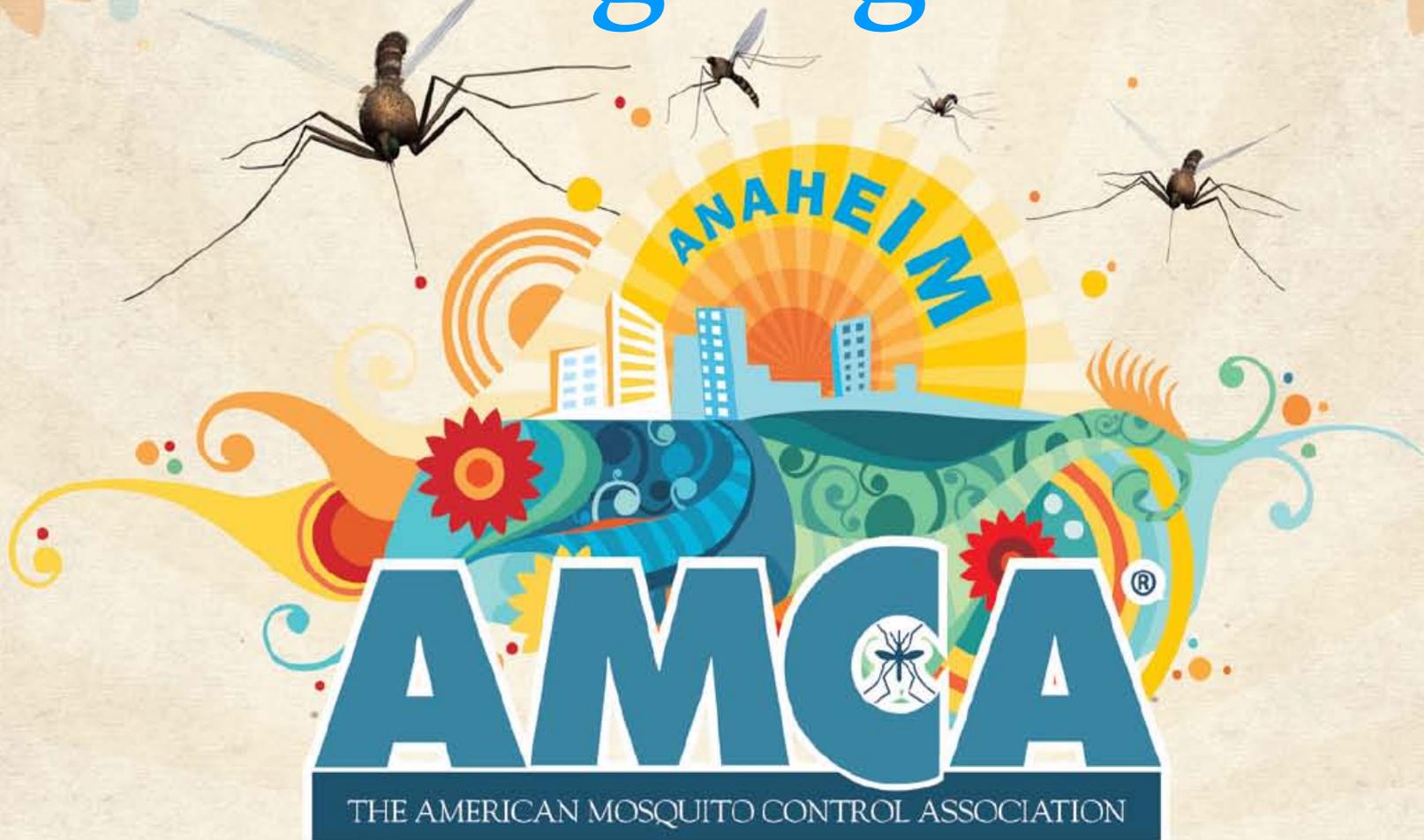


Highlights



77th Annual Meeting
Anaheim, CA • March 20 - 24, 2011 • Disneyland® Hotel

AMCA Highlights

Legislative and Regulatory Issues - N.P.D.E.S.

New Product Trials

Resistance Issues

Biorational Pesticides

Vector / Disease Studies

Poster Session





National Pollutant Discharge Elimination System (NPDES)

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NPDES Topics

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Pesticides

OVERVIEW

New! 6th Circuit Court Grants Extension on Clean Water Act Permit Requirement for Pesticide Discharges

On March 28, 2011, the U.S. Court of Appeals for the Sixth Circuit granted EPA's request for an extension of the deadline for when permits will be required for pesticide discharges into U.S. waters from April 9, 2011 to October 31, 2011. The extension is important to allow sufficient time for EPA to engage in Endangered Species Act consultation and complete the development of an electronic database to streamline requests for coverage under the Agency's general permit. It also allows time for authorized states to finish developing their state permits and for permitting authorities to provide additional outreach to stakeholders on pesticide permit requirements.

See below for background information on EPA's Pesticide General Permit and request for extension.

EPA Requests Extension on Clean Water Act Permit Requirement for Pesticide Discharges

On March 3, 2011, the U.S. Environmental Protection Agency (EPA) requested an extension to allow more time for pesticide operators to obtain permits for pesticide discharges into U.S. waters. EPA is requesting that the deadline be extended from April 9, 2011 to October 31, 2011. During the period while the court is considering the extension request, permits for pesticide applications will not be required under the Clean Water Act. For additional information please review EPA's [factsheet \(PDF\)](#) (2 pp, 61KB) and [frequently asked questions \(PDF\)](#) (4 pp, 58KB) for a summary of the Pesticides General Permit's history, current status and next steps.

EPA is developing a pesticide general permit in response to the 6th Circuit Court's 2009 decision, which found that discharges from pesticides into U.S. waters were pollutants, and, therefore, will require a permit under the Clean Water Act as of April 9, 2011. The final permit will reduce discharges of pesticides to aquatic ecosystems, thus helping to protect the nation's waters and public health.

The extension request is important to allow sufficient time for EPA to engage in Endangered Species Act consultation and complete the development of an electronic database to streamline requests for coverage under the Agency's general permit. It also allows time for authorized states to finish developing their state permits and for permitting authorities to provide additional outreach to stakeholders on pesticide permit requirements.

EPA's general permit will be available to cover pesticide discharges to waters of the U.S. in MA, NH, NM, ID, OK, AK, DC, most U.S. territories and Indian country lands, and many federal facilities.

EPA Pesticide General Permit for Discharges from the Application of Pesticides

Proposed Pesticide General Permit

On June 2, 2010, EPA announced the public availability of a draft National Pollutant Discharge Elimination System (NPDES) permit for point source discharges from the application of pesticides to waters of the United States. This permit is also known as the Pesticides General Permit (PGP). The PGP was developed in response to a decision by the Sixth Circuit Court of Appeals (*National Cotton Council, et al. v. EPA*). The court vacated [EPA's 2006 rule](#) that said NPDES permits were not required for applications of pesticides to U.S. waters. As a result of the Court's decision, discharges to waters of the U.S. from the application of pesticides will require NPDES permits when the court's mandate takes effect, on April 9, 2011. Any use patterns not covered by this proposed draft permit would need to obtain coverage under an individual permit or alternative general permit if they involve pesticide application that result in point source discharges to waters of the United States. This general permit will provide coverage for discharges where EPA is the NPDES permitting authority. For discharges in NPDES authorized states, state NPDES authorities will be issuing their permit. EPA estimates that the Sixth Circuit's ruling will affect approximately 365,000 pesticide applicators nationwide that perform 5.6 million pesticide applications annually.

EPA's PGP regulates discharges to waters of the U.S. from the application of (1) biological pesticides, and (2) chemical pesticides that leave a residue. The following pesticide use patterns are covered under the PGP:



The documents on this site are best viewed with Acrobat 8.0

Case No. 06-4630 /07-3180 /07-3181 /07-3182 /07-3183 /07-3184 /07-3185 07-3186 /07-3187 /07-3191 /07-3236

UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

ORDER

THE NATIONAL COTTON COUNCIL OF AMERICA Petitioner

v.

AGRI RETAILERS ASSN; AMER SOYBEAN ASSN; AMERICAN MOSQUITO CONTROL ASSOCIATION; ASSN OF AMER; CALIFORNIA COTTON GROWERS; CRANBERRY INST; FLORIDA CITRUS MUTL; GOLF COURSE SUPT; KANSAS COTTON ASSN; NATL AGRI AVIATION ASSN; NATL ASSN OF HOME BUILDERS; NATL ASSN OF WHEAT GROWERS; NATL CNCL OF FARMER COOPS; NATL CORN GROWERS ASSN; NATL POTATO CNCL; NATL SORGHUM PRODUCERS; OKLAHOMA COTTON CNCL; PLAINS COTTON GROWERS, INC.; SO COTTON GROWERS; TEXAS COMM OF AGRI; TEXAS COTTON PRODUCERS; TODD STAPLES; U.S. RICE PRODUCERS ASSN; USA RICE FEDN; UTIL WATER ACT GRP; VALENT BIOSCIENCES CORP

Amici Curiae

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Respondent

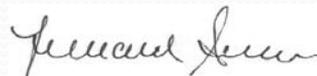
BEFORE: GUY, Circuit Judge; SUHRHEINRICH, Circuit Judge; COLE, Circuit Judge;

Upon consideration of the government's motion to stay mandate until October 31, 2011, It is ORDERED that the motion be and hereby is GRANTED.

ENTERED BY ORDER OF THE COURT

Leonard Green, Clerk

Issued: March 28, 2011



AMCA Highlights

HR 872

Amends both FIFRA and the Clean Water Act so as not to require NPDES permits for pesticide applications to, over, or near waters of the United States was passed yesterday on a bi-partisan vote of 295 – 130 (3-31-2011)

AMCA now will focus on a companion bill for the U.S. Senate



AMCA Highlights

Biorational Pesticides

Bti

B. sphaericus

Indoxacarb (oxadiazine insecticide) formulation for mosquito control, currently used for ants, cockroaches and other insects.

Calteryx (Acelepryn) found in tree bark. Binds to muscle, depleted Ca leads to paralysis and death.

Spinosad (Natular) naturally occurring soil bacterium.



AMCA Highlights

Resistance Issues

Bacillus sphaericus alone resistance can occur within 21 generations or less.
Bti + B. sphaericus >35 generations. Mixtures much better than rotation.

No resistance issues associated with Bti.

Organophosphates

Synthetic pyrethroids



AMCA Highlights

Vector Disease / Studies

2010 Dengue outbreak in Florida

Murine Typhus in Orange County

Hoarders in the OC

AZ – 10 new and improved WNV?



AMCA Highlights

Thank You

