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Public Information and Records Integrity Branch (PIRIB) (7502C)
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Attn: Docket ID No. OPP-2004-0040

Submitted Electronically

Docket No. OPP-2005-0040 - MGK 264 Risk Assessments

The purpose of this letter is to comment on EPA's revised risk assessments for MGK264, which were made available for public comment on September 21, 2005 (70 FR 55381). MGK 264 is a synergist that increases the efficacy of other pesticides, most notably pyrethrins and pyrethroids. Tri-TAC previously submitted comments regarding the MGK 264 risk assessments on June 27, 2005; however, our concerns were not addressed in the revised risk assessments. We are concerned that the revised risk assessments do not evaluate the potential adverse water quality impacts associated with sewer discharges of MGK 264, particularly MGK 264 used in pet shampoos and other indoor-use products. Tri-TAC is also concerned that the risk assessments for MGK 264 only considered MGK 264 alone, and not MGK 264 in conjunction with the pesticides that it synergizes. As background, Tri-TAC is a technical advisory group for Publicly Owned Treatment Works (POTWs) in California. It is jointly sponsored by the California Association of Sanitation Agencies, the California Water Environment Association, and the League of California Cities. The constituency base for Tri-TAC collects, treats, and reclaims more than two billion gallons of wastewater each day and serves most of the sewer population of California.

Comments

While the EPA revised risk assessments for MGK 264 consider potential adverse water quality impacts arising from mosquito abatement uses and uses on lawns and ornamental plants, they do not consider such impacts from usage of MGK 264 in pet shampoos and other indoor use products. There are at least 24 pet shampoos registered for use in California that contain

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MGK 264. The normal usage of pet shampoos results in rinsing of the shampoo after application, which is a direct pathway to the sewer. Even when pets are rinsed outdoors, the rinse water can enter storm drains or flow directly to creeks and rivers.

In the Response to Public Comments on Drinking Water Assessment for MGK-264 Insecticide Synergist (Memorandum) dated August 31, 2005, EPA responded to Tri-TAC's request to consider potential adverse water quality impacts from the usage of MGK 264 in pet shampoos and other indoor use products as follows, "EPA/OPP does not have a peer-reviewed model for estimation of water impacts from urban use of pesticides. Adoption of the models suggested by the commenters (HSPF and SWMM) would require formal review by the Science Advisory Panel." However, EPA recently used the Exposure and Fate Assessment Screening Tool (E-FAST) as a screening model to evaluate permethrin exposure to aquatic organisms from consumer products in an Aquatic Exposure, "Down-the-Drain" Assessment conducted for the EFED Revised Risk Assessment for the Reregistration Eligibility Decision on Permethrin After Error Corrections Comments from the Registrant, Phase I dated July 12, 2005. Therefore, EPA does have an appropriate screening model to evaluate MGK 264 exposure to aquatic organisms from pet shampoos and indoor use products. We request that EPA conduct a similar Aquatic Exposure, "Down-the-Drain" Assessment for MGK 264 and incorporate the results into the revised risk assessments.

Tri-TAC provided comments to EPA about the method used to translate wastewater treatment plant discharge concentrations from E-FAST into acute and chronic surface water concentrations and the use of a daily per capita mass discharge rate to calculate acute surface water concentrations used in the Aquatic Exposure, "Down-the-Drain" Assessment for permethrin. Even with the conservative assumptions used by EPA, the model results show that acute and chronic levels of concern for aquatic organisms were exceeded as a result of "down-the-drain" uses of permethrin. This result is significant because POTWs do not have the ability to regulate discharges of pesticides; however, POTWs are required to meet effluent aquatic toxicity standards in National Pollutant Discharge Elimination System (NPDES) Permits. Tri-TAC requests that EPA conduct an analysis for the "down-the-drain" uses of MGK 264, especially since EPA states in the Federal Register that MGK 264 "has numerous commercial and residential applications, is available in a broad range of formulations, and is applied by a wide variety of application methods." In addition, if the model shows that acute and chronic levels of concern for aquatic organisms are exceeded, Tri-TAC requests that EPA propose mitigation measures for MGK 264 during reregistration.

In the Memorandum, EPA also states, “These considerations aside, the monitoring data that was discussed in EPA’s assessment, none of which detected any MGK 264, indicates that the modeling results, which predict detectable residues up to 20% of the solubility are protective of human health.” Tri-TAC’s comments regarding potential adverse water quality impacts from MGK 264 use in consumer products are two-fold. Tri-TAC is concerned with adverse water quality impacts on humans and/or aquatic organisms. In addition to other concerns, adverse water quality impacts can cause problems in meeting effluent aquatic toxicity standards and affect the ability to recycle water. Even if modeling results show that use of MGK 264 does not cause problems for humans, modeling may show that MGK 264 is toxic to aquatic organisms; therefore, EPA is required by law to complete both human and ecological risk assessments.

Additionally, EPA indicates that MGK 264 is persistent environmentally, and that it has a potential for bioaccumulation in aquatic organisms.¹ Because MGK 264 is persistent in the environment, it may not be well removed by wastewater treatment plants. Some of the MGK 264 discharged to sewers may pass through treatment plants into receiving water bodies. POTWs could be impacted if discharges of MGK 264 lead to downstream aquatic toxicity, either from MGK 264 alone or from MGK 264 acting in conjunction with other pesticides. In the Memorandum, EPA states, “EPA has no information on aerobic or anaerobic metabolism, indirect photolysis, or degradation by free radicals. Thus, despite a relatively high K_{ow} , it is not clear that MGK 264 will persist long enough to bioaccumulate as the commenter suggests.” We believe that EPA confused the reference to bioaccumulation in receiving waters with bioaccumulation in wastewater treatment plants. Tri-TAC is concerned about MGK 264 bioaccumulation in aquatic organisms causing effluent aquatic toxicity problems. Tri-TAC requests that EPA evaluate the potential bioaccumulation of MGK 264 in aquatic organisms in the revised risk assessments.

In conclusion, POTWs need EPA’s assistance to protect surface waters from contamination from MGK 264. As previously discussed, POTWs are required by NPDES permits to meet aquatic toxicity standards but do not have the authority to regulate pesticides. Tri-TAC requests EPA conduct an Aquatic Exposure, “Down-the-Drain” Assessment, similar to the analysis performed for permethrin, to evaluate potential aquatic toxicity impacts from the use of MGK 264 in consumer products with pathways to the sewer.

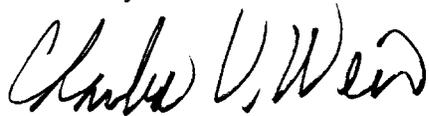
¹ EPA, Overview of the MGK 264 Risk Assessments, May 3, 2005.

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Contact Information

Tri-TAC appreciates this opportunity to comment on the risk assessments for MGK 264. If you have any questions or require additional information, please contact Ms. Preeti Ghuman by phone at (562) 699-7411, extension 2904 or by email at pghuman@lacsds.org.

Sincerely,



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