

Reminders for Massachusetts Public Water Systems Applying Pesticides to Reservoirs

There are several federal, state and local requirements for the application of pesticides to water. Here are reminders for Public Water Systems (PWS).

- **EPA's Pesticide General Permit:** PWS that plan to treat a waterbody with pesticides, including algaecides containing copper for algae control, must apply for federal coverage under EPA's Pesticide General Permit. More information is posted at <https://www.epa.gov/npdes/pesticide-permitting-2021-pgp>. Contact George Papadopoulos at EPA Region 1 at papadopoulos.george@epa.gov or 617-918-1579.
- **MassDEP Drinking Water Regulations:** In 310 CMR 22.20B(8), the Drinking Water Regulations require that: *No person shall apply herbicides to any surface water body including but not limited to any reservoir and their tributaries, which serve as a public water supply without a permit issued by the Department pursuant to MGL Chapter 111, section 5E. This requirement does not apply to the application of algaecides containing copper by the public water system. However, the public water system shall notify the Department in writing prior to the application of such algaecides.* The form titled *Notification of Copper Algaecide Application*, located at <https://www.mass.gov/lists/groundwater-wellhead-protection-and-surface-water-supplies#forms,-checklists-and-templates->, shall be submitted to the MassDEP Regional Office (<https://www.mass.gov/service-details/massdep-regionaloffices-by-community>) or emailed as a PDF to program.director-dwp@mass.gov.
- **The MassDEP license application** to propose to apply chemicals, including pesticides (**other than algaecides containing copper**), to reservoirs, tributaries, or other waters of the Commonwealth is **BRP WM 04**. Pesticides may be used to control algae, weeds and other aquatic nuisances, including zebra mussels or lamprey. BRP WM 04 and instructions are located at <https://www.mass.gov/how-to/wm-04-herbicide-application>. Notification that a treatment was performed shall be made within 24 hours of treatment. Please contact David Wong at david.w.wong@mass.gov with questions.
- **Massachusetts Applicator License** -The application of any pesticide to waters of the Commonwealth, including algaecides containing copper, must be conducted by a pesticide applicator that has been appropriately licensed by the Massachusetts Department of Agricultural Resources (MDAR). More information on licensing requirements and MDAR contacts is available at <https://www.mass.gov/pesticide-examination-and-licensing>.
- **Local Conservation Commission** - Check with the local Conservation Commission about permitting requirements.
- **Other Local Authorities** - Check with other local authorities about municipal zoning or non-zoning controls that may apply.
- **Other Local, State or Federal approvals or permits** - There may be other local, state, or federal approvals or permits required based on the project being proposed.

More Reminders

- For harmful algae blooms, see *MassDEP Guidance: Cyanobacteria and Public Water Systems* at [https://www.mass.gov/guides/cyanobacterial-harmful-algal-blooms-cyanohabs-water#-additionalguidance-for-public-water-suppliers-\(pws\)-](https://www.mass.gov/guides/cyanobacterial-harmful-algal-blooms-cyanohabs-water#-additionalguidance-for-public-water-suppliers-(pws)-).
- Please be aware of any requirements to report fish kills during pesticide applications. A fish kill may be reported any time to the Mass. Environmental Police Radio Room at 1-800- 632-8075. More information is available at <https://www.mass.gov/news/reportfish-kills-this-summer>.
- Please be aware that using chlorine during water treatment processes does not require a state pesticide applicator license unless a Restricted Use pesticide is being used. Most chlorine products are General Use. Contact MDAR for more information at 617-626-1776.
- Please use the contact information provided above for specific permit or approval questions or contact the Drinking Water Program at program.director-dwp@mass.gov.