

Appendix C
Public Comments and Agency's Response

Comment

Please ditch this rule! We feel that this will greatly effect our ability to continue our agricultural way of life. Our land has been in our family for over 114 years and we already-struggle to keep afloat.

We feel this is a LARGE OVERREACH!

Response

This Information Collection Request (ICR) is not a rulemaking. This ICR calculates the burden and costs associated with NPDES permits for point source discharges from the application of pesticides. On November 27, 2006, EPA issued a final rule (hereinafter called the “2006 NPDES Pesticides Rule”) clarifying circumstances where an NPDES permit was not required to apply pesticides to or around water when applied in compliance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). On January 7, 2009, the Sixth Circuit Court vacated EPA’s 2006 NPDES Pesticides Rule. As a result of the Court’s decision, as of October 31, 2011 NPDES permits are required for discharges to waters of the United States from the application of biological pesticides and chemical pesticides that leave a residue.