



Jim Colston  
*Tri-TAC Chair*  
Orange County Sanitation District  
10844 Ellis Avenue  
Fountain Valley, CA 92708  
(714) 593-7458  
[jcolston@ocsd.com](mailto:jcolston@ocsd.com)

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Regulatory Public Docket (7502P)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., N.W.  
Washington, DC 20460-0001  
Attn: Docket ID Number EPA-HQ-OPP-2008-0140

*Submitted electronically*

**Docket No. EPA-HQ-OPP-2008-0140**  
**D-Phenothrin (Sumithrin) Risk Assessments**

The purpose of this letter is to comment on EPA's risk assessments for d-phenothrin (sumithrin), which were made available for public comment on March 14, 2008 (73 FR 13892). Sumithrin is a pyrethroid pesticide used in human clothing, bedding, and mattresses, indoor residential, commercial, institutional, and industrial settings, warehouses, vehicles, animal kennels, and medical institutions. Tri-TAC is a technical advisory committee represented by the California Association of Sanitation Agencies, the California Water Environment Association, and the California League of Cities. Tri-TAC members represent most of the sewered population of California.

Tri-TAC is concerned that the ecological risk assessments did not evaluate the potential adverse water quality effects associated with sewer discharges of sumithrin from indoor uses. A down-the-drain model should be used to evaluate potential impacts to aquatic organisms due to the number of indoor uses with pathways to the sewers. As background, Tri-TAC is a technical advisory committee for publicly owned treatment works (POTWs) in California. Tri-TAC 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 sewered population of California. Tri-TAC member agencies have been treating municipal wastewater for decades—some for as long as 75 years.

In the Preliminary Environmental Fate and Effects Assessment: Science Chapter for the Reregistration Eligibility Decision on D-Phenothrin

***Vice Chair***

**Ben Horenstein**  
East Bay Municipal  
Utility District  
375 11th St. MS702  
Oakland, CA 94623  
(510) 287-1846  
[bhorenst@ebmud.com](mailto:bhorenst@ebmud.com)

***Water Committee  
Co-Chairs***

**Arleen Navarret**  
San Francisco Public  
Utility Commission  
1145 Market St., Floor 5  
San Francisco, CA 94103  
(415)9345731  
[anavarret@sfgwater.org](mailto:anavarret@sfgwater.org)

***Valerie Housel***

City of San Bernardino,  
Water Department  
P.O. Box 710  
San Bernardino, CA 92402  
(909) 384-5117  
[housel\\_va@ci.san-bernardino.ca.us](mailto:housel_va@ci.san-bernardino.ca.us)

***Air Committee***

**Jim Sandoval**  
CH2M Hill  
1737 North First Street,  
Suite 300  
San Jose, CA 95112-4524  
(831) 425-7142  
[jim.sandoval@ch2m.com](mailto:jim.sandoval@ch2m.com)

***Land Committee  
Co-Chairs***

**Matt Bao**  
Los Angeles County  
Sanitation Districts  
1955 Workman Mill Road  
Whittier, CA 90601  
(562)699-7411ext. 2809  
[mbao@lacsds.org](mailto:mbao@lacsds.org)

***Natalie Sierra***

San Francisco Public  
Utilities Commission  
1145 Market Street, 5<sup>th</sup> Floor  
San Francisco, CA 94103  
(415) 648-6882  
[nsierra@sfgwater.org](mailto:nsierra@sfgwater.org)

***CalFOG Workgroup Chair***

**Trish Maguire**  
East Bay Municipal  
Utility District  
375 11<sup>th</sup> St., MS702  
Oakland, CA 94623  
(510) 287-1727  
[trishmaguire@ebmud.com](mailto:trishmaguire@ebmud.com)

(Sumithrin), EPA states that “D-phenothrin is used in a number of household products available to consumers. Potentially, sumithrin could be disposed into domestic wastewater from “down-the-drain” application...However, at this time, there are no data available on the production volume to be used in the model. Results of previous assessments for other pyrethroids have shown that the risk was either negligible or was similar to the risk from agricultural applications.” Tri-TAC requests that EPA conduct a down-the-drain assessment on sumithrin prior to reregistration for several reasons.

First, sumithrin is expected to enter wastewater through normal use. The normal use of pesticide-containing clothing and bedding include a direct pathway to sewers since these fabrics will be washed and the resulting wastewater will be discharged into the sewer system. Discharges can also occur when a sumithrin treated surface, created by using the pesticide directly on the surface or by deposition and dispersion of aerosols, foggers, and sprays onto the surface, is cleaned. Wastewater containing the pesticide can be produced by cleaning these surfaces with sponges, cloths, and mops that are later washed with water or washed in a washing machine, and by using a bucket of water for cleaning that is later emptied into a drain. Hence, many indoor uses have a direct pathway to sewers through normal use.

An estimate of the amount of sumithrin discharged into the sewer system is needed in order to estimate the amount of sumithrin entering and exiting POTWs. If the annual indoor usage data for sumithrin is difficult to obtain, the annual sales data for products with indoor uses may be an acceptable surrogate. Tri-TAC requests that EPA obtain an estimate of the amount of sumithrin discharged into sewers in order to evaluate the potential adverse impacts to aquatic organisms from the indoor uses of sumithrin.

The impact to aquatic organisms was not fully evaluated in the ecological risk assessment due to incomplete aquatic effects data. Toxicity data was not available for acute or chronic freshwater or estuarine/marine fish. This data is needed to evaluate the potential adverse effects to aquatic organisms from the use of sumithrin. Tri-TAC objects to the reregistration of pesticides without required aquatic effects data and requests that EPA require the data prior to the reregistration of sumithrin for indoor use.

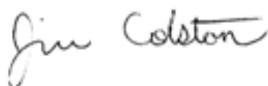
EPA states that previous assessments for other pyrethroids have shown that the risk was either negligible or was similar to the risk for agricultural applications. Several down-the-drain assessments have found a significant risk from indoor uses. For example, in the EFED Revised Risk Assessment for the Reregistration Eligibility Decision on Permethrin After Error Corrections Comments from the Registrant, Phase I (Risk Assessment) dated July 12, 2005, EPA found that the down-the-drain exposure from permethrin to aquatic organisms is up to 113 times higher than the levels of concern for acute high risks and seven times higher than the levels of concern for chronic risk. In addition, the California Department of Pesticide Regulation placed certain pesticide products containing pyrethroids into reevaluation on August 31, 2006 due to observed water quality toxicity. As part of this reevaluation, the registrants are required to monitor POTWs to

further evaluate the effects of pyrethroids with pathways to sewers. Tri-TAC disagrees that prior assessments of other pyrethroids have shown that the risk is consistently below the level of concern, so Tri-TAC requests that a down-the-drain assessment be conducted prior to the reregistration of sumithrin.

In conclusion, sewerage agencies need EPA's assistance to protect surface water from contamination from pesticides. POTWs are required by National Pollution Discharge Elimination System permits to meet effluent toxicity standards; however Tri-TAC members do not have the authority to regulate pesticides. Tri-TAC requests that information on the amount of sumithrin discharged into sewers and the required aquatic effects data be collected and a down-the-drain assessment be performed prior to the reregistration of sumithrin for indoor uses.

Thank you for the opportunity to comment on the risk assessments. If you have any questions or require additional information, please contact Ms. Preeti Ghuman by phone at (562) 699-7411 ext 2904, or by e-mail at [pghuman@lacs.org](mailto:pghuman@lacs.org)

Sincerely,



James Colston  
Chair, Tri-TAC

cc: Debbie Edwards, Director, U.S. EPA Office of Pesticide Programs  
William Diamond, Director, Field and External Affairs Div.  
Donald Brady, Director, Environmental Fate and Effects Division  
Steven Bradbury, Director, Special Review and Reregistration Division  
James Hanlon, Director, Office of Wastewater Management  
Benjamin H. Grumbles, Assistant Administrator, Office of Water  
Wayne Nastri, Administrator, U.S. EPA Region IX  
Patti TenBrook, U.S. EPA Region IX  
Mary-Ann Warmerdam, Director, California Department of Pesticide Regulation  
Nan Singhasemanon, California Department of Pesticide Regulation  
James Giannopoulos, State Water Resources Control Board  
Syed Ali, Division of Water Quality, State Water Resources Control Board

