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April 21, 2018

Thomas Harty
Office of Pesticide Programs
U.S. Environmental Protection Agency
1200 Pennsylvania Ave, NW
Washington, DC 20460
Submitted via www.regulations.gov

**Re: Docket ID EPA-HQ-OPP-2011-0865, Clothianidin – Preliminary Aquatic
and Non-Pollinator Terrestrial Risk Assessment**

Dear Mr. Harty:

The National Association of Clean Water Agencies (NACWA) appreciates the opportunity to comment on the preliminary aquatic and non-pollinator terrestrial risk assessment (RA) for clothianidin (82 *Fed. Reg.* 60599). NACWA represents the interests of over 300 publicly owned wastewater treatment agencies, serving the majority of the sewered population in the U.S.

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. These requirements include acute and chronic whole effluent toxicity (WET) tests that may be influenced by pesticides in the wastewater. Toxicity test failures can result in significant costs to utilities due to additional testing and evaluation requirements. Pesticides may also have impacts on receiving waters, recycled water quality, and the quality of biosolids for beneficial reuse.

Clothianidin is a concern for NACWA's member utilities due to its toxicity to aquatic invertebrates and its ability to pass through publicly owned treatment works (POTWs), resulting in discharge to the aquatic environment. NACWA supports the detailed comments submitted by the Bay Area Clean Water Agencies (BACWA), which cite research that found clothianidin in 33 percent of influent and effluent samples at 13 POTWs. Little removal of clothianidin occurred during treatment processes, with effluent concentrations often exceeding the chronic toxicity value used in the RA. NACWA agrees with BACWA's request that EPA incorporate the most recent acute toxicity data on clothianidin into the RA and seek chronic toxicity data to fill the data gaps noted in the RA.

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Clothianidin is used in products for the indoor treatment of pests, including bedbugs and cockroaches. These products may be transported directly to the sewer system when surfaces and materials are washed. In addition, clothianidin may be used directly inside sewers and floor drains. Due to its toxicity and these pathways or direct use in the sewer system, NACWA requests that EPA conduct a “down the drain” risk assessment for clothianidin, as it has done for other pesticides.

NACWA also requests that EPA consider risk mitigation for clothianidin if warranted based on the “down the drain” assessment. NACWA recommends that EPA consider eliminating the use of clothianidin in floor drains and sewers and determining the minimum application rate necessary for indoor pest control to minimize quantities discharged to POTWs. EPA should also consider prohibiting the use of clothianidin on anything that is washable, not just bed linens by changing the label language to “Infested bed linens and washable items should not be treated.”

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,

A handwritten signature in black ink that reads "Cynthia A. Finley". The signature is written in a cursive style with a large initial 'C'.

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