


TO: Alyssa Schuren, Commissioner
Department of Environmental Conservation

FROM: Harry Chen, MD, Commissioner 
Department of Health

DATE: July 18, 2016

RE: Aquatic Nuisance Control Permit Applications #2016-C11 Missisquoi; River #2016-C12 Stone Bridge Brook and #2016-C14 LaPlatte River

Per the request of the Vermont Department of Environmental Conservation (DEC), the Vermont Department of Health (Department) has conducted a review of TFM HP and TFM Bar (both with active ingredient 3-Trifluoromethyl-4-nitrophenol, henceforth referred to as TFM) in response to permit application numbers #2016-C11 Missisquoi; River #2016-C12 Stone Bridge Brook and #2016-C14 LaPlatte River.

The Department has conducted a review of TFM which included consideration of active ingredients, inerts and potential TFM HP impurities (dioxin-like impurities). This review included, but was not limited to the following:

1. Data relative to impurities contained in specific batches of TFM HP.
2. Results of environmental fate studies of potential TFM HP impurities.
3. Consideration of the 2008 Confidential Statement of Formula for TFM HP (the most recent statement available to the Department).
4. Consideration of the June 4, 2012 Confidential Statement of Formula for TFM Bar (the most recent statement available to the Department).
5. Consideration of information in the United States Environmental Protection Agency docket established for registration review of TFM and niclosamide. Specifically, the 2013 EPA Scoping Document¹ states that "there is no expectation that people would be exposed through consuming drinking water". The document further describes the types of toxicity studies that the EPA waived for TFM, noting that the decision to waive the studies were based on "an extensive level of risk mitigation for each application event, which is intended to protect... the public from exposure through drinking water sources."



Based on the aforementioned information, under the following conditions, application of the requested products as proposed would not be expected to result in more than a negligible risk to human health under 10 VSA § 1455(d)(3).

1. Public Water Supplies: The water shall not be used for drinking or food or beverage preparation until measurements of TFM are below the reporting limit of 3.0 parts per billion (ppb) in any public water supply finished water sample.
2. Private Water Supplies: The water shall not be used for drinking or food or beverage preparation until measurements of TFM are below the reporting limit of 3.0 ppb in areas where there may be private water supplies.
3. The water shall not be used for swimming or bathing until measurements of TFM are below 35 ppb.
4. The water shall not be used for recreation other than for swimming until measurements of TFM are below 100 ppb.
5. The TFM HP product used must be produced using the same manufacturing process as those batches previously examined and noted in the Analytical Perspectives report dated August 28, 2009. Iofina Chemical, Inc. provided verification that no manufacturing changes have occurred in an April 11, 2016 e-mail to Bradley Young, Ph.D. (USFWS) and Razelle Hoffman-Contois, M.S. (Vermont Department of Health).
6. Treatment shall occur no earlier than the day after Labor Day of the treatment year, to reduce the possibility of exposure to swimmers. Increased messaging of the recreational use advisory should occur the closer to Labor Day treatment is conducted.

If a multi-year permit is issued, prior to treatment in any year other than 2016, the Department recommends that DEC perform, or direct that the applicant perform, a search to determine if updated toxicity and/or environmental fate data has become available on the products requested for use. DEC should provide such information to the Department for review in order to determine if the recommendations above warrant revision.

These recommendations are based on information received as of July 18, 2016.

References:

- 1 <https://www.regulations.gov/document?D=EPA-HQ-OPP-2013-0137-0002>

