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November 21, 2017

Jessica Bailey
U.S. Environmental Protection Agency
Office of Pesticide Programs, Antimicrobials Division
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

Re: Sodium Hypochlorite, Calcium Hypochlorite, and Potassium Hypochlorite Proposed Interim Registration Review Decision Case Numbers: 0029 and 5076 (EPA-HQ-OPP-2012-0004 and EPA-HQ-OPP-2014-0157)

Dear Ms. Bailey:

The Chlorine Institute ("CI" or the "Institute") is a 190 member, not-for-profit trade association of chlor-alkali producers worldwide, as well as packagers, distributors, users, and suppliers. The Institute's mission chemicals, namely chlorine, sodium and potassium hydroxides, sodium hypochlorite, the distribution of vinyl chloride monomer (VCM), and the distribution and use of hydrogen chloride, are used throughout the U.S. economy and are paramount to the protection of public health.

The Chlorine Institute would like to submit the following comments to the United States Environmental Protection Agency's (EPA's) recent request for public comment on the "Sodium Hypochlorite, Calcium Hypochlorite, and Potassium Hypochlorite Proposed Interim Registration Review Decision Case Numbers: 0029 and 5076" as noted in the September 22, 2017, Federal Register Notice.

Comment 1) Improper use of the term "Liquid Chlorine"

We have concerns over referring to sodium hypochlorite as "liquid chlorine." Liquid chlorine refers to the element, chlorine, in the liquid state. The terms "chlorine" and "liquid chlorine" are sometimes used to describe a hypochlorite solution employed for swimming pool sanitation and this misuse of the terms should be discouraged as it could cause significant confusion, especially

in emergency response situations. In the attached document, we have noted several areas where we recommend revisions to remove the improper use of this terminology.

Comment 2) Residual Chlorine

CI takes exception to the following statement in Section III.A.3. Residual Chlorine, located on page 18 and recommends the statement below be stricken from the document for the following reasons:

> *"Where chlorine products are being used by utilities at higher concentrations than the label rate range, registrants of those products need to contact OPP and submit label amendments and any appropriate data in Docket Numbers EPA-HQ-OPP-2012-0004 and EPA-HQ-OPP-2014-0157 www.regulations.gov order to ensure that hypochlorite users are in full compliance."*

1. The basic registrant would not have any knowledge at what concentration the utility would be using the product. The product is delivered to the end-user with the label and at that point the utility takes possession and owns the product.

2. Utilities follow the guidelines of the Safe Drinking Water Act and Public Health and measure residual chlorine at end of pipe to ensure that the water is properly disinfected to ensure safe drinking water to the public.

3. Dosing to achieve the proper residual of available chlorine to achieve effective disinfection is climate, temperature, and storage dependent. The source of water being treated is also a factor. Surface waters may require more dosing than ground water obtained from deep aquifers. To change the dosing where utilities use greater amounts of chlorine products is location dependent.

4. Utilities must meet NSF/ANSI Standard 60 requirements. Maximum Use Levels (MULs) are established and products are tested at those MULs by authorized certifying bodies to ensure that Maximum Contaminate Levels (MCLs) are not exceeded.

Comment 3) Placement of Recommended Practices on Label

CI takes exception to the placement of the recommended practices to minimize degradant formation in drinking water disinfection. The document proposes to place the recommended practices under Precautionary Statements. CI agrees with the recommended practices but proposes the practices be placed under the drinking water uses section, since these practices are specific to drinking water treatment.

Comment 4) Implementation of Mitigation Measures

In Section IV.B. *Implementation of Mitigation Measures*: "Once the interim registration review decision is issued in final form, registrants will be required to submit proposed amended labels that include the required mitigation to the Agency for approval within 60 days of such issuance. Proposed label changes are shown in Appendix A," and on page 20 Section IV.C. *Labeling Clean Up*: "As registrants update their labels to include the changes requested under Registration Review, registrants should include any other labeling updates that may be needed to meet current labeling standards." The following outlines CI's concerns regarding the implementation of mitigation measures and labeling clean up:

1. To have all registrants read the notice, include any other labeling updates and submit to the EPA within 60 days is not an adequate timeframe considering "there are currently 457 EPA-registered sodium hypochlorite products"[1]. CI proposes either a conformance window of 180 days, or the EPA allows CI to come up with a standard "Precautionary" Label for all registrants. Once the primary registrant's revised labels have been approved by the EPA, the supplemental registrants would have 180 days to update their labels.

2. EPA does not mention the timeframe for the primary registrants to bring all of their supplemental registrant's labels into compliance. EPA would need to approve the primary registrant's proposed amended labels first before the supplemental registrants would update their labels.

3. There is no mention on how soon "old" labels must be out of circulation. The last time, labels had at least 3 years to no longer be in the market place. Since a time frame for

"old" labels is not mentioned in the draft document, CI would recommend 3 years to remove these labels from circulation.

4. Based on the amount of work for both the primary registrant's label and supplemental registrant's label changes, the EPA should have to do a cost analysis for these changes.

Comment 5) Pool, Spa, and Hot Tub End Use Products

In Appendix A under Pool, Spa, and Hot Tub End Use Products we recommend adding the paragraph below and have provided tracked changes within the document attached. Several CI Members have the NPDES permit language on their labels because their labels do not just have pool and spa uses on them, they have all the other approved uses on them also and this change would require them to create separate labels when selling to the swimming pool industry so that their label would not have the NPDES language on them.

> "For end-use products that include multiple use patterns including language for pool, spa, or hot tub use, the NPDES permit language is not applicable to the pool, spa, and hot tubs and must be appended with a Note as follows: "See Directions for Use "Commercial and Residential Pools, Spas, and Hot Tubs" for specific instructions on draining treated pool, spa, or hot tub."

Thank you for the opportunity to comment and your consideration of our requests.

Sincerely

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[1] Environmental Protection Agency (EPA). (2017). Sodium Hypochlorite, Calcium Hypochlorite, and Potassium Hypochlorite Proposed Interim Registration Review Decision Case Numbers: 0029 and 5076