

09/02/2009

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

SEP 2 2009



United States
Environmental Protection
Agency

Office of Pesticide Programs

The Dow Chemical Company
1803 Building
Midland, MI 48674

Attention: Rhonda Vance-Moeser
Senior Regulatory Specialist

Subject: AQUICAR™ THPS 75 Water Treatment Microbiocide
EPA Registration No. 464-8126
Notification Dated August 3, 2009

This will acknowledge receipt of your notification to revise the container disposal statement 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 and is acceptable. This information has been added to the files.

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

Sincerely

A handwritten signature in cursive script that reads "Martha Terry" with a large flourish at the end.

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



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 464-8126	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Dow Chemical Co./ AQUCAR THPS 75 Water Treatment Microbio	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: <input checked="" type="checkbox"/> EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input checked="" 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 in response to PR Notice 2007-4 to revise container disposal statement. Required Notification statement is on enclosed cover letter. With this submission we are submitting our final printed labels in response to Agency letter dated July 7, 2009 granting registration to AQUCAR THPS 75 Water Treatment Microbicide.

Section - III

1. Material This Product Will Be Packaged in:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product		<input 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 Rhonda Vance-Moeser	Title Sr. Regulatory Specialist	Telephone No. (include Area Code) 989-636-1884
<p align="center">Certification</p> <p>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.</p>		6. Date Application Received (Stamped)
2. Signature <i>Rhonda Vance-Moeser</i>		
3. Title Sr. Regulatory Specialist		
4. Typed Name Rhonda Vance-Moeser		5. Date <i>Aug. 3, 2009</i>



The Dow Chemical Company
Midland, Michigan 48667

August 3, 2009

Overnight Mail

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, Virginia 22202-4501

**RE: AQUACAR™ THPS 75 Water Treatment Microbiocide, EPA REG. NO. 464 – 8126
NOTIFICATION and FINAL LABEL SUBMISSION**

Dear Mr. Swindell,

The Dow Chemical Company (Dow) hereby submits a Notification application to revise the container disposal statement on the label 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 enforcement action and penalties under section 12 and 14 of FIFRA”

In addition, enclosed are our final printed labels in response to the Agency letter of July 7, 2009 granting registration.

Enclosed are the following documents to support this Notification

- 1) Completed application for Pesticide Registration, Form 8570-1.
- 2) One marked copy of the label indicating the change highlighted in yellow.
- 3) Two copies of final printed label.

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

Sincerely,

Rhonda Vance-Moeser
Senior Regulatory Specialist
574 Building, Office 2044
Midland, MI 48667
Phone: (989) 636-1884
e-mail: rgvmoeser@dow.com

Enclosures

AQUCAR™ THPS 75 Water Treatr

**KEEP OUT OF REACH OF CHILDREN
DANGER**

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

DANGER

Danger • Corrosive • Causes Eye Damage And Skin Irritation • Do Not Get In Eyes, On Skin, Or On Clothing. • Wear Long-Sleeved Shirt And Long Pants Or Coveralls, Goggles, Face Shield And Chemical Resistant Gloves When Handling • Prolonged Or Frequently Repeated Skin Contact May Cause Allergic Reactions In Some Individuals • Harmful If Inhaled • Avoid Breathing Vapor Or Mist • Harmful Or Fatal If Swallowed • Avoid Contamination Of Food • Wash Thoroughly With Soap And Water After Handling And Before Eating, Drinking, Chewing Gum, Using Tobacco Or Using The Toilet • Remove And Wash Contaminated Clothing Before Reuse.

User Safety Recommendations

Users must remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users must wash hands before eating, drinking, chewing gum, or using the toilet. Users must remove PPE immediately after handling this product. Wash outside of gloves before removing. As soon as possible, wash thoroughly. If no such instructions exist for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

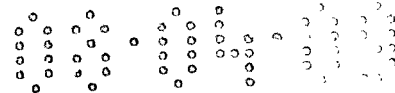
ENVIRONMENTAL HAZARDS

This product 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.

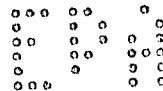
STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.
Storage: Store this product in a cool, dry area away from direct sunlight and heat to avoid deterioration. Keep container tightly closed when not in use. In case of a spill, flood the area with large quantities of water.
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 at 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 or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

Notice: Seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions. SELLER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.



FOR INDUSTRIAL USE ONLY



Active Ingredient

Tetrakis(hydroxymethyl) phosphonium sulfate	76.5%
Other Ingredients	23.5%
Total	100%

FIRST AID

If In Eyes	<ul style="list-style-type: none"> Hold eye 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 eye. Call a poison control center or doctor for treatment advice.
If On Skin Or Clothing	<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, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice. If breathing is difficult, oxygen should be administered by qualified personnel.
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 the poison control center or doctor. Do not give anything by mouth to an unconscious person.

HOT LINE NUMBER

IN CASE OF AN EMERGENCY endangering life or property involving this product, call collect (989)636-4400. Have 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. Maintain adequate ventilation and oxygenation of the patient. No specific antidote. Treatment of exposure should be directed at the control of symptoms and the clinical condition of the patient.

E.P.A. Registration No. 464-8126
E.P.A. Est. xxx-xxx-xxx

Produced For - When Produced By Contract Manufacturer



The Dow Chemical Company
Midland, Michigan 48674
989-636-4400

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Water Treatment Microbiocide

HIGHLIGHTED
CHANGES. 5/5

DIRECTIONS FOR USE

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

OIL FIELD AND PETROCHEMICAL OPERATIONS

AQUACAR THPS 75 Water Treatment Microbiocide is effective in controlling sulfate reducing bacteria, general aerobic bacteria, including microorganisms that contribute to biofilm formation in oil field recovery, processing and distribution applications and supporting systems; such as injection water, water holding tanks, disposal well water, recirculating water handling systems, and pipelines. AQUACAR THPS 75 Water Treatment Microbiocide has been shown to dissolve iron sulfide and sequester iron when used under these conditions, leading to improved filter life and well injectivity, and reduction of hydrocarbon sheen. AQUACAR THPS 75 Water Treatment Microbiocide is also effective for use in controlling microbial growth in fluids used for drilling and stimulation of oil and gas wells.

Water Floods

AQUACAR THPS 75 Water Treatment Microbiocide should be added to a water flood system at a point where uniform mixing will occur.

Initial Treatment:

For a noticeably fouled system, add 93-350 ppm AQUACAR THPS 75 Water Treatment Microbiocide. When added to a flowing system, slug dose for 2-6 hours based on flow rates. Repeat as necessary until control is achieved.

Subsequent Treatment:

Once control has been achieved, add 14-98 ppm AQUACAR THPS 75 Water Treatment Microbiocide weekly or as needed to maintain control. When added to a flowing system, slug dose for 2-6 hours based on flow rates.

Continuous Treatment:

AQUACAR THPS 75 Water Treatment Microbiocide can be dosed continuously at a level of 14-87 ppm.

Oil and Gas Production and Transmission Pipelines and Systems

AQUACAR THPS 75 Water Treatment Microbiocide should be added at a point in the pipeline where uniform mixing will occur. The application should be conducted to ensure maximum distribution of product through the internal surface of the pipeline by adding an amount of biocide which eventually comes out the other end of the pipeline. Criteria for success of the treatment will be reduction in bacterial count and/or corrosion rates.

Slug Dosing:

Follow instructions for water flood treatment.

Continuous Dosing:

AQUACAR THPS 75 Water Treatment Microbiocide can be dosed continuously at a level of 14-100 ppm.

Drilling Muds, Packer Fluids, Completion and Workover Fluids

AQUACAR THPS 75 Water Treatment Microbiocide should be added to these fluids at a point where uniform mixing will occur. Add 33-1400 ppm of product to a freshly prepared fluid depending on severity of contamination.

Gas Storage Well and Systems

Individual injection wells should be treated with AQUACAR THPS 75 Water Treatment Microbiocide at the same application rates and in the same manner as described under Water Floods. Injections should be repeated as needed to maintain control. Individual drips should be treated with a sufficient quantity of product to produce a concentration of 33.3-133.3 ppm when diluted by the water present in the drip. Injections should be repeated as needed to maintain control.

Well Remediation Operations

Individual production or injection wells may be bullheaded with AQUACAR THPS 75 Water Treatment Microbiocide to control bacteria and simultaneously dissolve iron sulfide deposits. Pump the product into the well as a solution in water containing from 13.33 to 40% AQUACAR THPS 75 Water Treatment Microbiocide. The well should be shut-in for a period of time (at least 6 hours) then put back into operation.

Hydrotesting

Water used to hydrotest pipelines or vessels should contain 66.6-666.5 ppm AQUACAR THPS 75 Water Treatment Microbiocide, depending on water quality and length of time the equipment will remain idle.

Pipeline Piggings And Scraping Operation

Add AQUACAR THPS 75 Water Treatment Microbiocide to a slug of water immediately following the scraper (ideally this water volume can be kept to a minimum and contained between the scraper and a trailing pig). Sufficient product should be added to produce a concentration of 70-700 ppm in the water at the discharge point or pig trap, depending on the length of the pipeline and the severity of biofouling.

INDUSTRIAL AND COMMERCIAL RECIRCULATING COOLING WATER SYSTEMS

Note: For cooling water systems of equal to or greater than 4000 gallons, do not apply by open pouring of liquid to cooling water systems; a metering pump delivery system is required for this use and application method.

For control of bacteria, fungi and algae

Initial Slug Dose:

Add 93-350 ppm of AQUACAR THPS 75 Water Treatment Microbiocide based on total water volume. Repeat until control is obtained. Thereafter, add either intermittently 35-140 ppm of AQUACAR THPS 75 Water Treatment Microbiocide (26-105 ppm THPS) or continuously 18.6-65.3 ppm of AQUACAR THPS 75 Water Treatment Microbiocide per day. Dirty systems must be cleaned prior to treatment.

INDUSTRIAL FRESH WATER SYSTEMS

AQUACAR THPS 75 Water Treatment Microbiocide is effective in controlling algae in holding ponds and in controlling bacteria and fungi in holding and processing tanks of industrial fresh water systems supplying water to pulp and paper mills, textile mills and other manufacturing plants. In pulp and paper mills, treatment of the fresh water with AQUACAR THPS 75 Water Treatment Microbiocide can make an important contribution to slime control. The use of AQUACAR THPS 75 Water Treatment Microbiocide as described will reduce the development of slimes in fresh water pipes and other equipment, and on the pulp and paper mill machine parts contacted by fresh water. If water is used in the manufacture of paper and paperboard products that may contact food the concentration of THPS in the slurry can not exceed 84 ppm.

For the control of algae in industrial fresh water systems, AQUACAR THPS 75 Water Treatment Microbiocide should be added to provide a concentration of 1.33-13.33 ppm of product. Treatment should be based on the amount of water entering a pond or reservoir or leaving the pond or reservoir and entering the immediate processing operations. While treatment can be made continuously, regular slug-dosing treatment will provide adequate control.

INDUSTRIAL WASTEWATER SYSTEMS

Wastewater Systems, Wastewater Sludge and Wastewater Holding Tanks

AQUACAR THPS 75 Water Treatment Microbiocide should be added to a wastewater system sludge at a convenient point of uniform mixing such as a digester. Add 333.33-1666.66 ppm of AQUACAR THPS 75 Water Treatment Microbiocide to wastewater or sludge.

MACROFOULING CONTROL

AQUACAR THPS 75 Water Treatment Microbiocide should be added continuously to maintain level of 20 ppm active ingredient (THPS) in the system for a period of at least 96 hours.

Initial Dose:

When macrofouling is present in the system, apply 26.66 ppm of AQUACAR THPS 75 Water Treatment Microbiocide based on total water volume.

Continue to add AQUACAR THPS 75 Water Treatment Microbiocide as needed to maintain the 20 ppm active ingredient (THPS) level for a period of at least 96 hours.

SERVICE WATER AND AUXILIARY SYSTEMS

AQUACAR THPS 75 Water Treatment Microbiocide should be added to service water and auxiliary systems at the same application rates and in the same manner as described above should be added to the system at a point of uniform mixing such as a basin area, sump area, other reservoir or collecting area from which the treated water will be circulated uniformly throughout the system.

HEAT TRANSFER SYSTEMS

Evaporative Condensers, Dairy Sweetwater Systems, Hydrostatic Sterilizers and Retorts, Brewery and Other Pasteurizers, and Warmers.

Add AQUACAR THPS 75 Water Treatment Microbiocide at the same application rates, and in the same manner as described above. It should be added to the system at a point of uniform mixing such as a basin area, sump area, or other reservoir or collecting area from which the treated water will be circulated uniformly throughout the system.

AIR WASHER SYSTEMS

For control of bacteria and fungi

Note: This product may be used only in air washer systems which have mist eliminating components.

Pre-clean the system with detergent and allow air washer to run with fan on for two hours. Flu and check nozzles, manually cleaning as necessary. Add 35-93.3 ppm of AQUACAR THPS 75 Water Treatment Microbiocide at a point where uniform mixing and even distribution will occur. Repeat as needed to maintain control.

PAPER AND PAPERBOARD MANUFACTURING

For control of bacteria, fungi and algae.

For use as a silmicide in the manufacture of paper and paperboard products and adhesives it do not contact food.

Dosing: Additions should be made at a point in the system where mixing action is good, e.g. raw stock chest beater or mixing unit. Add intermittently or continuously depending on mill conditions.

Intermittent Dosing: Add 32.7-1333.3 ppm of AQUACAR THPS 75 Water Treatment Microbiocide based on total water volume or an equivalent based on dry weight of paper produced.

Continuous Dosing: Add 53.3 - 186.7 ppm of AQUACAR THPS 75 Water Treatment Microbiocide based on total water volume or an equivalent based on dry weight of paper produced.

COATINGS, PIGMENTS AND FILLER SLURRIES

Note: Do not use in paper and paperboard and adhesives that will contact food.

For use as a preservative to retard microbial growth in water-based coatings, starches, pigments and filler slurries. The treatment rate necessary to retard spoilage of the additive will vary with the extent of contamination of make-up water and the length of storage.

Dosing: Apply from 233.33-666.5 ppm of AQUACAR THPS 75 Water Treatment Microbiocide to the additive to be preserved based on the total weight of the additive and water.

EMULSION AND SOLUTION PRESERVATION

Note: Not for use in manufacture of paper and paperboard products and adhesives that may come in contact with food.

For the preservation of solutions, emulsions, adhesives and other aqueous liquid products, add 0.0233% to 0.233% AQUACAR THPS 75 Water Treatment Microbiocide. Add at a point in the processing system where there will be sufficient time and agitation for good mixing and dispersion. The exact amount of AQUACAR THPS 75 Water Treatment Microbiocide to be added for the preservation of given formulations will depend on the components as well as local storage time and requirements.

FIRE PROTECTION SYSTEMS

AQUACAR THPS 75 Water Treatment Microbiocide is effective at controlling microbial growth in waters and on pipe surfaces in fire protection systems. Such microbial growth when combined with other forms of corrosion can lead to accelerated corrosion rates and pitting corrosion, commonly referred to as microbiologically influenced corrosion. AQUACAR THPS 75 Water Treatment Microbiocide also removes free oxygen from the water, thus eliminating an important nutrient for bacteria and an important reactant in many corrosion reactions.

AQUACAR THPS 75 Water Treatment Microbiocide should be added to a fire protection system using a chemical metering pump capable of variable pump rates. AQUACAR THPS 75 Water Treatment Microbiocide should be injected at a point, such as a riser, manifold or makeup feed water line, where uniform mixing and distribution will occur. Add 100-400 ppm AQUACAR THPS 75 Water Treatment Microbiocide depending on severity of microbial contamination in the system. Repeat as needed.