

2016 Greater Sage Grouse Invasive Species Management Exhibit 9: National Pollution Discharge Elimination System Requirements

Adverse Incident Reports

Although this section is a universal requirement, these particular records are necessary only in the event of an adverse incident, in the case that corrective action was required, or in the event of a discharge resulting from a spill or leak.

- a. A copy of any Adverse Incident Reports (NPDES PGP Fact Sheet 6.4.2); U.S. Environmental Protection Agency 2011 NPDES Pesticide General Permit Fact Sheet 120
- b. Rationale for any determination that reporting of an identified adverse incident is not required, consistent with allowances identified in NPDES PGP Fact Sheet 6.4.1.2;
- c. A copy of any corrective action documentation (See NPDES PGP Fact Sheet 6.6); and,
- d. A copy of any spill and leak or other unpermitted discharge documentation (See NPDES PGP Fact Sheet 6.5.2)

An **adverse incident** is as follows:

--an unusual or unexpected incident that an Operator has observed upon inspection or of which the Operator otherwise become aware, in which:

- (1) There is evidence that a person or non-target organism has likely been exposed to a pesticide residue, and
- (2) The person or non-target organism suffered a toxic or adverse effect.

The phrase toxic or adverse effects includes effects that occur within Waters of the United States on non-target plants, fish or wildlife that are unusual or unexpected (e.g., effects are to organisms not otherwise described on the pesticide product label or otherwise not expected to be present) as a result of exposure to a pesticide residue, and may include:

- Distressed or dead juvenile and small fishes
- Washed up or floating fish
- Fish swimming abnormally or erratically
- Fish lying lethargically at water surface or in shallow water
- Fish that are listless or nonresponsive to disturbance
- Stunting, wilting, or desiccation of non-target submerged or emergent aquatic plants
- Other dead or visibly distressed non-target aquatic organisms (amphibians, turtles, invertebrates, etc.)

The phrase, toxic or adverse effects, also includes any adverse effects to humans (e.g., skin rashes) or domesticated animals that occur either from direct contact with or as a

secondary effect from a discharge (e.g., sickness from consumption of plants or animals containing pesticides) to Waters of the United States that are temporally and spatially related to exposure to a pesticide residue (e.g., vomiting, lethargy).

Routine Documentation

The applicator must also keep records that specifically document pesticide application equipment maintenance and details of the pesticide application event.

- a. Documentation of equipment calibration; and
- b. Information on each treatment area to which pesticides are discharged, including:
 1. Description of each treatment area, including location and size (acres or linear feet) of treatment area and identification of any waters, either by name or by location, to which pesticide(s) are discharged;
 2. Pesticide use pattern(s) (i.e., mosquito and other flying insects, weed and algae, animal pest, or forest canopy);
 3. Target pest(s);
 4. Documentation of any assessment of weather conditions in the treatment area prior to and during application to ensure application is consistent with all applicable federal requirements;
 5. Name of each pesticide product used including the EPA registration number;
 6. Quantity of each pesticide product applied to each treatment area;
 7. Pesticide application date(s); and
 8. Whether or not visual monitoring was conducted during pesticide application and/or post-application and if not, why not and whether any unusual or unexpected effects identified to non-target organisms.

Requirement a. is fulfilled by completing required calibration record (Sample in Exhibit 11).

Requirement b. is fulfilled by completing required application record (Sample in Exhibits 4A and 4B).