From: John Kemmerer
To: Jared Blumenfeld
Cc: Teddy Ryerson; Alexis Strauss; Nancy Woo
Subject: CA SWRCB's Pesticide Permit
Date: 06/20/2012 04:05 PM

Hi Jared - I was asked to look into your question about the California State Water Resources Control Board's permit regulating aquatic pesticide application.

I'm not 100% sure what specific permit language change you're asking about.

I believe you're asking about language in the SWRCB's permit regulating Discharges to Water from Vector Control Applications (Vector Control Permit). When this permit was originally adopted on March 1, 2011, it contained a provision intended to help restore impaired waters. If a water body was impaired for a specific pesticide, permit coverage was not provided for discharges of that same pesticide or other pesticides of the same chemical family. In response to concerns raised by mosquito control agencies, on April 3, 2012 the SWRCB adopted a modification to the Vector Control Permit which removed the reference to pesticides of the same chemical family as the pesticide causing the impairment. There's still no coverage for applying a pesticide to a water body which is impaired for that same pesticide.

If this is the issue you were asking about, then the answer is yes, the permit language has been changed.

Per the SF Chronicle article, the mosquito control agencies are still not happy. Based on a review of the comments they provided on the draft permit amendment, it appears that this may have less to do with the specifics of California's permit than it does with the fact that their activities are regulated at all by an NPDES permit. The mosquito control agencies argue that they should not be required to obtain NPDES permits. As you probably know, the federal requirement that aquatic pesticide applicators receive NPDES permit coverage is the result of litigation that EPA lost.

If I haven't answered your question, please let me know.

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From: Alexis Strauss/R9/USEPA/US
To: Nancy Woo/R9/USEPA/US, John Kemmerer/R9/USEPA/US
Date: 06/18/2012 10:21 AM
Subject: Re:

Can you reply? I"m unable to open. Thx,A

----- Original Message -----
From: Jared Blumenfeld [jaredblumenfeld@comcast.net]
Sent: 06/15/2012 10:26 PM MST
To: Alexis Strauss
Cc: Teddy Ryerson
Subject: WNV

Did the SWCB ever change the permit language as promised?

http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2012/06/15/BAG51P2ERU.DTL&tsp=1