

BACKGROUND

The Texas Pollutant Discharge Elimination System (TPDES) is a regulatory program to control discharges of pollutants to surface waters. Texas received and assumed permitting authority under the National Pollutant Discharge Elimination System (NPDES) from the EPA on September 14, 1998.

In January 2009, the U.S. Sixth Circuit Court of Appeals held that Clean Water Act permits are required for all biological pesticide or chemical pesticide applications that leave a residue in water when such applications are made into or over, including near waters of the U.S.

The Texas Commission on Environmental Quality (TCEQ) is the regulatory agency responsible for enforcing the Clean Water Act (CWA) in Texas. They work cooperatively with the Texas Department of Agriculture to ensure pesticides are used and disposed of according to label directions.

The Texas AgriLife Extension Service has an educational mission. The Pesticide Safety Education Program develops pesticide safety and regulatory compliance and assistance information for pesticide users from all sectors (Agricultural, Structural, Public Health, and Homeowners).

Under the TPDES permit, the operator must file the appropriate documents and implement all the compliance requirements.

Homeowners in Texas who apply “over-the-counter” pesticides for use around the dwellings are covered under the Texas permit if they do not violate any conditions specified on the product label.

Homeowners who apply “Restricted Use” pesticides, “State-Limited-Use” pesticides or “Regulated Herbicides” must be licensed by the Texas Department of Agriculture (TDA) or hire an applicator licensed by TDA.

WHAT ARE THE THRESHOLDS?

- Mosquito and other insect pests control - operators treating a PMA greater than or equal to 6,400 acres and containing waters of the U.S.
- Vegetation and algae pest control - operators treating a treatment area greater than or equal to 100 acres in water or greater than or equal to 200 linear miles at water's edge.
- Animal pest control - operators treating a treatment area greater than or equal to 100 acres in water or greater than or equal to 200 linear miles at water's edge.
- Area-wide pest control - operators treating a PMA greater than or equal to 6,400 acres and containing a water of the U.S.
- Forest canopy pest control - operators treating a PMA greater than or equal to 6,400 acres and containing a water of the U.S.

If you are below the annual threshold:

And you are applying Restricted Use Pesticides (RUP), State Limited Use Pesticides (SLU) or Regulated Herbicides (RH) to a water of the U.S. you must follow Level II Compliance and the applicator must be licensed by TDA. OR you are applying General Use Pesticides “over the counter” to one acre or more of waters of the U.S. you must follow Level II Compliance.

Level II Compliance requires:

Self-certification form on-site or readily available, keep a copy of the permit and a copy of any adverse incident;

If you are below the annual threshold:
And you are applying General Use Pesticides to less than one acre of waters of the U.S. you must follow Level III Compliance.

Level III Compliance requires:

Follow directions on product label

* mitigate water pollution by properly handling pesticides, proper container disposal, cleanup, and watering procedures.



HOW TO CONTACT TCEQ

Contact TCEQ at

(512) 239-4671

Questions can also be emailed to
PGP@TCEQ.TEXAS.GOV

Further information about the pesticides
general permit can be obtained from the fol-
lowing web address:

[http://www.tceq.texas.gov/permitting/
wastewater/general/pestgpair](http://www.tceq.texas.gov/permitting/wastewater/general/pestgpair)

<http://www.tceq.texas.gov/>



HOW TO CONTACT TEXAS AGRILIFE EXTENSION

Contact Extension at (979) 845-3849

Questions can also be e-mailed to
dking@ag.tamu.edu
www-aes.tamu.edu

*Educational programs of the Texas AgriLife Extension Service
are open to all people without regard to race, color, sex, dis-
ability, religion, age or national origin.*

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Director, Texas AgriLife Extension Service, The Texas A&M
University System.

Texas Commission on
Environmental Quality

HOMEOWNERS

WHAT YOU NEED TO
KNOW ABOUT THE
TEXAS PESTICIDE
GENERAL PERMIT
TXG870000



TEXAS COMMISSION
ON ENVIRONMENTAL
QUALITY

PREPARED IN COOPERATION WITH THE TEXAS COMMISS-
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