

Chapman, DJ

From: Heniken, Michael R.
Sent: Monday, April 30, 2007 2:39 PM
To: Ellinger, Robert L.
Cc: Chapman, DJ; Chapman, Mark A.; Russell, Tom A.
Subject: Root Killer Information

I have reviewed the information on the root control products that was supplied to me last Friday.

I noted that there were specific requirements for the root control agent that were listed in section 3.1 of the bid document.

- The agent must be registered as a category "E" compound (3.1.1).
- The agent shall not be considered a carcinogen, teratogen, mutagen, or oncogene (3.1.2)
- The agent must have a "signal word" of either "Warning" or "Caution" and may not have "Danger" (3.1.6).

The assembled documentation clearly shows that the Diquat containing product does in fact comply with those specific restrictions in the bid.

- The product has a "signal word" of "Warning" on the label.
- The agent is classified as a Class "E" compound (unlikely to cause cancer) and is also not listed as a potential carcinogen under California regulations.
- The agent is rated as moderately toxic by the EPA.

The same documentation shows that the Metam-sodium containing product does not comply with the bid specifications.

- The product has a "signal word" of "Danger" on the label.
- The agent is classified as a Class "B-2" compound (probable human carcinogen) and is also listed as a potential carcinogen under California regulations.
- The agent is rated as highly toxic by the EPA.

Obviously, both of these products are toxic in that they are being utilized to kill tree roots in the sewers. It appears that the Diquat containing product is the "lesser of two evils" in terms of the risks to the applicators, sewer workers, public citizens, the sewerage system, and the environment. The materials I reviewed do not speak to the efficacy of the product, so I cannot say if one product actually does a better job than the other.

Based on the bid specifications and the supplied background information, I recommend that the Diquat containing product would be the better and/or safer product to use for the root control program.

Please feel free to contact me if you need more information, or more assistance from me.

Mike

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City Of Columbus
Mayor Michael B. Coleman

Department of Public Utilities

Tatyana Arsh, P.E. Director

May 17, 2007

Mr. Mark A. Reynolds
Municipal Sales, Inc.
1099 Burgoyne Ave.
Fort Edward, NY 12828

Dear Mr. Reynolds:

This letter is in response to your concerns resulting from our recent bid for Root Control Services. We have reviewed the chemicals metam sodium and dichlobenil and have found that metam sodium is classified by the EPA as a B2 compound as a probable human carcinogen and dichlobenil a C compound, possible human carcinogen. Metam sodium breaks down into MITC which is itself a carcinogen, highly toxic, and highly volatile. We specified that the chemical used to be a non-carcinogen.

We require the root control agent to be non-volatile and classified by the EPA as a general use pesticide and have a label of warning or caution. Metam sodium does not meet this criteria

The chemical root control agent you are offering does not meet the following specifications.

Section 3.1.1. Requires that the chemical root control agent offered for use be listed by the US EPA as a Group "E" compound, the least hazardous category. Metam Sodium and Dichlobenil, are both classified by the US EPA in more hazardous categories. The US EPA lists Metam as a "B2" compound and Dichlobenil as a "C" compound.

Section 3.1.2 Prohibits the use of a carcinogenic pesticide agent. Both pesticides contained in Vaporooter are designated by the US EPA as carcinogens. Metam is listed as a probable human Carcinogen (B2) and Dichlobenil is listed as a possible human carcinogen (C).

Utilities Complex	910 Dublin Road	Columbus, Ohio 43215
Director's Office	614/645-6141	FAX: 614/645-8019 TDD: 614/645-6454
Power and Water Division	614/645-7020	FAX: 614/645-8177 TDD: 614/645-7188
Operational Support Division	614/645-1508	

Fairwood Complex	1250 Fairwood Avenue	Columbus, Ohio 43206
Sewerage and Drainage Division	614/645-7175	FAX: 614/645-3801 TDD: 614/645-6338

Section 3.1.3 Requires the use of a non-volatile root control agent. The greatest risk of human exposure to hazardous sewer root control chemicals is through inhalation. Metam Sodium is a highly volatile pesticide. Also, when Metam Sodium comes in contact with water, such as in the mix tank or in a sewer, it breaks down to another pesticide gas, known as MITC, which is also listed as a "B2" carcinogen.

Section 3.1.6 The pesticide shall be classified by the U.S. EPA as general use or non-restricted use. The Vaporooter product is labeled as "Restricted due to acute toxicity." This section also states the pesticide with the signal word Danger shall not be accepted.

The City of Columbus has used metam sodium in the past. Our data shows that diquat dibromide is effective in controlling roots and does work as well if not better than metam sodium.

We cannot compare our bid for services with Los Angeles, California. There are specific characteristics of the City of Columbus collection system and situations in which sanitary sewer overflows can and do occur which must be taken into account. As part of our services, we also require the contractor to provide us with data management and reporting of the program. Our requirements may be different than California.

The City Attorney's Office has determined that the City can dictate minimum standards for bids and bids that do not meet the requirements can be considered non-responsive.

We have also found that the U.S. EPA does not endorse products.

Our requirement for experience is critical to minimize risks associated with using pesticides in urban areas and to ensure the contract is executed in a safe and effective manner. The experience required in this bid is in line with the size and scope of the project. In the evaluation of a bid the responsible and responsive bidder has the capability, capacity, facilities, equipment, and personnel needed to fully perform the contract requirements and the experience integrity reliability which will assure good faith performance.

In order for the City of Columbus and the Division to be environmentally responsible to the Citizens of Columbus we should be using the safest chemical control agent available for root control. Our specifications reflect what we believe will minimize the risks to human health, worker safety and the environment in our root control program. We have

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an obligation as stated in our department mission, to specify an environmentally responsible product to use in our root control program.

Sincerely,



Robert Ellinger
Sewer Maintenance Manager
Division of Sewerage and Drainage

pc: Mark Chapman
Joe Lombardi
File