



NEWS RELEASE

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Sixth Circuit Court Grants EPA Extension *State Health Department Puts Hold on Finalizing Pesticides General Permit*

BISMARCK, N.D. – On March 28, 2011, the U.S. Court of Appeals for the Sixth Circuit granted an Environmental Protection Agency (EPA) request to extend the deadline for pesticide discharge permits required by the Clean Water Act. The extension from April 9 to October 31, 2011, will allow EPA to engage in Endangered Species Act consultations and to complete an electronic database to streamline requests for coverage under EPA's general permit. It also gives authorized states time to finish developing their state permits and to provide additional outreach on pesticide permit requirements.

As a result of the extension, the North Dakota Department of Health has put on hold a new North Dakota Pollutant Discharge Elimination System General Permit for applications of pesticides to waters in the state.

While permit coverage will not be required until after October 31, 2011, pesticide applicators are reminded that they must meet notification requirements. State water quality regulations (North Dakota Administrative Code 33-16-02.1) require that the North Dakota Department of Health be notified at least 20 days prior to the application of any pesticide (herbicide, insecticide, biocide, piscicide, algacide) to surface waters. The pesticide notification requirements can be found in the "Links" section on the department's Environmental Health Section website at: www.ndhealth.gov/EHS/.

For more information, contact Gary Bracht, North Dakota Department of Health, at 701.328.5227.

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