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1130 Connecticut Ave NW  
Suite 1050  
Washington DC 20036

T (202) 833-2672  
F (888) 267-9505

[www.nacwa.org](http://www.nacwa.org)

July 6, 2020

Peter Bergquist  
Office of Pesticide Programs (OPP)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave. NW.  
Washington, DC 20460-0001  
Submitted via [www.regulations.gov](http://www.regulations.gov)

#### **RE: Halohydantoin – Draft Risk Assessment (Docket ID No. EPA-HQ-OPP-2013-0220)**

Dear Mr. Bergquist:

The National Association of Clean Water Agencies (NACWA) appreciates the opportunity to comment on the Draft Risk Assessment for the Halohydantoin, which are used in swimming pools, spas, hot tubs, and fountains. NACWA represents the interests of over 300 publicly owned wastewater treatment agencies nationwide, serving the majority of the sewered population in the US. Many NACWA members also provide stormwater services for their communities. In addition to the comments below, NACWA also supports the more detailed comments submitted by the Bay Area Clean Water Agencies (BACWA).

Swimming pools may be periodically drained to municipal separate storm sewer systems (MS4s), to sanitary sewers leading to publicly owned treatment works (POTWs), or to surrounding landscaped areas. Discharges to MS4s typically flow without treatment directly to creeks, and very little dilution may be available in dry weather for some creeks. POTWs are not specifically designed to treat pesticides, and some antimicrobials could potentially interfere with the biological processes used to treat wastewater. While MS4s and POTWs may have the ability to work with public and commercial swimming pool operators to control pool drainage practices, it is difficult for MS4s and POTWs to regulate the frequency, volume, and constituents of discharges from the millions of residential pools in the US.

NACWA is concerned that the Draft Risk Assessment did not examine risks associated with discharges of swimming pool, spa, hot tub, and fountain water treated with halohydantoin. As explained in the risk assessment, degradation of halohydantoin in water forms hypochlorous or hypobromous acid, which exhibits pesticidal activity and is highly toxic to aquatic organisms. In the presence of sunlight, such as in outdoor swimming pools, spas, hot tubs, and fountains, the more toxic bromate ion also forms.

Although NACWA does not expect halohydantoin to directly cause problems for POTWs and their receiving waters, local procedures for draining pools, spas, hot tubs, and fountains should still be followed. NACWA requests that the current

halohydantoin label language for any pool, spa, hot tub, and fountain products be changed to match the lithium hypochlorite and copper compounds label language, as follows:

“Before draining a treated pool, spa, hot tub, or fountain, 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 allowed by state and local authorities.”

Using this language would provide consistent instructions across pool, spa, hot tub, and fountain chemicals. Since the label may be the only instructions seen by users of the products regarding drainage, this language will inform the user of the need to find out and follow the appropriate procedures for their locality.

For all swimming pool, spa, hot tub, and fountain products, including those containing halohydantoin, NACWA also recommends that the “Environmental Hazards” label statements be applied on the basis of product end use rather than product size. This would follow EPA’s decision for lithium hypochlorite and copper products, avoiding potential conflicting language on product labels.

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

Sincerely,



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