



PUBLIC NOTICE

Alaska Department of Environmental Conservation (DEC)
Wastewater Discharge Authorization Program
555 Cordova Street
Anchorage, Alaska 99501

NOTICE OF PROPOSED ISSUANCE OF AN ALASKA POLLUTANT DISCHARGE ELIMINATION SYSTEM (APDES) GENERAL PERMIT TO DISCHARGE TO WATERS OF THE UNITED STATES

A Fact Sheet and associated documents are available for review. For inquiries or to request copies of documents, contact:

DEC Contact: Jim Rypkema, 555 Cordova Street, Anchorage, AK 99501; 907-334-2288;
James.Rypkema@alaska.gov

Draft Permit Public Notice Period: **Start Date:** 4/15/2022 **Expiration Date:** 5/16/2022

Permit Number: AKG870000

Proposed Permit Coverage:

DEC proposes to reissue an Alaska Pollutant Discharge Elimination System (APDES) general permit (AK870000) to regulate point source discharges of pollutants associated with the application of biological pesticides or chemical pesticides that leave a residue. This permit is commonly called the Pesticide General Permit (PGP). The PGP would apply statewide except for lands within the Metlakatla Indian Reserve and the Denali National Park Preserve.

Background information

Conditions and requirements in the proposed 2022 PGP remain unchanged from the previously issued 2017 PGP. In Appendix A, DEC will add the definition for the term “Pesticide discharges to waters of the United States from pesticide application” and update the definition “pesticide residue” to be consistent with 40 CFR 122.2. The PGP covers point source discharges of pollutants associated with the application of biological or chemical pesticides that leave a residue from the following use patterns: 1) mosquito and other flying insect pest control; 2) weed and algae control; 3) animal pest control; and 4) forest canopy pest control.

Description of discharge

A pesticide residue means for the purpose of determining whether an APDES permit is needed for discharges to waters of the United States from pesticide application that is discharged from a point source to waters of the United States and no longer provides pesticidal benefits. It includes any degradates of pesticide. [40 CFR 122.2]

Pesticide discharges to waters of the United States from pesticide application means the discharges that result from the application of biological pesticides, and the application of chemical pesticides that leave a residue, from point sources to waters of the United States. In the context of this definition of pesticide discharges to waters of the United States from pesticide application, this does not include agricultural storm water discharges and return flows from irrigated agriculture, which are excluded by law (33 U.S.C. 1342(1); 33 U.S.C. 1362(14)). [40 CFR 122.2]

No mixing zone is proposed in the PGP.

Tentative Determination:

DEC has tentatively determined to reissue a discharge permit for the activity described above.

Public Comments:

Written comments or requests for a public hearing on the APDES draft permit must be submitted within 30 days of the issuance of this public notice. Any person desiring to comment on the permit may submit comments electronically via the DEC public notice site (**preferred**) at <https://water.alaskadec.commentinput.com/?id=fGFZK>.

Alternatively, you may direct written comments and requests to the attention of the DEC contact/permit writer at the email address or postal address identified above.

All comments should include the name, address, telephone number, and email address of the commenter and a concise statement of comment on the permit condition(s) and the relevant facts upon which the comment is based. Comments of either support or concern that are directed at specific, cited permit requirements are appreciated. Mailed comments and requests must be postmarked on or before the expiration date of the public notice.

DEC will consider all comments when making the final decision and will respond to received comments in a Response to Comments document issued when DEC issues a final permit. The Response to Comments will be made available to the public.

Any interested person may submit a written request for a public hearing if no hearing has already been scheduled. A request for a public hearing shall state the nature of the issues to be raised, as well as the requester's name, address, telephone number, and email address. DEC will hold a public hearing whenever DEC finds, on the basis of requests, a significant degree of public interest in a draft permit. DEC may also hold a public hearing if a hearing might clarify one or more issues involved in a permit decision or for other good reason in DEC's discretion.

DEC will transmit the final permit, fact sheet (amended as appropriate), and Response to Comments to anyone who provided comments during the public review period or requested to be notified of DEC final decision.

**DEADLINE FOR WRITTEN COMMENTS OR REQUEST FOR PUBLIC HEARING:
May 16, 2022 at 11:59 p.m.**

Administrative Record:

The APDES draft permit, fact sheet, permit application, and associated documents are available for public review at the DEC offices located in Anchorage, Fairbanks, Juneau. Please contact the office of your choice to arrange for hard copies of the documents to be available for your review.

555 Cordova Street
Anchorage, AK 99501
907-269-6285

610 University Avenue
Fairbanks, AK 99709
907-451-2100

PO Box 1800
Juneau, AK 99811-1800
Location: 410 Willoughby Street, Suite 303, **Juneau**, AK
907-465-5300

If you would like further information or to see any additional supporting technical documents, contact DEC contact/permit writer at the email address identified above. The documents are also accessible from the DEC website at: <http://dec.alaska.gov/water/wastewater/>.

To receive email notifications about the APDES Program, including when permits are available to review, subscribe to the APDES email list at <http://list.state.ak.us/mailman/listinfo/DEC-APDES/>.

Disability Reasonable Accommodation Notice

The State of Alaska, Department of Environmental Conservation complies with Title II of the Americans with Disabilities Act of 1990. If you are a person with a disability who may need a special accommodation in order to participate in this public process, please contact Claire Fishwick at 907-465-5871 or TDD Relay Service 1-800-770-8973/TTY or dial 711 to ensure that any necessary accommodations can be provided in a timely manner.