

464-680

12-09-2009

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



Office of Pesticide Programs

DEC 19 2009

The Dow Chemical Company
1803 Building
Midland, MI 48674

Attention: Abigail Trueblood
Senior Regulatory Specialist

Subject: BIOBAN™ BP-10 Preservative
EPA Registration No. 464-680
Notification Dated November 6, 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 Karen Leavy-Munk at (703) 308-6237.

Sincerely

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

Registration Amendment Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 464-680
2. EPA Product Manager M. Swindell
3. Proposed Classification None Restricted
4. Company/Product (Name) BIOBAN BP-10 Preservative
5. Name and Address of Applicant (Include ZIP Code) The Dow Chemical Company
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

Amendment - Explain below. Resubmission in response to Agency letter dated. Notification - Explain below. Final printed labels in response to Agency letter dated. Me Too Application. 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: Child-Resistant Packaging, Unit Packaging, Water Soluble Packaging, 2. Type of Container, 3. Location of Net Contents Information, 4. Size(s) Retail Container, 5. Location of Label Directions, 6. Manner in Which Label is Affixed to Product

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.: 847-808-3555
Certification: I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete.
2. Signature: Abigail Trueblood, 3. Title: Senior Regulatory Specialist, 4. Typed Name: Abigail Trueblood, 5. Date: 11-06-09, 6. Date Application Received (Stamped)



November 6, 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. 464-680**
BIOBAN™ BP-10 Preservative
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.

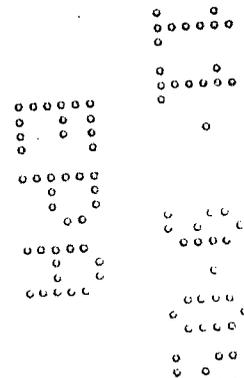
Enclosed are the following documents to support this Notification:

- 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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BIOBAN™ BP-10 Preservative

Active Ingredient(s)

2-Bromo-2-nitropropane-1,3-diol . . . 10.0%

Inert Ingredient(s) 90.0%

Total 100.0%

E.P.A. Registration No. 464-680

E.P.A. Est. No. XXXX-XX-XX

KEEP OUT OF REACH OF CHILDREN

DANGER

FIRST AID	
IF IN EYES	<ul style="list-style-type: none">• Wash immediately and continuously with flowing water for at least 30 minutes.• Remove contact lenses after the first 5 minutes and continue washing.• Obtain prompt medical consultation, preferably from an ophthalmologist
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 do so 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.
IF INHALED:	<ul style="list-style-type: none">• Move person to fresh air• If person is not breathing, call 911 or an ambulance, 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 CASE endangering life or property involving this product, call collect (989) 636-4400. Have the product container or label with you when calling a poison control center or doctor or going for treatment	
NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage	

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PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

**CORROSIVE • CAUSES IRREVERSIBLE EYE DAMAGE AND SKIN IRRITATION •
HARMFUL IF SWALLOWED ABSORBED THROUGH THE SKIN, OR INHALED •
PROLONGED OR FREQUENTLY REPEATED SKIN CONTACT MAY CAUSE ALLERGIC
REACTION IN SOME INDIVIDUALS**

Do not get in eyes, on skin, or on clothing. Wear overalls over long-sleeved shirt and long pants, socks, chemical resistant footwear, goggles and chemical-resistant gloves (such as nitrile, butyl rubber, neoprene rubber, or barrier laminate). Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing or other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Wash the outside of gloves before removing. As soon as possible wash thoroughly and change into clean clothing.

Physical and Chemical Hazards: This product is corrosive to mild steel.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish. 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 sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA. Do not contaminate water by cleaning of equipment or disposal of waste.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal. Keep away from heat.

Pesticide Storage: Do not store or transport in unlined metal container.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative of the nearest EPA Regional Office for guidance.

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.

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See Directions for Use Label Adjacent to the BIOBAN BP-10 Drum Label

[Directions for Use Label]

Directions for Use Label to be Used with BIOBAN BP-10 Preservative Drum label

IN CASE OF AN EMERGENCY endangering life or property involving this product, call collect (989)636-4400. Have the product container or label with you when calling a poison control center or doctor or going for treatment/

DIRECTIONS FOR USE It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

GENERAL USE DIRECTIONS To control the growth of slime-forming, spoilage, odor-causing and corrosion inducing bacteria and algae in industrial applications. **Not for control of algae in California.**

BIOBAN BP-10 Preservative can be dosed directly by preparing a stock solution immediately prior to application either by open pouring (not cooling water treatment) or by metered pump. For product preservation BIOBAN BP-10 Preservative is best added to any liquid phase as late as possible during the manufacturing process and after any heating stage, or when the product has cooled below 40°C.

OIL FLOODING WATER/INJECTION WATERS

To inhibit the growth of slime-forming or corrosion-inducing sulfate-reducing bacteria in oil well injection waters, inject BIOBAN BP-10 Preservative as a slug dose at any convenient point.

FREQUENCY AND DOSE: Depending on severity and rapidity of contamination, BIOBAN BP-10 Preservative should be used from once a week to once a month at a concentration of 2-8 pt/1000 gallons.

DRILLING MUDS

To preserve oil and gas well drilling muds by inhibiting growth of cellulolytic, slime-forming, or sulfate-reducing bacteria. BIOBAN BP-10 Preservative may be dosed directly into the mud hopper.

FREQUENCY AND DOSE: A single slug dose one to three times each 24 hours. Each slug dose should be 0.18 to 0.38 pt/barrel total mud volume.

DRILLING FLUIDS AND WORKOVER AND COMPLETION FLUIDS

For use in oil and gas well drilling muds and brines, inhibiting growth of cellulolytic, slime-forming or sulfate-reducing bacteria. BIOBAN BP-10 Preservative may be dosed directly into the mud or brine.

FREQUENCY AND DOSE: A single slug dose one to three times each 24 hours. Dosing may be less frequent where the contamination is low. Each slug dose should be 0.18 to 0.36 pt/barrel total mud volume.

INJECTION FLUIDS

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To control contamination and corrosion from bacterial sources in fluids/waste fluids that are disposed of through injection into an approved well followed approved guidelines, add BIOBAN BP-10 Preservative to each volume of fluid prior to injection.

FREQUENCY AND DOSE: BIOBAN BP-10 Preservative should be added at a rate of 500-1000 ppm (0.18-0.36 pt/barrel) based on the water percent of the injection fluid.

ENHANCED OIL RECOVERY (EOR) FLUIDS

For effective control of bacterial growth and eliminating degradation of EOR gels and fluids used in the oil and gas industry, add BIOBAN BP-10 Preservative during mixing or by injection during the EOR procedure.

FREQUENCY AND DOSE: BIOBAN BP-10 Preservative should be added throughout the EOR operation. BIOBAN BP-10 Preservative should be added at the rate of 500-1000 ppm (0.18-0.36 pt/barrel) depending on the quality of the makeup water.

WELL SQUEEZE FLUIDS

For the effective control of aerobic and anaerobic bacteria in squeeze fluids and downhole bore areas, add BIOBAN BP-10 Preservative during pre-mixing of the well squeeze or by direct injection at the well head during the well squeeze procedure.

FREQUENCY AND DOSE: BIOBAN BP-10 Preservative should be used for each well squeeze operation to ensure best results. Add BIOBAN BP-10 Preservative at a rate of 2-16 pt/1000 gallons, depending on the quality of the makeup water

FRACTURING FLUIDS

BIOBAN BP-10 Preservative reduces bacterial contamination and degradation of fracturing gels and fluids used as well stimulants in the oil and gas industry. Add BIOBAN BP-10 Preservative direct to the well phase at any stage of the fracturing operation, for example, at the pre-mixing stage or by direct injection at the well head in combined mix/injection procedures.

FREQUENCY AND DOSE: BIOBAN BP-10 Preservative should be used for each fracturing operation to ensure best results. Add BIOBAN BP-10 Preservative at a rate of 4-8 pt/1000 gallons, depending on the quality of the makeup water.

INDUSTRIAL RECIRCULATING WATER COOLING TOWERS AND EVAPORATIVE CONDENSERS

To control slime-forming bacteria and algae in industrial recirculation cooling towers and evaporative condensers. BIOBAN BP-10 Preservative may be slug-dosed directly into the sump or basin or it may be added by a suitable chemical pump. Where metering pumps are used, these must be set to deliver the required dose as fast as possible (e.g. within 1 hour). The dosing point should be located close to the outlet from the basin to ensure rapid dispersal around the system.

FREQUENCY AND DOSE: BIOBAN BP-10 Preservative may be shock-dosed once or twice weekly as a normal routine. Where contamination is heavy, more frequent dosing may be required. In heavily fouled systems, the tower should be drained and cleaned before treating with BIOBAN BP-10 Preservative. BIOBAN BP-10 Preservative should be shock-dosed at between 2-8 pt/1000 gallons depending on the condition of the tower, the quality of raw water input, and the amount of bleed off.

PRODUCED WATER

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To inhibit the growth of slime-forming or corrosion-inducing sulfate-reducing bacteria in formation water produced by wells together with oil or gas, inject BIOBAN BP-10 Preservative into the water-containing oil or gas stream at any convenient point. It should be injected as slug doses, not continuous feed.

FREQUENCY AND DOSE: Depending on the severity and rapidity of contamination BIOBAN BP-10 Preservative should be slug-dosed from one a week to once a month with 0.083-0.33 pt/barrel.

INDUSTRIAL PROCESS WATER

Use BIOBAN BP-10 Preservative to effectively control bacterial and algal growth in industrial process water, including, closed circuit machine cooling (injection molding, etc.) and stored (non-potable) water, as well as to reduce the biofouling of pipework, heat exchangers, condenser tubes and to minimize microbially produced corrosion. Dosing should be carried out into the sump/tank of the process water system. Shock-dosing is preferred. BIOBAN BP-10 Preservative can also be used as an intermittent flush treatment during regular maintenance cleaning of watertanks (non-potable) or equipment.

FREQUENCY AND DOSE: In open systems, shock-dosing should be carried out on a once weekly to once monthly basis, depending on the degree of contamination. In closed circuit systems with little possibility of re-infection or loss of BIOBAN BP-10 Preservative because of makeup or dilution, less frequent dosing (once monthly/twice monthly) should be sufficient. Dosing should be carried out to give an initial concentration of 500 ppm BIOBAN BP-10 Preservative (4pt/1000 gallons). When the above treatment has been successful, dosing can be lowered to a minimum of 100 ppm BIOBAN BP-10 Preservative (0.8 pt/1000 gallons). For intermittent treatment of industrial process water during routine maintenance, BIOBAN BP-10 Preservative should be used at 1000 ppm (8pt/1000 gallons) and a contact time of at least one hour.

PAPER MILL PROCESS WATER

To control slime-forming bacteria in paper or paperboard process water systems, BIOBAN BP-10 Preservative may be dosed at a convenient point early in the process system. Suitable dosing points are the machine chest, constant head box, or backwater loop system.

FREQUENCY AND DOSE: BIOBAN BP-10 Preservative should be shock-dosed once, twice, or three times daily in quantities sufficient to meet the required dose based on the daily production of finished products. Dose at between 0.2-5 pints per ton of finished paper or paperboard, depending on the complexity of the system, quality of the raw paper, and type and degree of contamination.

PAPER MILLS-BULK PULP

To preserve bulk quantities of pulp in paper and paperboard manufacturing systems or to prevent foul odors and general biodeterioration of stock when it is stored in bulk for any significant period of time, add BIOBAN BP-10 Preservative directly into the hydro pulper, machine chest or stock chest.

FREQUENCY AND DOSE: In general a single slug dose will provide control for up to 3 days or longer, depending upon the initial level of contamination in the stock. In situations where the contamination is high, repeat dosing every 1-7 days may be required. BIOBAN BP-10 Preservative should be dosed at 4-16 pt/1000 gallons per ton of stock depending on the type and degree of contamination.

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ADHESIVES

For control of microbial contamination, add 1.0 to 10.0 lb of BIOBANBP-10 Preservative per 1000 lb total formulation weight. The addition is best accomplished by adding the product to any water to be incorporated into the formulation.

PAINTS AND LATEX

To provide in-can preservation and prevent bacterial spoilage during storage of acrylic, styrene-acrylic, polyvinyl acetate and other emulsion concentrates and latex emulsion based paints, and to prevent spoilage of in-service paint applications tanks, add BIOBAN BP-10 Preservative at any convenient point during the manufacturing process. Ideally, it should be added as a final step just prior to psacking of the product into bulk or sales packs. If a heating stage is involved in the manufacture, add BIOBAN BP-10 Preservative after this stage when the product has cooled to below 40°C. Addition to application tanks should be by slug dosing the tank as needed to prevent bacterial spoilage.

FREQUENCY AND DOSE: BIOBAN BP-10 Preservative should be dosed at 1000 to 5000 ppm based on the final formulation volume (8 to 40 pt/1000 gallons).

ABSORBENT CLAYS , CORN COBS AND GROUND WOOD

Impregnate absorbent clays, corn cobs or ground wood with BIOBAN BP-10 Preservative to inhibit the growth of odor-causing bacteria. The suggested application rate is 250-2000 ppm (0.4-3.2 oz av per 100 pounds of absorbent material).

USES UNAPPROVED IN CALIFORNIA

PIPELINE MAINTENANCE

To control aerobic and anaerobic bacteria, particularly sulfate-reducing bacteria, growth in oil and gas related production piping and transporation systems, inject BIOBAN BP-10 Preservative directly into the pipeline or add to the hydrocarbon phase. Addition of the BIOBAN BP-10 Preservative will produce long-term water concentrations by a diffusion process.

FREQUENCY AND DOSE: Slug treatments are recommended and can vary from daily to monthly to control growth. BIOBAN BP-10 Preservative should be dosed at a rate which will achieve concentrations of 250-2000 ppm in the aqueous phase. Higher concentrations may be used to allow diffusion into the aqueous phase. Dose will depend on the volume of crude or oil and the expected water fraction.

WATER- BASED PRINTING INKS AND FOUNT SOLUTIONS

To inhibit the growth of spoilage bacteria during the storage and use of water-based printing inks and fount solutions. For in-can preservation, add BIOBAN BP-10 Preservative at any convenient point in the manufacturing process. Ideally, it should be added as a final step after any heating stage and when the product has cooled to below 40° C. To control bacterial spoilage during the use of fount solutions, BIOBAN BP-10 Preservative should be shock-dosed at a suitable point in the fount reservoir where there is adequate flow or turbulence to ensure quick mixing. BIOBAN BP-10 Preservative may be shock-dosed once or twice weekly as a normal routine. Where conditions indicate, more frequent shock-dosing may be required.

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IN-CAN PRESERVATION: BIOBAN BP-10 Preservative should be dosed at 1000 to 5000 ppm based on the final formulation volume depending on the contamination levels in the font reservoir.

FOUNT SOLUTIONS: BIOBAN BP-10 Preservative should be shock-dosed at between 200 and 1000 ppm (1.6 to 8 pt/1000 gallons) depending on the contamination levels in the fount reservoir.

STARCH, PIGMENT AND EXTENDER SLURRIES

To inhibit the growth of spoilage bacteria during the manufacture, storage and distribution of water-based suspension concentrates, BIOBAN BP-10 Preservative may be dosed at or close to the end of the manufacturing process in a quantity of the process water. If the manufacturing process involves a heating stage, BIOBAN BP-10 Preservative should be added after this stage when the product has cooled to below 40° C.

FREQUENCY AND DOSE: BIOBAN BP-10 Preservative should be dosed at 1000- 5000 ppm based on the final formulation volume (8-40 pt/1000 gallons)

WATER BOTTOMS IN OIL OR TRANSPORTATION TANKS

BIOBAN BP-10 Preservative provides effective control of bacterial contamination in water bottoms, in crude and refined hydrocarbon storage systems. Above and below ground storage tanks and large marine systems are all suitable for treatment. BIOBAN BP-10 Preservative may be injected directly into the water bottom or may be sprayed over the surface of the hydrocarbon phase and allowed to percolate through.

FREQUENCY AND DOSE: Direct edition to the water phase by injection or percolation should be carried out every 30-60 days depending on the severity of the problem. Addition to the hydrocarbon phase will result in longer term protection by gradual diffusion from the hydrocarbon phase into the water phase (depending on storage conditions). Incorporate BIOBAN BP-10 Preservative at a rate which will achieve concentrations of 500-1000 ppm in the aqueous phase. Larger quantities may be added when dosing the hydrocarbon phase to allow diffusion of the active ingredient into the water bottom.

HIDES AND SKINS

BIOBAN BP-10 Preservative is used to prevent bacterial decomposition of hides and skins.

When the product is used for temporary preservation, it is applied at 0.1- 1.0% (1000-10,000 ppm) based on the weight of green fleshed hides or skins. The specific dosage and contact time will be dependent on the condition of the hides and the desired length of preservation.

When used for the preservation in brine of hides/skins BIOBAN BP-10 Preservative should be used at a level of 0.005-0.5% (50- 5000 ppm) in a raceway or at 0.005-0.5% (50-5000 ppm) in a mixer based on the total weight of hides or skins and saturated brine solution. In raceway operations it can be added directly to the raceway during the addition of hides and operations of paddles. In processor/mixer operations the product should be added as dispersion in water. A satisfactory dispersion of 1 part BIOBAN BP-10 Preservative plus 4 parts water can be prepared by adding the BIOBAN BP-10 Preservative to the water (as opposed to adding water to BIOBAN BP-10 Preservative) with agitation.

LEATHER

BIOBAB BP-10 Preservative can be used to prevent bacterial decomposition of brine-cured, wetp-salted, air-dried or green fleshed hides and skins in the soaking process. For this purpose,

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BIOBAN BP-10 Preservative can be used at treatment levels of 0.005-0.3% (50- 3000 ppm) based on the weight of the hides/skins and process water (float) and added as dilution in water. A satisfactory dilution of 1 part BIOBAN BP-10 Preservative plus 9 parts water can be prepared by adding the BIOBAN BP-10 Preservative to the water (as opposed to adding water to BIOBAN BP-10 Preservative) with agitation. This dilution should be made immediately prior to use in the soaking process and added directly to the soak tank, paddles, mixers or drums as suitable.

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

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