



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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PUBLIC NOTICE

Announcing two Modified General Permits: Aquatic Noxious Weed Management General Permit Aquatic Plant and Algae Management General Permit

The Washington State Department of Ecology (Ecology) modified the Aquatic Noxious Weed Management General Permit (NOX) and the Aquatic Plant and Algae Management General Permit (APAM).

State and Federal water quality regulations do **not** allow the discharge of pollutants to Waters of the State without permit coverage. The chemicals allowed for use in the final permits are potential pollutants, and therefore, require a discharge permit. When the permitted activities are similar, Ecology issues a general permit in place of a series of individual permits.

The modified permits become effective on July 5, 2019. The NOX permit expires on February 2, 2022, and the APAM permit expires on March 31, 2021.

Purpose of the Permits

The APAM permit and NOX permit are both National Pollutant Discharge Elimination System (NPDES) permits and State Waste Discharge permits. The APAM permit regulates the use of herbicides, algaecides, adjuvants, and phosphorous inactivation products for control of noxious weeds, native nuisance plants, algae, and phosphorous in surface waters of Washington State.

The NOX permit regulates the use of herbicides, adjuvants, and marker dyes to control Washington State listed noxious weeds and Washington State quarantine-listed weeds. It covers marine and freshwater applications that may indirectly enter surface waters of Washington State.

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

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TIME: 8:35 AM

WSR 19-11-121

Coverage under the NOX permit is available to the Washington State Department of Agriculture (WSDA), and individuals or entities contracting with WSDA as Limited Agents, for applications statewide.

Public Notice Process and Comments

Ecology accepted public comment on the draft permits, Fact Sheet addendums, and SEPA compliance documents from November 7, 2018, until December 21, 2018. Ecology offered public workshops and hearings via an online webinar and in person in Lacey on December 10, 2018.

You may download copies of the final permits, the Response to Comments, the Fact Sheet addendums, and other supporting documents from the following webpages. You may also request permit documents by contacting the Water Quality Program at 360-407-6600.

Documents related to the NOX permit

<https://Ecology.wa.gov/AquaticNoxiousWeeds>

Documents related to the APAM permit

<https://Ecology.wa.gov/AquaticPlants>

Ecology Contact

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Your Right to Appeal the Permits

You may appeal these permits to the Pollution Control Hearings Board (PCHB) within 30 days of the receipt of the modified permits. A focus sheet describing the process to appeal permits is available at the following link.

<https://fortress.wa.gov/ecy/publications/documents/1710009.pdf>

You may also request copies of the focus sheet by contacting Dena Jaskar at dena.jaskar@ecy.wa.gov or (360) 407-6401.

Assistance for Persons with Disabilities

To request ADA accommodation for disabilities or printed materials in a format for the visually impaired, call Ecology at 360-407-6600 or visit the following link.

www.ecy.wa.gov/accessibility.html

Persons with impaired hearing may call the Washington Relay Service at 711. Persons with a speech disability may call TTY at 877-833-6341.