

Issuance Date: June 5, 2019  
Effective Date: July 5, 2019  
Expiration Date: July 4, 2024

# AQUATIC MOSQUITO CONTROL GENERAL PERMIT

National Pollutant Discharge Elimination System And  
State Waste Discharge General Permit

State of Washington  
Department of Ecology  
Olympia, Washington 98504

In compliance with the provisions of  
Chapter 90.48 Revised Code of Washington  
(State of Washington Water Pollution Control Act)  
and

Title 33 United States Code, Section 1251 et seq.  
The Federal Water Pollution Control Act (The Clean Water Act)

Until this permit expires, is modified, or is revoked, Permittees that have properly obtained coverage under this permit are authorized to discharge in accordance with the special and general conditions that follow.

The Permittee must reapply for permit coverage before December 4, 2023, 180 days before the expiration of this permit, if the Permittee intends to continue operations and discharges beyond the term of this permit.



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## SUMMARY OF SUBMITTALS

**Table 1 – Required Permit Submittals**, lists submittal requirements of this Permit in chronological order and includes the permit section of the requirement. Refer to the Special and General Conditions of this Permit for additional submittal requirements. The following table is for quick reference only. Enforceable submittal requirements are contained in the permit narrative.

**Table 1 - Required Permit Submittals**

Submittal Date	Action	Section
By October 5, 2019	Existing <b>Permittees</b> must submit a revised <b>application for coverage (Notice of Intent, NOI<sup>1</sup>)</b> .	<a href="#">S2.F</a>
By December 31 <sup>st</sup> , each year	Submit the Annual Report to the Washington State Department of Ecology (Ecology).	<a href="#">S8.A</a>
By December 4, 2023	Reapply for permit coverage.	<a href="#">S2.F</a> <a href="#">G14</a>
Within 7 days of receiving notification from Ecology	Submit the Integrated Pest Management plan to Ecology.	<a href="#">S7.A</a>
As necessary	Notify Ecology of the failure to comply.	<a href="#">S8.C</a>
As necessary	Notify Ecology of the need for permit modification.	<a href="#">S2.E</a> <a href="#">G10</a>
As necessary	Notify Ecology of the need to transfer permit coverage.	<a href="#">S2.G</a>
Once <b>discharges</b> due to mosquito control activities <b>no</b> longer occur	Submit the <b>Notice of Termination</b> (NOT) to Ecology.	<a href="#">S2.H</a>
60 days before discharge	New facilities must submit applications for coverage (Notice of Intent, NOI).	<a href="#">S2.B</a>

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<sup>1</sup> The text of this permit contains acronyms and abbreviations. The acronyms and abbreviations in **bold and italics** are the first usage in the permit and are presented in Appendix A – Acronyms and Abbreviations.

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## SPECIAL CONDITIONS

### S1. PERMIT COVERAGE

#### A. Activities Covered Under This Permit

The *Aquatic Mosquito Control General Permit (Permit)* conditionally authorizes the discharge of **larvicides** or the **indirect** discharge of **adulticides** to **waters of the State of Washington** (waters of the State), that result from mosquito control activities. Once coverage is obtained, the **entity** that applied for permit coverage is known as the "Permittee<sup>2</sup>."

#### B. Activities NOT Covered Under This Permit

This Permit does **not** apply to the following activities and sites.

1. Homeowner use of pesticides for residential control of mosquitoes.
2. Mosquito control activities covered by another Ecology permit.
3. Constructed detention or retention ponds:
  - a. Designed for wastewater or stormwater **treatment** that do **not** have an outlet to surface waters of the State.
  - b. That do **not** discharge to other surface waters of the State during, and for two weeks after, treatment.
  - c. Covered by an Ecology permit that allows chemical treatment.
4. **Constructed waterbodies** that have a surface area of five acres or less, and do **not** discharge to other surface waters of the State during, and for two weeks after, treatment.
5. **Upland farm ponds** that do **not** discharge to other surface waters of the State during, and for two weeks after, treatment.
6. Treatment conducted on seasonally dry land surfaces. The treatment must<sup>3</sup> occur when the area is dry and the **active ingredient** used in the treatment is **not** biologically available when water returns.
7. Irrigation water that will **not** discharge to surface waters of the State during, and for two weeks after, treatment.
8. Research activities, covered under a federal **experimental use permit** (EUP) or a state EUP (Special Condition S4.D), that involve the application of larvicides or adulticides to waters of the State.

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<sup>2</sup> The requirements in this permit are directed to the Permittee unless specified otherwise. The term "you" and "your" also refers to the Permittee.

<sup>3</sup> In this permit, the word "must" denotes an action that is mandatory.

### C. Geographic Area Covered Under This Permit

This Permit covers the activities listed in Special Condition S1.A (*Activities Covered Under This Permit*) that occur within Washington State. This Permit does **not** apply to:

1. Federal lands where a federal agency made the decision to apply pesticides, or is the entity applying pesticides<sup>4</sup>.
2. “**Indian Country**” as defined in 18 U.S.C. §1151 and **trust or restricted lands** except portions of the Puyallup Reservation (see **Puyallup Exception** in the glossary in Appendix B).

## S2. APPLYING FOR PERMIT COVERAGE AND PERMIT ADMINISTRATION

### A. Who Must Apply for Permit Coverage

1. The following entities **must** obtain coverage under this Permit.
  - a. An aquatic licensed commercial applicator, and their **sponsor**, that plans to use larvicides or adulticides (pesticides) to control mosquitoes.
  - b. A government entity that plans to use pesticides to control mosquitoes.
  - c. Research and development efforts related to the chemical control of mosquitoes, operating under a federal experimental use permit or a state experimental use permit.
2. Permit coverages
  - a. Commercial **pesticide** applicators must obtain a separate permit coverage for each sponsor and specify the **permit coverage area** for that sponsor. The permit coverage area applies to the area where the sponsor has authority (for example, the sponsor’s property).
  - b. Government entities may obtain a single permit coverage for their **jurisdiction**.
3. Existing Permittees  
See Special Condition S2.F (*How to Renew Permit Coverage*).

### B. When to Apply for Permit Coverage

The entity seeking new coverage or renewing coverage under this Permit must apply within the following time limits.

1. Entities **not** currently covered by this Permit.  
Entities that propose to discharge pesticides to waters of the State on or after the effective date of this Permit, must submit a complete application for coverage (also called a Notice of Intent or NOI), to Ecology **no** later than sixty (60) days prior to the first proposed discharge date. Upon submittal of a complete NOI, Ecology will issue a decision on permit coverage pursuant to Special Condition S2.D (*When Permit Coverage is*

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<sup>4</sup> For more information, see the Fact Sheet for the *Mosquito General Permit*.



*Effective*). Once permit coverage is issued, the entity who applied for coverage, becomes the Permittee.

2. Existing Permittees

See Special Condition S2.F (*How to Renew Permit Coverage*).

**C. How to Apply for Permit Coverage**

The entity seeking coverage under this Permit, or the Permittee renewing permit coverage, **must** do the following.

1. Submit to Ecology, a complete application for coverage. A complete application for coverage includes:
  - a. A complete and signed Notice of Intent (NOI). Use the NOI form on Ecology's website at the following address.  
<https://ecology.wa.gov/mosquitopermit>
  - b. A map of the permit coverage area where pesticides may be applied (for example, a map of the entity's jurisdiction).
  - c. A complete and signed State Environmental Policy Act (SEPA) checklist. If the SEPA assessment was conducted at the local level, submit the SEPA determination. Existing Permittees renewing their permit coverage are **not** required to submit their SEPA checklist or SEPA determination.
  - d. An ***Integrated Pest Management (IPM) plan***, if the ***applicant*** intends to use adulticides. The IPM plan must reflect the applicant's plan to control mosquitoes at the time of submittal. The IPM plan must meet the requirements in Special Condition S5 (*Integrated Pest Management Plan*).
2. Submit your complete application to Ecology in accordance with Special Condition S8.D (*How to Submit Documents to Ecology*).
3. A ***Responsible Person***, in accordance with General Condition G5 (*Signatory Requirements*), must sign the signature page of the application for coverage and submit it to Ecology.
4. Public notice
  - a. Existing Permittees applying to **modify** permit coverage.  
Permittees wanting to modify their permit coverage must comply with the public notice requirements specified in Special Condition S2.E (*Modification of Permit Coverage*). However, Permittees renewing their permit coverage is **not** required to publish a public notice.
  - b. Entities **not** currently covered by this Permit.
    - i. Entities that propose to discharge pesticides to waters of the State on or after the effective date of this Permit, must:
      - A. Provide public notice.
      - B. Use the Public Notice Template on the application for coverage.

- C. Publish the public notice once a week for two (2) weeks with at least seven (7) days between publications in a single newspaper of general circulation in the county where the facility is located.
  - D. Certify in their application for coverage that they met the public notice requirement.
  - ii. The second date of the public notice starts a thirty (30)-day public comment period. At the end of the thirty (30)-day public comment period, Ecology will consider any received comments about the applicability of this Permit to the applicant before issuing a decision on permit coverage pursuant to Special Condition S2.D (*When Permit Coverage is Effective*).
5. State Environmental Policy Act (SEPA)
- Entities that propose to discharge pesticides to waters of the State on or after the effective date of this Permit, must meet the SEPA requirements in Washington Administrative Code (WAC) 173-226-200.

#### **D. When Permit Coverage is Effective**

- 1. Permit coverage begins on the day Ecology issues the approval letter to the applicant.
- 2. If the applicant does **not** receive notification from Ecology, permit coverage automatically commences on whichever of the following dates occurs **last**.
  - a. The 31<sup>st</sup> day after Ecology receives a complete application for coverage packet.
  - b. The 31<sup>st</sup> day after the end of a 30-day public comment period.
  - c. The effective date of this Permit.
- 3. Ecology may need additional time to review the application if:
  - a. The application for coverage packet is incomplete.
  - b. Ecology requires additional site-specific information.
  - c. Members of the public request a public hearing about the applicability or non-applicability of this Permit to the operation proposed for coverage.
  - d. Members of the public submit comments.
  - e. More information is necessary to determine if coverage under this Permit is appropriate.

#### **E. Modification of Permit Coverage**

Permittees that intend to change the mosquito control activities authorized by their current permit coverage, such as expanding the permit area covered, must:

- 1. Complete an application for coverage and sign it in accordance with General Condition G5 (*Signatory Requirements*). With the submittal, you must also demonstrate that the proposed change has complied with the SEPA review in accordance with Chapter 43.21C.020 Revised Code of Washington (RCW).
- 2. Submit the complete and signed application for coverage to Ecology at least sixty (60) days before implementing the proposed change. Submission of the application for

coverage does **not** relieve you of the duty to comply with the terms and conditions of this Permit. Submit the complete application for coverage to Ecology in accordance with Special Condition S8.D (*How to Submit Documents to Ecology*).

3. Complete the public notice requirements in WAC 173-226-130(5).

#### **F. How to Renew Permit Coverage**

1. 2019 renewal

Once this Permit becomes effective, existing Permittees must submit a revised application for coverage **no** later than ninety (90) days after the effective date of this Permit. Submit a complete application for coverage to Ecology in accordance with Special Condition S2.C (*How to Apply for Permit Coverage*).

2. 2024 renewal

Existing Permittees who want their permit coverage to continue once this Permit expires, must submit a complete renewal application for coverage to Ecology **no** later than one hundred and eighty (180) days prior to the expiration date of this Permit. Submit a complete application for coverage to Ecology in accordance with Special Condition S2.C (*How to Apply for Permit Coverage*).

If you submit a complete renewal application for coverage, as described above, coverage under this Permit will continue.

#### **G. How to Transfer Permit Coverage**

1. Coverage under this Permit will automatically transfer from the original Permittee (current permit holder) to the proposed Permittee if all of the following conditions are met.
  - a. The existing Permittee and proposed Permittee must submit to Ecology a complete Transfer of Coverage form in accordance with Special Condition S8.D (*How to Submit Documents to Ecology*). The Transfer of Coverage form is available on Ecology's website at the following address.  
(<https://ecology.wa.gov/mosquitopermit>).
  - b. The Transfer of Coverage form must contain a specific date for the transfer of permit responsibility, coverage, and liability.
  - c. The Transfer of Coverage form must be signed by the existing Permittee and the proposed Permittee (*General Condition G5*).
2. As part of the transfer, the previous Permittee must supply the new Permittee with copies of all permit documents. The previous Permittee should contact Ecology regarding any Confidential Business Information.
3. The original Permittee remains responsible for, and subject to, all permit conditions and permit fees until the transfer of permit coverage is effective.
4. Once coverage under this Permit has been transferred, the new Permittee is required to comply with the existing permit documents provided by the previous Permittee until the new Permittee updates the documents to reflect any changes the new Permittee made to the facility.

## H. How to Terminate Permit Coverage

You may request Ecology terminate your permit coverage when you have determined you will **no** longer discharge pesticides to waters of the State due to mosquito control activities.

1. To request termination of permit coverage, you must submit the complete Notice of Termination (NOT) application, found on Ecology's website at the following address.  
(<https://ecology.wa.gov/mosquitopermit>)

The NOT application must be signed in accordance with General Condition G5 (*Signatory Requirements*) and submitted to Ecology in accordance with Special Condition S8.D (*How to Submit Documents to Ecology*).

2. You will continue to incur an annual permit fee (Chapter 173-224 WAC) until Ecology approves your signed NOT application and cancels your permit coverage.
3. Ecology may deny your NOT application if you have **not** met the eligibility requirements. If Ecology approves your NOT application, Ecology will send you a letter notifying you that your permit coverage is terminated.

## S3. DISCHARGE LIMITS

### A. Compliance with Standards

1. Ensure that the application of pesticides listed in Special Condition S4.B (*Active Ingredients Authorized for Use*) does **not** cause or contribute to a violation of the Washington State Water Quality Standards (WAC 173-201A) and the human health criteria in the National Toxics Rule (40 **Code of Federal Regulation (CFR)** 131.45).
2. When applying pesticides listed in Special Condition S4.B (*Active Ingredients Authorized for Use*), comply with the:
  - a. **Washington Pesticide Control Act.**
  - b. Washington Pesticide Application Act.
  - c. **Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)** label.
3. Use **All Known, Available, and Reasonable methods of prevention, control, and Treatment (AKART)** when applying pesticides listed in Special Condition S4.B (*Active Ingredients Authorized for Use*).
4. Discharges **not** in compliance with the standards in Special Condition S3 (*Discharge Limits*) are prohibited.

### B. Temporary Exceedance of Water Quality Standards

The temporary exceedance of Washington State Water Quality Standards is allowed under this Permit, provided the Permittee complies with the provisions of WAC 173-201A-410.

### C. Impaired Waterbodies

Do **not** discharge any adulticide or larvicide to a waterbody where the adulticide or larvicide contains a chemical, or has a chemical degrade, for which the waterbody is listed as impaired (Category 5). The current impaired waterbody list is available at the following address.

(<https://apps.ecology.wa.gov/approvedwqa/ApprovedSearch.aspx>)

## S4. PESTICIDE USE

### A. Authorized Discharges

1. Comply with all requirements on the FIFRA label. The requirements in this Permit do **not** reduce the requirements on the FIFRA label. This Permit does **not**:
  - a. Convey property rights or any exclusive privileges.
  - b. Authorize injury to private property or invasion of personal rights.
2. Ensure that the application of pesticides listed in Special Condition S4.B (*Active Ingredients Authorized for Use*):
  - a. Complies with the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.). The application of pesticides must **not** cause a take, as set out in Section 9 of the Act, to an individual of a species listed as ***threatened*** or ***endangered*** unless that take is exempted under section 10 of the Act by the U.S. Fish and Wildlife Service or the National Oceanic and Atmospheric Administration. The list of endangered or threatened species is presented in 50 CFR 17.11(h).
  - b. Complies with RCW 77.15.120 and 77.15.130 and does **not** cause a take of a state endangered or protected fish or wildlife, unless take has been authorized by a rule of the commission, a permit issued by the department, or a permit issued pursuant to the federal Endangered Species Act. The list of State endangered wildlife species is presented in WAC 232.12.014. The list of protected (“threatened” and “sensitive”) species is presented in WAC 232-12-011.

### B. Active Ingredients Authorized for Use

1. This Permit conditionally authorizes the use of the following larvicides to control mosquitoes.
  - ***Bacillus sphaericus*** (H-5a5b)
  - ***Bacillus thuringiensis israelensis*** (BTI)
  - Paraffinic white ***mineral oil***
  - ***Malathion***
  - ***Methoprene***
  - ***Monomolecular surface films***
  - ***Spinosad***

2. This Permit conditionally authorizes the use of the following adulticides to control mosquitoes.
  - ***Deltamethrin***
  - ***Etofenprox***
  - Malathion
  - ***Naled***
  - ***Natural pyrethrins***
  - ***Permethrin***
  - ***Piperonyl butoxide (PBO)***
  - ***Prallethrin***
  - ***Resmethrin***
  - ***Sumithrin (d-phenothrin)***
3. Do **not** apply an adjuvant, or a pesticide that contains an active ingredient, that is **not** listed in Special Condition S4.B (*Active Ingredients Authorized for Use*).

#### **C. Pesticide Application Requirements**

1. Applicator and personnel requirements
  - a. A licensed pesticide applicator must supervise the application of pesticides. The licensed pesticide applicator must have one of the following endorsements:
    - i. Public Health Pest Control
    - ii. Aquatic
    - iii. Statewide category
  - b. All applicators must have up-to-date training for the equipment used to apply pesticides.
  - c. Personnel that calibrate the application equipment must be trained.
2. Larvicides
  - a. Larvicides may be applied in one or more of the following situations.
    - i. Pretreatment ***surveillance*** of mosquito breeding sites indicates that at least one larvae/pupae is present in one or more ***dip*** samples. If the area is treated and you find a larvae/pupae, you may continue pre-emptive larvicide treatments without dipping for the remainder of the treatment season.
    - ii. In areas that have a historical record of mosquito hatches following flooding, you may use the following pesticides as a pre-emergent, dry-land treatment without dipping.
      - A. *Bacillus sphaericus*
      - B. BTI
      - C. Granular formulations of spinosad
      - D. Methoprene

- iii. During the current treatment season, the application site is in, or adjacent to, a county with positive tests for bird, animal, or human mosquito-borne disease.
    - iv. The treatment site is a catch basin, storm drain, utility vault, or transportation vault.
    - v. State or local health authorities declare a public health threat or emergency related to mosquito-borne disease.
  - b. Restrictions for larvicide treatments
    - i. Do **not** apply methoprene briquette formulations in marine or estuarine treatment sites.
    - ii. Do **not** apply malathion in lakes, streams, the littoral zone of waterbodies, or the sites referenced in Special Condition S4.C.4 (*Vulnerable Species*). Malathion may only be applied if **all** of the following conditions are met.
      - A. In response to the development of **pesticide resistance** within a specific larval mosquito population. Document the following information in your IPM plan (Special Condition S5) and Annual Report (Special Condition S8.A).
        - Evidence that indicated that a mosquito population was resistant to pesticides.
        - Steps taken, and the name and quantity of pesticides applied, to manage the pesticide-resistant mosquito population.
      - B. The Washington State Department of Fish and Wildlife (WDFW) has been consulted.
      - C. Ecology approves.
3. Adulticides
- a. General requirements
    - i. Adulticide discharges may only indirectly enter surface waters of the State.
    - ii. If you apply, or decide to apply adulticides, you must develop an Integrated Pest Management (IPM) plan that meets the requirements in Special Condition S5.
    - iii. Use **ultra-low volume (ULV) application** equipment to apply adulticides, if available. If ULV equipment is **not** available, you may use other FIFRA label-approved application methods.
    - iv. When treating in areas of concern, comply with the requirements in Special Condition S4.C.4 (*Vulnerable Species*).
  - b. Malathion and naled
    - i. Do **not** apply malathion or naled in the sites referenced in Special Condition S4.C.4 (*Vulnerable Species*).
    - ii. If you apply malathion or naled as an adulticide, you must do so in accordance with your IPM plan (Special Condition S5).

#### 4. Vulnerable species

- a. Ensure that the application of pesticides does **not** cause permanent harm to known vulnerable species. Vulnerable species include endangered, threatened, sensitive, and candidate species.
- b. In areas of concern—areas that are identified in “Areas of Restricted Larvicide and Adulticide Use Due to Presence of Vulnerable Species”<sup>5</sup>— you may apply *Bacillus sphaericus* or BTI.
- c. If you want to apply pesticides, other than *Bacillus sphaericus* or BTI, in areas of concern, you must comply with the following requirements.
  - i. Develop an Areas of Concern plan for the management of mosquitoes within the areas of concern. The plan must include the following information:
    - A. A description of how mosquitoes are managed in the areas of concern. Include the timing of the application, the active ingredients intended for use, and a description of how you will minimize or eliminate impacts to vulnerable species.
    - B. Letters of concurrence from the WDFW and the impacted land management agency, if one exists. Ecology will **not** approve the plan without letters of concurrence.
    - C. A description of how you will notify the WDFW and the affected land management agency (if one exists), when treatments will occur in areas of concern.
  - ii. Submit the Areas of Concern plan to Ecology for review and approval. Until Ecology approves the plan, you may only apply *Bacillus sphaericus* or BTI in areas of concern.

#### D. Experimental Use

You may apply pesticides **not** listed in Special Condition S4.B (*Active Ingredients Authorized for Use*), if the following conditions are met.

1. They must be applied on a limited basis.
2. They must be applied in research and development efforts related to the chemical control of mosquitoes.
3. They must be applied in compliance with a federal experimental use permit or a state experimental use permit.
4. Do **not** apply pesticides in areas of concern (Special Condition S4.C.4).
5. You must comply with all permit conditions. However, you are **not** required to develop an IPM plan for discharges from research and development efforts.

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<sup>5</sup> Ecology may periodically update the information contained in “Areas of Restricted Larvicide and Adulticide Use Due to Presence of Vulnerable Species”, when new information becomes available. Document available at <https://ecology.wa.gov/DOE/files/3e/3e837bdb-10d0-4496-9b51-40a0f053f53f.pdf>.



## S5. INTEGRATED PEST MANAGEMENT PLAN

### A. General Requirements

1. Who must develop an IPM plan
  - a. If you apply adulticides, you must develop an IPM plan that meets the requirements of this section (Special Condition S5).
  - b. If you only apply larvicides, and do **not** apply adulticides, you may use the most recent version of Ecology's publication, *Best Management Practices for Mosquito Control*, (publication no. 03-10-023), or equivalent, instead of developing an IPM plan. If you decide to apply adulticides, before applying adulticides, you must develop an IPM plan that meets the requirements of this section (Special Condition S5).
2. Design and implement the IPM plan for the purpose of adequately controlling adult mosquitoes while minimizing indirect discharges to surface waters of the State.
3. Update the IPM plan as needed to reflect current practices.
4. Retain the updated IPM plan at your office or electronically available from your office, and make it available for inspection by Ecology personnel and the public upon request.
5. Comply with the recordkeeping requirements in Special Condition S7 and the reporting requirements in Special Condition S8.

### B. Required Elements

Your IPM plan must include the following elements (as applicable) and adhere to the following requirements. See Appendix C (*Examples of Criteria for the IPM Plan*), for examples of information that may be used to satisfy some of the required elements.

1. Document the process for deciding when, where, and how mosquito control activities are implemented.
2. General information  
Include the following information.
  - a. Your name and contact information, including the best phone number to reach you, the physical address for your company, and the mailing address for your company if different than the physical address.
  - b. The permit coverage area listed on your Notice of Intent (NOI).
  - c. A map that shows the permit coverage area listed on your NOI.
  - d. Procedures for reporting an emergency. For example, pesticide exposure or spills to waters of the State.
3. Surveillance
  - a. Larval mosquito surveillance  
If you conduct surveillance after treating with larvicides, describe the surveillance method and procedures.
  - b. Adult mosquito surveillance

If you apply adulticides, you must implement an adult mosquito surveillance program. Describe the adult mosquito surveillance procedures used to determine when, where, and how you will conduct mosquito control activities.

4. Mapping

Implement a mapping and/or tracking system to document the following.

- a. Mosquito breeding sites.
- b. No-spray zones, including organic farms and beehives.
- c. Areas of concern (Special Condition S4.C.4 – Vulnerable Species).

5. Action thresholds

a. Larval mosquito **action thresholds**

Identify thresholds to determine when larval mosquito control is necessary. Describe the thresholds, the surveillance method, and the surveillance values (Special Condition S4.C.2).

b. Adult mosquito action thresholds

Identify thresholds to determine when adult mosquito control is necessary. Describe the thresholds, the surveillance method, and the surveillance values (Special Condition S4.C.3).

c. Action thresholds for pesticide-resistant-mosquito population

If you implement a pesticide-resistance-monitoring program, identify thresholds to determine when alternative control treatment for adult mosquitoes due to pesticide-resistant-mosquito population control is necessary. Describe the thresholds, the surveillance method, and the surveillance values.

6. Mosquito control methods

Describe the mosquito control methods that you will use. Mosquito control methods may include the following. See Appendix C (*Examples of Criteria for the IPM Plan*), for more information.

- a. Physical control and/or source reduction
- b. Biological mosquito control
- c. Pesticide-based larval mosquito control
  - i. Include the FIFRA label or the EPA registration number for all larvicides used (Special Condition S4.B).
  - ii. Include schedules and procedures for properly maintaining the application equipment. This includes calibrating, cleaning, and repairing the pesticide application equipment.
- d. Pesticide-based adult mosquito control
  - i. Include the FIFRA label or the EPA registration number for all adulticides used (Special Condition S4.B).

- ii. Include schedules and procedures for properly maintaining the application equipment. This includes calibrating, cleaning, and repairing the pesticide application equipment.
7. Pesticide-resistance monitoring

If you implement a pesticide-resistance-monitoring program, describe the methodology used to determine that a mosquito population was resistant to pesticides. Your description may include information such as:

  - Evidence that indicated that a mosquito population was resistant to pesticides.
  - Steps taken to manage the pesticide-resistant mosquito population.
  - Pesticides you applied that effectively/ineffectively managed the pesticide-resistant-mosquito population, the amount applied, the name of the pesticide, and the FIFRA label or the EPA registration number.
8. Public education and outreach

If you conduct public education or outreach about mosquito control, describe it.
9. Training

Describe procedures to train new staff and procedures to conduct recurring training. If you have a training manual, include a reference to the training manual and the date it was last revised.
10. Other information necessary to comply with, and demonstrate compliance with, the requirements of this Permit.
11. Signature requirements

The person with signature authority (General Condition G15) must sign and certify that the IPM plan was developed and implemented as written. The signature must include the following language.

*"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 gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information in the IPM plan is, to the best of my knowledge and belief, true, accurate, and complete and will be updated as necessary. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. Unless the Department of Ecology Permit has more stringent requirements, all FIFRA label directions and requirements will be followed."*

## **S6. NOTIFICATION AND POSTING REQUIREMENTS**

### **A. Public Notice**

1. Provide public notice of mosquito control activities using one of the following methods.
  - a. Post the public notice on your website and distribute the notice to known interested parties through email or other electronic methods.

- b. Publish the public notice in a newspaper with general circulation within the area where applications of larvicide or adulticide will occur.
  - c. State agencies with statewide permit coverage, may publish the public notice in one major newspaper with general circulation for each agency region where applications of larvicide or adulticide will occur.
- 2. Provide public notice at least ten (10) days before the first application of the treatment season.
- 3. Include the following information in the public notice.
  - a. The larvicide(s) and adulticide(s) planned for use. Include the active ingredient and either the FIFRA label or the EPA registration number.
  - b. The approximate date ranges of the ***planned treatment***.
  - c. The approximate treatment location(s).
  - d. If available via the internet, include the web address where the public may access updates about the treatment(s).
  - e. If you use larvicides that have water-use restrictions, include the posting procedures for the treatment area.
  - f. Your name and the best number to reach you.
  - g. The name and contact information for the Ecology Aquatic Mosquito Control General Permit Manager.
  - h. The procedure for a person to follow if they want to be added to the Pesticide Sensitivity Registry, maintained by the Washington State Department of Agriculture (WSDA). Include the WSDA's website that provides information about the registry and the procedure to be added to the registry.
- 4. If treatments occur throughout the treatment season, continue to make the public notice available to the public.
- 5. Notify wildlife refuges of aerial applications of pesticides over the refuge. Make the notification 24 hours in advance of the application or at a time agreed upon with a representative of the refuge. Document the notification process and arrangement with the representative of the refuge.
- 6. Make maps of the treatment area available to the public. Maps may be posted on the internet or provided in hard copy.

#### **B. Posting Requirements**

- 1. When you apply larvicides with water-use restrictions to waterbodies used for water supply, fish and shellfish harvesting, swimming, or other water contact activities, post notices at all reasonable points of public access to the treatment areas.
- 2. You are **not** required to post notices at treatment areas that are **not** publicly accessible. For instance: at catch basins, storm drains, utility vaults, and transportation vaults.

## S7. RECORDKEEPING

### A. General Requirements

#### 1. Records retention

- a. Maintain at the permitted facility, all documents and data from any activities required by this Permit, and all data used to complete the application for this Permit, per Special Condition S2.
- b. Maintain these records and documents so they can be accessed at the permitted facility for a minimum of five (5) years. The records and documents may be maintained in an electronic format, in a **non**-electronic format, or both.
- c. Extend the period of records retention during the course of any unresolved litigation regarding the discharge of **pollutants** by the Permittee, or when requested by Ecology.

#### 2. Ecology access to records

Make all records and documents available for review by Ecology personnel and provide a copy of any and all records and documents required by this Permit to Ecology within fourteen (14) days upon request.

#### 3. Public request for plans

If Ecology receives a public request to provide a copy of your IPM plan or Areas of Concern plan:

- a. Ecology will notify you of the request.
- b. You will have seven (7) days from the date Ecology notifies you of the request, to submit your plan to Ecology.

#### 4. Monitoring

If you conduct monitoring or analyze samples in order to satisfy requirements in this Permit, comply with the following requirements.

- a. Monitoring efforts conducted to satisfy requirements in this Permit must comply with WAC 173-226.
- b. Sampling and analytical methods used to meet the monitoring requirements in this Permit must conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136<sup>6</sup>, unless otherwise specified in this Permit.
- c. All samples must be analyzed by a laboratory registered or accredited in accordance with Chapter 173-50 WAC – *Accreditation of Environmental Laboratories*.

### B. Dip Sampling

1. When you conduct larval treatments that require dip samples (Special Condition S4.C.2), record the following information.

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<sup>6</sup> Or as applicable in 40 CFR subchapters N [Parts 400-471] or O [Parts 501-503].

- a. The date and location of the dip sample.
  - b. The name of the contractor firm or the individual that collected the sample.
  - c. The larvae count of the dip sample.
- 2. You are **not** required to include this information in the Annual Report.
  - 3. You must provide this information to Ecology upon request.

## **S8. REPORTING**

Ecology is improving the online permit application and reporting system. Ecology may modify this Permit to incorporate improvements to these online systems.

### **A. Annual Report**

- 1. General requirements
  - a. Submit the Annual Report to Ecology each year by December 31<sup>st</sup>.
  - b. Submit the Annual Report in accordance with Special Condition S8.A.
- 2. Contents
 

Include the following information in the Annual Report.

  - a. Your permit number.
  - b. Your name.
  - c. The name of the treatment location.
  - d. The total amount (in pounds) of each active ingredient applied during the treatment season.
  - e. Treatment due to pesticide-resistant-mosquito populations in accordance with Special Condition S4.C.2.b.ii.A. Include the information required in Special Conditions S5.B.5.c and S5.B.7.
  - f. Areas of concern in accordance with Special Condition S4.C.4 (Vulnerable Species)
    - i. Whether treatment occurred in areas of concern.
    - ii. If treatment occurred in areas of concern, include the total amount (in pounds) of each active ingredient applied during the treatment season to areas of concern.

### **B. Required Plans**

- 1. Integrated Pest Management (IPM) plan
  - a. Once this Permit becomes effective, existing Permittees must submit a revised application for coverage in accordance with Special Condition S2.F.1. If you apply or decide to apply adulticides, include your IPM plan in your application for coverage. The IPM plan must reflect your plan to control mosquitoes at the time of submittal.
  - b. The IPM plan must comply with the requirements in Special Condition S5.

2. Areas of Concern plan

- a. If you want to apply pesticides in areas of concern, and you want to apply pesticides other than *Bacillus sphaericus* or BTI, you must submit your Areas of Concern plan to Ecology for review and approval.
- b. Do **not** apply pesticides, other than *Bacillus sphaericus* or BTI, in areas of concern until Ecology approves the plan.
- c. The Areas of Concern plan must comply with the requirements in Special Condition S4.C.4 (Vulnerable Species).

**C. Reporting Noncompliance and Spills**

1. Reporting noncompliance

In the event you are unable to comply with any of the permit terms or conditions, you must comply with the following requirements. Cause for noncompliance includes breakdown of equipment, accidents caused by human error or negligence, or other causes such as acts of nature. Compliance with this section (Special Condition S8.C) does **not** relieve you from the responsibility to maintain continuous compliance with the terms and conditions of this Permit or the resulting liability for failure to comply.

- a. Immediately take action to stop, contain, clean up unauthorized discharges or otherwise stop the noncompliance, and correct the problem.
- b. Report to Ecology any noncompliance that may endanger public health or the environment. Call and inform the appropriate Ecology regional office and the Aquatic Mosquito Control General Permit Manager within twenty-four (24) hours of the time you first become aware of the noncompliance. The contact information for the Ecology regional offices and the Aquatic Mosquito Control General Permit Manager are included below.

**i. Central Regional Office**

(Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, and Yakima counties)  
(509) 575-2490  
1250 Alder Street, Union Gap, WA 98903-0009

**ii. Eastern Regional Office**

(Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, and Whitman counties)  
(509) 329-3400  
4601 North Monroe Street, Spokane, WA 99205-1295

**iii. Northwest Regional Office**

(Island, King, Kitsap, San Juan, Skagit, Snohomish, and Whatcom counties)  
(425) 649-7000  
3190 160<sup>th</sup> Avenue SE, Bellevue, WA 98008-5452

**iv. Southwest Regional Office**

(Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Lewis, Mason, Pacific, Pierce, Skamania, Thurston, and Wahkiakum counties)

(360) 407-6300  
300 Desmond Drive SE, Lacey, WA 98503

v. **Aquatic Mosquito Control General Permit Manager** – Ecology Headquarters

(360) 407-6283  
300 Desmond Drive SE, Lacey, WA 98503

- c. Submit a written report to Ecology within five (5) days of the time that you first became aware of any event required to be reported. The written submission must contain pertinent information including the following.
- i. A description of the noncompliance and its cause.
  - ii. The period of noncompliance, including dates and times.
  - iii. The estimated time noncompliance is expected to continue if it has **not** yet been corrected.
  - iv. Steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

Upon request of the Permittee, Ecology may waive or extend the requirement for a written report on a case-by-case basis. Ecology must receive the immediate notification (Special Condition S8.C.1.b) within twenty-four (24) hours.

2. Reporting spills

The Permittee must report spills of oil or hazardous materials (e.g. pesticides, cleaning agents, etc.) in accordance with the requirements of Revised Code of Washington (RCW) 90.56.280 and 173-303-145 WAC by calling the National Response Center 1-800-424-8802, and the Washington Emergency Management Division 1-800-258-5990. Permittees can obtain additional instructions at the following address.

(<https://ecology.wa.gov/About-us/Get-involved/Report-an-environmental-issue/Report-a-spill>)

**D. How to Submit Documents to Ecology**

Ecology is improving the online permit application system and reporting system. Ecology may modify this Permit to incorporate improvements to these online systems.

1. Application for coverage

Submit the complete application for coverage electronically to Ecology. The application for coverage and guidance are available on Ecology's website via the following link. The application for coverage must be approved and signed by a responsible person in accordance with General Condition G5 (*Signatory Requirements*).

(<https://ecology.wa.gov/mosquitopermit>)

If you are unable to submit the application for coverage electronically, see Special Condition S8.D.3 (below).



2. Annual Report, Areas of Concern plan, other submittals

Submit the Annual Report, Areas of Concern plan, and all other submittals (excluding the application for coverage) to Ecology using the Water Quality Permitting Portal (WQWebPortal). For more information about the WQWebPortal, visit the following link. All electronic submittals (documents, data, reports) must be approved and signed by a responsible person in accordance with General Condition G5 (*Signatory Requirements*).

(<https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Water-quality-permits-guidance/WQWebPortal-guidance>)

To access the WQWebPortal, you must register for Secure Access Washington (SAW). For additional information about SAW, visit the following link.

(<http://support.secureaccess.wa.gov>)

For information about submitting information to Ecology, visit the following link.

(<https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Water-quality-permits-guidance/WQWebPortal-guidance>)

3. Electronic Reporting Waiver

If you are unable to submit documents electronically (for example, you do **not** have access to the internet):

- Contact Ecology.
- Request an Electronic Reporting Waiver form.
- Submit the completed form to Ecology at the address included below.

If Ecology grants your Electronic Reporting Waiver, required documents and reports must be postmarked or delivered to Ecology, at the following address, by the reporting deadline associated with that document.

Submit paper documents, to Ecology at the following address.

Department of Ecology  
Water Quality Program  
Attention: Aquatic Mosquito Control General Permit Manager  
PO Box 47696  
Olympia, WA 98504-7696

More information about submitting an Electronic Reporting Waiver or about mailing information to Ecology, is provided on Ecology's website at the following link.

(<https://ecology.wa.gov/mosquitopermit>)

## **GENERAL CONDITIONS**

### **G1. DISCHARGE VIOLATIONS**

All discharges and activities authorized by this Permit must be consistent with the terms and conditions of this Permit. Any permit noncompliance including the discharge of any pollutant more frequently than, or at a concentration in excess authorized by this Permit, constitutes a violation of the terms and conditions of this Permit and the Washington State Water Pollution Control Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

### **G2. COMPLIANCE WITH OTHER LAWS AND STATUTES**

Nothing in this Permit excuses the Permittee from compliance with any applicable federal, state, or local statute, ordinance, or regulation.

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this Permit by reference.

The Permittee must comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for *toxic* pollutants. The Permittee must comply within the time provided in the regulations that establish those standards or prohibitions, even if this Permit has **not** yet been modified to incorporate the requirement.

### **G3. PROPER OPERATION AND MAINTENANCE**

The Permittee must, at all times, properly operate and maintain all facilities or systems of collection, treatment, and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this Permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary systems which are installed by a Permittee, only when their operation is necessary to achieve compliance with the conditions of this Permit.

### **G4. RIGHT OF ENTRY AND INSPECTION**

The Permittee must allow an authorized representative of Ecology, upon the presentation of credentials and such other documents as may be required by law, at reasonable times:

- A. To enter upon the premises where a discharge is located or where any records are kept under the terms and conditions of this Permit.
- B. To have access to, and to copy at a reasonable cost, any records required to be kept under the terms and conditions of this Permit.
- C. To inspect any facilities, equipment (including sampling, monitoring, and control equipment), practices, methods, or operations required under this Permit.
- D. To inspect any collection, treatment, pollution management, or discharge facilities.
- E. To sample any discharge of pollutants.

## **G5. SIGNATORY REQUIREMENTS**

### **A. Responsible Person**

1. All documents, data, reports, etc., submitted to Ecology must be signed and certified:
  - a. In the case of corporations, by a responsible corporate officer or duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates.
  - b. In the case of a partnership, by a general partner.
  - c. In the case of a sole proprietorship, by the proprietor.
  - d. In the case of a municipal, state, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.
2. All permit-related applications (NOI, Modification of Coverage, Transfer of Coverage, Notice of Termination) must be signed:
  - a. In the case of corporations, by a responsible corporate officer.
  - b. In the case of a partnership, by a general partner.
  - c. In the case of sole proprietorship, by the proprietor.
  - d. In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official.

### **B. Duly Authorized Person**

All reports required by this Permit and other information requested by Ecology must be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described above and submitted to Ecology.
2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

### **C. Changes to Authorization**

If an authorization under paragraph B.2 above is **no** longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph B.2 above must be submitted to Ecology prior to or included with any reports, information, or applications to be signed by an authorized representative.

### **D. Certification**

Any person signing a document under this section must make the following 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 gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those*

*persons directly responsible for gathering 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."*

**G6. MONITORING BEYOND PERMIT REQUIREMENTS**

If the Permittee performs monitoring to document compliance with this Permit beyond that required by this Permit, sampling and analysis must conform to the latest revision of the Guidelines Establishing Test Procedures for the Analysis of Pollutants contained in 40 CFR Part 136 (or as applicable in 40 CFR subchapters N [Parts 400–471] or O [Parts 501-503]).

Ecology may specify alternative methods for parameters without limits and for those parameters without an EPA-approved test method in 40 CFR Part 136.

**G7. ADDITIONAL MONITORING**

Ecology may establish additional specific monitoring requirements, including the installation of groundwater monitoring wells, by administrative order or permit modification.

**G8. DUTY TO MITIGATE**

The Permittee is required to take all reasonable steps to minimize or prevent any discharge in violation of this Permit that has a reasonable likelihood of adversely affecting public health or the environment.

**G9. PERMIT COVERAGE REVOKED**

Pursuant with RCW 43.21B and Chapter 173-226 WAC, the **Director** may require any discharger authorized by this Permit to apply for and obtain coverage under an individual permit or another more specific and appropriate general permit. Cases where revocation of coverage may be required include, but are **not** limited to, the following.

- A. Violation of any term or condition of this Permit.
- B. Obtaining coverage under this Permit by misrepresentation or failure to disclose fully all relevant facts.
- C. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090.
- D. A determination that the permitted activity endangers public health or the environment, or contributes to violations of water quality standards.
- E. Nonpayment of permit fees or penalties assessed pursuant to RCW 90.48.465 and Chapter 173-224 WAC.
- F. Failure of the Permittee to satisfy the public notice requirements of WAC 173-226-130(5), when applicable. A Permittee who has their coverage revoked for cause according to WAC 173-226-240 may request temporary coverage under this Permit during the time an individual permit is being developed, provided the request is made within ninety (90) days from the time of revocation and is submitted along with a complete individual permit application form.

#### **G10. PERMIT MODIFICATION AND REVOCATION**

This Permit may be modified, revoked and reissued, or terminated in accordance with the provisions of Chapter 173-226 WAC. Grounds for modification or revocation and reissuance include, but are **not** limited to, the following.

- A. When a change occurs in the technology or practices for control or abatement of pollutants applicable to the category of **dischargers** covered under this Permit.
- B. When effluent limitation guidelines or standards are promulgated pursuant to the Federal Water Pollution Control Act or Chapter 90.48 RCW, for the category of dischargers covered under this Permit.
- C. When a water quality management plan containing requirements applicable to the category of dischargers covered under this Permit is approved.
- D. When information is obtained which indicates that cumulative effects on the environment from dischargers covered under this Permit are unacceptable.

#### **G11. REPORTING A CAUSE FOR MODIFICATION OF COVERAGE**

A Permittee who knows, or has reason to believe, that any activity has occurred or will occur which will constitute cause for modification or revocation under General Condition G10 above must report such plans, or such information to Ecology so that a decision can be made on whether action to modify coverage or revoke coverage under this Permit will be required.

Ecology may then require submission of a new application for coverage under this Permit, or an application for an individual permit. Submission of a new application does **not** relieve the Permittee of the duty to comply with all the terms and conditions of the existing permit until the new application for coverage has been approved and corresponding permit has been issued.

#### **G12. PAYMENT OF FEES**

The Permittee must submit payment of fees associated with this Permit as assessed by Ecology. Ecology may revoke this permit coverage or take enforcement, collection, or other actions, if the permit fees established under Chapter 173-224 WAC are **not** paid.

#### **G13. REQUEST TO BE EXCLUDED FROM COVERAGE UNDER THIS PERMIT**

Any discharger authorized by this Permit may request to be excluded from coverage under this Permit by applying for an individual permit. The discharger must submit to Ecology an application as described in Chapter 173-216 WAC or Chapter 173-220 WAC with reasons supporting the request. These reasons must fully document how an individual permit will apply to the applicant in a way that this general permit **cannot**. Ecology may make specific requests for information to support the request.

Ecology will either issue an individual permit or deny the request with a statement explaining the reason for the denial. When an individual permit is issued to a discharger otherwise subject to this general permit, the applicability of this general permit to that Permittee is automatically terminated on the effective date of the individual permit.

#### **G14. DUTY TO REAPPLY**

To maintain coverage under this Permit, the Permittee must reapply for coverage at least one hundred and eighty (180) days prior to the specified expiration date of this Permit. An expired

permit and coverage under this Permit continues in force and effect until Ecology issues a new permit (coverage) or until Ecology cancels it. Only those facilities that have reapplied for coverage under this Permit are covered under the continued Permit.

#### **G15. PENALTIES FOR VIOLATING PERMIT CONDITIONS**

Any person who is found guilty of willfully violating the terms and conditions of this Permit will be deemed guilty of a crime, and upon conviction thereof will be punished by a fine of up to ten thousand dollars (\$10,000) and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit will incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars (\$10,000) for every such violation. Each and every such violation will be a separate and distinct offense, and in case of a continuing violation, every day's continuance will be deemed to be a separate and distinct violation.

#### **G16. PENALTIES FOR TAMPERING**

Any person who falsifies, tampers with, or knowingly renders inaccurate any device or method required to be maintained under this Permit will, upon conviction, be punished by a fine of up to ten thousand dollars (\$10,000) and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this Permit, including monitoring reports or reports of compliance or non-compliance, shall, upon conviction, be punished by a fine of **not** more than ten thousand dollars (\$10,000) per violation, by imprisonment for **not** more than six (6) months per violation, or by both fine and imprisonment.

#### **G17. APPEALS**

The terms and conditions of this Permit are subject to appeal.

##### **A. Class of Dischargers**

The Permit terms and conditions as they apply to the appropriate class of dischargers, are subject to appeal within thirty (30) days of issuance of this Permit in accordance with Chapter 43.21(B) RCW and Chapter 173-226 WAC.

##### **B. Individual Discharger**

The Permit terms and conditions as they apply to an individual discharger, are subject to appeal in accordance with Chapter 43.21(B) RCW within thirty (30) days of the effective date of coverage of that discharger.

An appeal of the coverage of this Permit to an individual discharger is limited to the applicability or non-applicability of this Permit to that same discharger. Appeal of this permit coverage of an individual discharger will **not** affect any other individual dischargers. If the terms and conditions of this Permit are found to be inapplicable to any discharger(s), the matter shall be remanded to Ecology for consideration of issuance of an individual permit or permits.

**G18. SEVERABILITY**

The provisions of this Permit are severable, and if any provision of this Permit or application of any provision of this Permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, will **not** be affected thereby.

## APPENDIX A – ACRONYMS AND ABBREVIATIONS

<b>BMP</b>	Best Management Practice
<b>CAS</b>	Chemical Abstracts Service
<b>CFR</b>	Code of Federal Regulations
<b>Ecology</b>	Washington State Department of Ecology
<b>EUP</b>	Experimental Use Permit
<b>IPM</b>	Integrated Pest Management
<b>NOI</b>	Notice of Intent
<b>NOT</b>	Notice of Termination
<b>NPDES</b>	National Pollutant Discharge Elimination System
<b>RCW</b>	Revised Code of Washington
<b>SEPA</b>	State Environmental Protection Act
<b>WAC</b>	Washington Administrative Code
<b>WDFW</b>	Washington State Department of Fish and Wildlife
<b>WSDA</b>	Washington State Department of Agriculture
<b>WQWebDMR</b>	Ecology's Water Quality Permitting Portal



## APPENDIX B – GLOSSARY

In addition to the following definitions, the definitions set forth in 40 CFR Part 403.3 and in Chapter 90.48 RCW, also apply to this Permit.

<b>Active ingredient</b>	The substance in a pesticide product that causes the desired toxic biological effects. See pesticide product.
<b>Action threshold</b>	The density of, or number of individuals in, a pest population that triggers management activities.
<b>Adulticide</b>	A pesticide designed to kill adult mosquitoes. See pesticide.
<b>All Known, Available, and Reasonable methods of prevention, control, and Treatment (AKART)</b>	A technology-based approach of engineering and economic decision-making for limiting pollutants from discharges. AKART represents the most current methodology for preventing, controlling, and abating pollution that can be reasonably installed or used at a reasonable cost. Described in Chapters 90.48 and 90.54 RCW and Chapters 173-201A, 173-204, 173-216 and 173-220 WAC.
<b>Applicant</b>	The entity seeking coverage under this Permit by submitting a completed Notice of Intent to the Washington State Department of Ecology.
<b>Application for coverage</b>	See Notice of Intent.
<b>Applicator</b>	An individual licensed to apply pesticides by the Washington Department of Agriculture under Chapter 17.21 RCW and Chapter 16-228 WAC.
<b><i>Bacillus sphaericus</i></b>	<p>Larvicide products based on strains of the bacterium <i>Bacillus sphaericus</i> 2362, serotype H5a5b. Commonly used strains of <i>Bacillus sphaericus</i> include:</p> <ul style="list-style-type: none"><li>• ATCC 1170</li><li>• ABTS 1743</li></ul> <p><i>Bacillus sphaericus</i> does <b>not</b> have a CAS number.</p>
<b><i>Bacillus thuringiensis israelensis</i></b>	<p>Larvicide products based on strains of the bacterium <i>Bacillus thuringiensis</i> var. <i>israelensis</i>. Commonly used strains of <i>Bacillus thuringiensis</i> var. <i>israelensis</i> include:</p> <ul style="list-style-type: none"><li>• BMP144</li><li>• SUM-6218</li><li>• SA3A</li><li>• AM 65-52</li></ul> <p><i>Bacillus thuringiensis</i> var. <i>israelensis</i> does <b>not</b> have a CAS number.</p>

<b>Best management practices (BMP)</b>	Activity, prohibition, maintenance procedure, or other physical, structural, and/or managerial practice to prevent or reduce pollution of and other adverse impacts to the waters of Washington State. BMPs include treatment systems, operating schedules and procedures, and practices used singularly or in combination to control plant site runoff, spillage or leaks, sludge or waste disposal, and drainage from raw material storage. BMPs may be further categorized as operational source control, erosion and sediment control, and treatment BMPs. See waters of the State of Washington.
<b>Code of Federal Regulations (CFR)</b>	The codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government.
<b>Constructed waterbody</b>	A man-made waterbody created in an area that was <b>not</b> part of a previously existing surface Water of the State, such as a lake, river, pond, stream, inland water, wetland, or salt water.
<b>Deltamethrin</b>	(S)-cyano(3-phenoxyphenyl)methyl (1R,3R)-3-(2,2-dibromoethenyl)-2,2-dimethylcyclopropanecarboxylate CAS #: 52918-63-5
<b>Dip</b>	The act of scooping up a small amount of water and examining it for the presence or absence of mosquito larvae.
<b>Discharge</b>	<ol style="list-style-type: none"> <li>1. To release or add material (e.g., pollutant) to waters of the State of Washington.</li> <li>2. The material discharged, including surface runoff that has been collected or channeled by man.</li> </ol> <p>See Waters of the State of Washington.</p>
<b>Entity</b>	<p>Any person or organization, including, but <b>not</b> limited to: cities, counties, municipalities, Indian tribes, public utility districts, public health districts, port authorities, mosquito control districts, special purpose districts, irrigation districts, state and local agencies, companies, firms, corporations, partnerships, associations, consortia, joint ventures, estates, industries, commercial pesticide applicators, licensed pesticide applicators, and any other commercial, private, public, governmental, or non-governmental organizations, or their legal representatives, agents, or assignees.</p> <p>The entity has operational control of pesticide applications to control mosquitoes.</p>
<b>Etofenprox</b>	1-[[2-(4-ethoxyphenyl)-2-methylpropoxy]methyl]-3-phenoxybenzene CAS #: 80844-07-1
<b>Experimental use permit</b>	A federal or state permit that allows the use of a currently unregistered pesticide or a new use of a registered pesticide in the context of a research

and development effort for registration of that pesticide or of a new use of that pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Section 3.

***Federal Insecticide,  
Fungicide, and  
Rodenticide Act  
(FIFRA)***

The federal law that establishes the basic U.S. system of pesticide regulation to protect applicators, consumers, and the environment through establishment of regulations that require uniform pesticide product labeling, use restrictions, and review and labeling of new pesticides (7 U.S. Code Section 136 et seq. as amended).

***General permit***

A single permit that covers multiple characteristically similar dischargers of a point source category within a designated geographical area, in lieu of many individual permits that are issued separately to each discharger.

***Indirect discharge***

The purposeful application of a pesticide product to an area where incidental overspray, drift, or dripping of the pesticide product into waters of the State is likely, but **not** intentional.

***Indian country***

Means as defined in 18 USC 1151: “*Except as otherwise provided in sections 1154 and 1156 of this title, the term “Indian country”, as used in this chapter, means (a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation, (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.*”

***Integrated pest  
management***

An approach for managing the selection and use of pest control activities, either singly or in an coordinated decision-making strategy. The elements of integrated pest management include: (1) Pest prevention activities; (2) Monitoring for the presence of pests, pest density, and pest damage; (3) Setting action thresholds based upon a cost/benefit analysis of potential health, public safety, economic, or aesthetic effects of pests on the interests of producers, society, and the environment to determine whether pest control activities must take place; (4) Selecting pest control activities using a strategy that may employ biological, cultural, mechanical, and chemical control methods; and (5) Evaluating the effectiveness of pest control activities.

***Integrated pest  
management plan***

A plan that documents the system for implementing integrated pest management. See Integrated Pest Management.

***Jurisdiction***

1. The practical authority granted to a formally constituted legal body to deal with and make pronouncements on legal matters and, by implication, to administer justice within a defined area of responsibility.

2. The geographical area or subject matter to which such practical authority applies.

**Larvicide**

A pesticide designed to kill mosquitoes during their larva and pupa life stages.

**Malathion**

Diethyl 2-[(dimethoxyphosphinothioyl)thio]butanedioate  
CAS #: 121-75-5

**Methoprene**

1-methylethyl (2*E*,4*E*)-11-methoxy-3,7,11-trimethyl-2,4-dodecadienoate  
CAS #: 40596-69-8

**Monomolecular  
surface films / Mineral  
oils**

Generally long-chain aliphatic (open chain, no rings/aromatics)  
hydrocarbons/petroleum distillates  
White Mineral Oil  
CAS #: 8042-47-5  
IUPAC Name: disodium;(8*Z*)-7-oxo-8-(phenylhydrazinylidene)naphthalene-1,3-disulfonate  
Paraffin Oils  
CAS #: 8012-95-1  
IUPAC Name: 2-(3,4,5-trihydroxyphenyl)chromenylium-3,5,7-triol;chloride  
Petroleum Distillates (light), a CAS # 64742-30-9  
Light Paraffinic Distillate 64741-89-5

**Naled**

1,2-dibromo-2,2-dichloroethyl dimethyl phosphate  
CAS #: 300-76-5

**National Pollutant  
Discharge Elimination  
System**

The Federal wastewater permitting system for discharges of pollutants from point sources to the navigable waters of the United States authorized under Section 402 of the Clean Water Act. The U.S. Environmental Protection Agency has authorized the state of Washington to issue and administer NPDES permits for non-Federal point sources within the State. See Discharge and Pollutant.

**Natural pyrethrins**

A mixture of the six isomers originally obtained as extracts from the pyrethrum plant (reclassified as *Chrysanthemum cinerariaefolium*):

- Pyrethrin 1  
CAS #: 121-21-1  
CAS Name: (1*S*)-2-methyl-4-oxo-3-(2*Z*)-2,4-pentadienylcyclopenten-1-yl (1*R*,3*R*)-2,2-dimethyl-3-(2-methyl-1-propenyl)cyclopropanecarboxylate
- Pyrethrin 2  
CAS #: 121-29-9  
CAS Name: (1*S*)-2-methyl-4-oxo-3-(2*Z*)-2,4-pentadienyl-2-cyclopenten-1-yl (1*R*,3*R*)-3-[(1*E*)-3-methoxy-2-methyl-3-oxo-1-propenyl]-2,2-dimethylcyclo-propanecarboxylate

**Natural pyrethrins  
(cont'd)**

- Cinerin 1  
CAS #: 25402-06-6  
CAS Name: (1S)-3-(2Z)-2-butenyl-2-methyl-4-oxo-2-cyclopenten-1-yl  
(1R,3R)-2,2-dimethyl-3-(2-methyl-1-propenyl)cyclopropanecarboxylate
- Cinerin 2  
CAS #: 121-20-0  
CAS Name: (1S)-3-(2Z)-2-butenyl-2-methyl-4-oxo-2-cyclopenten-1-yl  
(1R,3R)-3-[(1E)-3-methoxy-2-methyl-3-oxo-1-propenyl]-2,2-  
dimethylcyclopropanecarboxylate
- Jasmolin 1  
CAS #: 4466-14-2  
CAS Name: (1S)-2-methyl-4-oxo-3-(2Z)-2-pentenyl-2-cyclopenten-1-yl  
(1R,3R)-2,2-dimethyl-3-(2-methyl-1-propenyl)cyclopropanecarboxylate
- Jasmolin 2  
CAS #: 1172-63-0  
CAS Name: (1S)-2-methyl-4-oxo-3-(2Z)-2-pentenyl-2-cyclopenten-1-yl  
(1R,3R)-3-[(1E)-3-methoxy-2-methyl-3-oxo-1-propenyl]-2,2-  
dimethylcyclopropanecarboxylate

CAS # for pyrethrin mixture containing all six isomers: 8003-34-7

**Notice of Intent  
(NOI)**

A formal application or request for coverage under this National Pollutant Discharge Elimination System general permit pursuant to WAC 173-226-200.

**Notice of Termination  
(NOT)**

A request for termination of coverage under this Permit.

**Permethrin**

(3-phenoxyphenyl)methyl 3-(2,2-dichloroethenyl)-2,2-  
dimethylcyclopropanecarboxylate  
CAS #: 52645-53-1

**Permit**

An authorization, license, or equivalent control document issued by a formally constituted legal body, such as the Washington State Department of Ecology, to a facility, activity, or entity to treat, store, dispose, or discharge materials or wastes, specifying the waste treatment and control requirements and waste discharge conditions. Unless the context requires differently, "permit" refers to individual and general permits authorized under the National Pollutant Discharge Elimination System program.

**Permittee**

The entity that has applied to Ecology and been issued coverage under this Permit for a discharge of pollutants to waters of the State of Washington. Each general permit may have specific requirements describing who is eligible to be a Permittee.

**Permit coverage area**

The area within which a Permittee may conduct its permitted activities, such as a facility or site at a specific address, or a defined area within the jurisdiction of a government or municipality.

<b><i>Pest</i></b>	Any annoying, harmful, or injurious organism; any organism normally considered to be annoying, harmful, or injurious; or an organism that the Director of the Washington State Department of Agriculture declares to be a pest. Examples include nematodes, insects, snails, slugs, rodents, weeds, and certain microorganisms and viruses. Viruses, bacteria, parasites, and other microorganisms are <b>not</b> considered pests for this Permit if they are found on or in a living person or other animal or on or in processed food, beverages, or pharmaceuticals.
<b><i>Pesticide</i></b>	Any substance or mixture of substances intended to prevent, destroy, control, repel, or mitigate any pest; to be used as a plant regulator, defoliant, or desiccant; or to be used as an adjuvant with a pesticide.
<b><i>Pesticide product</i></b>	The set of active, inert, and other ingredients specific to a pesticide formulation for which a Federal Insecticide, Fungicide, and Rodenticide Act label is available.
<b><i>Pesticide resistance</i></b>	Adaptation of a pest to a specific pesticide that results in reduced efficacy on the target pest. See Pesticide.
<b><i>Piperonyl butoxide</i></b>	5-[[2-(2-butoxyethoxy)ethoxy]methyl]-6-propyl-1,3-benzodioxole CAS #: 51-03-6
<b><i>Planned treatments</i></b>	A schedule of treatment dates developed by the Permittee at the beginning of the treatment season.
<b><i>Pollutant (in water)</i></b>	<p>Any discharged substance or pathogenic organism that would: (1) Alter the biological, chemical, physical, radiological, or thermal properties of any water of the state of Washington, (2) Would be likely to create a nuisance or render such water harmful, detrimental, or injurious (a) to the public health, safety, or welfare, (b) to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or (c) to any animal or plant life, either terrestrial or aquatic, either directly from the environment or indirectly by ingestion through the food chain.</p> <p>Pollutants may include, but are <b>not</b> limited to, the following: solid waste, incinerator residue, garbage, sewage, sewage sludge, filter backwash, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, dredged spoil, rock, sand, cellar dirt, and other industrial, municipal, and agricultural wastes.</p>
<b><i>Prallethrin</i></b>	2-methyl-4-oxo-3-(2-propyn-1-yl)-2-cyclopenten-1-yl 2,2-dimethyl-3-(2-methyl-1-propen-1-yl)cyclopropanecarboxylate CAS #: 23031-36-9
<b><i>Public access</i></b>	The point of entry to a location that all members of the community may use, i.e., a publicly accessible area.

<b>Public accessible area</b>	A location that all members of the community may use. Limited restrictions may apply, such as allowing usage to only holders of a required pass, requiring payment of a fee, and limiting access to certain hours (e.g., daylight hours). Examples of publicly accessible areas include state and local parks; picnic areas; public roadways, walkways, trails, and parking lots; swimming beaches; boat launches; docks; and marinas.
<b>Puyallup exception</b>	Following the Puyallup Tribe of Indians Land Claims Settlement Act of 1989, 25 U.S.C. §1773, this Permit applies to land within the Puyallup Reservation except for discharges to surface waters on land held in trust by the federal government.
<b>Resmethrin</b>	[5-(phenylmethyl)-3-furanyl]methyl 2,2-dimethyl-3-(2-methyl-1-propen-1-yl)cyclopropanecarboxylate  CAS #: 10453-86-8
<b>Spinosad</b>	A mixture of: <ul style="list-style-type: none"> <li>• Spinosyn A: (2R,3aS,5aR,5bS,9S,13S,14R,16aS,16bR)-2-[(6-deoxy-2,3,4-tri-O-methyl-α-L-mannopyranosyl)oxy]-13-[[4-(dimethylamino)-2,3,4,6-tetradeoxy-β-D-erythropranosyloxy-9-ethyl-2,3,3a,5a,5b,6,7,9,10,11,12,13,14,16a,16b-hexadecahydro-14-methyl-1H-8-oxacyclododeca[b]as-indacene-7,15-dione</li> <li>• Spinosyn D: (2R,3aS,5aR,5bS,9S,13S,14R,16aS,16bR)-2-[(6-deoxy-2,3,4-tri-O-methyl-α-L-mannopyranosyl)oxy]-13-[[4-(dimethylamino)-2,3,4,6-tetradeoxy-β-D-erythropranosyloxy-9-ethyl-2,3,3a,5a,5b,6,7,9,10,11,12,13,14,16a,16b-hexadecahydro-4,14-dimethyl-1H-8-oxacyclododeca[b]as-indacene-7,15-dione</li> </ul> CAS #: 168316-95-8
<b>Sponsor</b>	For the aquatic plant and algae permit, an individual or a private or public entity who has: (1) A vested or financial interest in the treatment of aquatic plants and algae in a particular waterbody; and (2) The authority to administer common areas of the waterbody or locations within the waterbody for the purposes of aquatic plant and algae management. Entities with this authority include Lake Management Districts formed under Chapter 36.61 RCW, Special Purpose Districts formed under Title 57 RCW, Homeowners Associations formed under Chapter 64.38 RCW, and groups operating under the provisions of Chapter 90.24 RCW. Other entities may also have the authority to manage common areas in public or private waterbodies. Typically, the sponsor retains a licensed applicator to apply pesticides for aquatic plant and algae management. For treatment on individual lots, the sponsor must have the authority to contract for aquatic plant and algae management within the lot boundaries.
<b>Sumithrin (d-phenothrin)</b>	(3-Phenoxyphenyl)methyl 2,2-dimethyl-3-(2-methyl-1-propenyl)cyclopropanecarboxylate  CAS #: 26002-80-2

<b>Surveillance</b>	The use of pest monitoring techniques to determine when pest populations have reached a level at which treatment is desired.
<b>Toxic</b>	Causing death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions (including malfunctions in reproduction), or physical deformations in any organism or its offspring upon exposure, ingestion, inhalation, or assimilation.
<b>Treat</b>	To intentionally apply a pesticide or other chemical to the water, vegetation, air, or soil to control or kill a target organism or species; to remove or inactivate bioavailable phosphorus; or to regulate some other ecosystem process.
<b>Treatment</b>	The intentional application of a pesticide or other chemical to the water, vegetation, air, or soil to control or eradicate a target organism or species; to remove or inactivate bioavailable phosphorus; or to regulate some other ecosystem process.
<b>Trust or restricted lands</b>	Means as defined in 25 USC 2201(4): “(i) “trust or restricted lands” means lands, title to which is held by the United States in trust for an Indian tribe or individual, or which is held by an Indian tribe or individual subject to a restriction by the United States against alienation; and (ii) “trust or restricted interest in land” or “trust or restricted interest in a parcel of land” means an interest in land, the title to which interest is held in trust by the United States for an Indian tribe or individual, or which is held by an Indian tribe or individual subject to a restriction by the United States against alienation.”
<b>Ultra-low volume pesticide application</b>	A type of pesticide application in which an extremely fine aerosol is generated with a particle size between 0.1 and 50 micrometers and with 80 percent of the particles between 0.1 and 30 micrometers.
<b>Upland farm pond</b>	Private farm ponds created on upland sites that did <b>not</b> incorporate natural waterbodies (WAC 173-201A-260(3)(f)).
<b>Washington Pesticide Control Act</b>	Chapter 15.58 Revised Code Washington (RCW)
<b>Waters of the State of Washington</b>	All waters within the geographic boundaries of the State of Washington defined as “Waters of the United States” in 40 CFR 122.2, and all waters defined as “Waters of the State” in RCW 90.48.020. These waters of the State include lakes, rivers, ponds, streams, inland waters, wetlands, marine waters, estuaries, underground waters, and all other fresh or brackish waters and water courses within the jurisdiction of the state of Washington, plus drainages to those surface waters.
<b>Waters of the United States</b>	All waters defined as “Waters of the United States” in 40 CFR 122.2.



## **APPENDIX C**

### **Examples of Criteria for the IPM Plan**

The following are examples of criteria that you may use to develop your IPM plan (Special Condition S5). This is **not** an exhaustive list; other options may exist.

#### **Surveillance (Special Condition S5.B.3)**

The following are examples of information to consider when conducting adult mosquito surveillance.

- Complaints.
- Historical data (for example, mapping from previous seasons).
- Landing counts.
- Mosquito identification.
- Mosquito population density.
- Mosquito trapping (for example, female mosquito counts).
- Service requests.
- Staff observations.

The following are examples of information to consider when conducting mosquito-borne disease surveillance.

- Animal disease case monitoring.
- Avian morbidity, mortality, and disease testing.
- Community involvement (for example, reporting dead birds, cases of horse disease).
- Historical disease data.
- Human disease case monitoring.
- Live bird surveillance (captive or free-range sentinel birds).
- Mosquito trapping, identification, and disease testing.
- RAMP testing for West Nile Virus from Response Biomedical Corporation.
- State, university, commercial lab testing (for example, PCR testing).
- VecTest for West Nile Virus, St. Louis Encephalitis, Western Equine Encephalitis from Medical Analysis Systems, Inc.

#### **Mapping (Special Condition S5.B.4)**

The following are examples of information to consider when developing a mapping system.

- Location of chemically-sensitive individuals.
- Location of no-spray requests.
- Location of organic farms.
- Mosquito-borne disease surveillance data.
- Mosquito breeding sites.
- Mosquito control measures (what was implemented and where were they implemented).

- Mosquito population trends.
- Mosquito surveillance data.

### **Action Thresholds (Special Condition S5.B.5)**

The following are examples of information to consider when developing action thresholds.

- Actions to take during an outbreak of mosquito-borne disease.
- Actions to take when surveillance indicates a threat of disease outbreak.
- Density of the mosquito population (for example, what density of mosquito population is acceptable for the community?).
- Larval counts (for example, a dip count that shows one larval in three dips).
- Thresholds for routine mosquito control, based on surveillance.

### **Mosquito Control Methods (Special Condition S5.B.6)**

The following are examples of information to consider when developing methods to control mosquitoes. There are four types of control methods: physical control or source reduction, biological control, pesticide-based larval mosquito control, and pesticide-based adult mosquito control.

#### **1. Physical control or source reduction**

- Habitat modification on public and private lands (for example, ditch and impoundment maintenance).
- Regional water management projects (for example, proactive collaboration with public and private landowners and wastewater treatment facilities).
- Removal of containers that hold water (for example, tire piles).
- Sanitation (for example, cleaning gutters, birdbaths, and unused swimming pools).
- Vegetation management.
- Water management (for example, irrigation water and stormwater run-off).

#### **2. Biological control**

- Creating and restoring habitats of aquatic predators, such as dragonfly naiads, diving beetles.
- Creating and restoring habitats of terrestrial predators, such as bats, birds, and predatory insects.
- Stocking native and non-native fish species.

#### **3. Pesticide-based larval mosquito control**

The list of larvicides conditionally authorized by this Permit are included in Special Condition S4.B (Active Ingredients Authorized for Use).

#### **4. Pesticide-based adult mosquito control**

The list of adulticides conditionally authorized by this Permit are included in Special Condition S4.B (Active Ingredients Authorized for Use).

**Education and Outreach (Special Condition S5.B.8)**

The following are examples of education and outreach opportunities to consider.

- Education materials such as brochures, handouts, and pamphlets.
- Community events such as fairs and workshops.
- Presentations.
- Websites.

**Training for New Staff and Existing Staff (Special Condition S5.B.9)**

The following are examples of resources to consider when developing a training program for staff.

- Industry conferences.
- Manuals and quick reference guides.
- Shadowing experienced staff.
- Training classes.
- WSDA pesticide licensing.