70264-5 8/2/2010 1/7

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

AUG 2 2010

Ms. Christina M. Swick
Lewis & Harrison, LLC, Agent
For ALTIVA Corporation
122 C. Street NW # 740
Washington, D.C. 20001

Subject: Label Notification for Pesticide Registration Notice 2007-4
(Storage & Disposal Changes)

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated July 12, 2010 for:

EPA Reg. 70264-5 "Liquid Copper Sulfite"

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls 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 identifying 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 call me directly at 703-305-5335 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

Rachel C. Hollomon for

Paul J. Mastradone, Ph.D., Acting
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

Please read instructions on reverse before completing form. Form Approved, OMB No. 2070-0060, Approval expires 05-31-98

EPA

United States
Environmental Protection Agency
Washington, DC 20460

☐ **Registration**
☐ **Amendment**
☒ **Other: NOTIFICATION**

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number	2. EPA Product Manager	3. Proposed Classification
70264-5	**Tony Kish**	☐ None ☐ Restricted
4. Company/Product (Name) **Liquid Copper Sulfate**	PM# **Team 22**	

5. Name and Address of Applicant *(Include ZIP Code)*
ALTIVIA Corporation
1100 Louisiana, Ste. 3160
Houston, TX 77002
PLEASE SEND ALL CORRESPONDENCE TO "CONTACT POINT" LISTED BELOW
☐ *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

NOTIFICATION
AUG - 2 2010

☐ 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 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. 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.

Signature: Christina M. Swick Date: 7/10/10

THIS SUBMISSION IS NOT SUBJECT TO PRIA FEES

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	Bulk Tank Truck, 55 gal Drum, 275 - 300 gal Tote	☒ 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)
Christina M. Swick, Lewis & Harrison, LLC, 122 C Street NW, Ste. 740, Washington, DC 20001	**Agent**	**202-393-3903 x. 16**

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.

2. Signature	3. Title	6. Date Application Received (Stamped)
Christina M. Swick	**Agent**	
4. Typed Name **Christina M. Swick**	5. Date **July 12, 2010**	

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LEWIS & HARRISON
Consultants in Government Affairs

122 C Street, N.W., Suite 740
Washington, D.C. 20001
telephone 202.393.3903
fax 202.393.3906

July 12, 2010

HAND DELIVERED

Registration
~~Antimicrobials~~ Division (Mail Code 7505P)
Office of Pesticide Programs
Document Processing Desk [NOTIFY]
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202

ATTN: **Tony Kish**
Product Manager, Team 22

SUBJECT: **ALTIVIA Corporation**
Liquid Copper Sulfate (EPA Reg. No. 70264-5)
Notification of Label Changes per PR Notice 2007-4

Dear Mr. Kish:

On behalf of ALTIVIA Corporation, we are notifying the Agency of changes to the *Liquid Copper Sulfate* label. The changes are in accordance with PR Notice 2007-4. All of the language has been added verbatim from the aforementioned PR Notice. No other changes have been made to the labels.

Please find enclosed the following documents to support these notifications:

1) Pesticide Application Form for each product;
2) One (1) copy of each proposed product label with the changes marked; and,
3) Three (3) copies of each proposed product label.

If you have any questions or comments, please contact me at 202-393-3903 ext. 16 or cswick@lewisharrison.com.

Sincerely,

Christina M. Swick

Christina M. Swick
Agent for ALTIVIA Corporation

LIQUID COPPER SULFATE

Industrial Use Only

Active Ingredient:	
Copper sulfate pentahydrate*.....	25.0%
Inert Ingredients:	75.0%
TOTAL:	**100.0%**

*Copper as Metallic Not Less That 6.30%

NOTIFICATION
AUG - 2 2010

KEEP OUT OF REACH OF CHILDREN

DANGER

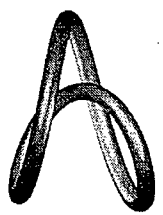
Consult MSDS for additional information.
Maximum use for potable water application is 1 ppm metallic copper equivalent (16 mg per liter).
Product is toxic to fish UNLESS used specifically according to use directions.
See side panel for specific pesticide use directions.

See [Side] [Back] Panel for [Additional] [Precautions] [Precautionary Statements] and First Aid [Treatment]

EPA Reg. No. 70264-5 EPA Est. No.

Net Contents:

Manufactured by:



ALTIVIA

Altivia Corporation
1100 Louisiana, Suite 3160, Houston, TX 77002
Phone: 1-866-ALTIVIA, www.altivia.com

*Bracketed text denotes alternate marketing language and use directions

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER. Corrosive: Causes irreversible eye damage and skin burns. Do not get in eyes, on skin or on clothing. May be fatal if swallowed. Harmful if inhaled. Do not breath spray mist. 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.

Personal Protective Equipment (PPE):
Applicators and other handlers must wear coveralls over long-sleeved shirt and long pants, chemical resistant gloves made of any waterproof material, protective eyewear, and chemical resistant footwear with socks. When mixing and loading wear a chemical resistant apron. Wash outside of gloves before removing. Follow the 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.

(Note to Reviewer: Boxed format or bullets may be used in First Aid Section if label space permits.)

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 SWALLOWED:	• Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Avoid alcohol. • 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 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 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 further treatment advice.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
Note to Physician: Probable mucosal damage may contraindicate the use of gastric lavage.	

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ENVIRONMENTAL HAZARDS

This product is toxic to fish. Direct application of copper sulfate to water may cause a significant reduction in populations of aquatic invertebrates, plants and fish. Fish toxicity generally decreases when the hardness of water increases. Do not contaminate water by cleaning of equipment or disposal of wastes. Consult your local State Fish and Game Agency before applying this product to public waters. Permits may be required before treating such waters.

ENDANGERED SPECIES RESTRICTIONS

It is a violation of Federal law to use any pesticide in a manner that results in the death of an endangered species or adverse modification of their habitat. The use of this product may pose a hazard to certain Federally designated endangered species known to occur I specific areas of this country:

California	Solano grass	EPA/ES-85-13	Solano
Tennessee	Slackwater Darter	EPA/ES-85-04	Lawrence
			Wayne
			Hancock
	Freshwater Mussels	EPA/ES-85-07	Clairborne
			Hawkins
			Sullivan
Alabama	Slackwater Darter	EPA/ES-85-05	Lauderdale
			Limestone
			Madison
Virginia	Freshwater Mussels	EPA/ES-85-06	Grayson
			Smith
			Scott
			Washington
			Lee

****PLEASE NOTE**** Before using this product in the above counties you must obtain the EPA bulletin specific to your area. The Bulletin identifies areas within these counties where the use of this pesticide is prohibited, unless specified otherwise. The EPA Bulletin is available from either your County Agricultural Extension Agent, the Environmental Species Specialist in your State Wildlife Agency Headquarters, or the appropriate Regional Office of the U.S. Fish and Wildlife Service. THIS BULLETIN MUST BE REVIEWED PRIOR TO PESTICIDE USE.

*Bracketed text denotes alternate marketing language and use directions

DIRECTIONS FOR USE

It is a violation of federal law to use this product in a manner inconsistent with its labeling. 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. For requirements specific to your State, consult the agency responsible for pesticide regulations.

GENERAL INSTRUCTIONS FOR USE

Water hardness, temperature of the water, the type and amount of vegetation to be controlled, and the amount of water flow are to be considered in using Copper Sulfate to control algae. Begin treatment soon after plant growth has started. If treatment is delayed until a large amount of algae is present, larger quantities of Copper Sulfate will be required. Algae is difficult to control with Copper Sulfate when water temperatures are low or water is hard. Large quantities of Copper Sulfate will be required to kill and control algae in water which is flowing rather than in a body of stagnant water. If possible, curtail the flow of water before treatment and hold dormant for approximately three days after treatment or until the algae have begun to die. It is usually best to treat algae on a sunny day when the heavy mats of filamentary algae are most likely to be floating on the surface where it can be sprayed directly. If there is some doubt about the concentration to apply, it is generally best to start with a lower concentration and to increase this concentration until the algae is killed.

Treatment of algae can result in oxygen loss from decomposition of dead algae. This loss can cause fish suffocation. Therefore, to minimize this hazard, treat one-third to one-half of the water area in a single operation and wait 10 to 14 days between treatments. Begin treatments along the shore and proceed outward in bands to allow fish to move into untreated water. NOTE: If treated water is to be used as a source of potable water, the metallic copper residual must not exceed 1 ppm (4 ppm copper sulfate pentahydrate).

CALCULATIONS FOR THE AMOUNT OF WATER IMPOUNDED AND FOR THE AMOUNT OF LIQUID COPPER SULFATE TO BE USED: Calculate water volume as follows: 1) Obtain surface area by measuring of regular shaped ponds or mapping of irregular ponds or by reference to previously recorded engineering data or maps. 2) Calculate average depth by sounding in a regular pattern and taking the mean of these readings or by reference to previously obtained data. 3) Multiply surface area in feet by average depth to obtain cubic feet of water volume. 4) Multiply surface area in acres by average depth in feet to obtain total acre-feet of water volume.

CALCULATE WEIGHT OF WATER TO BE TREATED AS FOLLOWS: 1) Multiply volume in cubic feet by 62.44 to obtain total pounds of water, or 2) Multiply volume in acre feet by 2,720,000 to obtain pounds of water.

CALCULATIONS OF ACTIVE INGREDIENT TO BE ADDED: To calculate the amount of Liquid Copper Sulfate needed to achieve the recommended concentration, multiply the weight of water by the recommended concentration of Liquid Copper Sulfate. Since recommended concentrations are normally give in parts per million (ppm), it will first be necessary to convert the value in parts per million to a decimal equivalent. For example, 8 ppm is the same as 0.000008 when used in this calculation. Therefore, to calculate the amount of Liquid Copper Sulfate to treat 1 acre-foot of water with 8 ppm Liquid Copper Sulfate (LCS), the calculation would be as follows:

0.000008 x 2,720,000 = 21.75 lbs x 1 gal LCS/9.85 = 2.2 gal LCS

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SPECIFIC INSTRUCTIONS

Maximum use for potable water applications is 16 mg per liter (1 ppm metallic copper equivalent).

The following applies for waters segregated for Municipal Water Utilities in treatment of potable water only.

Dosages to control algae in impounded waters, ponds, and reservoirs should be calculated per million gallons as follows:

1 MMg x 8.344 pounds per gallon x 8 ppm = 66.75 pounds liquid copper sulfate per MMg raw water (maximum use) x 1 gal per 9.85 pounds = 6.75 gallons Liquid Copper Sulfate per MMg raw water (recommended use). This is the equivalent of 8 parts per million (ppm) Liquid Copper Sulfate which delivers ½ ppm active copper. USEPA Lead and Copper Rule maximum is 1.3 ppm.

For flowing systems such as raw water intake, use same dosage ratio so that the maximum usage remains 6.75 gallons Liquid Copper Sulfate per day per MMg per day raw water.

Successful algae treatment can be accomplished at much lower dosages. Treatment dosages can be as low as 1/20 the maximum or 0.68 gallon per MMg water.

To control algae in impounded waters, lakes, ponds and reservoirs: There are several methods to apply Liquid Copper Sulfate to impounded water. The most satisfactory and simplest method is to pump injection at the intake pipes located between irrigation canal and reservoir. Bulk Copper sulfate tanks should be metered and regulated to coincide with the start of the irrigation pump. Dosage not to exceed ½ ppm $CuSO_4$.

LIQUID COPPER SULFATE (LCS) REQUIRED FOR TREATMENT OF DIFFERENT GENERA OF ALGAE

The general algae that are listed below are commonly found in waters of the United States. Use the lower recommended rate in soft waters (less that 50 ppm, methyl orange alkalinity) and the higher concentration in hard water (above 50 ppm alkalinity). Always consult State Fish and Game Agency before applying this product to municipal waters.

Organisms	1-2 ppm LCS*	2-4 ppm LCS*	4-6 ppm LCS*	6-8 ppm LCS*
Cyanophyceae (Blue-green)	Anabaena Anacystis Aphanizomenon Gloeotrichia Gomphosphaeria Polycystis Rivularia	Cylidrospermum Oscillatoris Plectonema	Nostoc Phormidium	Calothrix Symploca
Chlorophyceae (Green)	Closterium Hydrodictyon Spyrogyra Ulothrix	Botryococcus Cladophora Coelastrum Draparnaldia Enteromorpha Gloeocystis Microspora Tribonema Zygnema	Chlorelia Crucigenia Desmidium Golenkinia Oocystis Palmella Pithophora Staurastrum Tetraedron	Ankistrodesmus Chara Nitella Scenedesmus
Diatomaceae (Diatoms)	Asterionella Fragilaria Melosira Navicula	Gomphonema Nitzchia Stephanodiscus Synedra Tabellaria	Achnanthes Cymbella Nudum	
Protozoa (Flagellates)	Dinobryon Synura Uroglena Volvox	Ceratium Cryptomonas Euglena Glenodinum Mallomonas	Chlamydomonas Hawmatococcus Peridinium	Eudorina Pandorina

*1-2 = 0.28 – 0.55 gals/acre ft
*2-4 = 0.55 – 1.1 gals/acre ft
*4-6 = 1.10 – 1.56 gals/acre ft
*5-8 = 1.65 – 2.21 gals/acre ft

*Bracketed text denotes alternate marketing language and use directions

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STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Keep pesticide in original container. Do not put concentrate or dilutions of concentrate on food or drink containers.

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 HANDLING: Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. 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 roll 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. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

*Bracketed text denotes alternate marketing language and use directions