operators can update existing NOIs

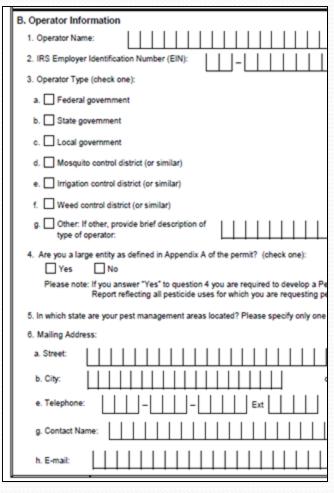
A. Notice of Intent Status				
 Mark whether this is the first time you are requesting coverage under the Pesticide General Permit or if this is a change of information for a discharge already covered under the Pesticide General Permit. If this is a change of information, supply the NPDES permit tracking number for the discharge. 				
a. Original NOI Submission				
b. NOI Change of Information: (NPDES Permit Tracking Number)				
Please note: When selecting A.1.b please fill out Section B (Operator Name and Mailing Address) and the fields of the NOI that need to be modified.				

Only for Paper NOI



SECTION B - Operator Information

- Operator Name refers to the organization, public entity, or firm that is the Decision-maker. (i.e., Federal Agency, Name of City or Mosquito Control Distinct).
- Large or Small Entity?
 Informs Decision-makers that if they are large entities they are also required to develop a Pesticide Discharge Management Plan (PDMP) and submit annual reports.





SECTION C - PMA Information

- Pest Management Area
 - Provide a brief description or map of area.
 - Can add multiple pest management areas.

est Management Area # of ##	
. Pest Management Area Name:	
Provide a map of the location of the Pest Management Are	ea (attach map) or describe the location of the Pest Management Area in detail.
. Are any of your activities for which you are requesting cov If yes, identify the reservation or otherwise describe those	erage under this NOI occurring on Indian Country Lands? Yes No
in yes, identify the reservation of otherwise describe those	areas.
 Are any of your activities (in this pest management area) 	for which you are requesting coverage under this NOI occurring on areas considered "feder
for Tiller I are defined by the county No.	
facilities" as defined by the permit?	0
	0
. Mailing address and contact information of the pesticide a	0
. Mailing address and contact information of the pesticide a a. Street:	opplicator (or check here if same as provided in Section B):
. Mailing address and contact information of the pesticide a a. Street: b. City:	opplicator (or check here if same as provided in Section B): c. State: d. ZIP Code:
. Mailing address and contact information of the pesticide a a. Street: b. City: e. Telephone:	opplicator (or check here if same as provided in Section B): c. State: d. ZIP Code:
. Mailing address and contact information of the pesticide a a. Street: b. City: e. Telephone: g. Contact Name:	pplicator (or check here if same as provided in Section B): c. State: d. ZIP Code: if same as provided in Section B):
. Mailing address and contact information of the pesticide a a. Street: b. City: e. Telephone: g. Contact Name: h. E-mail:	pplicator (or check here if same as provided in Section B): c. State: d. ZIP Code: iiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiii



SECTION C - PMA Information

6. Receiving Waters (check one):
a. Coverage requested for all Waters of the United States within the Pest Management Area identified above.
b. Coverage requested specifically for the following Waters of the United States within the Pest Management Area identified above.
c. Coverage requested for all Waters of the United States within the Pest Management Area identified above except for:
7. Tier 3 Waters Is coverage requested for discharge to a Tier 3 water (Outstanding National Resource Water) of the United States? Yes No lf yes, answer a and b:
a. Name of Tier 3 water(s):
b. Provide rationale for determination that pesticide discharge is necessary to protect water quality, the environment, and/or public health and that any such discharge will not degrade water quality or will degrade water quality only on a short-term or temporary basis:
8. Water Quality Impaired Waters
Operators are not eligible for coverage under this permit for any discharges from a pesticide application to Waters of the United States if the waters are identified as impaired by a substance which is either an active ingredient of the pesticide designated for use or is a degradate of such an active ingredient. See Part 1.1.2.1 of the permit. Check one:
 a. Waters are NOT impaired by any substance which is either an active ingredient of a pesticide to be discharged or a degradate of such an active ingredient
 Waters are on a current state list as being impaired by a substance which is either an active ingredient of a pesticide to be discharged or a degradate of such an active ingredient; however, evidence is attached documenting that the waters are no longer impaired.

- Description can include specific areas/waterbodies or all waterbodies within a certain area.
- Tier 3 Waters and Impaired Waters list available at:

http://www.epa.gov/npdes/pestic ides



SECTION D — Endangered Species Protection Information

D. Endangered Species Protection: Complete Section D for each Pest Management Pesticide General Permit is desired. Copy this section for non-electronic submis		B-F only apply to	
Pest Management Area # of ##		areas with NMFS Liste	
 Identify the criterion for which you are eligible for permit coverage as it applies to Federally Liste and/or Federally Designated Critical Habitat (i.e., Habitat) (check one): 	d Threatened or Endangered Species (i.e., Species)	Resources of Concern	
a. Pesticide application activities will not result in a point source discharge to one or more Wa Fisheries Service (NMFS) Listed Resources of Concern, as defined in Appendix A, of the F		 Most Decision-maker 	
b. Pesticide application activities for which permit coverage is being requested will discharge NMFS Listed Resources of Concern, as defined in Appendix A of the PGP, but consultation Act (ESA) has been concluded for pesticide application activities covered under the PGP. 6 have occurred only as a result of a separate federal action. The consultation addressed the	n with NMFS under Section 7 of the Endangered Species Consultations can be either formal or informal, and would	will select "A"	
activities on federally-listed threatened or endangered species and federally-designated or i. A biological opinion from NMFS finding no jeopardy to federally-listed species and no de		 NMFS species and 	
critical habitat; or		areas available on EPA	
 ii. Written concurrence from NMFS with a finding that the pesticide discharges and discharge-related activities are not likely to adversely affect federally-listed species or federally-designated critical habitat. 			
c. Pesticide application activities for which permit coverage is being requested will discharge NMFS Listed Resources of Concern, as defined in Appendix A of the PGP, but all "take" of application activities has been authorized through NMFS issuance of a permit under section effects of the pesticide discharges and discharge-related activities on federally-listed specience.	these resources associated with such pesticide on 10 of the ESA, and such authorization addresses the	PGP website	
"take" means to harass, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to a Endangered Species Act, 16 U.S.C. § 1632 (19).)	a. Describe the location of the pest management area in deta	a. Describe the location of the pest management area in detail or provide a map of the location:	
d. Pesticide application activities were, or will be, discharged to one or more Waters of the Concern, as defined in Appendix A of the PGP, but only in response to a Declared Pest	b. Pest(s) to be controlled:	Pest(s) to be controlled:	
e. Pesticide application activities for which permit coverage is being requested in the NOI we containing NMFS Listed Resources of Concern, as defined in Appendix A of the PGP. It includes in the NOI written correspondence from NMFS that pesticide application activities avoid or eliminate the likelihood of adverse effects to NMFS Listed Resources of Concert.			
f. Pesticide application activities for which permit coverage is being requested in the NOI v	c. Pesticide product(s) to be discharged and method of applic	ation:	
containing NMFS Listed Resources of Concern, as defined in Appendix A of the PGP. E activities that are demonstrated by the Decision-maker as not likely to adversely affect N greater threat to the NMFS Listed Resources of Concern than does the discharge of the	d. Planned quantity and rate of discharge(s) for each method	Planned quantity and rate of discharge(s) for each method of application:	
	e. Number of planned discharges:	Number of planned discharges:	
For Criterion D & F,	f. Approximate date(s) of planned discharge(s):		
required to provide	undertaken to avoid or eliminate the likelihood of adverse e	g. Your rationale supporting your determination that you meet the criterion for which you are submitting this NOI, including appropriate measures to be undertaken to avoid or eliminate the likelihood of adverse effects. For certifications pursuant to Criterion D, indicate whether the discharge is likely to adversely affect NMFS Listed Resources of Concern and, if so, any feasible measures to avoid or eliminate such adverse effects (attach additional	
additional information	pages as necessary):	- 20, only reasons included to drow or climinate about date as clients (attabil doubloila)	
≥ 1 10000000000000000000000000000000000	I	VAAAA	

SECTION E - Certification

- NOI can be prepared by anyone but must be signed and certified by an authorized representative of the decision-maker.
 - (e.g., Superintendent, District Manager, Director of Operations)
- Signatory requirements found in Part B11 of Appendix B in the permit
- By signing, the Decisionmaker certifies that the discharge meets all eligibility conditions of the permit.

F. Certification				
E. 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. On the basis of 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 knowledge in yolotations.				
Printed Name:				
Title:				
E-Mail:				
Signature/Responsible Official: Date://				
NOI Preparer (Complete if NOI was prepared by someone other than the certifier)				
Preparer Name:				
Preparer Ivalite.				
Organization:				



Questions



Poll Question #4

- Have you tried using EPA's eNOI system to submit an NOI for the PGP yet?
 - Yes, I submitted an NOI and it was relatively easy
 - Yes, I submitted an NOI but it was relatively difficult
 - Yes, but I have not yet completed submitting the NOI
 - Not yet, but I will need to
 - No, and I don't expect to need to



Electronic NOI Submission (eNOI)

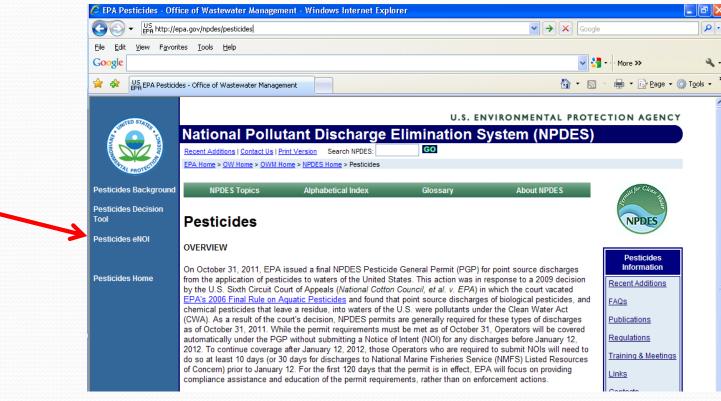
BASIC STEPS

- 1. Register and Login to Central Data Exchange (CDX).
 - Both NOI Preparer and NOI Certifier must register
- 2. Enter Information into eNOI System
- 3. Certify the NOI with certification key
- 4. Submit to EPA.



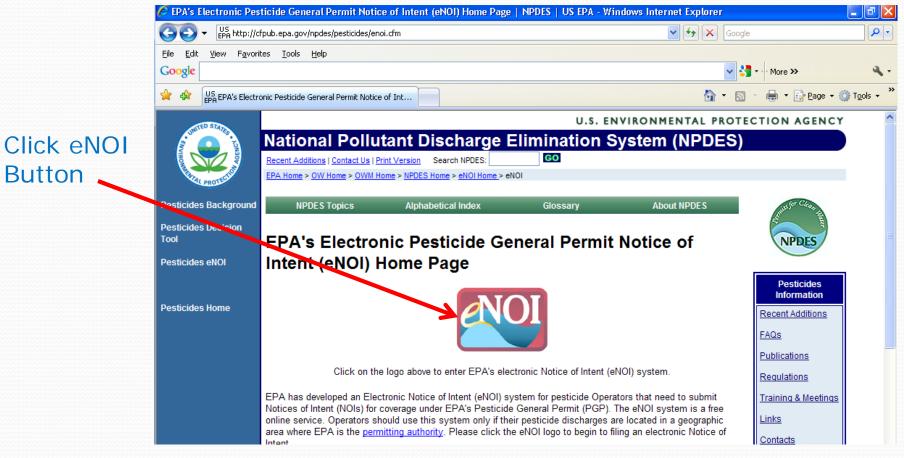
Electronic NOI Submission (eNOI)

Pesticides homepage: http://epa.gov/npdes/pesticides



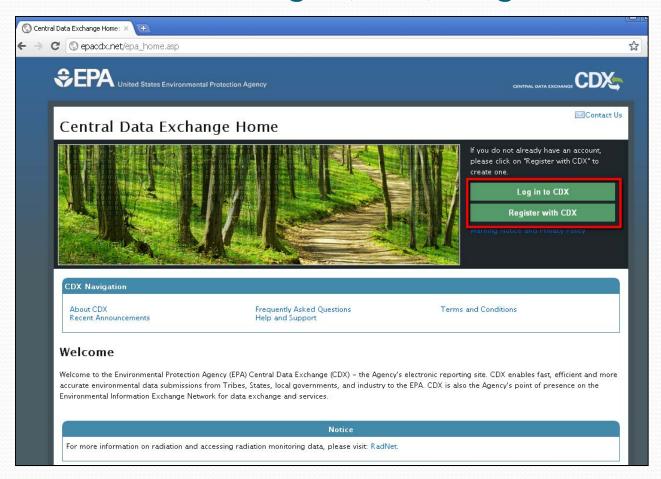


Electronic NOI Submission (eNOI)





Central Data Exchange (CDX) Registration





Preparer vs. Certifier Roles

Preparer

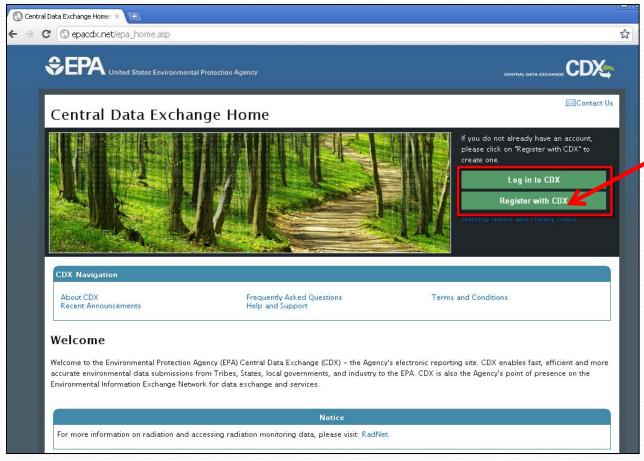
- Anybody can prepare an NOI.
- Preparer must register with CDX.

Certifier

- Can prepare and certify or just certify NOIs.
- Certifies that info in NOI is correct and the discharge meets all eligibility conditions of the permit.
- Must register with CDX and log into PGP eNOI system to certify
- NOTE: If the Certifier and Preparer are the <u>same</u> person then only one CDX registration is needed.



Central Data Exchange (CDX) Registration

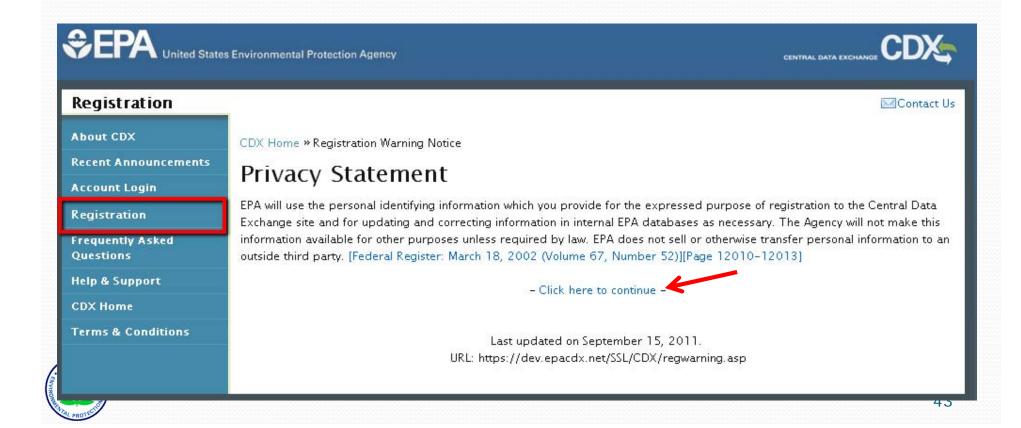


Click 'Register with CDX'



CDX Registration: Privacy Statement

 Read and click "here to continue" to go to terms and conditions page.



CDX Registration: Terms & Conditions

Registration About CDX CDX Home » Terms & Conditions Recent Announcements **Terms & Conditions Account Login** The access and use of CDX Registration for the electronic submittal of environmental information require the creation of a user ID and password that I must maintain and keep confidential. I will review the following steps concerning the creation and maintenance of a user ID and password. Frequently Asked Ouestions EPA's Central Data Exchange Registration procedure is part of a United States Environmental Protection Agency (EPA) computer system, which is for authorized use only. Unauthorized access or use of this computer system may subject violators to criminal, Terms & Conditions civil, and/or administrative action. All information on this computer system may be monitored, recorded, read, copied, and disclosed by and to authorized personnel for official purposes, including law enforcement. Access or use of this computer system by any person, whether authorized or unauthorized, constitutes consent to these terms. **Privacy Statement** EPA will use the personal identifying information which you provide for the expressed purpose of registration to the Central Data Exchange site and for updating and correcting information in internal EPA databases as necessary. The Agency will not make this information available for other purposes unless required by law. EPA does not sell or otherwise transfer personal information to an outside third party. [Federal Register: March 18, 2002 (Volume 67, Number 52)][Page 12010-12013] Choosing a CDX Password For CDX registration purposes, I agree to select a password which will not be easily guessed (e.g., my name, my children's names, birthdays, etc.). Passwords must be a minimum of 8 alpha-numeric characters (no spaces or special characters) and contain at least 1 of each of the following: · uppercase character Iowercase character number Passwords may not begin with a number nor contain the word "password" nor contain your User Name Protecting my CDX Password Lagree to protect my CDX password *will not divulge my password to any other individual;* I will not store it in an unprotected location; and I will not allow it to be written

I will not divulge my password to any other individual; I will not store it in an unprotected location; and I will not allow it to be written into computer scripts to achieve automated login.

Limited CDX Software Distribution

Any distribution of software provided by the Environmental Protection Agency's Central Data Exchange shall be handled according to any defined license practices.

CDX provides tools which contains FIPS-validated RSA BSAFE Crypto-J which is classified under Export Commodity Classification Number (ECCN) SD002 "Encryption Sofware" referenced under CCATS G059799. This product is eligible for license exception ENC under Sections 740.17 (A) and (B) (2) of the Export Administration Regulations (EAR). The exportation of this item classified by the Bureau of Industry and Security (BIS) as 5D002 "Unrestricted" to foreign subsidiaries of US companies is permitted under this license exception ("ENC "Encryption"). This license exception does not apply to the embargoed nations of Cuba, Iran, North Korea, Sudan and Syria or any parties found on the various government denial lists including the Department of Commerce Denied Parties List. For additional information and guidance regarding your use of this product, please refer to the United States' standard regulations for encryption at http://www.access.gop.gov/bis/ear/pdf/740.pdf

Actions to take if my CDX Account has been Compromised

If I have determined that my CDX account has become compromised, I agree to contact the CDX Technical Support staff at 1–888–890–1995 as soon as possible.

Terminating my CDX Account

l agree to notify CDX within ten working days if my duties change and I no longer need to interact with the CDX on behalf of my organization. I agree to make this notification via either the CDX web interface or by notifying the CDX Technical Support staff at 1–888-890-1995. This notification will allow CDX to deactivate my account and protect it from potential abuse by others.

I have reviewed these terms and conditions

I DECLINE | I ACCEPT

Read and Accept the terms & conditions tecontinue registration.

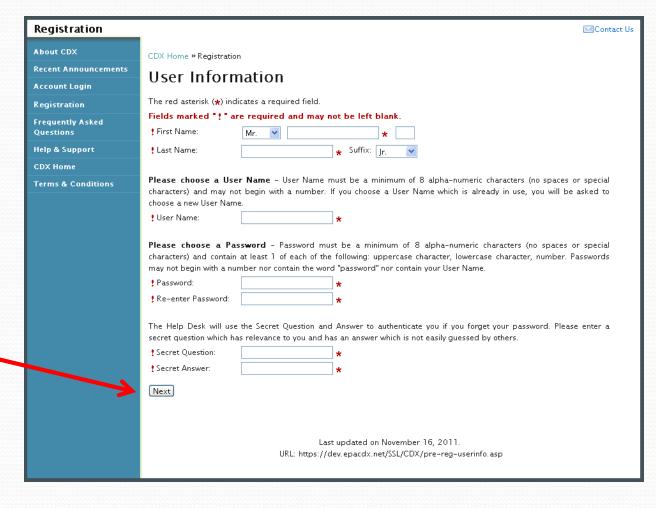


Last updated on November 16, 2011.

URL: https://dev.epacdx.net/SSL/CDX/terms.asp

CDX Registration: Provide Your User Information

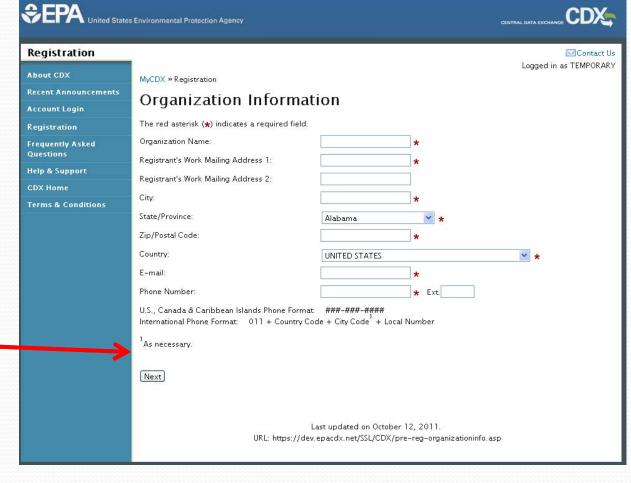
After you provide your User Information, click Next





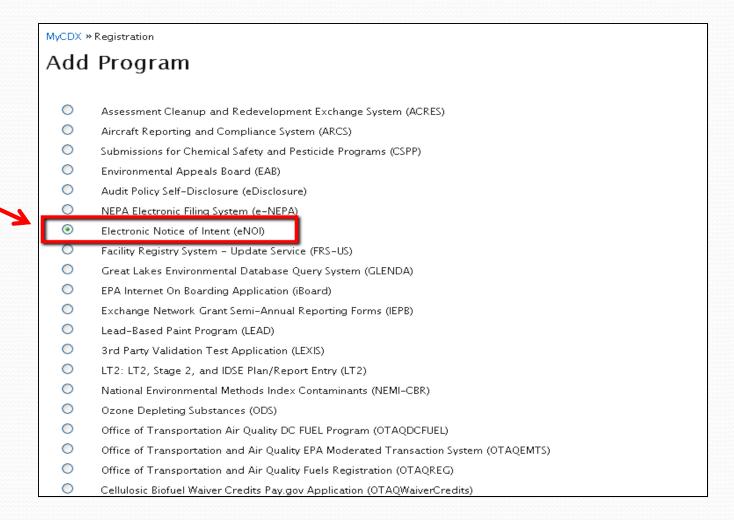
CDX Registration : Provide Your Organization Information

After you provide your Organization Information, click Next





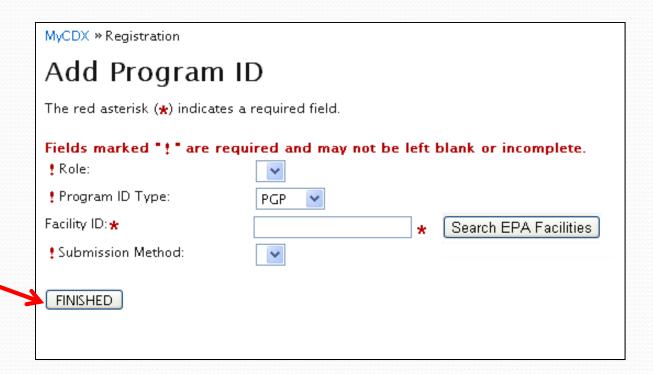
CDX Registration : Choose Electronic Notice of Intent (eNOI)





CDX Registration: Add Program ID

- Role: A Submitter (choose"A Submitter" even if you are a "certifier" only)
- Program ID Type: PGP
- Facility ID: Enter your two-letter state abbreviation (i.e., ID, NM)
- Submission Method: WEBFORM



CDX Registration

You will return to the Edit Current Account Profiles Page.

Click "MyCDX" **MyCDX** Contact Us Logged in as **About CDY** MyCDX » dit Organization Profiles **Edit Organization Profiles** Recent Announcements MyCDX Organization **Program Status** Inbox ► Edit Organization Contact Information Avanti Corporation **Change Password** eNOI ▶ List Roles **Frequently Asked** ► Add New Program Questions Add additional programs for Avanti Corporation Help & Support **CDX Home** Terms & Conditions BACK Logout Last updated on URL: https://dev.epacdx.net/SSL/cdx/editclientprofile.asp

MyCDX Homepage

• Once registered, you will automatically be taken to this page when you login.





MyCDX Homepage

Welcome to EPA's Electronic Notice of Intent (eNOI) system



Pesticides Applicators can submit cert fy, view or terminate Pesticide General Permit. NOI's and Reporting Data.

Return To MyCDX

This link takes you to Stormwater eNOI and Vessels eNOI.

Stormwater eNOI: Facilities can submit, certify, view or terminate their

Stormwater General Permit NOIs and waivers, which include the MSGP, the CGP,

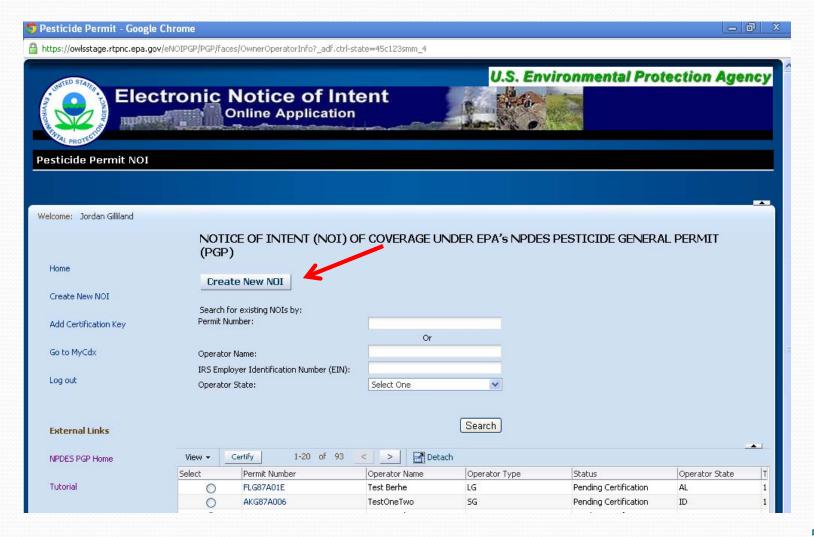
the NOE, and the LEW.

Vessels eNOI: Vessel Operators can submit, certify, view, or terminate their

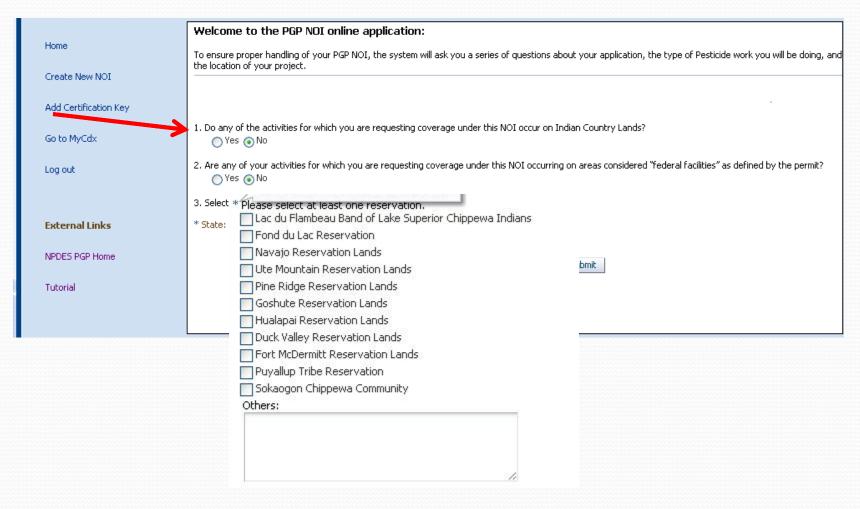
Vessel General Permit NOI.



PGP eNOI Homepage

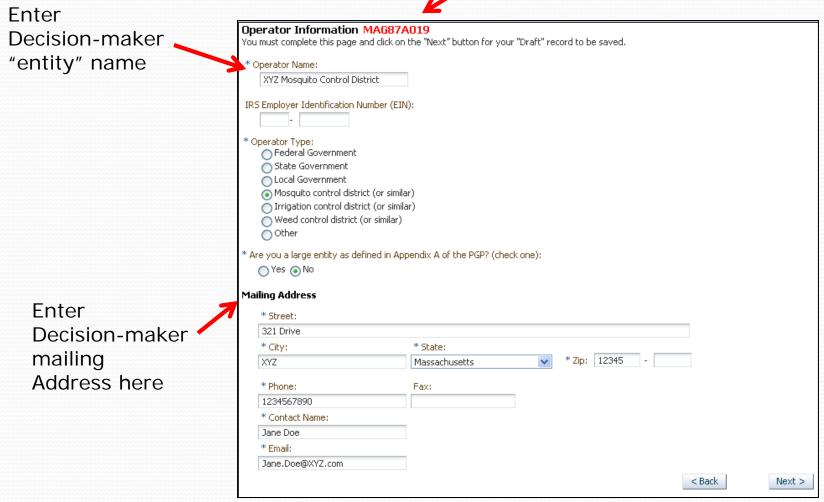






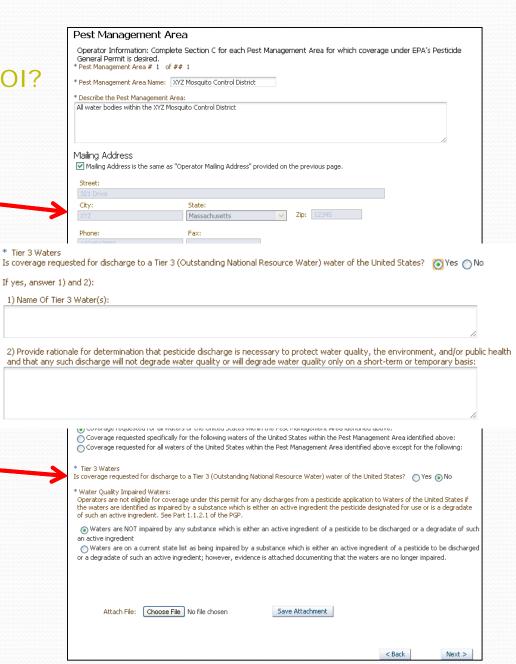


Note Permit Number



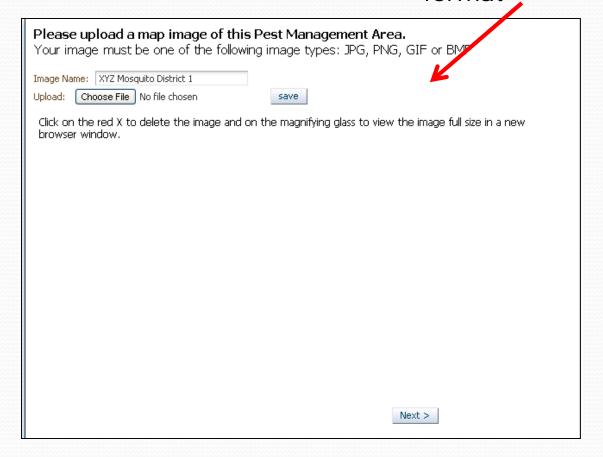


Enter contact information for this PMA if different contact for entire NOI





Images must be in JPG, PNG, GIF or BMP format





NOTE: CANNOT UPLOAD "pdf" FILES

•From here you Can upload one or more files and, if needed, delete files



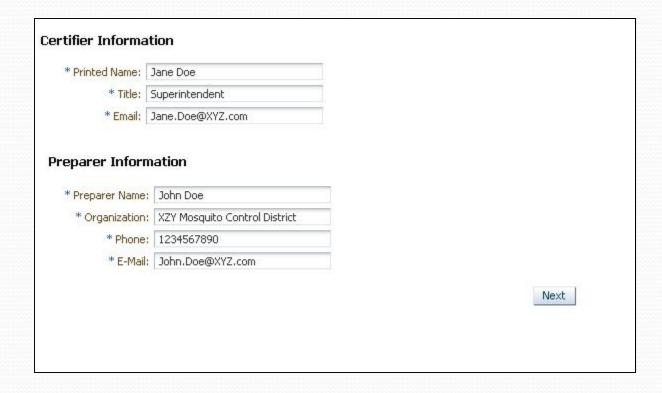


Pest Management Area Endangered Species Protection: Complete Section D for each Pest Management Area for which coverage under El Pesticide General Permit is desired. Copy this section for non-electronic submissions. 1. Federally Listed Threatened or Endangered Species (i.e., Species) and/or Federally Designated Critical Habitat (i.e., Habitat) (check one): A. Pesticide application activities will not result in a point source discharge to one or more Waters of the United States containing National Marine Fisheries Service (NMFS) Listed Resources of Concern, as defined in Appendix A, of the PGP. B. Pesticide application activities for which permit coverage is being requested will discharge to one or more Waters of the United States containing NMFS Listed Resources of Concern, as defined in Appendix A of the PGP, but consultation with NMFS under Section 7 of the Endangered Species Act (ESA) has been concluded for pesticide application activities covered under the PGP. Consultations can be either formal or informal, and would have occurred only as a result of a separate federal action. The consultation addressed the effects of pesticide discharges and discharge-related activities on federally-listed threatened or endangered species and federally-designated critical habitat, and must have resulted in either: i. A biological opinion from NMFS finding no jeopardy to federally-listed species and no destruction/adverse modification of federallydesignated critical habitat: or ii. Written concurrence from NMFS with a finding that the pesticide discharges and discharge-related activities are not likely to adversely affect federally-listed species or federally-designated critical habitat. C. Pesticide application activities for which permit coverage is being requ containing NMFS Listed Resources of Concern, as defined in Append 1. Pest(s) to be controlled: pesticide application activities has been authorized through NMFS' is addresses the effects of the pesticide discharges and discharge-rela 2. Pesticide product(s) to be discharged and method of application: habitat. (The term "take" means to harass, pursue, hunt, shoot, wo conduct. See Section 3 of the Endangered Species Act, 16 U.S.C. § 3. Planned quantity and rate of discharge(s) for each method of O. Pesticide application activities were, or will be, discharged to one of Concern, as defined in Appendix A of the PGP, but only in respon 4. Number of planned discharges: E. Pesticide application activities for which permit coverage is being 5. Approximate date(s) of planned discharge(s): States containing NMFS Listed Resources of Concern, as defined in Decision-maker includes in the NOI written correspondence from NM 6. Your rationale supporting your determination that you meet the criterion for which you are submitting this NOI, including appropriate appropriate measures will avoid or eliminate the likelihood of advers measures to be undertaken to avoid or eliminate the likelihood of adverse effects. For certifications pursuant to Criterion D. indicate F. Pesticide application activities for which permit coverage is being a whether the discharge is likely to adversely affect NMFS Listed Resources of Concern and, if so, any feasible measures to avoid or eliminate States containing NMFS Listed Resources of Concern, as defined in such adverse effects (attach additional pages as necessary): application activities that are demonstrated by the Decision-maker that the pest poses a greater threat to the NMFS Listed Resources Add Another PMA Next > Attach File: Choose File No file chosen Save Attachment



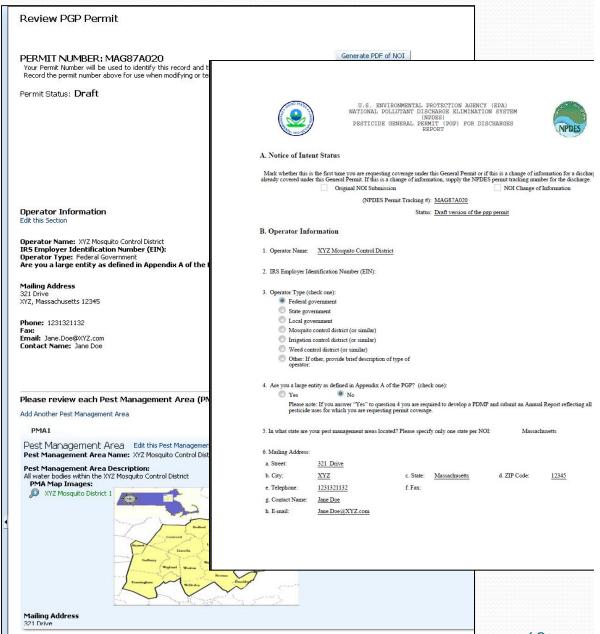
Can add another PMA or proceed to complete NOI.

Note: Only Applies to Criteria D & F



Note: It is critical that you provide the same email as the one used by the certifier to register with CDX.







NOI Submission to Certifier

Review and click submit

Note: This does not send the NOI to EPA!

Please review each Pest Management Area (PMA) before submitting or certifying the record.

Add Another Pest Management Area

PMA1

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Are any of your activities (in this pest management area) for which you are requesting coverage under this NOI considered "federal facilities" as defined by the PGP?

Pesticide Use Patterns to be included in this Pest Management Area

Mosquitoes and Other Flying insect Pests

Receiving Waters

Coverage requested for all waters of the United States within the Pest Management Area identified above.

Is coverage requested for discharge to a Tier 3 (Outstanding National Resource Water) water of the United States?

Water Quality Impaired Waters

Waters are NOT impaired by any substance which is either an active ingredient of a pesticide to be discharged or a degradate of such an active ingredient

Endangered Species Protection:

Pesticide application activities will not result in a point source discharge to one or more Waters of the United States containing National Marine Fisheries Service (NMFS) Listed Resources of Concern, as defined in Appendix A, of the PGP.

Certifier Edit this Section

Printed Name: Jane Doe Title: Superintendent Email: Jane.Doe@XYZ.com

Preparer

Preparer Name: John Doe

Organization: XZY Mosquito Control District

Phone: 1234567890 Email: John.Doe@XYZ.com







NOI Preparer & Certifier Emails

Preparer Email



10/21/2011 01:37 PM Show Details

Thank you for using the eNOI system to submit your Pesticide General Permit eNOI.

The Pesticide General Permit with permit number permitNumber has been submitted to the Certifying Official. The Pesticide General Permit is not considered complete until it has been certified by the Certifying Official.

If you have any questions, please call the EPA NOI Processing Center at 1-866-352-7755 (toll free) or send an email to noi@avanticorporation.com.

EPA NOI Processing Center Operated by Avanti Corporation 1200 Pennsylvania Ave., NW Mail Code: 4203M Washington, DC 20460

Preparer will receive an email that an NOI is ready for certification.

- The Certifier will receive a Certification Key.
- Certifier must register with CDX to certify NOIs.
- When registering in CDX use identical email address as the one where the certification key is sent

Certifier Fmail



Pesticide General Permit Assigned

noreply to: Prasad Chumble

You have been assigned to certify one or more Pesticide General Permit/s.

In order to certify any permit login or register at http://cdx.epa.gov, access the Pesticide General Permit System, select Add Key from the left menu and then enter the certification key listed below.

Certification Key: a4d56ee3-890a-41a7-bd8c-6f630241678c



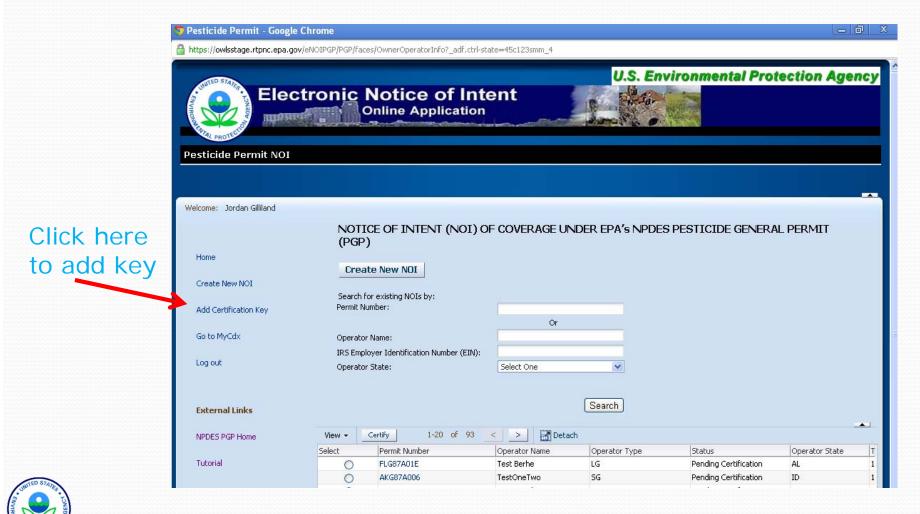
If you have any questions, please call the EPA NOI Processing Center at 1-866-352-7755 (toll free) or send an email to noi@avanticorporation.com.

EPA NOI Processing Center Operated by Avanti Corporation 1200 Pennsylvania Ave., NW Mail Code: 4203M Washington, DC 20460

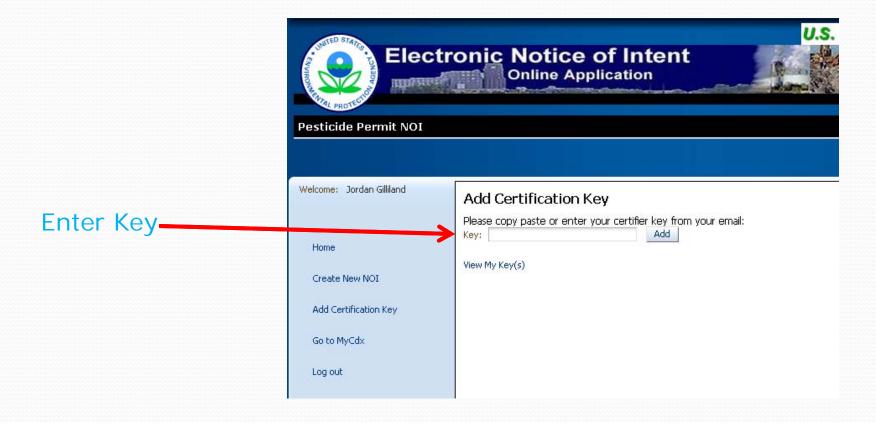


10/21/2011 01:37 PM

PGP eNOI Certification

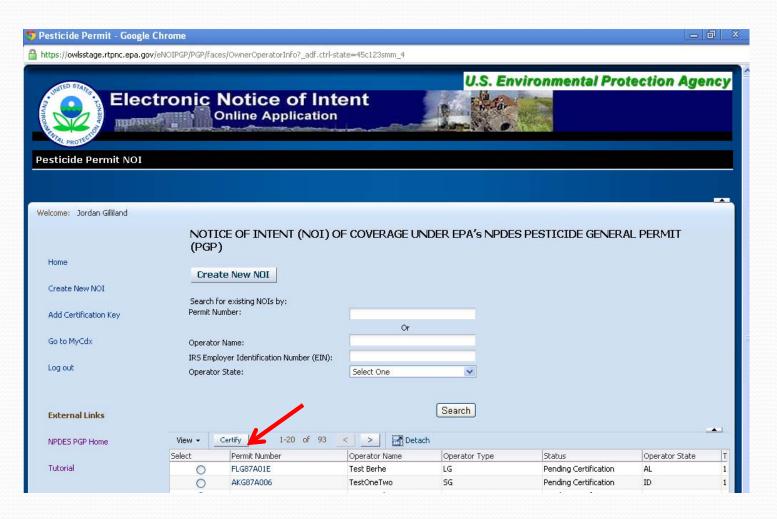


PGP eNOI Certification





PGP eNOI Certification





PGP eNOI Certification

After reviewing NOI,

Certifier must either

Accept, Reject, or

Postpone certifying the

NOI and click Submit

Note: This will send the NOI to FPA

Water Quality Impaired Waters Waters are NOT impaired by any substance which is either an active ingredient of a pesticide to be discharged or a degradate of such an active ingredie **Endangered Species Protection:** Pesticide application activities will not result in a point source discharge to one or more Waters of the United States containing National Marine Fisheries Service (NMFS) Listed Resources of Concern, as defined in Appendix A, of the PGP. Certifier Edit this Section Printed Name: Jane Doe Title: Superintendent Email: Jane.Doe@XYZ.com Preparer Preparer Name: John Doe Organization: XZY Mosquito Control District Phone: 1234567890 Email: John.Doe@XYZ.com * Read the following text and select your choice 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. On the basis of 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. I further certify that the applicant has sufficient title, right, or interest in the property where the proposed activity occurs. O Postpone O Accept O Reject Submit Home



PGP eNOI email

- Email notification to Decision-maker that NOI has been submitted to EPA
- Email also includes date when NOI Status will be <u>Active</u>



Pesticide General Permit: NOI Certified and Submitted to EPA

noreply to: widistrictshop

Co: PGP, widistrictshop, john_fay, don_morgan

02/28/2012 02:01 PM

Show Details

SUBMITTER EPA BODY2 BK

Owner/Operator: Weiser Irrigation District Attn: Bruce G. Gochnour P.O. Box 591Weiser, Idaho 83672

NOI Submitted to EPA Confirmation:

Thank you for submitting your Pesticide General Permit Notice of Intent to EPA.

This email/letter acknowledges that you have submitted a complete certified Notice of Intent form to be covered under the NPDES Pesticide General Permit. Your Notice of Intent form with permit tracking number IDG87A355 has been certified and submitted to EPA. Coverage under this permit begins at the conclusion of your 10-day wait period on 2012-03-09 unless you are otherwise notified.

If you have any questions, please call the EPA NOI Processing Center at 1-866-352-7755 (toll free) or send an email to noi@avanticorporation.com .EPA NOI Processing Center Operated by Avanti Corporation 1200 Pennsylvania Ave., NWMail Code: 4203M Washington, DC 20460</



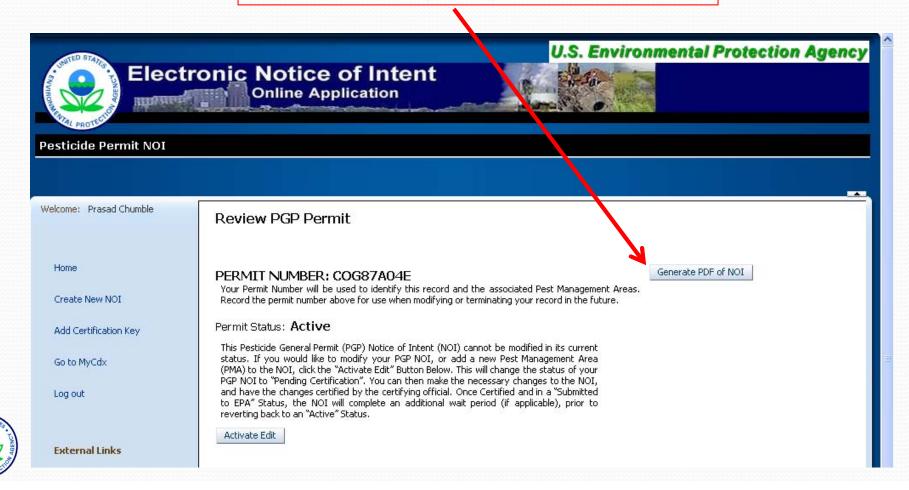
PGP NOI STATUS

- <u>Draft</u> NOI is not complete and is still being prepared
- <u>Pending Certification</u> a complete NOI is submitted to Certifier and is awaiting certification.
- Submitted to EPA A complete certified NOI has been submitted to EPA by Certifier and is in the waiting period pending authorization.
- <u>Active</u> A complete NOI has been received by EPA.
 The waiting period is over and Operator's discharges are authorized under the PGP beginning on the date indicated.



Print NOI for records

Click "Generate PDF of NOI" and print out a copy for your own records.



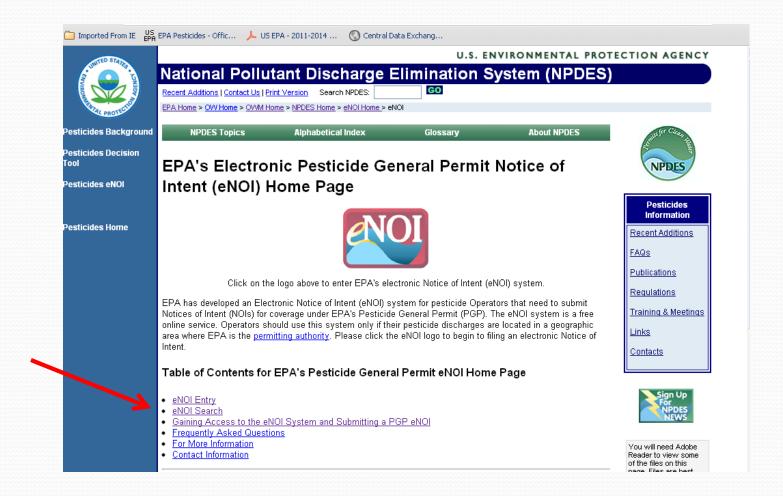
Making Changes to an Active NOI



Note: Changes to an Active NOI will restart the review period; however the Operator will still be covered under the original NOI until the edited $_{
m NOI}$ is made Active.

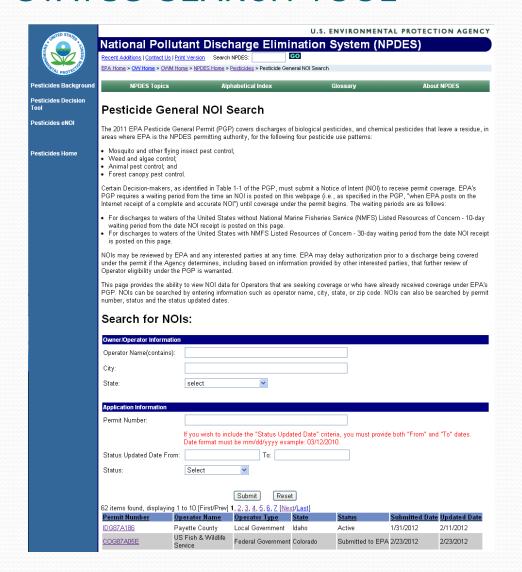


PGP NOI STATUS SEARCH TOOL





PGP NOI STATUS SEARCH TOOL





For Registration and Login Questions Specific to The Central Data Exchange (CDX) Contact:

- By Telephone: Person-to-person telephone support is available from Monday – Friday 8:00 am to 6:00 pm (EST). Call (866) 890- 1995.
- By Email: Send email to helpdesk@epacdx.net

For Questions Regarding the eNOI system Contact:

- By Telephone: Person-to-person telephone support is available from
- Monday Friday 8:00 am to 5:00 pm (EST). Call (866) 352-7755.
- By Email: Send email to Technical Support at noi@avanticorporation.com.



More information on the PGP:

www.epa.gov/npdes/pesticides

 For the archive of EPA's "Webcast on NPDES Permitting of Pesticide Discharges" (background on which activities need a permit and the PGP):



- Click on "Training & Meetings" on right side menu
- Click on "Pesticides"

PGP NOI homepage:

www.epa.gov/npdes/pesticides/enoi

Send any pesticide general permit related questions to:

pgp@epa.gov



End of Webcast

Time for Questions and a Survey

