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November 18, 2016

Jordan Page and Stephen Savage
Pesticide Re-evaluation Division
Office of Pesticide Programs
U.S. Environmental Protection Agency
1200 Pennsylvania Ave, NW
Washington, DC 20460

Submitted via www.regulations.gov

Re: Docket EPA-HQ-OPP-2010-0212, Draft Risk Assessments for Copper Compounds: Copper sulfate (0636), Copper compound group II (0649), Copper salts (4026), and Copper and Oxides (4025)

Dear Mr. Page and Mr. Savage:

The National Association of Clean Water Agencies (NACWA) appreciates this opportunity to comment on the draft risk assessment for copper compounds, which have many indoor and outdoor uses as both conventional and antimicrobial pesticides. NACWA represents the interests of nearly 300 publicly owned wastewater treatment agencies nationwide, serving the majority of the sewered population in the U.S. NACWA's members also implement the National Pretreatment Program to protect the nation's waters from harmful industrial pollutants, including copper.

NACWA members have concerns about pesticides that are used by consumer and then washed or drained into the sewer system. Publicly owned treatment works (POTWs) are not specifically designed to treat pesticides, and some antimicrobials could potentially interfere with the biological processes used to treat wastewater, leading to permit violations water quality impairments. Pesticides could also potentially pass through the treatment process and affect the receiving waters, the quality of recycled water, and the beneficial reuse of biosolids.

Copper does not degrade and, even in low concentrations, can be toxic to aquatic life. The nation's clean water agencies have successfully implemented pretreatment programs to reduce industrial contributions of copper to their influent; however,

these agencies do not have the authority to control residential discharges of copper into their sewer systems. NACWA requests that EPA add the following two copper uses to its evaluation of risks and examine risk mitigation, since these uses may increase residential copper discharges to POTWs:

1. Copper products that are used in swimming pool, spa, and fountain treatments, since these may be periodically drained to sanitary sewers leading to POTWs, and
2. Fabric treatments and subsequent discharges to POTWs during washing of treated clothing.

EPA has registered multiple copper-containing products for treating swimming pools, spas, and fountains. While POTWs may have the ability to work with public and commercial swimming pool operators to control pool drainage practices, it is difficult for POTWs to regulate the frequency, volume, and constituents of discharges from the millions of residential pools in the U.S. NACWA requests that EPA evaluate the implications of these discharges to the sewer system. NACWA also requests that EPA use the following labeling language that was proposed for another pool pesticide, lithium hypochlorite:

“Before draining a treated pool, spa, or hot tub, contact your local sanitary sewer and storm drain authorities and follow their discharge instructions. Do not discharge treated pool or spa water to any location that flows to a gutter or storm drain or natural water body unless discharge is approved by state and local authorities.”

Both conventional copper and nanocopper are being used in an increasing number of fabric products, including clothing and linens. Since most of these products are covered by the “treated article exemption” of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), they are exempt from state pesticide regulation. It is therefore essential for EPA to examine the full life cycle impacts of these copper uses in its ecological risk assessment. Most clothing and other fabric articles are washed many times, resulting in the repeated discharge of copper ions and copper-containing particles into the sewer. NACWA requests that EPA conduct a thorough evaluation of the impact of washing these products on POTWs.

In addition, NACWA supports the more detailed comments and information submitted by the Bay Area Clean Water Agencies (BACWA) and agrees that the Office of Pesticide Programs should continue to work with the Agency’s Office of Water to fully consider the effects of copper compounds and other pesticides on POTWs.

Thank you for your consideration of these comments. Please contact me at 202-533-1836 or cfinley@nacwa.org if you have any questions.

Sincerely,



Cynthia A. Finley, Ph.D.
Director, Regulatory Affairs