



## **BRP WM 04**

### **Instructions and Supporting Materials**

---

#### **Table of Contents**

- introduction
- permit fact sheet
- completeness checklist

#### **Introduction**

MassDEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the MassDEP Web site at [mass.gov/dep](http://mass.gov/dep) in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

*Instructions & Support Materials* files in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

*Permit Applications* in Microsoft Word™ format must be downloaded separately. Users with Microsoft Word™ 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF™ format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF™ files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



## **BRP WM 04**

### **Instructions and Supporting Materials**

---

#### **1. What is the purpose of this permit?**

This license serves two major functions. First, it provides a review of chemical applications to aquatic systems (traditionally lakes and ponds) to ensure that they are being implemented utilizing currently acceptable procedures and materials, in order to maintain environmental and public health to the maximum extent possible under the circumstances. Second, it provides a means for keeping records, for future reference, of chemicals that have been introduced into specific areas.

This license grants approval to apply chemicals for the control of nuisance aquatic vegetation in accordance with authority granted to the Department of Environmental Protection by Massachusetts General Laws c. 111, s. 5E.

**Note:** This permit is now administered by the Office of Watershed Management, not the Division of Water Pollution Control. As a result, the permit code number has changed, effective November 30, 1994, but all other aspects of these permits remain the same. BRP WM 04 was formerly BRP WP 38.

#### **2. Who must apply?**

Anyone wishing to apply chemicals to bodies of water **except** under the following conditions:

- a. When treatment is undertaken by employees and agents of the Departments of Environmental Protection, Environmental Management, and Fisheries, Wildlife and Environmental Law Enforcement, or of the Reclamation Board, or of related Federal agencies, while in the conduct of their official duties;

**OR**

- b. When treatment is undertaken with algicide approved by MassDEP and used by legally established water supply agencies to control taste and odors;

**OR**

- c. When treatment is undertaken in privately owned (single owner) ponds from which there are no flowing outlets.

#### **3. What other requirements should be considered when applying for this permit?**

##### **a. What prerequisites should be considered before applying for this permit?**

- Chemical treatments must be performed by an applicator currently licensed (in the aquatic weed category) by the Massachusetts Department of Food and Agriculture Pesticide Bureau.
- Chemicals used for treatments must be currently approved for use in the state by the Pesticide Bureau.
- A final Order of Conditions or a Negative Determination of Applicability (Wetlands Protection Act) must be obtained prior to the treatment.



## **BRP WM 04**

### **Instructions and Supporting Materials**

---

#### **b. What concurrent applications are related to this permit?**

- Since chemical treatments constitute the alteration of wetland resources, a Notice of Intent must be filed in accordance with the Wetlands Protection Act (MGL c. 131, s. 40) and Wetlands Protection Regulations (310 CMR 10.00).

**Note:** These additional requirements are intended to serve as a guide to the applicant. It does not necessarily include **all** additional requirements.

#### **4. What is the application fee?**

The application fee is \$80. Current fees are available on the MassDEP Website:  
[www.mass.gov/dep/service/online/fees.htm](http://www.mass.gov/dep/service/online/fees.htm)

#### **5. What is the Primary Permit Location? What is the Reserve Copy Location?**

*Primary Permit Location:*

**Department of Environmental Protection  
Division of Watershed Management  
627 Main Street  
Worcester, MA 01608**

*Reserve Copy Location:*

**Not Required.**

#### **6. Where can I get a copy of the timelines?**

The timelines are available on the MassDEP Website: [www.mass.gov/dep/service/online/fees.htm](http://www.mass.gov/dep/service/online/fees.htm)

#### **7. What is the annual compliance fee?**

There is no annual compliance fee for this permit.

#### **8. How long is this permit in effect?**

The license is in effect for nine months from the date of issuance.

#### **9. How can I avoid the most common mistakes made in applying for this permit?**

- Be sure to include the **current** Pesticide Bureau License Number for the Applicator.
- Be sure that a Notice of Intent (Wetlands Protection Act) has been filed with the local Conservation Commission and that arrangements have been made to forward a copy of either the Order of Conditions or Negative Determination of Applicability to the Office of Watershed Management (see address above).
- Be sure that an accurate, good quality map, which designates treatment areas, is attached to the application.
- Submit fee and *one copy* of the MassDEP Transmittal Form  
<http://mass.gov/dep/service/online/trasmfrm.shtml> to:

Department of Environmental Protection  
P. O. Box 4062  
Boston, MA 02211.



# **BRP WM 04**

## **Instructions and Supporting Materials**

---

### **10. What are the regulations that apply to this permit? Where can I get copies?**

These regulations include, but are not limited to:

- a. Wetlands Regulations, 310 CMR 10.00.
- b. Timely Action Schedule and Fee Provisions, 310 CMR 4.00.

These may be purchased at:

**State Bookstore (in State House)**  
Room 116  
Boston, MA 02133  
617-727-2834

**State Bookstore**  
436 Dwight Street  
Springfield, MA 01103  
413-784-1376



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Watershed Management - Herbicide Application  
**BRP WM 04 Application Completeness Check List**

---

- The MassDEP Transmittal Form is completed: <http://mass.gov/dep/service/online/trasmfrm.shtml>
- The application form has been filled out. All questions have been completed.
- An accurate, good quality map, which indicates treatment areas, is attached to the application.
- A Notice of Intent (Wetlands Protection Act) has been filed with the local Conservation Commission and arrangements have been made to forward a copy of the Order of Conditions or Negative Determination of Applicability to:

Department of Environmental Protection  
Division of Watershed Management  
627 Main Street, 2<sup>nd</sup> Floor  
Worcester, MA 01608

To submit the application package:

- Checklist items have been completed.
- Send a copy of the application package along with the *one* page from the MassDEP Transmittal Form to:

Department of Environmental Protection  
Division of Watershed Management  
627 Main Street, 2<sup>nd</sup> Floor  
Worcester, MA 01608

- Send fee of \$80 in the form of check or money order made payable to *Commonwealth of Massachusetts*, along with the *one* page from the MassDEP Transmittal Form to:

Department of Environmental Protection  
P.O. Box 4062  
Boston, MA 02211