1757-71

07/29/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Kathryn Ingram, Regulatory Specialist
Ashland, Inc.
7910 Baymeadows Way
Jacksonville, FL 32256

Subject: Notification per PR Notice 2007-4
Biosperse 244
EPA Registration Number: 1757-71
Application Date: July 1, 2009
Receipt Date: July 6, 2009

JUL 29 2009

Dear Ms. Ingram:

This is to acknowledge the notification submitted under the provisions of PR Notice 2007-4, FIFRA section 3(c) 9.

Proposed Notification:

Label change as per PR Notice 2007-4.

Comment:

The notification is acceptable. A copy has been inserted in your file for future reference.

Should you have further questions concerning this letter, please contact me by telephone at (703) 308-6415 or by e-mail at lantz.tracy@epa.gov or Killian Swift of my staff by telephone at (703) 308-6346 email address at: swift.killian@epa.gov during the hours of 8:00 am to 4:00 pm EST. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely yours,

Tracy Lantz

Tracy Lantz
Acting Product Manager 34
Regulatory Management Branch II
Antimicrobials Division (7510P)

Please read instructions on reverse before completing form. Form Approved OMB No. 2070-0060 Print Form

EPA United States Environmental Protection Agency Washington, DC 20460

☐ Registration ☐ Amendment ☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number	2. EPA Product Manager	3. Proposed Classification
1757-71	Adam Heyward - #34	☒ None ☐ Restricted
4. Company/Product (Name) Biosperse 244	**PM#** # 34	

5. Name and Address of Applicant *(Include ZIP Code)*

Drew Industrial Division, Ashland Chemical Company, Division of Ashland Inc. One Drew Plaza Boonton, NJ 07005

☐ *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

☐ 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 of a label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146 and 156.156. See attached letter for additional statements.

Section - III

1. Material This Product Will Be Packaged In:

Child-Resistant Packaging	Unit Packaging	Water Soluble Packaging	2. Type of Container
☐ Yes* ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Metal ☐ Plastic ☐ Glass ☐ Paper ☐ Other (Specify) _____
* *Certification must be submitted*	If "Yes" Unit Packaging wgt. / No. per container	If "Yes" Package wgt / No. per container	

3. Location of Net Contents Information	4. Size(s) Retail Container	5. Location of Label Directions
☐ Label ☐ Container		☐ On Label ☐ On Labeling accompanying product

6. Manner in Which Label is Affixed to Product ☐ Lithograph ☐ Paper glued ☐ Stenciled ☐ Other _____

Section - IV

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

Name	Title	Telephone No. (Include Area Code)
Kathryn Ingram	Regulatory Specialist	904/256-0311

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
Kathryn Ingram	Regulatory Specialist
4. Typed Name Kathryn Ingram	**5. Date** July 1, 2009

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ASHLAND

Ashland Hercules Water Technologies

Name Kathryn Ingram
Title Regulatory Specialist

7910 Baymeadows Way Jacksonville, FL 32256

KRIngram@Ashland.com

July 1, 2009

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

Subject: Biosperse 244; EPA Registration # 1757-71
Notification per PR Notice 2007-4

Dear Mr. Heyward:

This submission is to notify the EPA of a label change to the Storage & Disposal section of the Biosperse 244 label per PR Notice 2007-4.

This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, 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:

- Application form, EPA Form 8570-1
- Revised product label with changes clearly marked

Please send all correspondence to the following address:
Ashland Inc
7910 Baymeadows Way
Jacksonville, FL 32256
Attn: Kathryn Ingram

Please contact me at 904-256-0311 or via email at KRIngram@Ashland.com with questions or comments regarding this submission. Thank you for your assistance.

Thank you,

Kathryn Ingram

Kathryn Ingram

HERCULES

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BIOSPERSE® 244

NOTIFICATION
Date Reviewed: 7/29/09
Reviewed By: R. Swift

Microbiocide
FOR INDUSTRIAL USE ONLY

ACTIVE INGREDIENT	
2,2-dibromo-3-nitrilopropionamide	20.0%
INERT INGREDIENTS*	80.0%
TOTAL	100.0%

*Inert ingredients includes solubilizing and dispersing agents.

KEEP OUT OF REACH OF CHILDREN

DANGER

FIRST AID

IF IN EYES	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. Call a poison control center or doctor for treatment advice.
IF INHALED	Move the 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 advice.
IF SWALLOWED	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. Do not give anything by mouth to an unconscious person.
IF ON SKIN	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.

Have the product container or label with you when calling a poison control center or doctor or going for treatment.
For emergency information on BIOSPERSE 244, call the National Pesticides Information Center at 1-800-858-7378, 6:30AM to 4:30PM Pacific Time (PT), seven days a week. During other times, call the poison control center 1-800-222-1222.
NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

EPA Reg. No. 1757-71

Est. No. 1757-NJ-1
1757-TX-1
74855-GA-001

NET CONTENTS MARKED ON DRUM

FOR INDUSTRY USE ONLY

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PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
DANGER

CORROSIVE: Causes irreversible eye damage. May be fatal if inhaled or swallowed. Causes skin irritation. Do not get in eyes, on skin or on clothing. Do not breathe dust. When loading or handling wear protective eyewear (goggles or face shield), long-sleeved shirt and long pants, socks, shoes, chemically resistant gloves and a NIOSH approved respirator. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Remove and wash contaminated separated from other before reuse.

PERSONAL PROTECTIVE EQUIPMENT

Applicators and other handlers must wear:

* coveralls over long-sleeved shirt and long pants,
* socks and chemical-resistant footwear,
* goggles or face shield, and
* chemical resistant gloves (such as barrier laminate or butyl nitrile/neoprene rubber, PVC, or viton).

ENGINEERING CONTROLS

When handlers use closed metering systems the handler requirements may be reduced or modified to long-sleeve shirt, long pants, shoes and socks.

USER SAFETY RECOMMENDATIONS

Users must wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users must remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users must remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and wildlife. 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. Apply this product only as specified on this label.

APPLICATION RESTRICTIONS

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application.

This product is effective in controlling the growth of bacteria, fungi and algae in industrial recirculating water cooling towers and evaporative condensers. It is also controls slime-forming bacteria and fungi in airwasher systems; and controls bacteria and fungi and yeasts in enhanced oil recovery systems and in metalworking fluids containing water.

DIRECTIONS FOR USE

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

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The dosage of BIOSPERSE 244 required for any specific application will depend upon a number of factors including: the nature and extent of microbiological contamination, the type and volume of the system being treated, the degree of control desired, and retention time in the system. Where necessary, your Ashland Representative will arrange for microbiological and chemical analysis, so that technical advice can be given concerning specific site problems.

COOLING TOWERS AND EVAPORATIVE CONDENSERS

Dosages for industrial recirculating water cooling towers will depend on the condition of the system prior to the initiation of treatment. Heavily contaminated systems should be cleaned prior to treatment. Apply BIOSPERSE 244 to the cleaned system or when growth is first noticed according to the following schedule:

BACTERIAL AND FUNGAL CONTROL

INTERMITTENT OR SLUG FEED METHOD

Initial Dose: When the system is noticeable fouled, add 0.6 to 1.2 fluid ounces (6 – 12 ppm) BIOSPERSE 244 per each 1000 gallons of water in the system. This dose may be repeated once, twice, or three times weekly or as required to control the growth of slime forming organisms.

Subsequent Dose: When microbial control is evident, add 0.3 to 1.2 fluid ounces (3 – 12 ppm) BIOSPERSE 244 per each 1000 gallons of water in the system every four days, or as needed to maintain good control.

CONTINUOUS FEED METHOD

Initial Dose: When the system is noticeable fouled, add 0.6 to 1.2 fluid ounces (6 – 12 ppm) BIOSPERSE 244 per each 1000 gallons of water in the system. Subsequently, maintain this level by pumping a continuous feed of 0.12 to 0.6 fluid ounces (1.2 to 6 ppm) BIOSPERSE 244 per each 1000 gallons of water in the system lost by blowdown.

ALGAL CONTROL

INTERMITTENT OR SLUG FEED METHOD

Initial Dose: When the system is noticeably fouled, add 6.0 to 12.0 fluid ounces (60 -120 ppm) BIOPSERSE 244 per each 1000 gallons of water in the system. Repeat until control is achieved.

Subsequent Dose: When algal control is evident, add 4.0 to 12.0 fluid ounces (40 – 120 ppm) BIOSPERSE 244 per each 1000 gallons of water in the system or as needed to maintain control.

CONTINUOUS FEED METHOD

Initial Dose: When the system is noticeably fouled, add 6.0 to 12.0 fluid ounces (60 to 120 ppm) BIOPSERSE 244 per each 1000 gallons of water in the system.

Subsequent Dose: Maintain this treatment level by pumping a continuous feed of 4.0 to 12.0 fluid ounces (40 to 120 ppm) BIOSPERSE 244 per each 1000 gallons of water in the system.

AIR WASHER SYSTEMS

Add 0.15 to 12.0 fluid ounces (1.5 to 120 ppm) BIOSPERSE 244 per each 1000 gallons of water in the system, depending upon the severity of contamination to control slime forming bacteria and fungi in industrial air washer systems.

INTERMITTENT OR SLUG FEED METHOD

Initial Dose: When the system is noticeably fouled, add 0.3 to 12.0 fluid ounces (3.0 to 120 ppm) BIOPSERSE 244 per each 1000 gallons of water in the system. Repeat until control is achieved.

Subsequent Dose: When microbial control is evident, add 0.0012 to 0.047 gallons (1.5 – 60 ppm) BIOSPERSE 244 per each 1000 gallons of water in the system or as needed to maintain control.

CONTINUOUS FEED METHOD

Initial Dose: When the system is noticeably fouled, add 0.0023 to 0.095 gallons (3.0 to 120 ppm) BIOPSERSE 244 per each 1000 gallons of water in the system.

Subsequent Dose: Maintain this level by pumping a continuous feed of 0.0015 to 0.047 gallons (1.5 to 60 ppm) BIOSPERSE 244 per each 1000 gallons of water in the system.

NOTE: For use only in industrial air washer systems that contain effective mist eliminating components.

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ENHANCED OIL RECOVERY SYSTEMS

For controlling slime forming bacteria, sulfide producing bacteria, yeasts, and fungi in oil field water, polymer or mycellar floods, water disposal systems, or other oil flied water systems, add 1 – 80 ppm, BIOSPERSE 244 (0.08 to 6.4 gallons BIOSPERSE 244 per 2400 barrels of water) depending on the severity of contamination. Additions should be made with a metering pump either continuously or intermittently.

INTERMITTENT OR SLUG FEED METHOD

When the system is noticeably fouled, or to maintain control of the system, add 10 – 80 ppm BIOSPERSE 244 (0.8 to 6.4 gallons BIOSPERSE 244 per 2400 barrels of water) intermittently for 4 – 8 hours per day, and from 1 – 4 times per week or as needed depending on the severity of contamination. Addition of BIOSPERSE 244 may be made at the free water knockouts, before or after the injection pumps and injection well headers.

NOTE: For control of bacteria, yeast, and fungi in aqueous solutions of biopolymer (xanthan gum) used in flooding operations, add 15 – 80 ppm BIOSPERSE 244 (1.2 – 6.4 gallons BIOSPERSE 244 per 2400 gallons of water). Additions of BIOSPERES 244 should be made with a metering pump immediately after preparation of the aqueous biopolymer solution to prevent loss of viscosity.

CONTINUOUS FEED METHOD

When the system is noticeably fouled, add 10 – 80 ppm BIOSPERSE 244 (0.8 – 6.4 gallons BIOSPERSE 244 per 2400 barrels of water) continuously until the desired degree of control is achieved. Subsequently, treat with 1 – 15 ppm BIOSPERSE 244 (.08 – 1.2 gallons BIOSPERSE 244 per 2400 barrels of water) continuously, or as needed to maintain control.

METALWORKING FLUIDS CONTAINING WATER

BIOSPERSE 244 is effective in metalworking fluid concentrates which have been diluted in water at ratios of 1:100 – 1:4

For controlling (or inhibiting) the growth of bacteria, fungi and yeasts that may deteriorate metalworking fluids containing water, add BIOSPERSE 244 to the fluid in the collection tank. Additions should be made with a metering pump.

INITIAL OR SLUG DOSE: When the system is noticeably fouled, add 32 fluid ounces (250 ppm) BIOSPERSE 244 per each 1000 gallons of metalworking fluid in the system. Repeat until control is achieved.

SUBSEQUENT DOSE: When microbial control is evident, add 12.8 to 25.6 fluid ounces (100 to 200 ppm) BIOSPERSE 244 per each 1000 gallons of metalworking fluid per day, or as needed to maintain control. Additions cam be made continuously or intermittently. Slug feed the system as required.

FEEDING: BIOSPERSE 244 may be fed directly from the drum or diluted with water and fed by any suitable feed system. BIOSPERSE 244 should be dosed directly into the sump or basin or any other location where good distributions can be assured.

The following construction materials are acceptable for feeding BIOSPERSE 244:

Pumps:	Titanium, solid Kynar[1], solid Teflon[2]
Gaskets:	Chlorinated polyethylene, Viton[2], Teflon, Asbestos
Pipes and Hosing:	Polypropylene lined pipe, Derakane resin lined pipe, Teflon lined pipe, Saran resin lined pipe, braided reinforced Teflon hosing.

The use of uncoated or unlined stainless steel is not recommended.

When required, your Ashland Representative will arrange for microbiological and chemical analyses and offer technical advice concerning your specific problems.

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STORAGE AND DISPOSAL
Do not contaminate water, food, or feed by storage or disposal

PESTICIDE STORAGE: Avoid dilution with water. To maintain product quality, store at temperatures below 60°C. Keep container tightly closed when not in use.

PESTICDE 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 Sate Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance. Do not reuse empty container.

CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Offer for reconditioning, if appropriate. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures Tip container on its side and toll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

IMPORTANT NOTICE: Seller warrants that the product conforms to its chemical description and is reasonably fit for the purposes stated on the label under normal conditions of use. THE FOREGOING WARRANTIES ARE EXCLUSIVE AND ARE IN LIEU OF ALL OTHER WARRANTIES, WHETHER WRITTEN, ORAL OR IMPLIED. THE WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, IN OTHER RESPECTS THAN AS EXPRESSLY SET FORTH HEREIN, ARE EXPRESSLY EXCLUDED AND DISCLAIMED.

Manufactured in the United States

Sold by:

Drew Industrial Division
Ashland Chemical Company
Division of Ashland Inc.

One Drew Plaza, Boonton, New Jersey 07005
Phone (973) 263-7600
24 Hour Emergency Telephone Number
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