

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION—DIVISION OF WATER QUALITY  
JUNE 7, 2006**

**ITEM 12**

**SUBJECT**

PUBLIC HEARING AND CONSIDERATION OF ADOPTION OF MODIFICATIONS TO THE STATE WATER RESOURCES CONTROL BOARD (STATE WATER BOARD) WATER QUALITY ORDER NO. 2004-0009-DWQ, STATEWIDE GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR THE DISCHARGE OF AQUATIC PESTICIDES FOR AQUATIC WEED CONTROL IN WATERS OF THE UNITED STATES, GENERAL PERMIT NO. CAG 990005 (PERMIT)

**DISCUSSION**

The State Water Board adopted the Permit at its May 20, 2004 meeting. This agenda item proposes three modifications to the existing permit as follows:

1. In accordance with Finding 32 of the Permit, which states that this Permit may be re-opened to add new pesticides registered by the Department of Pesticide Regulation, the State Water Board is considering adding sodium carbonate peroxyhydrate (trade name Pak 27) to the list of aquatic pesticides covered by this Permit.
2. The State Water Board is also considering modifying Attachment E of the Permit to add the Glenn-Colusa Irrigation District (GCID) and Potter Valley Irrigation District (PVID) to the list of dischargers receiving exception to meeting priority pollutant limits according to section 5.3 of the State Water Board *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*.
3. On February 23, 2006, the U.S. Environmental Protection Agency promulgated the final aquatic life ambient water quality criteria for nonylphenol. Thus, the State Water Board is also considering adding receiving water limitations for nonylphenol in this Permit. As with all of its receiving water limitations, this Permit will require compliance with the most protective of these criteria. The freshwater chronic criterion is 6.6 µg/L, and the saltwater chronic criterion is 1.7 µg/L.

A draft of the modifications ([Attachment 1](#)) to the Permit and its Attachment E was circulated on April 17<sup>th</sup> for a 30-day public review. State Water Board staff also posted the Permit with the proposed modifications ([Attachment 2](#)) on its web site.

**POLICY ISSUE**

Should the State Water Board adopt the modifications to Water Quality Order No. 2004-0009-DWQ?

**FISCAL IMPACT**

The activity is budgeted within existing resources. No additional expenditures will occur as a result of adopting the proposed modifications.

**REGIONAL WATER QUALITY CONTROL BOARD IMPACT**

Yes. All nine Regional Water Quality Control Boards may be impacted by the addition of sodium carbonate peroxyhydrate and nonylphenol receiving water limits to the Permit. The North Coast and Central Valley Water Boards will be impacted by the addition of GCID and PVID to Attachment E.

**STAFF RECOMMENDATION**

That the State Water Board adopts the attached modifications to Water Quality Order No. 2004-0009-DWQ and its Attachment E.

## STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2006-\_\_\_\_\_

ADOPTION OF MODIFICATIONS TO  
STATE WATER RESOURCES CONTROL BOARD (STATE WATER BOARD)  
WATER QUALITY ORDER NO. 2004-0009-DWQ, STATEWIDE GENERAL NATIONAL  
POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR THE DISCHARGE OF  
AQUATIC PESTICIDES FOR AQUATIC WEED CONTROL IN WATERS OF THE UNITED  
STATES, GENERAL PERMIT NO. CAG 990005 (PERMIT)

### WHEREAS:

1. Finding 32 of the Permit states that it may be reopened to modify Attachment E if additional entities qualify for an exception according to section 5.3 of the State Water Board's *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (Policy). Finding 32 also states that the Permit may be reopened to add coverage of aquatic pesticides that have been newly registered by the California Department of Pesticide Regulation (DPR).
2. On February 28, 2006, DPR registered sodium carbonate peroxyhydrate for aquatic application.
3. The algaecide sodium carbonate peroxyhydrate is an alternative to copper that rapidly degrades via hydrolysis, photolysis, anaerobic and aerobic metabolism, sorption, and sediment dissipation.
4. The Glenn-Colusa Irrigation District and Potter Valley Irrigation District have complied with the exception requirements of section 5.3 of the Policy.
5. On February 23, 2006, the U.S. Environmental Protection Agency promulgated the final aquatic life ambient water quality criteria for nonylphenol. The most protective of these criteria are the freshwater chronic criterion of 6.6 µg/L and the saltwater chronic criterion of 1.7 µg/L.
6. The State Water Board has circulated the modifications for a 30-day public review. The State Water Board has held a public hearing and has considered all comments on the modifications.

# **DRAFT**

May 22, 2006

THEREFORE BE IT RESOLVED THAT:

The State Water Board adopts the attached modifications to Water Quality Order No. 2004-0009-DWQ and its Attachment E.

## **CERTIFICATION**

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a hearing of the State Water Board held on June 7, 2006.

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Song Her  
Clerk to the Board