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

DEC 9 2009



Office of Pesticide Programs

The Dow Chemical Company  
1803 Building  
Midland, MI 48674

Attention: Abigail Trueblood  
Senior Regulatory Specialist

**Subject: TRIS NITRO™ Brand of 50% Aqueous Tris (hydroxymethyl)  
nitromethane**  
EPA Registration No. 464-663  
Notification Dated November 9, 2009

This will acknowledge receipt of your notification to revise the container disposal statement on the label in response to PR Notice 2007-4, submitted under the provisions of FIFRA Section 3(c)(9). Based on a review of the submitted material, the following comments apply.

The Notification is in compliance with PR Notice 98-10 and is acceptable. This information has been made a part of your file.

If you have any questions concerning this letter, please contact Martha Terry at (703) 308-6217.

Sincerely

Marshall Swindell  
Product Manager (33)  
Regulatory Management Branch 1  
Antimicrobials Division (7510P)





November 9, 2009

The Dow Chemical Company  
1500 E. Lake Cook Road  
Buffalo Grove, IL 60089  
USA

Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504P)  
U.S. Environmental Protection Agency  
Room S-4900  
One Potomac Yard  
2777 S. Crystal Drive  
Arlington, VA 22202-4501

Re: **NOTIFICATION- EPA Reg. No. 464-663**  
**TRIS NITRO™ Brand of 50% Aqueous Tris (hydroxymethyl) nitromethane**  
**The Dow Chemical Company**

Dear Mr. Swindell:

The Dow Chemical Company (Dow) hereby submits a label Notification to revise the container disposal statement in response to PR Notice 2007-4. In order for the application to be processed the required Notification Statement is below:

**This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under Sections 12 and 14 of FIFRA.**

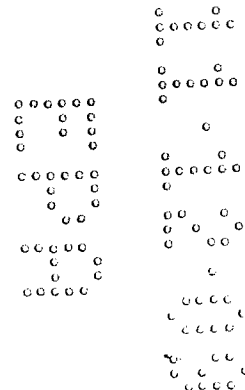
Enclosed are the following documents to support this Notification:

- EPA Form 8570-1, marked for Notification
- One copy of the proposed label with changes highlighted

Please contact me if you have any questions or need additional information.

Sincerely,

Abigail Trueblood  
Senior Regulatory Specialist  
The Dow Chemical Company  
1500 East Lake Cook Rd.  
Buffalo Grove, IL 60089  
847-808-3555  
atrueblood@dow.com



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TRIS NITRO 50% EUP  
Master Label  
December 4, 2009

**TRIS NITRO™**

**Brand of 50% Aqueous Tris(hydroxymethyl) Nitromethane Industrial Bacteriostat**

Active Ingredient(s): 2-Hydroxymethyl-2-nitro-1,3-propanediol . . . . . 51.5.0%  
Inert Ingredients . . . . . 48.5.0%  
Total 100%

E.P.A. Registration No. 464-663  
E.P.A. Est. XXXX-XX-X

**KEEP OUT OF REACH OF CHILDREN**

**CAUTION**

<b>FIRST AID</b>	
<b>IF IN EYES:</b>	<ul style="list-style-type: none"> <li>• Hold eyes open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eyes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>IF SWALLOWED:</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to by a poison control center or doctor.</li> </ul>
<b>IF ON SKIN :</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>IF INHALED:</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance and then give artificial respiration, preferably mouth-to-mouth, if possible.</li> <li>• Call a poison control center or doctor for further treatment</li> </ul>
<b>HOT LINE NUMBER</b>	
<b>IN CASE OF AN EMERGENCY</b> endangering life or property involving this product, call collect (989) 636-4400.	

**PRECAUTIONARY STATEMENTS**

**Hazards to Humans and Domestic Animals**

**HARMFUL IF SWALLOWED OR ABSORBED THROUGH THE SKIN OR INHALED. CAUSES MODERATE EYE IRRITATION.**

Avoid contact with eyes, skin, or clothing. Avoid breathing spray mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

**ENVIRONMENTAL HAZARDS**

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been

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notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plan authority.

For guidance, contact your State Water Board or Regional Office of the EPA.

### **STORAGE AND DISPOSAL**

**STORAGE:** Freezes at 60° F. Store in a warm place.

TRIS NITRO decomposes in the presence of alkaline materials. Protect from vapors of ammonia and amines during the handling and storage to prevent deterioration and release of formaldehyde.

### **PESTICIDE DISPOSAL**

Do not contaminate water, food, or feed by storage or disposal. Wastes resulting from the use of this product may be disposed of on site or any approved waste disposal facility.

### **CONTAINER DISPOSAL:**

**Nonrefillable Container:** Do not reuse or refill this container. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. Then offer for recycling, if available, or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities by burning. If burned, stay out of smoke.

### **DIRECTIONS FOR USE**

It is a violation of Federal Law to use this product in a manner inconsistent with the labeling.

### **USE IN METALWORKING FLUIDS**

**In Diluted Fluids:** A concentration of 1000-2000 ppm of active TRIS NITRO in the fluid is sufficient to control gross bacterial growth. Add 1-2 quarts of 50% aqueous TRIS NITRO per each 100 gallons of fluid.

**Maintenance Dosage:** Add 250 to 500 ppm of active TRIS NITRO weekly as required to maintain control of the system. The addition of 0.25 quart of 50% aqueous TRIS NITRO to each 100 gallons of fluid will provide a 250 ppm concentration.

**In Concentrates:** TRIS NITRO may be incorporated by the manufacturer in metalworking fluid concentrate. The higher levels required in such concentrates will be stable as long as the pH is maintained in the range of 6-8. Above such pH levels rapid deterioration of TRIS NITRO may result in the release of noticeable levels of formaldehyde. Long-term stability test should be carried out by the manufacturer on his specific formulation to ensure that the concentrate does not contain ingredients incompatible with TRIS NITRO stability. The amount to be incorporated will depend on the dilution factor recommended to be used when the concentrate is diluted for use. For efficient bacteriostatic activity, a concentration of 1000 to 2000 ppm of active TRIS NITRO in the diluted fluid is suggested.

### **USE IN OILFIELD WATER SYSTEMS**

For controlling aerobic slime-forming bacteria (*Pseudomonas sp.*) and aerobic sulfate-reducing bacteria (*Desulfovibrio desulfuricans*) in oilfield water systems, such as

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subsurface injection water, add 500-1000 ppm active TRIS NITRO depending on the severity of contamination. Additions should be made with a metering pump at the free-water knockouts before or after injection pumps and injection well headers.

Continuous- feed method: If the system is noticeable fouled, add 500-1000 ppm active TRIS NITRO (80-160 gallons of 50% aqueous TRIS NITRO per 2000 barrels of water) continuously until the desired degree of control is achieved. Subsequently, treat with 500 ppm active TRIS NITRO (80 gallons of 50% aqueous TRIS NITRO per 2000 barrels of water) continuously as needed to maintain control.

Intermittent or slug method: If the system is noticeably fouled, or to maintain control of the system, add 500-1000 ppm active TRIS NITRO (80-160 gallons of 50% aqueous TRIS NITRO per 2000 barrels of water) intermittently for 2-8 hours per day on from 1-4 days per week, depending on the severity of contamination.

**USE IN DRILLING MUDS**

For control of sulfate-reducing bacteria in water-based drilling muds, add 0.5 quart- 1 gallon of 50% aqueous TRIS NITRO to 1000 gallons of formulation.

**NOT APPROVED FOR USE IN CALIFORNIA**

**USE IN PAINTS, EMULSIONS, AND THICKENER SOLUTIONS**

TRIS NITRO is effective as a preservative in water-coating systems, such as latex paints, resin emulsions, and thickener solutions at a concentration of 0.2 to 1.0 lb per 100 lb total formulation weight. TRIS NITRO may be added at any point in the manufacturing cycle. The recommended rate for preservation of a latex paint is 0.2 to 0.4 lb per 100 lb of the formulation. The recommended rate for preservation of resin emulsions and thickener solutions is approximately 0.4 lb per 100 lb of the formulation.

**USE IN RECIRCULATING WATER SYSTEMS**

For control of bacteria in industrial cooling towers and evaporative condensers, and closed recirculating water systems treat the system with 5-1000 ppm of active TRIS NITRO.

Initial Dose: When the system is noticeably fouled, add 6 oz-1 gallon of 50% aqueous TRIS NITRO per 1000 gallons of water in the system. Repeat until control is achieved. Badly fouled systems must be cleaned before initial treatment.

Subsequent Dose: Add 2 oz- 1 quart of 50% aqueous TRIS NITRO per 1000 gallons of water in the system as needed to maintain control.

TRIS NITRO should be added at a convenient point which will provide uniform mixing.

**USE AS A PRESERVATIVE FOR PACKAGED EMULSIONS, SOLUTIONS, OR SUSPENSIONS SUCH AS DETERGENTS AND POLISHES CONTAINING WATER**

For control of bacterial contamination add 500-1000 ppm of active TRIS NITRO (1-2 gallons of 50% aqueous TRIS NITRO per 1000 gallons of formulation.

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**LIMITED WARRANTY AND DISCLAIMER**

Seller warrants that the product conforms to its chemical description as contained on this label and is reasonably fit for the purposes stated on this label when used in accordance with directions under normal conditions of use. THE WARRANTIES MADE IN THIS PARAGRAPH ARE SELLER'S SOLE WARRANTIES WITH RESPECT TO THE PRODUCT AND ARE MADE EXPRESSLY IN LIEU OF AND EXCLUDE ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE AND ALL OTHER EXPRESS OR IMPLIED REPRESENTATIONS AND WARRANTIES.

NET WT:

Lot:

Produced For

Dow Diamond TM

**THE DOW CHEMICAL COMPANY**

**Midland, Michigan 48674**

**989-636-4400**

<sup>TM</sup> Trademark of The Dow Chemical Company ("Dow") or an affiliated company of Dow