

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

68708-9

12/14/2005

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DEC 14 2005

Nalco Energy Services
1601 West Diehl Road
Naperville, IL 60563-1198

Attention: William S. Utley, Ph.D
Senior Corporate Toxicologist

Subject: EC9086A
EPA Registration No. 68708-9
Your Notification Dated November 17, 2005

This will acknowledge receipt of your notification to add an application method to the product label, 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 98-10, and is acceptable. This information has been made a part of your file.

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 (7510C)

CONCURRENCES

SYMBOL							
SURNAME							
DATE							

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Notification per PR Notice 98-10

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060, Approval expires 2-28-95

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

Application for Pesticide - Section I

1. Company/Product Number 68708-9	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EC9086A	PM# 33	
5. Name and Address of Applicant (Include ZIP Code) Nalco Energy Services 1601 West Diehl Rd Naperville, IL 60563 <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 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 to add an application method to the product label.

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 a violation of 18 U.S.C. Sec. 1001 to willfully make any false statements 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 to enforcement action and penalties under sections 12 and 14 of FIFRA.

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
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted				<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 Juli Mann	Title Paralegal Specialist, Steptoe & Johnson	Telephone No. (Include Area Code) 202-429-3095
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 Senior Corporate Toxicologist		
4. Typed Name William S. Utley		5. Date November 7, 2005

33
William S. Utley, Ph.D., DABT
Sr. Corporate Toxicologist
wutley@nalco.com



November 17, 2005

Via Hand Delivery

Nalco Company
Innovation Delivery Group,
Product Quality & Regulatory Affairs
1601 West Diehl Road
Naperville, IL 60563-1198
630 305 1456

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504-C)
U.S. Environmental Protection Agency
Room 266A, Crystal Mall 2
1801 South Bell Street
Arlington, VA 22202

Attention: Marshall Swindell
Product Manager, Team 33

RE: Notification per PR Notice 98-10

Product: EC9086A (EPA Reg. No. 68708-9)

Dear Mr. Swindell:

On behalf of Nalco Energy Services, please find enclosed a notification pursuant to PR Notice 98-10 to add an application method to the product label. The new language is highlighted on one copy of the enclosed label.

The new application method is electrodeposition coating (e-coat). This method involves a large tank where concentrated e-coat is added to demineralized water to create a useable painting operation. Items that need "painting" are dipped into the tank. The tank is kept at a constant concentration and is monitored for bacterial activity.

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 a violation of 18 U.S.C. Sec. 1001 to willfully make any false statements 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 to enforcement action and penalties under sections 12 and 14 of FIFRA.

If you have any questions, please contact me or our agent at jmann@steptoe.com (212-429-3095)

Please find enclosed:

- 1 ea original label
- 3 ea label with notified changes (1 copy of which highlights the notified changes)
- 1 ea signed EPA form 8570-1

Sincerely,

William S. Utley, Ph.D., DABT
Sr. Corporate Toxicologist
Innovation Delivery Group,
Product Quality & Regulatory Affairs



PRECAUTIONARY STATEMENTS: HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER. CORROSIVE. CAUSES EYE DAMAGE AND SKIN IRRITATION. Do not get in eyes, on skin or on clothing. Wear goggles or face shield and rubber gloves when handling. Harmful if swallowed. Avoid contamination of food. This product is a dermal sensitizer. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

ENVIRONMENTAL HAZARDS

This pesticide 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 sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

STORAGE AND DISPOSAL

STORAGE: Do not contaminate water, food, or feed by storage, disposal or cleaning of equipment.

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

Completely empty container and triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill or by incineration if allowed by state and local authorities. If burned, stay out of smoke.

NET CONTENTS SHOWN ELSEWHERE ON CONTAINER



ACTIVE INGREDIENT:

2-Bromo-2-nitropropane-1,3-diol.....	8.80%
5 Chloro-2-methyl-4 isothiazolin-3-one.....	0.28%
2-Methyl-4 isothiazolin-3-one.....	0.10%
INERT INGREDIENTS.....	90.82%
Total.....	100.00%

**KEEP OUT OF REACH OF CHILDREN
DANGER**

FIRST AID

- **IF IN EYES:** Hold eyes 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 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 by a poison control center or doctor.
- **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.
- **IF INHALED:** Move person to fresh air. If person is not breathing, call 911 or ambulances, then give artificial respiration, preferably mouth-to-mouth, if possible. Call a poison control center or doctor for treatment advice.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage. Measures against circulatory shock, respiratory depression and convulsion may be needed. Have the MSDS with you when calling a poison control center or a doctor, or going for treatment.

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS.

EPA Reg. No. 68708-9 EPA Est. No. 68708-LA-1

NALCO ENERGY SERVICES

7701 HWY 90A

SUGAR LAND, TEXAS 77478

EMERGENCY TELEPHONE NUMBER (800) 424-9300

DIRECTIONS FOR USE

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

STARCH, PIGMENT AND EXTENDER SLURRIES

To inhibit the growth of spoilage bacteria during the manufacture, storage and distribution of water-based suspension concentrates, EC9086A may be dosed at or close to the end of the manufacturing process in a quantity of the process water. If the manufacturing process involves a heating stage, the EC9086A should be added after this stage when the product has cooled to below 40 °C.

FREQUENCY AND DOSE: EC9086A should be dosed at 1000-5000 ppm based on the final formulation volume (8-40 pints/1000 gallons).

PAINTS, LATEX, ANTIFOAM EMULSION AND ELECTRODEPOSITION SYSTEMS.

To provide in-can preservation and prevent bacterial spoilage during shelf-life storage of acrylic, styrene-acrylic, polyvinyl acetate and other latex emulsion concentrates and latex emulsion based paints. To prevent spoilage of in-service paint application tanks such as electrodeposition systems. Also for the preservation of silicone and other antifoam emulsion systems, add EC9086A at any convenient point during the manufacturing process. Ideally it should be added as a final step just prior to packing of the product into bulk or sales packs. If a heating stage is involved in the manufacture, add EC9086A after this stage when the product has cooled to below 40 °C.

FREQUENCY AND DOSE: EC9086A should be dosed at 1000-5000 ppm based on the final formulation volume (8-40 pints/1000 gallons).

COATING PRESERVATION

EC9086A is recommended as an in-container preservative for the control of bacteria and fungi in water-based coatings such as paper coatings.

RECOMMENDED DOSES ARE EXPRESSED AS PPM PER PPM-PRODUCT.

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