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September 12, 2016

Sandra O'Neill  
Pesticide Re-evaluation Division  
Office of Pesticide Programs  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave, NW  
Washington, DC 20460  
Submitted via [www.regulations.gov](http://www.regulations.gov)

**Re: Docket EPA-HQ-OPP-2013-0606, Lithium Hypochlorite Registration Review**

Dear Ms. O'Neill:

The National Association of Clean Water Agencies (NACWA) appreciates this opportunity to comment on the Proposed Interim Decision for lithium hypochlorite, which is used in swimming pools, spas, and hot tubs. NACWA represents the interests of nearly 300 publicly owned wastewater treatment agencies nationwide, serving the majority of the sewered population in the U.S. Many NACWA members also provide stormwater services for their communities.

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. MS4s and 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 U.S.

NACWA supports EPA's "Directions for Use" label language for lithium hypochlorite, which is the first practical, specific label language developed to address and mitigate the possible aquatic impacts from discharging swimming pool, spa, and hot tub water. NACWA agrees with EPA's statement regarding risk to the aquatic environment and the label language developed to inform users about managing discharges, which set an important precedent for other products used in pools, spas, and hot tubs that may cause concern for MS4s and POTWs.

Specifically, NACWA agrees with the risks to the aquatic environment for discharge into surface waters or storm drains as stated in EPA's Proposed Interim Decision:

“Whether or not chlorine residues from discharge waters reach surface waters depends on where the treated water is discharged. Discharge directly into surface waters or into storm drains may expose aquatic organisms to chlorine residues that are potentially harmful. However, exposure can be prevented or minimized if appropriate disposal measures are undertaken.”

Since different wastewater and stormwater agencies have different regulations regarding drainage of pools, spas, and hot tubs, NACWA also supports the following language proposed by EPA for “Commercial and residential use: discharge management:”

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

NACWA recommends that EPA finalize this language without changes and include this language on labels for all pesticide products used for pools, spas, hot tubs, and fountains. 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.

In addition, NACWA supports the more detailed comments and information submitted by the Bay Area Clean Water Agencies (BACWA) and agrees with the recommendation made by BACWA that the “Environmental Hazards” label section be clarified so that it is consistent with the end use of the product.

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