



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

MEMORANDUM

DATE: August 31, 2023

SUBJECT: Reconsideration of Chlorine Gas Restricted Use Pesticide (RUP) Designation

FROM: Anita Pease, Director
Antimicrobials Division
Office of Pesticide Programs

TO: Chlorine Gas Registration Review Docket
(EPA-HQ-OPP-2010-0242)

On September 24, 2020, the Antimicrobials Division of the Office of Pesticide Programs signed the Chlorine Gas Interim Registration Review Decision (ID).¹ In the ID, the Agency determined that all chlorine gas uses, except public water systems, municipal water supplies and treatment plants, and sewage and wastewater treatment plants, must be reclassified as Restricted Use Pesticide (RUP) uses due to the high acute toxicity of compressed chlorine gas. The chlorine gas uses categorized as needing RUP classification in the 2020 ID are listed in Table 1 below.

Table 1: Use Sites Determined to Need RUP Classification in the 2020 Chlorine Gas Interim Decision

Commercial and Industrial Cooling Towers	Fruit and Vegetable Washes
Pulp and Paper Mills	Food Contact, Hard, Non-porous Surfaces
Swimming Pools	Agricultural Irrigation Systems

In response to inquiries and concerns expressed by stakeholders, including pesticide regulators in numerous states, as well as the chlorine industry, the Agency is re-evaluating whether certain uses of chlorine gas should be classified as RUP in order for the active ingredient to continue to meet the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) registration standard. Reconsideration efforts include understanding the existing safeguards and regulations for chlorine gas for each antimicrobial use pattern of chlorine gas.

Discussions with the Chlorine Institute and the State FIFRA Issues Research and Evaluation Group (SFIREG) provided additional context regarding the implications of an RUP designation

¹ All documents relating to the registration review of chlorine gas, including regulatory documents and meeting minutes with stakeholders, are available in docket ID EPA-HQ-OPP-2010-0242 at www.regulations.gov.

and are ongoing. SFIREG expressed concerns about resource constraints created by adding chlorine gas to state RUP certification programs, which could overburden many states and take many years to implement. In light of existing safety measures surrounding the use of chlorine gas, SFIREG maintained that the additional burdens would not be warranted and would not lead to appreciably safer practices. The Chlorine Institute, a trade association that represents the chlorine industry, is concerned that RUP classification would add unnecessary regulatory hurdles on the purchase and use of chlorine gas. They believe chlorine gas to be tightly controlled and regulated already under various state and federal requirements. Furthermore, the Chlorine Institute noted that it provides extensive applicator training and safety checks before chlorine gas can even be purchased.

In light of the above considerations, the Agency is re-evaluating the necessity of the RUP classification for the uses of chlorine gas outlined in Table 1. EPA encourages all stakeholders to contact the EPA with information which may inform this decision. If there are substantive changes to the mitigation requirements from the ID following the re-evaluation of the RUP decision, then EPA will issue an amended ID to provide next steps. The Agency is moving forward with other required label language unrelated to the classification of chlorine gas as an RUP.

Questions pertaining to the reconsideration of chlorine gas as an RUP or other matters concerning the registration review of chlorine gas can be directed to Erin Dandridge at dandridge.erin@epa.gov.