

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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCE

James L. Kunstman, Ph.D. Director of Regulatory Services PBI/Gordon Corporation P.O. Box 014090 Kansas City, Missouri 64101

DEC 4 2009

Subject: Notification(s) for Label Revisions under PRN 2007-4

Dear Dr. Kunstman:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 dated October 16, 2009 for:

EPA Registration 2217-894 EPA Registration 2217-820× EH 1432 Herbicide EH-1149 Herbicide

The Registration Division (RD) has conducted a review of the request(s) for applicability under PRN 2007-4 and finds that the label changes requested fall within the scope of PRN 2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identify the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-5551.

Sincerely,

Linda Arrington

Notifications & Minor Formulations Team Leader Registration Division (7505P)

Office of Pesticide Programs

Please read instructions on re	everse before completi	ng form.		Form Ap	pproved. OMB No	o. 2070-0	060. Approva	al Expires 2-28-95
⊕ EPA	Environme Wa	ted State ntal Prote shington, DC	ction A	Agency	Amend		OPP Id	entifier Number
	Α	pplicatio	n for P	esticide - Sect	tion I			
1. Company/Product Numb	er 2217-820			2. EPA Product Ma Joanne	anager e I. Miller	3	3. Proposed C	lassification
4. Company/Product (Name	e) 1149 Herbicide			PM# Product Mana	ager—Team 2	3	X None	Restricted
5. Name and Address of App PBI/Gordon Corporation Post Office Box 01409 Kansas City, Missouri Check if this	on 00	? Code)		6. Expedited Revi (b)(i), my product is EPA Reg. No Product Name	s similar or iden	tical in c	omposition a	
			Secti	ion – II				
Amendment - Explain b Resubmission in respon	nse to Agency letter da	ated		Final printed Agency lette "Me Too" Ap Other - Expl	oplication.	NO	TIFICAT EC - 4 20	
Explanation: Use additional Labeling notification Please refer to cov	per Pesticide F	Registratio	on Notic	statement.		an@nhin	ordon com F	AX: 816-421-2731
			Secti	on – III	e-man to jeunsum	arres porq	Ordor.com 1	AX. 010-421-2731
1. Material This Product Will E	e Packaged In:							
Child-Resistant Packaging Yes* No	Unit Packaging Yes No		1	Soluble Packaging es o	Pla	Containe etal astic ass	er	
* Certification must be submitted	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Packag			per her <i>(Spe</i> c	cify)	
3. Location of Net Contents Inf Label Conta		4. Size(s) Ref		er and 1 gallon	5. Location of La On Label On Labeling		ctions panying produ	ct
6. Manner in Which Label is Af	fixed to Product	Lithogra Paper g Stencile	lued	Other _				-
	_			on – IV	. <u> </u>	•	((((C C
1. Contact Point (Complete iter	ns directly below for ic	dentification of		o be contacted, if nece	essary, to process			
Name James L. Kı	unstman, Ph.D.		Title Dire	ector of Regulatory	/ Services	Teleph	040 404	ude Area Code) 0-6292
I certify that the statemen I acknowledge that any kr both under applicable law 2. Signature	ts I have made on this nowingly false or misle	ading stateme	tion ttachments nt may be p 3. Title	thereto are true, accu counishable by fine or in	rate and complete mprisonment or	0	6. Pate A	ιρρlication
Ja J			Direct	or of Regulatory S	Services		((((((((((((((((((((C
4. Typed Name James L. Kı	ınstman, Ph.D.		J. Dale	October 16, 2009	9		, ((((

Certification with Respect to Label Integrity

version: 9/11/02

I certify that the information (including, but not limited to, text, tables, and graphics) contained in the electronic file identified below by file name and submitted with this certification is the same information as that on the paper copies of these documents included with this submission.

PROPOSED LABEL				
EPA Registration #	Date Submitted to EPA	Electronic file name		
2217-820	10/16/2009	002217-00820.20091016. notif-proposed-highlighted 002217-00820.20091016. notif-proposed-clean		

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

Ou I Just	10/16/2009	
Signature	Date	
James L. Kunstman, Ph.D.		
Name (typed)		
Director, Regulatory Services	·	. c.
Title		
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1217 WEST 12τH STREET • P.O. BOX 014090 KANSAS CITY, MISSOURI 64101-0090 816-421-4070 • 1-800-821-7925 FAX: 816-474-0462

October 16, 2009

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

Attn: Ms. Joanne I. Miller (PM-23)

Dear Ms. Miller:

Subject: Labeling notifications according to Pesticide Registration Notices

(PRN) 2007-4.

EH 1149 Herbicide (EPA Reg. No. 2217-820)

I. Labeling notification per Pesticide Registration Notice (PRN) 2007-4:

December 3, 2008: An Agency letter with one comment stated that the draft labeling for the RED for 2,4-D was acceptable provided that modifications to the Precautionary Statements were made.

December 8, 2008: An Agency letter stated that this product was re-registered.

October 8, 2009: We have incorporated or merged the revisions for the draft labeling listed in the previous letter into the current document. Now, we ask to revise the disposal instructions and to adopt the exact language of Pesticide Registration Notice (PRN 2007-4), Labeling Revisions Required by the Final Rule "Pesticide Management and Disposal: Standards for Pesticide Containers and Containment."

Please refer to page 6 of the draft labeling.

II. Enclosures:

- 1. Application for Pesticide Amendment (EPA Form 8570-1)
- 2. One (1) annotated version of the draft labeling and
- 3. One (1) version of the draft labeling without notations

If you have any questions, please call me at 816-460-6292 or contact me at <u>jkunstman@pbigordon.com</u>.

Sincerely,

James L. Kunstman, Ph.D.

Director of Regulatory Services

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EH1149 HERBICIDE

NOTIFICATION

DEC - 4 2009

EPA Reg. No. 2217-820

ACTIVE INGREDIENT:	
Mecoprop-p, dimethylamine salt	2.73%
2,4-D, dimethylamine salt	2.93%
Dicamba, dimethylamine salt	0.60%
OTHER INGREDIENTS:	93.74%
TOTAL	100.00%

THIS PRODUCT CONTAINS:

ACTIVE INCOMPLET

0.19 lb (+)-(R)-2-(2-methyl-4-chlorophenoxy) propionic acid equivalent per gallon or 2.25%

0.20 lb 2,4-dichlophenoxyacetic acid equivalent per gallon or 2.44%

0.04 lb 3,6-dichloro-o-anisic acid equivalent per gallon or 0.50%

Isomer Specific by AOAC Methods.

KEEP OUT OF REACH OF CHILDREN

CAUTION

STOP! READ THE ENTIRE LABEL FIRST. OBSERVE ALL PRECAUTIONS AND FOLLOW DIRECTIONS CAREFULLY.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Causes moderate eye irritation. Harmful if swallowed or if absorbed through skin. Avoid contact with skin, eyes or clothing. Wear protective eyewear. Wear long-sleeved shirt and long pants, shoes plus socks and gloves. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

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 eye. Call a poison control center or doctor for treatment advice.
If on skin or clothing:	 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 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 the poison control center or doctol. Do not give anything by mouth to an unconscious person.
	ct container or label with you when calling a poison control center or doctor or going for may also contact 1-877-800-5556 for emergency medical treatment advice.



Environmental Hazards

This pesticide is toxic to fish and aquatic invertebrates and may adversely affect non-target plants. Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters or rinsate.

This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater.

DIRECTIONS FOR USE

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

GENERAL PRECAUTIONS AND RESTRICTIONS:

- Do not apply this product in a way that will contact any person or pet, either directly or through drift. Keep people and pets out of the area during application.
- Do not allow people or pets to enter the treated area until sprays have dried.
- Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed production, or for research purposes.
- Do not apply as a fine mist because of potential for injury to desirable plants. Do not use this product
 on or near desirable plants, including within the drip line of the roots of desirable trees and shrubs,
 since injury may result.
- Do not apply directly to or near water, storm drains, gutters, sewers, or drainage ditches. Do not apply
 within 25 feet of rivers, fish ponds, lakes, streams, reservoirs, marshes, estuaries, bays, and oceans.
 Do not apply when windy. To prevent product run-off, do not over water the treated area(s) to the
 point of runoff or apply when raining or when rain is expected that day. Rinse applicator over lawn
 area only.

WHERE TO USE:

EH1149 Herbicide controls broadleaf weeds commonly found in cool season and warm season turfgrass in residential/domestic areas. Established turf of St. Augustinegrass, centipedegrass, bermudagrass, bentgrass, buffalograss, bahiagrass, Kentucky bluegrass, perennial ryegrass, fescues, and zoysiagrass may be treated. Residential/domestic areas include turfgrass established around residences, apartment complexes, condominiums, vacant lots, or areas associated with households.

Do not apply this product to carpetgrass, dichondra, ornamentals, or lawns containing desirable clovers. Do not use on 'Floratam' St. Augustinegrass in Florida.

The maximum control of weeds will be obtained from spring or fall applications when the weeds are actively growing. However, this product is effective anytime during the growing season. Refer to the partial list of broadleaf weeds controlled by EH1149 Herbicide.

			• •
WEEDS CONTROLLED			• • • • •
Annual yellow sweetclover	Cockle	Musk thistle	Spiny amaranth
Aster	Cocklebur	Mustard	Spiny cocklebur
Austrian fieldcress	Common mullein	Narrowleaf plantain	Spiny sewthistle
Bedstraw	Creeping jenny	Narrowleaf vetch	Spotted catsear
Beggarticks	Cudweed	Nettle	Spotted sourge
Betony, Florida	Curly dock	Orange hawkweed	Spurweed• •
Bindweed, field	Daisy, English	Oriental cocklebur	Stinging nettle
Bird vetch	Daisy fleabane	Oxalis	Strawberry, India mock
Bitter wintercress	Daisy, oxeye	Parsley-piert	Tall nettle
Bittercress, hairy	Dandelion	Parsnip	Tall vervain
Bitterweed	Dichondra	Pearlwort	Tansy ragwort
Black-eyed Susan	Dogbane	Pennycress	Tansy mustard • ••

WEEDS CONTROLLED			
Black medic	Dogfennel	Pennywort	Tanweed
Black mustard	Dollarweed	Peppergrass	Thistle
Blackseed plantain	Elderberry	Pepperweed	Trailing crownvetch
Blessed thistle	False dandelion	Pigweed	Tumble mustard
Bloodflower milkweed	False flax	Pineywoods bedstraw	Tumble pigweed
Blue lettuce	False sunflower	Plains coreopsis (tickseed)	Velvetleaf
Blue vervain	Fiddleneck	Plantain	Venice mallow
Bracted plantain	Florida pusley	Poison ivy	Virginia buttonweed
Brassbuttons	Frenchweed	Poison oak	Virginia creeper
Bristly oxtongue	Galinsoga	Pokeweed	Virginia pepperweed
Broadleaf dock	Goathead	Poorjoe	Water pennywort
Broadleaf plantain	Goldenrod	Prairie sunflower	Wavyleaf bullthistle
Broomweed	Ground ivy	Prickly lettuce	Western clematis
Buckhorn	Gumweed	Prickly sida	Western salsify
Buckhorn plantain	Hairy fleabane	Prostrate knotweed	White mustard
Bulbous buttercup	Hawkweed	Prostrate pigweed	Wild aster
Bull thistle	Healall	Prostrate spurge	Wild buckwheat
Bullnettle	Heartleaf drymary	Prostrate vervain	Wild carrot
Burclover	Heathaster	Puncturevine	Wild four-o'clock
Burdock	Hedge bindweed	Purslane, common	Wild garlic
Burning nettle	Hedge mustard	Ragweed	Wild geranium
Burweed	Hemp	Red sorrel	Wild lettuce
Buttercup	Henbit	Redroot pigweed	Wild marigold
Buttonweed	Hoary cress	Redstem filaree	Wild mustard
Canada thistle	Hoary plantain	Rough cinquefoil	Wild onion
Carolina geranium	Hoary vervain	Rough fleabane	Wild parsnip
Carpetweed	Horsenettle	Russian pigweed	Wild radish
Catchweed bedstraw	Jimsonweed	Russian thistle	Wild rape
Catnip	Knawel	Scarlet pimpernel	Wild strawberry
Catsear	Knotweed	Scotch thistle	Wild sweet potato
Chickweed, common	Kochia	Sheep sorrel	Wild vetch
Chickweed, mouseear	Lambsquarters	Shepherdspurse	Woodsorrel
Chicory	Lespedeza	Slender plantain	Woolly croton
Cinquefoil	Mallow	Smallflower galinsoga	Woolly morningglory
Clover, crimson	Matchweed	Smooth dock	Woolly plantain
Clover, hop	Mexicanweed	Smooth pigweed	Wormseed
Clover, red	Milk vetch	Sorrel	Yarrow
Clover, strawberry	Morningglory	Sowthistle	Yellow rocket
Clover, sweet	Mouseear hawkweed	Spanishneedles	Yellowflower pepperweed
Clover, white	Mugwort	Speedwell	and other broadleaf weeds

HOW TO USE:

Hose end sprayers, backpack sprayers, knapsack sprayers, and hand-operated sprayers are suitable for broadcast treatments. Apply EH1149 Herbicide with sufficient water for good coverage.

The recommendations for each turforass as a broadcast treatment are presented in Table 1 as follows:

Table 1.				• • • • • • • • • • • • • • • • • • • •	
		Treated Area (Sq.Ft.) for:			
Turfgrass	Amount of EH1149 Herbicide	1 pint (16 fl.oz.) container	1 quart (32 fl.oz.) container	1 gallon (128 fl.oz.) (128 fl.oz.)	
St. Augustinegrass, buffalograss, bahiagrass, bentgrass, and centipedegrass	4.0 fl.oz./1000 sq.ft. or 2.0 fl.oz./500 sq.ft.	4,000 sq.ft.	8,000 sq.ft.	32,000 sq.ft.	
Bermudagrass, perennial ryegrass, fescues, Kentucky bluegrass, and zoysiagrass	6.0 fl.oz./1000 sq.ft. or 3.0 fl.oz./500 sq.ft.	2,665 sq.ft.	5,330 sq.ft.	21,300 sq.ft.	

Limitations on broadcast applications to residential turfgrass

The maximum application rate is 6 fl.oz. of product per 1,000 sq.ft. per application (0.41 lb 2,4-D ae, 0.39 lb MCPP-p ae and 0.08 lb dicamba ae per acre per application). The maximum number of broadcast applications is limited to 2 per year with a minimum of 30 days between applications. The maximum seasonal rate is 12 fl.oz. of product per 1,000 sq.ft. (0.82 lb 2,4-D ae, 0.78 lb MCPP-p ae and 0.16 lb dicamba ae per acre).

Hose End Sprayers:

Determine the required amount of EH1149 Herbicide from Table 2 for the appropriate area and turfgrass.

For concentrate sprayers, add only the required amount of EH1149 Herbicide listed in Table 2.

For dilution sprayers, add the required amount of EH1149 Herbicide and fill the sprayer with water to the proper level.

Area to be		Amount of EH1149 Herbicide			
Treated, Sq.Ft.	Spray Volume, Gallons	St. Augustinegrass, Buffalograss, Bahiagrass, Bentgrass, Centipedegrass	Bermudagrass, Perennial Ryegrass, Kentucky Bluegrass, Fescues, Zoysiagrass		
250 sq.ft.	1 gal.	1.0 fl.oz.	1.5 fl.oz.		
1,000 sq.ft.	4 gal.	4.0 fl.oz.	6.0 fl.oz.		
2,000 sq.ft.	8 gal.	8.0 fl.oz.	12.0 fl.oz.		
5,000 sq.ft.	20 gal.	20.0 fl.oz.	30.0 fl.oz.		
6,000 sq.ft.	24 gal.	24.0 fl.oz.	36.0 fl.oz.		

Equivalent Measures: 1 fluid ounce (fl.oz.) = 2 tablespoons (Tbs.) or 6 teaspoons (tsp.); 2 fl.ozs. = 4 Tbs.; 16 fl.ozs. = 1 pint; 32 fl.ozs. = 1 quart.

For Backpack Sprayers, Knapsack Sprayers, Hand-Operated Sprayers, And Tank Sprayers:

Determine the required amount of EH1149 Herbicide from Table 3 for the appropriate area and turfgrass. Spray volumes of 2 gallons per 1,000 square feet are recommended. Adjust the sprayer nozzle to deliver a coarse spray and apply uniformly.

Area to be		Amount of EH1149 Herbicide			
Treated, Sq.Ft.	Spray Volume, Gallons	St. Augustinegrass, Buffalograss, Bahiagrass, Bentgrass, Centipedegrass	Bermudagrass, Perennial Ryegrass, Kentucky Bluegrass, Fescue, Zoysiagrass		
250 sq.ft.	1/2 gal	1.0 fl.oz.	1.5 fl.oz.		
500 sq.ft.	1 gal	2.0 fl.oz.	3.0 fl.oz.		
1,000 sq.ft.	2 gal	4.0 fl.oz.	6.0 fl.oz.		
1,500 sq.ft.	3 gal	6.0 fl.oz.	9.0 fl.oz.		
uivalent Measu	res: 1 fluid ounce (fl.o	z.) = 2 tablespoons (Tbs.) or 6 tea	spoons (tsp.)		

Spot Treatments For St. Augustinegrass, Buffalograss, Bahiagrass, Bentgrass, Centipedegrass, Bermudagrass, Perennial Ryegrass, Fescues, Kentucky Bluegrass, and Zoysiagrass.

Spot treatments may be appropriate for sparse weed infestations or as a follow-up treatment for dense. weed infestations. Mix 2 fluid ounces or 4 tablespoons of EH1149 Herbicide with 1 gallon of water.

Spray the weeds only and avoid spray droplets on the turfgrass. Observe a 30 day interval for follow-up treatments between the first and second application.

Limitations on spot treatments:

Spot treatment is defined as a treatment area no greater than 1,000 sq.ft. per acre. The maximum application rate 6 fl.oz. per 1,000 sq.ft. per application (0.39 lb MCPP-p acid equivalent per acre). The maximum number of spot treatments is limited to 2 per year with a minimum of 30 days between applications.

RECOMMENDATIONS AND ADVISORIES:

- 1. Delay mowing 3 to 4 days before and after the application of this product.
- 2. Do not apply this product immediately before rainfall or irrigation. Also, rainfall or irrigation within 24 hours after application may reduce the effectiveness. Do not irrigate or water the turfgrass within 24 hours after application.
- 3. Treated areas may be reseeded 3 to 4 weeks after application.
- Avoid spray drift onto vegetables, flowers, ornamental plants, shrubs, trees and other desirable plants since injury may result. Do not spray roots of trees and ornamentals. Do not exceed specified dosages for any area;
- 5. Do not apply this product when turfgrass is under stress from drought, insect attack, or high temperatures (90°F). Avoid applications to St. Augustinegrass when air temperatures are greater than 90°F with high relative humidity.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and disposal.

PESTICIDE STORAGE: Keep from freezing. Store in original container and place in locked storage area.

PESTICIDE DISPOSAL AND CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. **If empty:** Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency or www.website.com for disposal instructions. Never place unused product down any indoor or outdoor drain.

LIMITED WARRANTY AND DISCLAIMER

FOR USE ONLY AS DIRECTED.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE MANUFACTURER NEITHER MAKES NOR INTENDS ANY EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHICH ARE HEREBY EXPRESSLY DISCLAIMED. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO CASE SHALL THE MANUFACTURER BE LIABLE FOR INCIDENTIAL, CONSEQUENTIAL, OR SPECIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. If these terms are not acceptable, return this product unopened immediately to the point of purchase, and the purchase price will be refunded in full. The terms of this LIMITED WARRANTY AND DISCLAIMER cannot be varied by any written or verbal statements or agreements at the point of sale or elsewhere.

<u>APPENDIX</u>	;****	•••••
I. Statements which may appear on different label components depending on configuration. • See next panel for additional Precautionary Statements and First Aid • Net Contents: • EPA Est. No	packaging	

2. Advertising claims that may be presented on container labeling, advertisements, brochures, and other marketing/sales promotional materials:

Contains Trimec® Herbicide

- Kills even the tough weeds...roots and all!
- Controls even the tough weeds...roots and all!
- Treats northern and southern grasses.
- Kills the root.
- Treats up to _____ square feet.
- Covers up to square feet.
- · Water based.
- Mix 3 fl.oz. (Concentrate) Per Gallon For Lawns (read and follow all label directions).
- Contains Trimec® (2.93% 2,4-D, DMA Salt; 2.73% MCPP-p, DMA Salt; and 0.60% Dicamba, DMA Salt) Herbicide.
- Kills and (&) Controls Over 200 Broadleaf Weed, Including Dandelions, Clovers, Plantains (full list of broadleaf weeds on back panel).
- Treats Cool Season and (&) Warm Season Turfgrass
- Application: Anytime Weeds Are Growing.
- Product Facts: Treats 21,300 square feet of lawn.
- Kills Weeds: Dandelion, Clovers and Plantains, Plus over 200 Additional Lawn Weeds
- Where to Use: On Lawns for Cool Season and (&) Warm Season Turfgrass
- Amount to Use:
- Kentucky Bluegrass, Perennial Ryegrass, Fescues, Bermudagrass and Zoysiagrass: 3.0 fl.oz./gal of water covers 500 sq.ft.
- Centipedegrass, Bahiagrass, Bentgrass and Buffalograss: 2.0 fl.oz./gal of water covers 500 sq.ft.
- Optional Warranty Statements:
- NOTICE: Buyer assumes all risks of use, storage or handling of this product not in accordance with directions.
- **GUARANTEE**: If for any reason you are not satisfied with this product, mail us proof of purchase to obtain a full refund of your purchase price.

3.. Alternate Brand Names:

• BL 5000 - 866 Herbicide

DOCUMENT CONTROL INFORMATION

- 1. Unique Label Identifier: 002217-00820.20091016.notif-proposed-clean.doc
- 2. Reason for Issue: Incorporate EPA comments, PRN 2007-4

