

Application Type Renewal
Facility Type Pesticides
Permit Type Individual

**NPDES PERMIT FACT SHEET
PESTICIDES**

Application No. PA0065391
APS ID 781924
Authorization ID 1431778

Applicant and Facility Information

Applicant Name	<u>Ariel Landowners, Inc.</u>	Facility Name	<u>Lake Ariel</u>
Applicant Address	<u>PO Box 503</u> <u>Lake Ariel, PA 18436-0503</u>	Facility Address	<u>Lake Ariel Highway</u> <u>Lake Township, PA 18436</u>
Applicant Contact	<u>Jeff Donahoe, Director</u>	Facility Contact	<u>Jeff Donahoe, Director</u>
Applicant Phone	<u>(570) 313-0655</u>	Facility Phone	<u>(570) 313-0655</u>
Client ID	<u>52122</u>	Site ID	<u>761892</u>
SIC Code	<u>0782</u>	Municipality	<u>Lake Township</u>
SIC Description	<u>Agriculture - Lawn And Garden Services</u>	County	<u>Wayne</u>
Date Application Received	<u>March 21, 2023</u>	WQM Required	<u>No</u>
Date Application Accepted	<u>April 4, 2023</u>	EPA Waived	<u>No</u>
Purpose of Application	<u>Renewal of NPDES permit</u>		

Internal Review and Recommendations

The applicant is requesting renewal of a NPDES individual permit for a discharge from the application of pesticides to control algae in Lake Ariel. The lake is located on Ariel Creek, which is a High-Quality, Cold-Water Fishes (HQ-CWF) designated receiving water in State Water Plan Basin 1-C (Wallenpaupack Creek). Per the Department's current existing use list, the receiving stream does not have an existing use classification that is more protective than the designated use.

The application indicates the uncontrolled growth of the target algae in Lake Ariel would result in poor water quality from high abundance of nuisance green and blue-green planktonic algae genera. These species reportedly can develop at densities that negatively affect water clarity, dissolved oxygen levels, and shoreline recreational activities. The application proposes the use the following pesticide and application rate for these target species:

TREATMENT INFORMATION				
Pesticide Name (& EPA Reg. #)	Maximum Allowable Dose	Maximum Amount Each Treatment	No. Annual Treatments	Target Pest
Copper Sulfate (46923-4)	0.68 lb/ac-ft	up to 775 lbs	up to 6	Filamentous/Unicellular Algae
Clipper (59639-161)	1.0 lb/ac-ft	up to 40 lbs	up to 6	Filamentous/Unicellular Algae, various pondweeds
Roundup Custom (524-343)	0.75 gal/ac	up to 7.5 gal	up to 3	Waterlilies and Spatterdock
Reward (100-1091)	1.5 gal/ac	up to 30 gal	up to 3	Coontail, Waterweed and Bladderwort

Approve	Deny	Signatures	Date
X		/s/ Allison Seyfried / Project Manager	February 7, 2024
X		/s/ Amy M. Bellanca, P.E. / Program Manager	2-22-24

Internal Review and Recommendations

The proposed chemicals and doses are the same as the previous permit. A change in brand has been proposed for the treatment of the Waterlilies and Spatterdock. Rodeo (EPA Reg. # 62719-324) was previously used and the renewal application proposes Roundup Custom (EPA Reg. # 524-343). The change is acceptable because the chemical is the same.

There are no public water supplies located within 5 miles downstream of the lake outlet, as previously determined by using the Surface Water Intake Locator GIS tool provided by the Safe Drinking Water Program.

A Pesticides Discharge Management Plan (PDMP) was submitted with the application and includes the required elements listed in the instructions for the individual pesticides permit.

The following "Additional Special Conditions" are included in Part C of the NPDES permit:

1. The permittee must comply with the most recent EPA-approved pesticide label requirements
2. Cross-reference the pesticide use as approved under the related Chapter 91.38 permit
3. Immediately prior to treatments, record dissolved oxygen profiles and Secchi disk readings in three dispersed locations in the lake. Do not apply pesticides if dissolved oxygen concentrations are less than 5.0 mg/L in the majority of the upper ten feet of the water column and if Secchi disk readings are less than 2.5 feet.
4. Require posting of signage to advise of any water usage restrictions.

The allowable dose of copper sulfate and the additional monitoring protocol, including Secchi disk readings and dissolved oxygen measurements prior to application, should help prevent an unfortunate incident similar to the one that occurred in the summer of 2013.

Your use of pesticides under the Pennsylvania Fish and Boat Commission (PFBC) is subject to compliance with the conditions of the permit and the "Additional Special Conditions" noted in the permit. In addition, please note the following:

1. You should immediately cease your treatment(s) and contact the local Fish and Boat Commission Waterways Conservation Officer if you observe any unanticipated impacts to fish or other aquatic life as a result of your treatment(s).
2. You are required to use extreme caution and carefully follow the directions on the manufacturer's label when using an algicide, herbicide or fish control chemical.
3. You are required to conduct algicide, herbicide or fish control chemical treatments in an environmentally safe manner.
4. The labels for some algicide, herbicide and fish control chemicals prescribe restricted usage of treated water for such things as drinking, swimming, watering livestock, irrigating and the consumption of fish. You must adhere to those restrictions
5. If you use algicide, herbicide or fish control chemicals in areas open to the public, you are required to take appropriate actions to ensure public safety.
6. You must use appropriate safety practices at all times while storing, transporting, handling and applying any chemicals.
7. The permitted party is responsible for any damages caused by chemical usage, as well as complying with all applicable laws and regulations administered by the DEP and PFBC.

It is important that you understand the physical features of the water body, the various types of vegetation that are in and around the water, and the proper use of chemicals when using an algicide, herbicide or fish control chemical. If you do not have experience in aquatic pesticide control, you may find it helpful to utilize the services of a professional consultant.

Anti-Degradation

The Antidegradation Module was submitted with the application because the receiving water is classified as a High-Quality, Cold-Water Fishes (HQ-CWF). A number of alternative treatment options were considered by the applicant/consultant for each proposed pesticide; however, each alternative was concluded to be infeasible due to prohibitive costs, ineffectiveness, and potential adverse impacts to water quality for larger sized lakes such as Lake Ariel.

Internal Review and Recommendations

The Department received the permittee's Joint Chapter 91.38 (Permit No. **6413804**) for Algicide, Herbicide or Fish Control Chemical on March 21, 2023. The Joint Permit application is currently under review and will be issued concurrently with the final NPDES Permit.

There are currently no open violations for this client.

The Existing NPDES Permit expired on May 31, 2023. The application for permit renewal was received on March 21, 2023. A complete application for renewal is required to be submitted at least 180 days prior to expiration.

Public Participation

DEP will publish notice of the receipt of the NPDES permit application and a tentative decision to issue the individual NPDES permit in the *Pennsylvania Bulletin* in accordance with 25 Pa. Code § 92a.82. Upon publication in the *Pennsylvania Bulletin*, DEP will accept written comments from interested persons for a 30-day period (which may be extended for one additional 15-day period at DEP's discretion), which will be considered in making a final decision on the application. Any person may request or petition for a public hearing with respect to the application. A public hearing may be held if DEP determines that there is significant public interest in holding a hearing. If a hearing is held, notice of the hearing will be published in the *Pennsylvania Bulletin* at least 30 days prior to the hearing and in at least one newspaper of general circulation within the geographical area of the discharge.