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November 13, 2017

Moana Appleyard  
Office of Pesticide Programs (OPP)  
U.S. Environmental Protection Agency (U.S. EPA)  
1200 Pennsylvania Ave., NW.  
Washington, DC 20460-0001  
Submitted via [www.regulations.gov](http://www.regulations.gov)

**Re: EPA-HQ-OPP-2013-0367, Indoxacarb – Preliminary Ecological Risk Assessment**

Dear Ms. Appleyard:

The National Association of Clean Water Agencies (NACWA) appreciates the opportunity to comment on the preliminary ecological risk assessment for indoxacarb (82 *Fed. Reg.* 43006, September 13, 2017). NACWA represents the interests of nearly 300 publicly owned wastewater treatment agencies, serving the majority of the sewered population in the U.S.

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. These requirements include acute and chronic whole effluent toxicity (WET) tests that may be influenced by pesticides in the wastewater. Toxicity test failures can result in significant costs to utilities due to the additional testing and evaluation requirements. Pesticides may also have impacts on receiving waters, recycled water quality, and the quality of biosolids for beneficial reuse.

Indoxacarb is a concern for NACWA's member utilities due to its high aquatic toxicity and potential ability to pass through the wastewater treatment processes used at publicly owned treatment works (POTWs), ending up in effluent and receiving waters. Indoxacarb is used in products that have pathways to the sewer system, including pet flea control products (such as spot-on treatments). Indoxacarb may be transported directly to the sewer system when pets and treated surfaces are

washed, and indirectly when the chemical is transferred to hands, clothing, and other surfaces that are subsequently washed. Indoxacarb is also introduced directly into the sewer system when it is used inside manholes and sewer lines.

The comments submitted by the Bay Area Clean Water Agencies (BACWA) provide detailed information about recent research on the occurrence of pet flea treatment pesticides in the influent and effluent of POTWs. This research indicates that indoxacarb is likely to pass through POTWs and that effluent concentrations may exceed the aquatic invertebrate chronic toxicity endpoints used in the preliminary aquatic risk assessment. This research also indicates that pet flea control products are a major source of these pesticides for POTWs, through both direct and indirect pathways.

NACWA requests that EPA expand the preliminary environmental risk assessment to include indoor indoxacarb uses in a “down the drain” risk assessment, as well as direct use in manholes and sewer lines. NACWA also requests that EPA pursue risk mitigation for indoxacarb if warranted based on this modeling. NACWA suggests that EPA consider determining the minimum application rate necessary for pet flea control, to minimize quantities discharged to POTWs. Product labels should also include instructions to not wash pets for two weeks after treatment application.

Since pet flea control products such as pyrethroids, imidacloprid, and fipronil are also undergoing registration review and may present risks to POTWs and the aquatic environment, NACWA recommends that EPA conduct a risk-benefit evaluation for pet flea control products as a group and consider all alternatives, including FDA-approved oral pet products. NACWA does not believe that fipronil, imidacloprid, or pyrethroids are good alternatives to indoxacarb due to their potential for negative environmental impacts.

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,

A handwritten signature in black ink that reads "Cynthia A. Finley". The signature is written in a cursive style with a large, stylized initial 'C'.

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