

464-679

12/9/2009

1/7

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

DEC 9 2009



United States
Environmental Protection
Agency

Office of Pesticide Programs

The Dow Chemical Company
1803 Building
Midland, MI 48674

Attention: Abigail Trueblood
Senior Regulatory Specialist

Subject: TRIS NITRO™ Solid
EPA Registration No. 464-679
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

A handwritten signature in black ink that reads "Martha Terry" with a stylized flourish at the end.

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

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 2-28-



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 464-679	2. EPA Product Manager M. Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) TRIS NITRO™ Brand of Tris (hydroxymethyl) nitromethane Solid	PM# 33	
5. Name and Address of Applicant (Include ZIP Code) The Dow Chemical Company 1803 Building Midland, MI 48674 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification to update label in response to PR Notice 2007-4. Enclosed cover letter contains required Notification Certification.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Text <input type="checkbox"/> No		<input type="checkbox"/> Metal	
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
				<input checked="" type="checkbox"/> Paper	
				<input checked="" type="checkbox"/> Other (Specify) <u>Box</u>	
3. Location of Net Contents Information <input type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container <u>40 lbs</u>		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product		<input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input type="checkbox"/> Other _____	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Abigail Trueblood	Title Senior Regulatory Specialist	Telephone No. (Include Area Code) 847-808-2555
---------------------------	---------------------------------------	---

Certification

I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

6. Date Application Received
(Stamped)

2. Signature 	3. Title Senior Regulatory Specialist
4. Typed Name Abigail Trueblood	5. Date 11-09-09



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. 464-679**
TRIS NITRO™ Brand of Tris (hydroxymethyl) nitromethane Solid
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

TRIS NITRO SOLID EUP
 Master Label
 December 4, 2009

2/7

TRIS NITRO™ SOLID
Industrial Bacteriostat

Active Ingredient(s): 2-Hydroxymethyl-2-nitro-1,3-propanediol 97.0%
 Inert Ingredients 3.0%
 Total 100%

E.P.A. Registration No. 464-679
 E.P.A. Est. XXXX-XX-X

KEEP OUT OF REACH OF CHILDREN

CAUTION

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

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

HARMFUL IF SWALLOWED. CAUSES MODERATE EYE IRRITATION.
 Avoid contact with eyes or clothing. Wash hands before eating, drinking, using tobacco, or using the toilet.

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 notified in writing prior to discharge. Do not discharge effluent containing this product to

TRIS NITRO SOLID EUP

Master Label

December 4, 2009

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

TRIS NITRO SOLID 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. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then offer for recycling, if available or dispose of liner in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke. If drum is contaminated and cannot be reused, dispose of it in the manner required for its liner.

DIRECTIONS FOR USE

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

Product Incorporation

Addition of TRIS NITRO SOLID to each system is best accomplished by adding TRIS NITRO SOLID to any water to be incorporated into the formulation.

USE IN PAINTS, EMULSIONS, AND THICKENER SOLUTIONS

TRIS NITRO SOLID 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 gallons total formulation weight. The recommended rate for preservation of a latex paint is 0.2 to 0.4 lb per 100 gallons of the formulation. The recommended rate for preservation of resin emulsions and thickener solutions is approximately 0.4 lb per 100 gallons of the formulation.

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 1.27- 2.54 lb of TRIS NITRO SOLID per each 100 gallons of fluid.

TRIS NITRO SOLID EUP

Master Label

December 4, 2009

Maintenance Dosage: Add 250 to 500 ppm of active TRIS NITRO weekly as required to maintain control of the system. The addition of 0.32 lb TRIS NITRO SOLID to each 100 gallons of fluid will provide a 250 ppm concentration.

In Concentrates: TRIS NITRO SOLID 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 SOLID 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 SOLID 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 INDUSTRIAL RECIRCULATING WATER SYSTEMS

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

Initial Dose: When the system is noticeably fouled, add 4 oz-5.08 lb TRIS NITRO SOLID 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 1.3 oz-1.27 lb TRIS NITRO SOLID per 1000 gallons of water in the system as needed to maintain control.

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 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 (406-812 lb TRIS NITRO SOLID per 2000 barrels of water) continuously until the desired degree of control is achieved. Subsequently, treat with 500 ppm active TRIS NITRO (406 lb TRIS NITRO SOLID 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 (406-812 lb TRIS NITRO SOLID 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 AS A PRESERVATIVE FOR PACKAGED EMULSIONS, SOLUTIONS, OR SUSPENSIONS SUCH AS DETERGENTS AND POLISHES CONTAINING WATER- Not for use in California

For control of bacterial contamination add 500-1000 ppm of active TRIS NITRO (5.08-10.16 lb TRIS NITRO SOLID) per 1000 gallons of formulation.

USE IN DRILLING MUDS

7/7

TRIS NITRO SOLID EUP

Master Label

December 4, 2009

For control of sulfate-reducing bacteria in water-based drilling muds, add 0.64-5.08 lb TRIS NITRO SOLID to 1000 gallons of formulation.

USE IN PULP AND PAPERMILL PROCESS WATER SYSTEMS- Not for use in California

Do not use this product in any process which makes paper or paperboard that will come in contact with food or feed.

For control of bacterial growth in pulp, paper and paperboard mills, add TRIS NITRO SOLID at the rate of 1.27-5.08 lb per ton of pulp or paper (dry basis). Addition may be continuous or intermittent, depending upon the type of system and the severity of contamination. It should be made with a metering pump at a location that will insure uniform distribution of TRIS NITRO SOLID in the mass of fiber and water, such as at the beaters, jordan inlet or discharge, broke chests, furnish chests, save-alls and white-water tanks.

Heavily fouled systems should be boiled out; then treat 5.08 lb TRIS NITRO SOLID per ton of paper (dry basis) as necessary for control.

Moderately fouled systems should be treated continuously with 1.27-5.08 lb TRIS NITRO SOLID per ton of paper (dry basis) on a continuous or intermittent basis as needed for control.

Slightly fouled systems should be treated continuously with 1.27 lb TRIS NITRO SOLID per ton of paper (dry basis) until control is achieved.

NET WT:

Lot:

Produced For
Dow Diamond TM
THE DOW CHEMICAL COMPANY
Midland, Michigan 48674
989-636-4400

™ Trademark of The Dow Chemical Company ("Dow") or an affiliated company of Dow