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November 24, 2015

Bonnie Adler

Risk Management and Implementation Branch 5

Pesticide Re-evaluation Division

Office of Pesticide Programs

U.S. Environmental Protection Agency

1200 Pennsylvania Ave., NW

Washington, DC 20460

Via www.regulations.gov

Re: Docket No. EPA-HQ-OPPT-2009-0846, Diquat Dibromide Registration Review, Case #0288

Dear Ms. Adler:

The National Association of Clean Water Agencies (NACWA) appreciates the opportunity to comment on the registration review of diquat dibromide (80 FR 57812, September 25, 2015). NACWA represents the interests of nearly 300 public clean water agencies nationwide. 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.

NACWA is particularly interested in the registration review for diquat dibromide 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. Diquat dibromide is an effective root control chemical, but excess use of the chemical in a short time period may adversely affect the wastewater treatment process. 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 diquat dibromide as a root control chemical, while also protecting wastewater treatment operations and the nation's receiving waters.

In addition to the comments offered below, NACWA also supports the more detailed comments and information submitted by the Bay Area Clean Water Agencies (BACWA).

Background on Root Control in Wastewater Collection Systems

Sewer lines that flow to wastewater treatment plants are known as wastewater collection systems. These systems are actively maintained and managed to ensure their successful operation. Root control prevents line blockages, which can back sewage up into homes, 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 minimize costs. Chemical root control is often recommended in situations where other control options are not as effective.

Potential Wastewater Treatment Process Interference

In modern wastewater treatment plants, microorganisms remove fecal matter and dissolved organics in sewage, reducing biological and chemical oxygen demand as well as suspended solids prior to discharge to receiving waters. If a pesticide enters a treatment plant in sufficient quantities, it is possible that it could harm these crucial microorganisms, causing “process interference,” or a plant “upset” where wastewater is no longer treated properly before discharge. In the case of a plant upset, microorganisms may either be impaired or killed, such that treatment does not occur for hours, days, or even weeks, resulting in impacts to water quality, fish, and wildlife, as well as CWA permit violations.

NACWA is concerned that the use of excess quantities of diquat dibromide may interfere with wastewater treatment processes. EPA’s registration review risk assessment does not include the use of diquat dibromide for root control in sewage collection systems, and NACWA requests that EPA conduct a complete analysis of this use. NACWA encourages EPA to consider all available studies and literature to assess the potential for wastewater treatment process interference, including the studies and information submitted to EPA by BACWA.

Treatment Plant Notification Requirement

To ensure that chemical root control can be used effectively, but not interfere with wastewater treatment facility operation, NACWA requests that EPA require root control applicators to provide advance notification to wastewater treatment facility operators of any planned chemical root control application in the wastewater collection system. The diquat dibromide label currently includes the following restriction: “Notify appropriate wastewater agency prior to use of this product so that it may monitor the operations of the wastewater treatment plant.” This vague language does not clarify how much advanced notice should be provided, nor does it specify that information be provided regarding dates, locations, and volume of active ingredient to be applied.

Wastewater collection systems are commonly managed separately from wastewater treatment plants, and it is not uncommon for multiple municipal and private wastewater collection systems to flow to a single, separately owned and operated treatment facility. Treatment plant operators may not be aware of chemical

root control being applied in the collection system. Furthermore, chemical root control is often applied by contractors, who are not necessarily in daily communication with either wastewater collection systems managers or treatment managers. However, if proper notification is required, wastewater treatment operations staff can work with applicators to ensure that applications remain below levels that can cause treatment process interference.

EPA has already established a more thorough wastewater treatment plant notification requirement for metam-sodium, another root control chemical. NACWA agrees with the recommendations made by BACWA for notification labeling requirements for diquat dibromide, to include a 24-hour advance notification to wastewater treatment plant operators of the proposed application dates, locations, and active ingredient volume. These labeling requirements should be implemented for all chemical root control products.

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, reading "Cynthia A. Finley". The signature is written in a cursive, flowing style.

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