

State of Ohio

Environmental Protection Agency

PUBLIC NOTICE

December 23, 2010

**Request for Comment on Proposed Conditions for Drinking Water Reservoirs
in Ohio EPA's General Permit for Discharges from Pesticide Applications**

Ohio EPA has issued a draft general National Pollutant Discharge Elimination System (NPDES) permit that may potentially provide coverage for the application of a pesticide to target a pest that is present in, over or near waters of the U.S. in the State of Ohio. This permit is mandated by federal court decisions. Pesticide application must have an NPDES permit beginning April 9, 2011, if they occur "in, over or near" surface waters. This general permit applies to all operators of pesticide discharges and includes chemical use for aquatic weed and algae control on drinking water reservoirs.

The draft general permit was public noticed on December 7, 2010 and is available on the Ohio EPA website at http://www.epa.ohio.gov/dsw/permits/Pesticide_draft_GP_dec10.aspx. The following proposed conditions were not included in the draft permit, but Ohio EPA intends to incorporate them into the final permit. Please submit comments on the following proposed conditions for drinking water reservoirs by close of business on February 3, 2011. Comments can be submitted in hard copy to the following address: "Ohio Environmental Protection Agency, Division of Drinking and Ground Waters, P.O. Box 1049, Lazarus Government Center, Columbus, Ohio 43216-1049, Attn: Holly Kaloz" or by email to "ddagw_rulecomments@epa.state.oh.us".

Concern for Algaecide Treatments and Potential Release of Algal Toxins. Ohio EPA developed the following requirements for algaecide treatments on public drinking water reservoirs to minimize the potential mass release of harmful algal toxins. Algal toxins are present in surface water during harmful algal bloom events either within the cyanobacterial cells (intracellular toxins) or outside of the cells (extracellular toxins). Once an algaecide is applied, the cyanobacterial cells are lysed and any algal toxins would be extracellular. This increases the potential for toxins to break through the treatment processes and occur in finished drinking water. Conventional treatment processes are relatively effective at removing whole cyanobacterial cells but much less effective at removing extracellular toxins.

Algaecides may only be applied to drinking water reservoirs with active algal blooms if any the following conditions are met:

- No toxin-producing species are currently present; or
- Toxin-producing species are currently present and there is data to confirm that the bloom is not currently producing toxins; or
- Toxin-producing species are currently present and there is data to confirm that the bloom is currently producing toxins, but toxin levels would remain below any algal toxin action levels/thresholds at the intake throughout and following any algaecide treatment; and raw

water samples are collected for algal toxins following any application of the algaecide once a week for two weeks. If the results of these samples indicate toxin levels are above any algal toxin action levels/thresholds at the intake, additional raw water samples may be required. Finished water monitoring may also be required based on the results of the raw water samples.