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December 13, 2017

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Chicago, IL

Nathan Sell

Office of Pesticide Programs (OPP)
U.S. Environmental Protection Agency (U.S. EPA)
1200 Pennsylvania Ave., NW.
Washington, DC 20460-0001
Submitted via *Regulations.gov*

TREASURER

Mark S. Sanchez
Executive Director
Albuquerque-Bernalillo
County Water
Utility Authority
Albuquerque, NM

Re: EPA-HQ-OPP-2012-0395, Dichlobenil Preliminary Risk Assessments

Dear Mr. Sell:

SECRETARY

John P. Sullivan
Chief Engineer
Boston Water &
Sewer Commission
Boston, MA

The National Association of Clean Water Agencies (NACWA) appreciates the opportunity to comment on the registration review for the herbicide and root control chemical dichlobenil (82 *Fed. Reg.* 43006; September 13, 2017). NACWA represents the interests of nearly 300 of the nation's publicly owned wastewater treatment agencies, serving the majority of the sewered population. NACWA's members continue to face challenges as they strive to meet increasingly stringent Clean Water Act (CWA) requirements while having limited control over the toxic pollutants and other substances in the wastewater they treat.

PAST PRESIDENT

Raymond J. Marshall
Executive Director
Narragansett Bay
Commission
Providence, RI

NACWA is particularly interested in the registration review for dichlobenil given its use as an effective root control chemical in wastewater collection systems. Roots intruding into wastewater collection systems are a leading cause of blockages, which can cause untreated wastewater to spill out of the collection system. Controlling roots helps prevent these backups and protect water quality. Dichlobenil is an effective root control chemical, but excess use of the chemical in a short time period may adversely affect wastewater effluent quality and could pose a hazard to collection system workers. It is important for EPA to strike the right balance during its registration review by identifying risk management strategies that will allow for the continued use of dichlobenil as a root control chemical, while also protecting wastewater collection system workers, wastewater treatment operations, and the nation's receiving waters.

NACWA appreciates that EPA has considered the potential for dichlobenil and its primary degradate to interfere with biological wastewater treatment

CHIEF EXECUTIVE OFFICER
Adam Krantz

processes, as well as the safety risks to workers applying dichlobenil for root control in wastewater collection systems. NACWA recommends that EPA use its existing Exposure and Fate Assessment Screening Tool (E-FAST) down-the-drain model to better inform mitigation measure development for root control applications. NACWA requests that labels for all dichlobenil products designed for collection system applications require notification of downstream publicly owned treatment works (POTWs) prior to application to protect POTW workers. In addition to the comments offered below, NACWA supports the more detailed comments and information submitted by the Bay Area Clean Water Agencies (BACWA).

Background on Root Control in Wastewater Collection Systems

The sewer lines, also known as wastewater collection systems, that flow to wastewater treatment plants are actively maintained and managed to ensure their successful operation. Root control prevents line blockages, which can back sewage up into homes and businesses, and through manholes into streets, where overflows may reach storm drains, creeks, rivers, estuaries, and beaches. To protect public health and water quality, wastewater collection system management programs have long included root control as a proven maintenance option. In the face of increasing regulatory requirements to reduce sewer overflows, root control programs have grown in the last few years. Utilities can use a variety of approaches to address roots, including physical repairs, mechanical removal, and chemical control, as appropriate, to maximize effectiveness and control costs. Chemical root control is often recommended in situations where other control options are not as effective.

Aquatic Risk Assessment Model

NACWA is concerned that EPA's Ecological Risk Assessment (ERA) does not accurately represent risks from sewer root control because the fate of dichlobenil in the wastewater treatment process was not considered. The ERA used a calculation of how many maximum-sized retail containers of a dichlobenil root control product could be discharged into a well-mixed static water body analogous to a 5.3 million gallon "standard farm pond" before exceeding the "Level of Concern" concentration that would be potentially harmful to aquatic ecosystems. This approach does not represent the use of dichlobenil for collection system root control for several reasons. First, the quantity discharged into the farm pond is not representative of levels used in collection systems, which are treated in sections. Second, the farm pond size and its mixing processes are also not representative of the dilution that occurs in collection systems. Finally, the reductions in dichlobenil that occur during the wastewater treatment process prior to discharge are not considered, such as reductions due to biodegradation or sorption onto biosolids.

EPA's existing E-FAST down-the-drain model would provide a more appropriate estimate of the environmental concentrations of dichlobenil due to collection system root control. The ERA mentions gaps in EPA's understanding of dichlobenil's fate in wastewater treatment systems, and these gaps can be filled using the existing predictive model EpiSUITE. These models will better inform mitigation measure evaluation, so that dichlobenil use for root control is not unnecessarily restricted.

Treatment Plant Notification Requirement

Because worker safety is a top priority for our members, NACWA requests that EPA consider wastewater collection system workers' potential exposure to dichlobenil. Wastewater collection system workers encounter unique occupational requirements, such as entering and working in sanitary sewer lines, and standing above manholes for prolonged periods to conduct maintenance and/or collect wastewater samples. Since many of these tasks generally do not currently require extensive personal protective equipment, such as respirators, these workers could be exposed to dichlobenil present in the collection system.

Domestic wastewater collection systems are often managed separately from the downstream POTW, and multiple municipal and private collection system can flow to a single, separately owned and operated POTW. POTW staff may therefore not be aware of the upstream use of root control chemicals, resulting in exposure of workers to dichlobenil after application. Notification of downstream POTWs will help ensure the safety of workers opening manholes or entering affected wastewater collection lines.

NACWA requests that EPA place POTW notification requirements on product labels, as the Agency has done for other root control chemicals. NACWA agrees with the label language suggested by BACWA.

Thank you for considering our comments. If you have any questions, please contact me at cfinley@nacwa.org or 202-533-1836.

Sincerely,

A handwritten signature in black ink that reads "Cynthia A. Finley". The signature is written in a cursive style with a large, flowing "C" at the beginning.

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