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May 28, 2013

Docket ID No. EPA-HQ-OPP-2012-0811

Office of Pesticide Programs Docket

U.S. Environmental Protection Agency

1200 Pennsylvania Ave., NW (28221T)

Washington, DC 20460-0001

Via: [www.regulations.gov](http://www.regulations.gov)

**Re: Docket ID Number EPA-HQ-OPP-2012-0811, Triclosan Registration Review Preliminary Work Plan, Case #2340**

The National Association of Clean Water Agencies (NACWA) appreciates the opportunity to comment on the U.S. Environmental Protection Agency's (EPA) Triclosan Registration Review Preliminary Work Plan (78 Fed. Reg. 18586; March 27, 2013). NACWA represents the interests of nearly 300 public wastewater treatment utilities. NACWA's members continue to face challenges as they strive to meet increasingly stringent Clean Water Act (CWA) requirements while having limited control over substances that are discharged into the wastewater they treat. Since triclosan is an environmental toxicant and used in many consumer products, NACWA members are concerned about the environmental impacts of triclosan in wastewater and the potential of triclosan to harm the beneficial micro-organisms that treat wastewater at publicly owned treatment works (POTWs). In addition, although triclosan is not yet subject to CWA regulation, its presence in wastewater may contribute to failure of whole effluent toxicity (WET) tests at POTWs, resulting in substantial costs for utilities.

In general, NACWA approves of the registration review plan for triclosan and the use of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) to limit the use of products that pose risks to human health or the environment. NACWA, however, recommends that the registration review include a more comprehensive evaluation of the uses of triclosan and exposure pathways and that ultimately the review become part of a more coordinated federal effort to evaluate all triclosan uses, including those not covered by FIFRA, as detailed below.

**Comprehensive Review of All Triclosan Uses Needed**

The CWA gives clean water agencies the authority to regulate industrial and commercial discharges of pollutants that may interfere with the wastewater treatment process or pass through the plant untreated into the effluent or biosolids. However, clean water agencies have no authority to regulate domestic discharges of pollutants. Since most of the triclosan entering the sewer system

comes from consumer products, clean water agencies must depend on EPA and other federal agencies, including the Food and Drug Administration (FDA), to appropriately control the use of chemicals in consumer products.

The draft work plan only addresses a subset of the uses of triclosan that are regulated by FIFRA. These uses include incorporation of triclosan into materials such as textiles, housewares, and construction and building materials. Triclosan may leach from these products during cleaning and washing, ending up in the sewer system. Products regulated by the FDA with the Federal Food, Drug, and Cosmetic Act (FFDCA) – such as soaps, dish detergents, cleaning products and toothpaste – contribute to the triclosan content of wastewater, especially since many of these products are washed or disposed of directly down the drain and into the sewer system. Since POTWs were not designed to remove triclosan or other contaminants of emerging concern used in consumer products, FIFRA and FFDCA are the most practical means of controlling discharges of these chemicals into wastewater and preventing any adverse impacts to POTWs, human health, or the environment.

Better federal coordination is needed for chemicals like triclosan that are used in products regulated by different federal agencies. The true environmental impacts of triclosan will not be understood, and appropriate regulatory actions cannot be taken, unless the loading from all sources is evaluated. EPA's triclosan work plan is inadequate without considering the uses of triclosan regulated by FFDCA. NACWA understands that FDA is currently conducting its own evaluation of triclosan and NACWA recommends that EPA and FDA coordinate these assessments for all uses of triclosan and the cumulative exposure from these uses. EPA and FDA should then determine together considering the actions that both agencies can take regarding triclosan to protect human health and the environment.

### Environmental Exposure Pathways are Lacking for Many Triclosan Uses

The triclosan work plan only includes environmental conceptual model exposure pathways for textile application and for plastic agricultural film and mulch. However, there may be other uses “which result in discharge to waste water treatment plants.” EPA has provided no evidence that the numerous uses of triclosan listed in Table 5 of the draft work plan do not result in leaching of triclosan into wastewater. Therefore, additional uses of triclosan should be considered in the conceptual models, including plastics containing triclosan that are routinely washed or in contact with wastewater, such as shower curtains, cutting boards, sponges, toilets, and tiles.

In addition, EPA shows in Figure 1 that washing of treated textiles and the resulting leaching of triclosan has a “low likelihood of contributing to risk.” A study by the Swedish Chemicals Agency showed that about half or more of the original triclosan in fabrics was washed out after ten washes.<sup>1</sup> This test result indicates that washing of textiles could be a significant contributor to triclosan in wastewater. This pathway should therefore be considered a likely contributor to risk, unless EPA has conclusive evidence that it is not.

### Wastewater Treatment Impacts Should be Considered

The draft review plan does not adequately consider all impacts of triclosan to wastewater treatment plants. Since triclosan in wastewater is likely to partition to solids during the treatment process, the environmental

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<sup>1</sup> Swedish Chemicals Agency (2012), *Antibacterial substances leaking out with the washing water – analyses of silver, triclosan and triclocarban in textiles before and after washing*. [http://www.kemi.se/Documents/Publikationer/Trycksaker/PM/PM1\\_12\\_Antibact\\_eng.pdf](http://www.kemi.se/Documents/Publikationer/Trycksaker/PM/PM1_12_Antibact_eng.pdf)

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impacts of triclosan in biosolids should be considered, whether the biosolids are land applied, incinerated, or landfilled. The ability of clean water agencies to beneficially reuse their biosolids as fertilizers or soil amendments should not be hindered by the presence of triclosan in the biosolids. EPA should thoroughly evaluate the impacts of triclosan on biosolids, particularly the toxicity to soil micro-organisms and earthworms.

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

Sincerely,

A handwritten signature in cursive script, reading "Cynthia A. Finley".

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