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Mary S. Wolfe, Ph.D.
Designated Federal Officer for the BSC
Office of Liaison, Policy and Review
NTP/NIEHS
P.O. Box 12233, K2-03
Research Triangle Park, NC 27709

Submitted Via E-mail to: wolfe@niehs.nih.gov

Re: National Toxicology Program Board of Scientific Counselors; Announcement of Meeting; Request for Comments (82 Fed. Reg. 52064, Nov. 9, 2017)

The American Chemistry Council (ACC)¹ appreciates the opportunity to submit these comments in support of the National Institute of Environmental Health Sciences National Toxicology Program's (NTP) Board of Scientific Counselors (BSC) Meeting on December 7-8, 2017, and regarding NTP's "Revised Draft: Report on Carcinogens [RoC] Monograph on Haloacetic Acids [HAAs] Found as Water Disinfection By-Products [DBPs]" (Revised Draft Monograph dated October 30, 2017).^{2,3} ACC supports Federal chemical assessments that reflect the best available science, utilize a weight of evidence process to evaluate the information, and apply robust peer review practices to support decisions. ACC also supports the important role of the BSC to provide input to the NTP staff on programmatic activities and issues, including the scheduled December 7, 2017, report on the peer review of the revised draft RoC Monograph.⁴

ACC previously submitted comments dated July 14, 2017,⁵ on the Peer-Review Draft RoC Monograph on HAAs, and dated April 4, 2016,⁶ on NTP's Draft Report on Carcinogens Concept:

¹ ACC represents the leading companies engaged in the business of chemistry. ACC members apply the science of chemistry to make innovative products and services that make people's lives better, healthier and safer. ACC is committed to improved environmental, health and safety performance through Responsible Care®, common sense advocacy designed to address major public policy issues, and health and environmental research and product testing. The business of chemistry is a \$768 billion enterprise and a key element of the nation's economy. It is among the largest exports in the nation, accounting for 14 percent of all U.S. goods exports. Chemistry companies are among the largest investors in research and development, investing \$91 billion in 2016.

² 82 Fed. Reg. 28672 (Nov. 9, 2017).

³ https://ntp.niehs.nih.gov/ntp/about_ntp/monopeerrvw/2017/july/haadraftmonograph20171030.pdf (NTP, 2017).

⁴ https://ntp.niehs.nih.gov/ntp/about_ntp/bsc/2017/december/agenda20171208_508.pdf.

⁵ https://ntp.niehs.nih.gov/ntp/about_ntp/monopeerrvw/2017/july/publiccomm/nordgren20170714_508.pdf.

⁶ https://ntp.niehs.nih.gov/ntp/about_ntp/bsc/2016/april/publiccomm/nordgren20160404.pdf.



Di- and Tri- Haloacetic Acids Found as Water Disinfection By-Products.⁷ Both sets of comments are incorporated herein by reference.

As discussed in our July 2017 comments, **an RoC listing would not result in any additional public health benefit because HAAs are already effectively controlled by community drinking water systems—the predominant route of exposure for HAAs—in accordance with U.S. Environmental Protection Agency (EPA) regulations under the Safe Drinking Water Act (SDWA).** The 1996 SDWA Amendments require EPA to balance acute risks associated with exposure to microbial pathogens and chronic risks associated with potential exposure to DBPs resulting from disinfection of public drinking water supplies.⁸ EPA’s DBP Rules⁹ regulate four trihalomethanes (THMs) and five HAAs (HAA5)¹⁰ as technology-based water treatment process benchmarks that reduce overall DBP presence and exposure—not only for those contaminants, but also unregulated HAAs, THMs, and other DBPs.¹¹

The significance of ACC’s July 2017 comments was recognized by the chair of the Peer Review panel (Dr. Weihsueh Chiu, Texas A&M University) in his closing remarks, as reflected in NTP’s Peer-Review Report: “In light of the public comment from the American Chemistry Council that control of HAA5 adequately controls for all other HAAs in drinking water, Dr. Chiu suggested adding to the exposure section a discussion of the extent to which control of HAA5 is known to control levels of other HAAs.”¹² Although the Human Exposure Section (Chapter 2) discussion was revised slightly, it does not appear to directly respond to the chair’s suggestion (i.e., discussion was not added). As noted by NTP, recent research¹³ shows that HAA5 concentrations “have displayed a generally decreasing trend since 2000 (largely due to plants switching from chlorine to chloramines for disinfection) and have been at or below the USEPA maximum contaminant level (MCL) of 60 µg/L for HAA5 since 2004.”¹⁴ EPA’s planned monitoring requirements for 9 HAAs, including four additional HAAs¹⁵ as part of the Fourth Unregulated Contaminant Monitoring Rule (UCMR4; referred to as HAA9¹⁶) will provide increased understanding of how U.S. water treatment practices affect HAA9 occurrence and, indirectly, other HAAs.

⁷ https://ntp.niehs.nih.gov/ntp/about_ntp/bsc/2016/april/haa_508.pdf.

⁸ See American Chemistry Council. 2016. Drinking Water Chlorination: A Review of U.S. Disinfection Practices and Issues, <https://chlorine.americanchemistry.com/Chlorine-Benefits/Safe-Water/Disinfection-Practices.pdf>.

⁹ Stage 1 and Stage 2 Disinfectants and Disinfection Byproducts Rules, <https://www.epa.gov/dwreginfo/stage-1-and-stage-2-disinfectants-and-disinfection-byproducts-rules#rule-summary>.

¹⁰ Monochloroacetic acid, dichloroacetic acid, trichloroacetic acid, bromoacetic acid, and dibromoacetic acid.

¹¹ Water Research Foundation. 2017. Disinfection By-Products: Regulated DBPs – Health Concerns And Disinfection By-Products. <http://www.waterrf.org/knowledge/dbps/FactSheets/DBP-Regulated-FactSheet.pdf>.

¹² https://ntp.niehs.nih.gov/ntp/about_ntp/monopeerrvw/2017/july/sepreport20170724_508.pdf, at 18.

¹³ Seidel et al. 2017. Disinfection byproduct occurrence at large water systems after stage 2 DBPR. *JAWWA* 109(7):17–30.

¹⁴ NTP. 2017, at 15.

¹⁵ Bromochloroacetic acid, bromodichloroacetic acid, chlorodibromoacetic acid, and tribromoacetic acid; 81 Fed. Reg. 92666 (Dec. 20, 2016).

¹⁶ EPA. 2016. The Fourth Unregulated Contaminant Monitoring Rule (UCMR 4) HAA Groups – Fact Sheet for Assessment Monitoring. <https://www.epa.gov/sites/production/files/2017-03/documents/ucmr4-fact-sheet-haas.pdf>.



ACC appreciates the opportunity to submit these comments in support of the BSC. If you have any questions, please feel free to contact me by phone at 202-249-6709 or via email at judith.nordgren@americanchemistry.com.

Sincerely,



Judith Nordgren
Managing Director
Chlorine Chemistry Division