

5080-2

11/26/2012

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Aquacide Pellets
J.M. Markoe
1627 9th Street
White Bear Lake, MN 55110

NOV 26 2012

Subject: Label Notification per PRN 2007-4
Product Name: A.C. Aquacide Pellets
EPA Registration Number: 5080-2
Application Dated: August 13, 2012

Dear J.M. Markoe,

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 for A.C. Aquacide Pellets (EPA Reg. No. 5080-2) dated August 13, 2012. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 2007-4 and finds that the action requested falls within the scope of PRN 2007-4. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please contact Emily Hartman of my staff at (703) 347-0189 or hartman.emily@epa.gov.

Sincerely,

for *Kathryn V. Montague*

Kathryn V. Montague, Product Manager 23
Herbicide Branch
Registration Division
Office of Pesticide Programs

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060

Print Form

	United States	<input type="checkbox"/> Registration	OPP Identifier Number
	Environmental Protection Agency	<input checked="" type="checkbox"/> Amendment	
	Washington, DC 20460	<input type="checkbox"/> Other	

Application for Pesticide - Section I

1. Company/Product Number 5080 - 2	2. EPA Product Manager	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Aquacide Pellets	PM#	
5. Name and Address of Applicant (Include ZIP Code) Aquacide Company 1627 9th St White Bear Lk, MN 55110 <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 checked="" 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 of revised Storage and Disposal Statement in accord with PR Notice 2007-4 per PR Notice 98-10 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. (see attached for continued)

Section - III

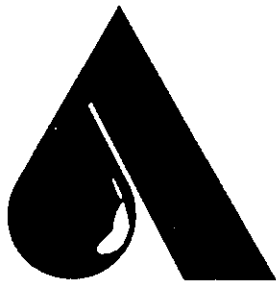
1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If "Yes" Unit Packaging wgt. No. per container		<input checked="" type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		If "Yes" Package wgt No. per container			
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 10 and 50 lbs		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 printed on container			<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 J. M. Markoe	Title Co-Owner	Telephone No. (Include Area Code) 651-429-6742
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 Co-Owner	
4. Typed Name J. M. Markoe	5. Date 8/13/2012	

NOTIFICATION

NOV 26 2012



AQUACIDE

Pellets

AQUATIC HERBICIDE

For Use in Ponds, Lakes, Reservoirs, Bayous, Drainage Ditches, Non-Irrigation Canals, Rivers and Streams that are quiescent or slow moving.

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 advice.
- **IF ON SKIN:** Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call poison control center or doctor for advice.
- **IF SWALLOWED:** Call 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. Do not give anything by mouth to an unconscious person.
- **IF INHALED:** 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 advice.

GENERAL: Have the product container or label with you when calling a poison control center or doctor.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.

NOTE: For information on this pesticide product (including health concerns, medical emergencies, or pesticide incidents), call the National Pesticide Information Center at 1-800-858-7378.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Corrosive, causes irreversible eye damage. Harmful if swallowed. Harmful if absorbed through skin. Harmful if inhaled. Do not get in eyes, on skin or on clothing. Avoid breathing dust.

All loaders, applicators and other handlers must wear:

- Long sleeved shirt • Long pants • Shoes plus socks • Goggles or face shield • Chemical-resistant gloves made of any waterproof material

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

USER SAFETY RECOMMENDATIONS

- Users should wash hands before eating, drinking, chewing gum, using tobacco, or using toilet.
- Users should remove clothing/PPE immediately if pesticide gets inside. Wash thoroughly and put on clean clothing. If pesticide gets on skin, wash immediately with soap and water.
- Users should remove clothing immediately after handling this product. Wash outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

STORAGE AND DISPOSAL

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

- **Pesticide Storage:** Store in original container only. Do not store near feed or foodstuffs. In case of spill, contain material and dispose as waste.
- **Pesticide Disposal:** Wastes resulting from use of this product must be used according to label directions or disposed of at an approved waste disposal facility.
- **Nonrefillable Container Disposal (non-rigid plastic bags, any size):** Do not reuse or refill this container. Completely empty bag into application equipment. Offer for recycling if available. If recycling not available, then dispose of empty bag in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Active Ingredient: 2,4-Dichlorophenoxyacetic acid.....	17.5%
Other Ingredients:.....	82.5%
Total.....	100%

Net Contents: 10 Pounds

AQUACIDE CO, 1627 9th Street, White Bear Lake MN 55110
1-800-328-9350 • www.KillLakeWeeds.com

EPA Registration No. 5080-2

EPA Establishment No. 5080-MN-1



ENVIRONMENTAL HAZARDS

Fish breathe dissolved oxygen in the water. Decaying weeds also use dissolved oxygen. When treating continuous, dense weed masses, it may be appropriate to treat only part of the infestation at a time. For example, apply in lanes separated by untreated strips that can be treated after vegetation in treated lanes has disintegrated. During the growing season, weeds decompose in a 2 to 3 week period following treatment. Begin treating along the shore and proceed outward in bands to allow fish to move into untreated areas. Waters having limited and less dense weed infestations may not require partial treatments.

GENERAL INFORMATION

Aquacide Pellets are a ready to use, marble size, two and a quarter gram cylinder, one half inch in diameter by one half inch tall. Aquacide Pellets contain a clay which swells in water or high humidity causing the pellet to disintegrate and stick to foliage. Aquacide Pellets will control susceptible weeds, including roots, when applied during active growth. Spring to early summer applications provide quicker results, less dead vegetation and a longer benefit in the current year. The full effect of mid summer to early fall applications may not be evident until the following spring. Herbicide absorption is quite rapid, occurring in a few hours under good growing conditions. Once absorbed, herbicide moves to and accumulates at growing parts of root and leaf. Growth at these points is halted and the weed dies. Visible effects occur within 7 to 10 days as a curling of stems and browning of leaf tips. Full effect of application is evident in 3 to 5 weeks. Regrowth will be evident in 4 to 6 weeks if roots are not killed.

DIRECTIONS FOR USE

It is violation of Federal law to use this product in a manner inconsistent with its labeling. Aquacide Pellets are a selective systemic aquatic herbicide intended to control floating, emergent and submersed weeds in ponds, lakes, reservoirs, bays, drainage ditches, non-irrigation canals, rivers and streams that are quiescent or slow moving.

- 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.
- Do not enter or allow people (or pets) to enter the treated area until pellets have settled into weed bed.
- Do not apply where no weed growth is present.
- Do not apply more than 2 times per season to the same area.
- When reapplying allow a minimum of 21 days between applications.
- Spot treatments are allowed.
- Do not apply within 3 weeks of dormancy.
- No restriction on swimming or fishing in the treated area.
- No restriction when irrigating turf, cereal grain or pasture.

Consult with appropriate state or local water authorities before applying this product to public waters. State or local agencies may require permits. The potable water use restrictions on this label are to ensure that consumption of water by the public is allowed only when the concentration of 2,4-D in the water is less than the MCL (Maximum Contaminant Level) of 70 ppb. Applicants should consider the unique characteristics of the treated waters to assure that 2,4-D concentrations in potable water do not exceed 70 ppb at the time of consumption. Before application, coordination and approval of local and state authorities may be required, either by letter of agreement or issuance of special permits for such use.

FLOATING AND EMERGENT WEEDS

Apply 2 to 4 lbs. of 2,4-D per surface acre or 11 to 22 lbs. of Aquacide Pellets. When spot treating, treating dense growth, or treating in mid summer to early fall use the higher rate. Do not use more than 4 lbs. 2,4-D or 22 lbs. of Aquacide Pellets per acre in a single application. Begin treating early as new growth emerges in spring. When treating floating plants that have developed at the surface sufficient density of growth must be present to support Aquacide Pellets. Sufficient density of growth will support a penny. Broadcast Aquacide Pellets uniformly over the treatment area with a fanning motion of the hand.

Following each application of this product, treated water must not be used for drinking water or irrigation water unless one of the following restrictions has been observed:

- A setback distance from functional water intake(s) of greater than or equal to 600 ft. was used for the application, or
- A waiting period of at least 7 days from the time of application has elapsed, or
- FOR IRRIGATION WATER: An approved assay indicates that the 2,4-D concentration is 100 ppb (0.10 ppm) or less at the water intakes. Sampling for irrigation water analysis should occur no sooner than 3 days after 2,4-D application.
- FOR DRINKING WATER: An approved assay indicates that the 2,4-D concentration is 70 ppb (0.07 ppm) or less at the water intakes. Analysis of samples must be completed by a laboratory that is certified under the Safe Drinking Water Act to perform drinking water analysis using a currently approved version of analytical Method Number 515, 555 or other methods for 2,4-D as may be listed in Title 40 CFR, part 141.24, or Method Number 4015 (immunoassay of 2,4-D) from U.S. EPA Test Methods for Evaluating Solid Waste SW-846.

For floating and emergent weed applications, the drinking water setback distance from functioning potable water intakes is greater than or equal to 600 ft.

If no setback distance of greater than or equal to 600 ft. is used for application, applicators or the authorizing organization must provide drinking water notification prior to a 2,4-D application to the party responsible for public water supply or to individual private water user. Notification to the party responsible for a public water supply or to individual private water users must be done in a manner to assure that the party is aware of the water use restrictions when this product is applied to potable water.

The following is an example of a notification via posting, but other methods of notification which convey the above restrictions may be used and may be required in some cases under state or local law or as a condition of a permit.

Example: Posting notification should be located every 250 feet including the shoreline of the treated area and up to 250 feet of shoreline past the application site to include immediate public access points. Posting must include the day and time of application. Posting may be removed if analysis of sample collected at the intakes 3 or more days following application shows that the concentration in the water is less than 70 ppb (100 ppb for irrigation or sprays), or 7 days following application, whichever occurs first.

Text of Notification: Wait 7 days before diverting functioning surface water intakes from the treated aquatic site to use as drinking water, irrigation, or sprays unless water at functioning drinking water intakes is tested at least 3 days after application and is demonstrated by assay to contain not more than 70 ppb 2,4-D (100 ppb for irrigation or sprays). Application Date: _____ Time: _____

Note: Existing potable water intakes that are no longer in use, such as those replaced by a connection to a municipal water system or a potable water well, are not considered to be functioning potable water intakes. Drinking water setback distances do not apply to terrestrial applications of 2,4-D adjacent to water bodies with potable water intakes. Except as stated above there are no restrictions on using water from treated areas for swimming, fishing, watering livestock or domestic purposes.

SUBMERSED WEEDS

Apply 1 to 4 ppm of 2,4-D or 15 to 60 lbs. of Aquacide Pellets per acre-foot of water. Use treatment area and time of application to determine Application Rate in ppm from table below. Use higher application rate in range when treating dense growth or when treating weeds partially controlled by Aquacide Pellets. Do not use more than 4 ppm or 60 lbs. of Aquacide Pellets per acre-foot of water in a single application.

Treatment Area	Application Rate	
	Spring to Early Summer	Mid Summer to Early Fall
More than 1 acre or entire water body	1-2 ppm	2-3 ppm
1 acre or less	2-3 ppm	3-4 ppm

Determine lbs. Aquacide Pellets to apply using application rate in ppm, treatment area in acres and average depth in feet. lbs. Aquacide Pellets = (rate ppm) x (acres) x (average depth ft.) x 15

When area is known in sq. ft., divide by 43,560 to convert to acres. Average depth can be approximated by adding together shallowest and deepest points in treatment area and dividing by 2.

- Example: Treat 4,000 sq. ft. of lake, 2 to 6 feet deep, in early spring, moderate growth. Rate ppm: 2 ppm. Average Depth: (2 ft. + 6 ft.) ÷ 2 = 4 ft. lbs. Aquacide Pellets: 2 x 0.0918 x 4 x 15 = 11.0 lbs.
- Example: Treat entire 1.2 acre pond, 8 feet deep, in mid summer, dense growth. Rate ppm: 3 ppm. Average Depth: (0 ft. + 8 ft.) ÷ 2 = 4 ft. lbs. Aquacide Pellets: 3 x 1.2 x 4 x 15 = 216 lbs.
- 1 acre = 43,560 sq. ft. 1 acre-foot = 2,720,000 lbs. 1 ppm = 2.72 lbs. in 1 acre-foot.

Alternatively use application rate in ppm and average depth of treatment area to determine amount of Aquacide Pellets from the Amount Table following. Scale amount from the table to actual treatment area.

Amount

Average Depth (feet)	lbs./1000 sq. ft.				lbs./acre			
	1 ppm	2 ppm	3 ppm	4 ppm	1 ppm	2 ppm	3 ppm	4 ppm
1	0.35	0.70	1.05	1.40	15	30	45	60
2	0.70	1.40	2.10	2.80	30	60	90	120
4	1.40	2.80	4.20	5.60	60	120	180	240
6	2.10	4.20	6.30	8.40	90	180	270	360

Broadcast Aquacide Pellets uniformly over treatment area with a fanning motion of the hand. Aquacide Pellets will settle quickly into weed bed. A more uniform application can be made by dividing the amount to apply in half and covering the treatment area twice. Make second application moving at right angles to the first. When treating moving bodies of water, application must be made while traveling upstream to prevent concentration of 2,4-D downstream from the intended application site.

Following each application of this product, treated water must not be used for drinking water unless one of the following restrictions has been observed:

- A setback distance described in the Drinking Water Setback Distance Table was used for the application, or
- A waiting period of at least 21 days from the time of application has elapsed, or
- FOR IRRIGATION WATER: An approved assay indicates that the 2,4-D concentration is 100 ppb (0.10 ppm) or less at the water intakes. Sampling for irrigation water analysis should occur no sooner than 3 days after 2,4-D application.
- FOR DRINKING WATER: An approved assay indicates that the 2,4-D concentration is 70 ppb (0.07 ppm) or less at the water intakes. Sampling for drinking water analysis should occur no sooner than stated in Drinking Water Setback Distance Table. Analysis of samples must be completed by a laboratory that is certified under the Safe Drinking Water Act to perform drinking water analysis using a currently approved version of analytical Method Number 515, 555 or other methods for 2,4-D as may be listed in Title 40 CFR, Part 141.24, or Method Number 4015 (immunoassay of 2,4-D) from U.S. EPA Test Methods for Evaluating Solid Waste SW-846.

Drinking Water Setback Distance Table

Application Rate	1 ppm	2 ppm	3 ppm	4 ppm
Setback Distance	600 ft.	1,200 ft.	1,800 ft.	2,400 ft.
Sample at or beyond	5 days	10 days	10 days	14 days

If surface water intakes are present, and the setbacks as shown above cannot be met, applicators must provide notification prior to application to the party responsible for a public water supply or to individual private water users. Notification must be done in a manner to insure the party is aware of the water use restrictions on irrigation and drinking.

For submersed weed applications, the drinking water setback distances from functioning potable water intakes are provided in Drinking Water Setback Distance Table.

If no setback distance from the Drinking Water Setback Distance Table is to be used for the application, applicators or the authorizing organization must provide a drinking water notification and an advisory to shut off all potable water intakes prior to a 2,4-D application. Notification to the party responsible for a public water supply or to individual private water users must be done in a manner to assure that the party is aware of the water use restrictions when this product is applied to potable water.

The following is an example of a notification via posting, but other methods of notification which convey the above restrictions may be used and may be required in some cases under state or local law or as a condition of a permit.

Example: Posting notification should be located every 250 feet including the shoreline of the treated area and up to 250 feet of shoreline past the application site to include immediate public access points. Posting must include the day and time of application. Posting may be removed if analysis of a sample collected at the intakes no sooner than stated in the Drinking Water Setback Distance Table shows that the concentration in the water is less than 70 ppb (100 ppb for irrigation or sprays), or after 21 days following application, whichever occurs first.

Text of Notification: Wait 21 days before diverting functioning surface water intakes from the treated aquatic site to use as drinking water, irrigation, or sprays unless water at functioning drinking water intakes is tested no sooner than (insert days from Drinking Water Setback Distance Table) and is demonstrated by assay to contain not more than 70 ppb 2,4-D (100 ppb for irrigation or sprays). Application Date: _____ Time: _____

Note: Existing potable water intakes that are no longer in use, such as those replaced by a connection to a municipal water system or a potable water well, are not considered to be functioning potable water intakes. Drinking water setback distances do not apply to terrestrial applications of 2,4-D adjacent to water bodies with potable water intakes. Except as stated above there are no restrictions on using water from treated areas for swimming, fishing, watering livestock or domestic purposes.

DITCHBANK AND CANAL APPLICATION

Apply a maximum of 2 lbs. 2,4-D or 11 lbs. of Aquacide Pellets per acre per application. Allow a minimum of 30 days between applications. Do not use on small canals with a flow rate less than 10 cubic feet per second (CFS) where water will be used for drinking purposes. CFS may be estimated by using the formula below. The approximate velocity needed for the calculation can be determined by observing the length of time that it takes a floating object to travel a defined distance. Divide the distance (ft.) by the time (sec.) to estimate velocity (ft. per sec.). Repeat 3 times and use the average to calculate CFS. Average Width (ft.) x Average Depth (ft.) x Average Velocity (ft. per sec.) = CFS. For ditchbank weeds: Do not allow pellets to be directed onto water surface. Do not broadcast across stream to opposite bank. For shoreline weeds: Allow no more than 2 foot overlap onto water.

Weeds Controlled by Aquacide Pellets

- Submersed:**
- Bladderwort (*Utricularia* spp.)
 - Coontail (*Ceratophyllum demersum*)
 - Eurasian Milfoil (*Myriophyllum spicatum*)
 - Milfoil (*Myriophyllum* spp.)
 - Parrot Feather (*Myriophyllum brasiliense*)
 - Waterstargrass (*Heteranthera dubia*)

- Floating:**
- American Lotus (*Nelumbo lutea*)
 - Duckweed (*Lemna minor*)
 - Giant Duckweed (*Spirodela polyrrhiza*)
 - Spatterdock (*Nuphar* spp.)
 - Water Hyacinth (*Eichhornia crassipes*)
 - Watershield (*Brasenia schreberi*)
 - White Water Lily (*Nymphaea* spp.)
 - Yellow Water Lily (*Nuphar* spp.)

- Emersed:**
- Alligatorweed (*Alternanthera philoxeroides*)
 - Arrowhead (*Sagittaria* spp.)
 - Bulrush (*Scirpus* spp.)
 - Cattail (*Typha* spp.)
 - Knolweed (*Polygonum densiflorum*)
 - Pickersweed (*Pontederia cordata*)
 - Purple Loosestrife (*Lythrum salicaria*)
 - Smartweed (*Polygonum* spp.)
 - Water Pennywort (*Hydrocotyle umbellata*)
 - Water Primrose (*Jussiaea repens*)
 - Water Willow (*Dianthera americana*)
 - Water Chestnut (*Trapa natans*)

Weeds Partially Controlled by Aquacide Pellets

- Submersed:**
- Fanwort (*Cabomba caroliniana*)
 - Horned Pondweed (*Zannichellia palustris*)
 - Naiads (*Najas* spp.)

- Floating:**
- Water Lettuce (*Pistia stratiotes*)

Weeds Tolerant to Aquacide Pellets

- Submersed:**
- Pondweeds (*Potamogeton* spp.)
 - American (*P. americanus*)
 - Clinging Leaf (*P. richardsonii*)
 - Curly Leaf (*P. crispus*)
 - Water Buttercup (*Ranunculus* spp.)
 - Widgeon Grass (*Ruppia maritima*)
 - Flat Stemmed (*P. zosteriformis*)
 - Floating Leaf (*P. natans*)
 - Large Leaf (*P. amplifolius*)
 - Leafy (*P. foliosus*)
 - Sago (*P. peclunatus*)
 - Small (*P. pusillus*)
- Floating:**
- Salvinia (*Salvinia rotundifolia*)
 - Watermeal (*Wolffia columbiana*)
- Emersed:**
- Common Reed (*Phragmites australis*)
 - Culgrass (*Leersia hexandra*)
 - Giant Cutgrass (*Zizaniopsis milacea*)
 - Grasses (*Gramineae*)
 - Maidencane (*Panicum hemitomal.*)
 - Sedges (*Cyperaceae*)
 - Spikerush (*Eleocharis* spp.)
 - Torpdograss (*Panicum repens*)