



Notice of Intent (NOI)

for coverage under the **Pesticide General Permit (PGP)**
 for discharges from the application of pesticides to waters
 of the State of Vermont

Submission of this completed NOI constitutes notice that the Operator identified in Section B intends to be authorized to discharge pollutants to waters of the State, identified in Section C, under Vermont’s Pesticide General Permit (PGP). Submission of this NOI constitutes notice that the party identified in Section B of this form has read, understands, and meets the eligibility conditions per Part 1 of the PGP; agrees to comply with all applicable terms and conditions of the permit; and understands that continued authorization under the PGP is contingent on maintaining eligibility for coverage. To be granted coverage, all information required on this form must be completed. Please read and ensure compliance with all permit conditions, including the requirement to prepare a Pesticide Discharge Management Plan (PDMP) prior to NOI submittal, except for applications made in response to a declared pest emergency situation, per Part 6 (defined in Appendix A) of the PGP.

A. Notice of Intent Status

1. Mark whether this is an original request for coverage under the PGP or if this is a change of information for a discharge already covered under the PGP. If this is a change of information, supply the NPDES permit tracking number for the discharge below.

Original NOI Submission NOI Change of Information Prior permit tracking number (if known): _____

B. Operator Information

1. Name:

2a. Mailing Address:

2b. Town:

2c. State:

2d. Zip:

3. Phone:

4. Email:

5. Contact Name:

6. Contact Phone:

7. Contact Email:

8. Operator (Entity) Type: Federal State Local Insect Control District
 Other _____

C. Pest Management Area

1. Pest Management Area Name:

2. Pesticide Use Pattern(s):

Mosquito & Other Flying Insect Pest Control

Weed & Algae Pest Control

Forest Canopy Pest Control

Animal Pest Control

3a. Project location Address (include a location map):

3b. Town:

3c. County:

4. Latitude:

5. Longitude:

6. SPAN: Enter the 11 - digit number that is printed on the property tax bill for the applicable parcel(s). Projects that involve more than 1 parcel shall list all applicable SPANs.

a.

e.

b.

f.

c.

g.

d.

h.

D. Receiving Waters

1. Name of receiving water(s): _____

- Coverage requested for all waters within location identified above
- Coverage requested for all waters within location identified above except for: _____
- Coverage requested specifically for the following waters within location identified above: _____

2a. Outstanding Resource Waters (See PGP, Part 1.1.2.2; Vermont Water Quality Standards Appendix H): Yes / No

2b. If yes, please provide name of Outstanding Resource Water(s):

2c. Provide a rationale for determination that pesticide discharge is necessary to protect water quality, the environment, and/or public health and that any such discharge will not degrade water quality or will degrade water quality only on a short-term or temporary basis. Please submit this information in a supporting document.

3. Discharges to Water Quality Impaired Waters (See PGP Part 1.1.2.1) Operators are not eligible for coverage under this permit for any discharges from a pesticide application to waters of the State if the waters are identified as impaired by a substance that is either an active ingredient of the pesticide designated for use or is a degradate of such an active ingredient.

Check one (provide supporting evidence for either on the location map):

- Waters are not impaired by any substance that is either an active ingredient of a pesticide to be discharged or a degradate of such an active ingredient.
- Waters are on a current state list as being impaired by a substance which is either an active ingredient of a pesticide to be discharged or a degradate of such an active ingredient; however, evidence is attached documenting that the waters are no longer impaired.

E. Public Notice Requirement

A copy of this complete NOI will be provided to the municipal clerk for posting in the municipality in which the project is located in accordance with the PGP, Section 1.2.4. If the project and the related discharge(s) are located within different municipalities, then the completed NOI will be filed with the municipal clerks within each municipality. The municipal clerk shall post the completed NOI. A copy of this NOI will also be posted on DEC's webpage.

Information for the Municipal Clerk regarding posting instructions can be found on Page 3 of this NOI.

E. Certification Relating to the Accuracy of the Information Submitted

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I further certify that the applicant has sufficient title, right or interest in the property where the proposed activity occurs.

Operator: _____ Title: _____

Signature: _____ Date: _____

INFORMATION FOR MUNICIPAL CLERK

10 V.S.A. §1263(b) provides for the public notice of an applicant's intent to discharge pollutants to waters of the State. Please post this notice and instruction sheet in a conspicuous place for 10 days from the date received.

PUBLIC COMMENT

Public comments concerning this NOI must be submitted within 10 days of receipt of this Notice by the Municipal Clerk. Comments should address how the application complies or does not comply with the terms and conditions of the PGP. All written comments received within the timeframe described above will be considered by the Department of Environmental Conservation in its final ruling to grant or deny authorization to discharge under the PGP. Send written comments to:

Department of Environmental Conservation
Watershed Management Division
1 National Life Drive, Davis 3
Montpelier, VT 05620-3522

Please cite the NOI permit tracking number in any correspondence.

SUBMITTING THIS FORM

To submit this NOI, forms may be mailed to:
Department of Environmental Conservation
Watershed Management Division
1 National Life Drive , Davis 3
Montpelier, VT 05620-3522

APPEALS

Renewable Energy Projects – Right to Appeal to Public Service Board

If this decision relates to a renewable energy plant for which a certificate of public good is required under 30 V.S.A. §248, any appeal of this decision must be filed with the clerk of the Vermont Public Service Board pursuant to 10 V.S.A. §8506 within 30 days of the date of this decision. The appellant must file with the Clerk an original and six copies of its appeal. The appellant shall provide notice of the filing of an appeal in accordance with 10 V.S.A. §8504(c)(2), and shall also serve a copy of the Notice of Appeal on the Vermont Department of Public Service. For additional information, see the Rules and General orders of the Public Service Board available at www.psb.vermont.gov or via telephone: (802) 828-2358. The address for the Public Service Board is 112 State Street, Montpelier, VT 05620-2701

All Other Projects – Right to Appeal to Environmental Court

Pursuant to 10 V.S.A. Chapter 220, any appeal of this decision must be filed with the clerk of the Environmental Court within 30 days of the date of the decision. The Notice of Appeal must specify the parties taking the appeal and the statutory provision under which each party claims party status; must designate the act or decision appealed from; must name the Environmental Court; and must be signed by the appellant or their attorney. In addition, the appeal must give the address or location and description of the property, project or facility with which the appeal is concerned and the name of the applicant or any permit involved in the appeal. The appellant must also serve a copy of the Notice of Appeal in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings. Additional information is available at: www.vermontjudiciary.org or via telephone: (802) 951-1740. The address for Environmental Court is 32 Cherry Street, 2nd Floor, Suite 303, Burlington, VT 05401

A copy of PGP may be obtained from the Watershed Management Division’s website at: <http://dec.vermont.gov/watershed>

For Department Use Only

VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION AUTHORIZATION TO DISCHARGE

A determination has been made that the proposed discharge to waters of the State of Vermont qualifies for coverage under the Vermont NPDES Pesticide General Permit (PGP). Subject to the terms and conditions of the PGP and the NOI, the Applicant is hereby authorized to discharge to waters of the State.

Dated this _____ day of _____, 2020

Emily Boedecker
Commissioner Department of Environmental Conservation

By: _____

Lakes and Ponds Management and Protection Program