

60061-129

6/2/2009

1/5

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

JUN -2 2009



Office of Pesticide Programs

Kop-Coat, Inc.
1850 Koppers Building
Pittsburgh, PA 15219

Attention: Kim Treloar
Product Registration Specialist

Subject: Pettit Unepoxy 45 Hard Antifouling Paint
EPA Registration No. 60061-129
Notification Dated May 12, 2009

This will acknowledge receipt of your notification per the issuance of the conditional registration dated January 13, 2009, submitted under the provisions of FIFRA Section 3(c)(9). Based on a review of the submitted material, the following comments apply.

The Notification dated May 12, 2009 is in compliance with PR Notice 98-10 and is acceptable. This information has been added to your file.

However, at the next printing of the product labeling, delete the statement "New Nano Technology" from the front panel of the product label.

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

Sincerely

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



United States
Environmental Protection Agency
Washington, DC 20460

Registration
Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number Kop-Coat Inc.	2. EPA Product Manager Adam Heyward	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Pettit Unepoxy 45 Hard Antifouling Bottom Paint	PM# 32	
5. Name and Address of Applicant (Include ZIP Code) Kop-Coat Inc. 436 Seventh Avenue Pittsburgh, PA 15219-1818 <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 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 type="checkbox"/> Notification - Explain below.	<input checked="" type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Kop-Coat, Inc. wishes to submit Notification of per the issuance of conditional registration dated January 13, 2009. 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 confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA.

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		<input checked="" type="checkbox"/> Metal	
* Certification must be submitted	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	<input type="checkbox"/> Plastic	
				<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container metal cans, gallons and quarts		5. Location of Label Directions <input checked="" type="checkbox"/> On Label	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued 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 Kim Treloar	Title Product Registration Specialist	Telephone No. (Include Area Code) (412) 826-3323
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 Alan S. Ross <small>Digitally signed by Alan S. Ross DN: cn=Alan S. Ross, email=ascross@kop-coat.com, o=Kop-Coat, Inc, ou=Vice President, c=US Date: 2009.05.12 14:46:58 -0400</small>	3. Title Vice President	
4. Typed Name Alan S. Ross	5. Date 05/12/09	

2/5

Kop-Coat, Inc.

3020 William Pitt Way · Pittsburgh, PA 15238 · 412-826-3388 · FAX 412-826-3393

KOP-COAT

3/5

May 12, 2009

Mr. Marshall Swindell
Document Processing Desk
Office of Pesticide Programs, Registration Division (H7505c)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

**Subject: Pettit Unepoxy 45 Hard Antifouling Paint
EPA File Symbol Number 60061-**

Dear Mr. Swindell:

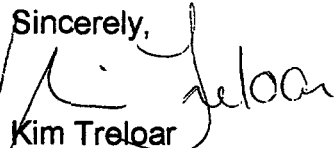
Kop-Coat, Inc. wishes to submit Notification of per the issuance of conditional registration dated January 13, 2009.

- a. Epa Registration number 60061-129
- b. Delete the phrase "superior" cleanliness rating, in the descriptor section.
- c. The words harmful or fatal have been removed from the front panel and replaced with "may be fatal if swallowed" to be consistent with the precautionary statement.

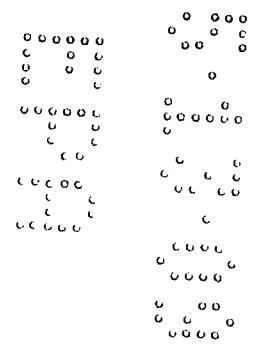
This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms for 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.

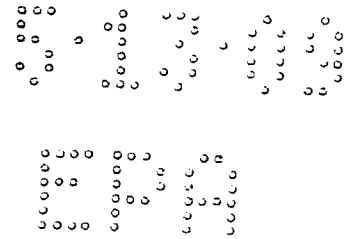
Please call me at 412-826-3323, or email ktreloar@kop-coat.com , if you have any questions

Thank you for your assistance.

Sincerely,

Kim Treloar
Regulatory Specialist
Kop-Coat, Inc.

Cc: F. Winkelman
A. Ross





Unepoxy 45

HARD ANTIFOULING PAINT

- Utilizes Composite Copper Technology
- ~~New Slime Technology~~
- Economical Season-Long Antifouling Protection
- Apply Over Most Other Antifouling

KEEP OUT OF REACH OF CHILDREN

WARNING

COMBUSTIBLE LIQUID AND VAPOR. VAPOR HARMFUL. MAY BE FATAL IF SWALLOWED.
SEE BACK PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS.

DISCLAIMER: The performance of any marine paint or coating depends on many factors outside the control of Pettit Paint Company, including surface preparation, proper application and environmental conditions. Therefore, Pettit Paint Company cannot guarantee this product's suitability for your particular purpose of application. Implied warranties of fitness for a particular purpose and of merchantability are excluded. Pettit Paint Company shall not under any circumstances be liable for incidental or consequential damages. By purchase or use of this product, buyer agrees that the sole and exclusive remedy, if any, is limited to the refund of the purchase price or replacement of the product at Pettit Paint's option.

ACTIVE INGREDIENTS:

Cuprous Oxide 28.86%

INERT INGREDIENTS:

Total 71.14%
100.00%

COPPER AS METALLIC 20.20%

This product contains petroleum distillates.

NET CONTENTS
1 GAL. (128 FL. OZ.)
3.785 LITERS

EPA EST. NO. 60061-NJ-2
EPA REGISTRATION NO. 60061-129

KOP-COAT, INC.
PETTIT PAINT BRAND
ROCKAWAY, NJ 07866 An RPM Company

5/5

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

WARNING: Causes eye irritation. Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing. Wear protective clothing such as gloves, long-sleeved cotton shirt, long pants and hat. May be fatal if swallowed or inhaled. Do not breathe vapors, spray mist or sanding dust. Remove contaminated clothing and wash clothing before reuse. Wash thoroughly with soap and water after handling. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

NOTE: When this product is used in confined areas or while spraying paint or sanding or sandblasting boat surfaces, wear a mask or a respirator jointly approved by the Mining Safety Health Administration and the National Institute for Occupational Safety and Health.

FIRST AID	
IF SWALLOWED:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Do not give any liquid to the person. • 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 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 mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-548-0489 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
Contains petroleum distillates. Vomiting may cause aspiration pneumonia.	

ENVIRONMENTAL HAZARDS

This material is toxic to fish. Do not apply directly to water by cleaning of equipment or disposal of wastes. Do not allow chips and dust generated during paint removal to enter water. Dispose of paint debris in an approved landfill. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans and other waters unless in accordance with the requirements of a National Pollution Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent to sewer system without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

PHYSICAL OR CHEMICAL HAZARDS: COMBUSTIBLE! Do not use or store near heat or open flame.

STORAGE & DISPOSAL

Do not contaminate water, food, or feed by storage or disposal. Open dumping is prohibited.
PESTICIDE DISPOSAL: Pesticide wastes are toxic. 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: Triple rinse (or equivalent). 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! THIS PRODUCT CONTAINS A CHEMICAL KNOWN TO THE STATE OF CALIFORNIA TO CAUSE CANCER, BIRTH DEFECTS OR OTHER REPRODUCTIVE HARM.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
Product Description: This product utilizes the latest developments in copper technology. Low density cuprous oxide contains the same level of copper by volume as traditional cuprous oxide but at a much lower weight and therefore less copper by weight is needed to make this hard protective antifouling coating resistant to algae, barnacles and other marine and freshwater fouling organisms. This product is for use only on boat bottoms. It may be applied over most aged hard antifouling coatings. Old soft antifouling paints should be removed for best adhesion. It may be applied on fiberglass boats with outboards or outdrives with

no danger of electrolysis, provided the drive units are not coated themselves. This product is also suitable for all non-aluminum trailered boats.

Surface Preparation: The surface to be painted should be dry, clean and free of any contaminants. It should be properly prepared by solvent cleaning and sanding before any primers or paints are applied. Follow the recommended systems below. When sanding old antifouling paint, always use a face mask to prevent the inhalation of sanding dust.
Application and Temperature: This product may be applied by brush, roller or spray at any temperature between 40°F and 90°F. Do not apply this product if rain or dew is expected before the surface has dried completely. Two coats should be applied for best antifouling protection.

Preparation of Paint: This product is heavily loaded with cuprous oxide. As a result of this loading there is a tendency for settling to occur especially if the paint has been on the shelf for several months. It is necessary to thoroughly mix the paint before using. If possible shake the can of paint on a mechanical paint shaker. Before using check the sides and bottom of the can to make sure all the pigment has been mixed in. If mixing is going to be done with a wooden paddle or an electric drill mixer, pour off half of the liquid from the top of the can into another can and then properly mix in any settled pigment, then remix the two parts together thoroughly.

Thinner: Thinning this product is not normally required. If necessary, use Pettit 120/T-10 Brushing Thinner for a smoother finish on especially warm and breezy days. Use Pettit 121/T-8 Spraying Thinner for spray application. Use either thinner for clean-up.

Dry Times:	To recoat	To launch
90°F	2 hours	8 hours
70°F	4 hours	16 hours
50°F	6 hours	24 hours

The above dry times are minimums. This product may be recoated and launched after minimum times shown and launched up to 60 days after painting.

Coverage: This product will cover approximately 400 square feet per gallon when applied at 2 dry mils film thickness.

VOC: Less than 500 g/l unthinned.

Maintenance Of Antifouling Paint: No antifouling paint can be effective under all conditions of exposure. Man-made pollution and natural occurrences can adversely affect antifouling paint performance. Extreme hot and cold temperatures, silt, dirt, oil, brackish water and even electrolysis can ruin an antifouling paint. Therefore, we strongly suggest that the bottom of the boat be checked regularly to make sure it is clean and that no growth is occurring. Lightly wipe the bottom with a soft brush, sponge or rag to remove anything from the antifouling paint surface.

SYSTEMS

Mix paint thoroughly to insure toxicants are evenly dispersed throughout the can. All surfaces must be clean, dry and properly prepared prior to painting. Do not apply this product on aluminum hulls and outdrives.

Previously Painted Surfaces: If the previous coating is in good condition, thoroughly sand with 80 grit paper then solvent clean with 120/T-10 Brushing Thinner to remove residue. Apply two finish coats of this product. If the previous coating is soft or in poor condition, remove to the bare surface by sanding or using a paint and varnish remover. Proceed with the appropriate bare system as described below. Old tin copolymer paints should be removed or sealed with Pettit 6627 Tie-Coat Primer before applying this product.

Bare Fiberglass: All bare fiberglass, regardless of age, must be thoroughly cleaned several times with Pettit D95 Fiberglass Dewaxer or 120/T-10 Brushing Thinner. Sand thoroughly with 80 grit paper to a dull, frosty finish and rewash the sanded surface with 120/T-10 Brushing Thinner to remove sanding residue. Then apply two coats of this product, following application instructions. Careful observation of the above instructions will help ensure long term adhesion of this and subsequent years' antifouling paint. To eliminate the sanding operation, wash the fiberglass three times using Pettit D95 Dewaxer only. Then apply one coat of Pettit 6999 Sandless Primer. Read and follow carefully the application and topcoating instructions on the Sandless Primer label. Apply two coats of this product.

Bare Wood: Sand the entire surface with 80 grit paper, wash clean with 120/T-10 Brushing Thinner. Apply a coat of this product thinned 25% with 120/T-10 Brushing Thinner and allow to dry overnight. Then apply two unthinned coats of this product.

Bare Steel, Lead Keels, or other Underwater Metal Parts on Boats and Vessels only: Consult Pettit Technical Bulletin TB 431 Pettit Protect Epoxy Primer for complete primer instructions. When the priming is complete, and the last coat of the epoxy has cured "thumbprint hard", the first coat of this product may be applied directly over the epoxy primer without sanding. Let dry, then apply the second coat of this product. Alternatively, if the last coat of epoxy primer is allowed to cure to full hardness, it must be sanded with 80 grit production paper and wiped clean before the first coat of this product is applied. For underwater metal parts and running gear, use Pettit 6456 Underwater Metal Kit which includes complete priming materials and instructions for use.

Warranty: We guarantee this material to comply with our published specifications. Since the use of this material is beyond our control, we disclaim responsibility for its handling, use, storage, the results obtained or any injury or damage of any nature resulting therein.

MEDICAL EMERGENCIES: 1-800-548-0489
PRODUCT INFORMATION: 1-800-221-4466

MADE IN USA 1222 GA 4/08

5/15