

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

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Mr. Timothy M. Formella, Senior Registration Manager United Phosphorus, Inc. 630 Freedom business Center, Suite 402 King of Prussia, PA 19406

JUN - 9 2010

Subject: Notification: Updated Disposal Instructions per PR Notice 2007-4

Your Submission, Dated May 10, 2010

Dear Mr. Formella:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4, dated May 10, 2010, for:

EPA Registration No. 70506-191 Aquathol Super K Granular Aquatic Herbicide

The Registration Division (RD) has conducted a review of this request 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 identifying the batch of the pesticide distributed and sold be placed on <u>nonrefillable</u> 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 703-305-1243 or Susan Stanton of my staff at 703-305-5218.

Sincerely.

Kathryn Montague, Product Manager 23

Herbicide Branch

Registration Division (7505P) Office of Pesticide Programs

5. Date

Timothy M. Formella

4. Typed Name



United Phosphorus, Inc.

630 Freedom Business Center, Suite 402 King of Prussia, PA 19406 (610) 491-2813 (phone) (610) 491-2810 (fax)

May 10, 2010

VIA: United Parcel Service

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

RE: Notification Regarding PR Notice 2007-4
Aquathol Super K Granular Aquatic Herbicide (EPA Reg. No. 70506-191)

Dear Ms. Arrington:

United Phosphorus, Inc. hereby notifies the Agency of our intent to revise the label for our registered pesticide product Aquathol Super K Granular Aquatic Herbicide (EPA Reg. No. 70506-191) which contains the active ingredient dipotassium salt of endothall.

This label notification pertains to revision of the Storage and Disposal text in order to comply with the requirements of PR Notice 2007-4 regarding Labeling Revisions Required by the Final Rule "Pesticide Management and Disposal; Standards for Pesticide Containers and Containment."

The changes are consistent with the notification provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46. Enclosed please find the following materials to support this registration notification:

- 1. Completed Application for Pesticide Registration (EPA Form 8570-1),
- 2. A "red-lined" copy of the amended label showing the container disposal language revisions,
- 3. A clean copy version of the revised label,
- 4. CD with the label in electronic format (file name: 070506-00191.20100510.pdf),
- 5. Completed Certification with Respect to Label Integrity form.

If you have any questions on this submission please call me at 610-491-2813 or email at <u>tim.formella@uniphos.com</u>.

Sincerely,

Timothy M. Formella

Senior Registration Manager

Certification with Respect to Label Integrity

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				
70506- 191	5/10/2010	070506-00191.20100510.pdf				

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.

Signature M. Jornella	05/10/2010
Signature	Date
Timothy M. Formella	
Name (typed)	
Senior Registration Manager	
Title	

NOTIFICATION

JUN - 9 2010

AQUATHOL® SUPER K GRANULAR AQUATIC HERBICIDE

ACTIVE INGREDIENT:	
Dipotassium salt of endothall*	63.0%
OTHER INGREDIENTS:	37.0%
TOTAL	100.0%
*7-oxabicyclo [2.2.1]heptane-2,3-dicarboxylic acid equivalent 44.7%	

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 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. Do not give anything by mouth to an unconscious person.

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.

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 (866) 673-6671 for emergency medical treatment information.

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

EPA Registration No. 70506-191	EPA Establishment No.	
Batch/Lot No.	Net Weight:	
United Phosphorus, Inc. 630 Freedom Business Center, Suite 402 King of Prussia, PA 19406 1-800-438-6071 • www.upi-usa.com		

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS (AND DOMESTIC ANIMALS)

DANGER

CORROSIVE. CAUSES IRREVERSIBLE EYE DAMAGE. MAY BE FATAL IF SWALLOWED. HARMFUL IF ABSORBED THROUGH THE SKIN. Do not get in eyes, on skin or on clothing.

Personal Protective Equipment (PPE)

Mixers, loaders, applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Socks and shoes
- a NIOSH-approved half- or full-face respirator with a cartridge or canister approved for dusts and mists or a cartridge with any N, R, P, or He filter. Note: the quarter-face cupstyle respirator does not meet this requirement.
 - Exception: During application, the respirator need not be worn, *provided* that the pesticide is applied in a manner (such as direct metering or subsurface release from the rear of a vessel that is moving into the wind) that the applicator will have no contact with the pesticide.
- Chemical resistant gloves. Some materials that are chemical-resistant to this product are nitrile, neoprene, and natural rubber. If you want more options, follow the instructions for Category A on an EPA chemical resistance category selection chart.
- Protective eyewear

User Safety Requirements:

Follow the manufacturers' instructions for cleaning/maintaining PPE. If no such instructions for washable exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing or other absorbent materials that have been drenched or heavily contaminated with this products concentrate. Do not reuse them.

User Safety Recommendations:

Users should:

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

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish. This pesticide is toxic to wildlife.

Do not contaminate water by cleaning of equipment wash waters. Do not contaminate water, food, or feed by storage or disposal.

Avoid contact with or drift to other crops or plants as injury may result.

Not for use in brackish or salt water.

Do not use water from treated areas for irrigation, for agricultural sprays on food crops or for domestic purposes within 7 days of treatment.

GENERAL INFORMATION

AQUATHOL SUPER K is a granular aquatic herbicide for use in ponds and lakes which, under field test conditions has shown to be effective against a broad range of aquatic plants with a margin of safety to fish. Dosage rates indicated for the applications of AQUATHOL SUPER K are measured in "Parts Per Million" (ppm). 1 ppm as a dosage rate means that there would be 1 part of AOUATHOL SUPER K's active ingredient in 1,000,000 parts of water. Only 0.5 to 5 ppm are generally required for aquatic weed control, whereas some fish species are tolerant to approximately 100 ppm or over. For best results treat areas of one acre or more and/or margins of at least 100 feet in large bodies of water.

Thoroughly clean application equipment immediately after use.

DIRECTIONS FOR USE

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

HOW TO APPLY:

AQUATHOL SUPER K is a contact herbicide, consequently, do not apply before weeds are present. Treat as early as possible after weeds are present and are actively growing. If an entire pond is treated at one time, or if the dissolved oxygen level is low at the time of application, decay of weeds may remove enough oxygen from the water causing fish to suffocate. Water containing very heavy vegetation should be treated in sections to prevent suffocation of fish. Sections should be treated 5-7 days apart. Carefully measure size and depth of area to be treated and determine proper amount of AQUATHOL SUPER K to apply. For best results apply when water is quiescent and/or flows are minimal.

Apply AQUATHOL SUPER K as evenly as possible over treated areas. A cyclone spreader is useful for this purpose. In instances where the nuisance weed(s) to be controlled is an exposed surface problem (i.e., some of the broad-leaved pond weeds) coverage is important. Necessary approval and/or permits should be obtained in states where required. Do not contaminate water intended for irrigation or domestic purposes.

Drinking Water (Potable Water)

- Consult with appropriate state or local water authorities before applying this product to public waters. State or local agencies may require permits. The drinking water (potable water) restrictions on this label are to ensure that consumption of water by the public is allowed only when the concentration of endothall in the water is less than the MCL (Maximum Contamination Level) of 0.1 ppm. Applicators should consider the unique characteristics of the treated waters to assure that endothall concentrations in potable drinking water do not exceed 0.1 ppm at the time of consumption.
- For applications of endothall, the drinking water setback distance from functioning potable water intakes is greater than or equal to 600 feet.
- 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.

Only use higher rates when making treatments to small areas with an increased potential for rapid dilution or when making long and narrow applications such as for boat lanes or shoreline treatments where dilution may reduce the exposure of plants and the herbicide. ••••• Use lower rates for large contiguous treatment blocks or in protected areas such as coves where reduced water movement will not result in rapid dilution of the herbicide from the larget treatment area or when treating entire lakes or ponds.

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HOW TO DETERMINE DOSAGE RATE (Active Ingredient)

AQUATHOL SUPER K is recommended for the control of the following aquatic weeds at the rates indicated. Since AQUATHOL SUPER K's active ingredient is water soluble and tends to diffuse from the treated area, select the dosage rate applicable to the area to be treated. Use the lower rate in each range when the growth is young and growing and/or where the weed stand is not heavy. Marginal treatments of large bodies of water require highest rates as indicated.

WEEDS CONTROLLED AND AQUATHOL SUPER K DOSAGE RATE CHART

	RATES					
Aquatic Weed	Entire Pond/Lake or Large Area Treatment	Lbs. per Acre Ft.	Spot or Lake Margin Treatment	Lbs. per Acre Ft.		
Bur Reed, Sparganium spp.	3.0-4.0 ppm	13.2-17.6 lbs.	4.0-5.0 ppm	17.6-22.0 lbs.		
Coontail, Ceratophyllum spp.	1.0-2.0 ppm	4.4-8.8 lbs.	2.0-3.0 ppm	8.8-13.2 lbs.		
Horned Pondweed, Zannichellia palustris	1.0-2.0 ppm	4.4-8.8 lbs.	2.0-3.0 ppm	8.8-13.2 lbs.		
Hydrilla, Hydrilla verticillata	2.0-3.0 ppm	8.8-13.2 lbs.	3.0-4.0 ppm	13.2-17.6 lbs.		
Hygrophila, Hygrophila polysperma	4.0-5.0 ppm	17.6-22.0 lbs.	5.0 ppm	22.0 lbs.		
Milfoil, Myriophyllum spp.	2.0-3.0 ppm	8.8-13.2 lbs.	3.0-4.0 ppm	13.2-17.6 lbs.		
Naiad, Najas spp.	1.0-3.0 ppm	4.4-13.2 lbs.	2.0-4.0 ppm	8.8-17.6 lbs.		
Pondweed, Potamogeton spp.	0.5-3.0 ppm	2.2-13.2 lbs.	1.5-4.0 ppm	6.6-17.6 lbs.		
Including:		,				
American, P. nodosus	2.0-3.0 ppm	8.8-13.2 lbs.	3.0-4.0 ppm	13.2-17.6 lbs.		
Largeleaf (Bass Weed), P. Amplifolius	2.0-3.0 ppm	8.8-13.2 lbs.	3.0-4.0 ppm	13.2-17.6 lbs.		
Curlyleaf, P. crispus	0.5-1.5 ppm	2.2-6.6 lbs.	1.5-3.0 ppm	6.6-13.2 lbs.		
Flatstem, P. zosterformis	2.0-3.0 ppm	8.8-13.2 lbs.	3.0-4.0 ppm	13.2-17.6 lbs.		
Floating-leaf, P. natans	1.0-2.0 ppm	4.4-8.8 lbs.	2.0-3.0 ppm	8.8-13.2 lbs.		
Illinois, P. Illinoensis	1.5-2.5 ppm	6.6-11.0 lbs.	2.5-3.5 ppm	11.0-15.4 lbs.		
Narrowleaf, P. pusillus	1.0-2.0 ppm	4.4-8.8 lbs.	2.0-3.0 ppm	8.8-13.2 lbs.		
Slender, P. filiformis	2.0-3.0 ppm	8.8-13.2 lbs.	3.0-4.0 ppm	13.2-17.6 Jbs		
Sago, P. pectinatus	1.0-2.0 ppm	4.4-8.8 lbs.	2.0-3.0 ppm	8.8-13.2 lbs.		
Variable Leaf, P. diversifolius	1.0-2.0 ppm	4.4-8.8 lbs.	2.0-3.0 ppm	8.8-13.2 lbs.		
Parrot Feather, Myriophyllum aquaticum	2.0-3.0 ppm	8.8-13.2 lbs.	3.0-4.0 ppm	13.2-17.6 lbs.		
Water Stargrass, Heteranthera spp.	2.0-3.0 ppm	8.8-13.2 lbs.	3.0-4.0 ppm	13.2-17.6 lbs.		



APPROXIMATE POUNDS OF AQUATHOL SUPER K FOR ONE ACRE* TREATMENT DOSAGE IN POUNDS FOR VARIOUS CONCENTRATIONS IN PPM

Depth	0.5 ppm	1.0 ppm	1.5 ppm	2.0 ppm	3.0 ppm	4.0 ppm	5.0 ppm
1 Ft. Deep	2.2 lbs.	4.4 lbs.	6.6 lbs.	8.8 lbs.	13.2 lbs.	17.6 lbs.	22 lbs.
2 Ft. Deep	4.4 lbs.	8.8 lbs.	13.2 lbs.	17.6 lbs.	26.4 lbs.	35.2 lbs.	44 lbs.
3 Ft. Deep	6.6 lbs.	13.2 lbs.	19.8 lbs.	26.4 lbs.	39.6 lbs.	52.8 lbs.	66 lbs.
4 Ft. Deep	8.8 lbs.	17.6 lbs.	26.4 lbs.	35.2 lbs.	52.8 lbs.	70.4 lbs.	88 lbs.
5 Ft. Deep	11 lbs.	22 lbs.	33 lbs.	44 lbs.	66 lbs.	88 lbs.	110 lbs.

^{*} One acre equals approximately 208' x 208'

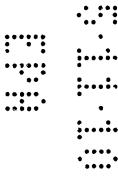
Where the area being treated is greater than those listed in the charts, proceed as follows:

- a. Compute the approximate surface acreage
- b. Determine the average depth
- c. Multiply a. by b. to determine total number of acre/feet
- d. Multiply the pounds required at the 1 foot depth under the rate to be used by the number of acre/feet to determine the total quantity to be used.

APPROXIMATE POUNDS OF AQUATHOL SUPER K FOR 1,000 SQUARE FEET TREATMENT DOSAGE IN POUNDS FOR VARIOUS CONCENTRATIONS IN PPM

Depth	0.5 ppm	1.0 ppm	1.5 ppm	2.0 ppm	3.0 ppm	4.0 ppm	5.0 ppm
1 Ft. Deep	0.05 lbs.	0.1 lbs.	0.15 lbs.	0.2 lbs.	0.3 lbs.	0.4 lbs.	0.5 lbs.
2 Ft. Deep	0.10 lbs.	0.2 lbs.	0.3 lbs.	0.4 lbs.	0.6 lbs.	0.8 lbs.	1.0 lbs.
3 Ft. Deep	0.15 lbs.	0.3 lbs.	0.45 lbs.	0.6 lbs.	0.9 lbs.	1.2 lbs.	1.5 lbs.
4 Ft. Deep	0.2 lbs.	0.4 lbs.	0.6 lbs.	0.8 lbs.	1.2 lbs.	1.6 lbs.	2.0 lbs.
5 Ft. Deep	0.25 lbs.	0.5 lbs.	0.75 lbs.	1.0 lbs.	1.5 lbs.	2.0 lbs.	2.5 lbs.

Where the depth is greater than 5 feet, multiply the depth by the appropriate rate for 1.st. depth to determine the amount of product required per 1,000 square feet.



STORAGE AND DISPOSAL

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

Pesticide Storage: Store in the original container, preferably in a locked storage area. Do not store in a manner where cross-contamination with other pesticides, fertilizers, food or feed could occur. If spilled during storage or handling sweep up spillage and dispose of in accordance with the Pesticide Disposal Instructions listed below.

Pesticide Disposal: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide 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.

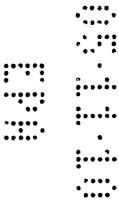
Container Handling: Nonrefillable container. Do not reuse or refill this container. Clean container promptly after emptying.

(if plastic pail) Triple rinse (or equivalent). Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

(if plastic bag) Completely empty bag into application equipment. Then offer for recycling if available or 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.

EMERGENCY TELEPHONE NUMBERS:

CHEMTREC: (800) 424-9300 MEDICAL: (866) 673-6671 Rocky Mountain Poison Control Center



IMPORTANT INFORMATION READ BEFORE USING PRODUCT

CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product reflect the opinion of experts based on field use and tests, and must be followed carefully. It is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions, presence of other materials or other influencing factors in the use of the product, which are beyond the control of United Phosphorus, Inc. or Seller. Handling, storage, and use of the product by Buyer or User are beyond the control of United Phosphorus, Inc. and Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold United Phosphorus, Inc. and Seller harmless for any claims relating to such factors.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW. UNITED PHOSPHORUS, INC. AND SELLER MAKE NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ON THIS LABEL.

To the extent consistent with applicable law, United Phosphorus, Inc. or Seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product and THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF UNITED PHOSPHORUS, INC. AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF UNITED PHOSPHORUS, INC. OR SELLER, THE REPLACEMENT OF THE PRODUCT.

United Phosphorus, Inc. and Seller offer this product, and Buyer and User accept it, subject to the foregoing conditions of sale and limitations of warranty and of liability, which may not be modified except by written agreement signed by the duly authorized representative of United Phosphorus, Inc.

Aquathol is a registered trademark of United Phosphorus, Inc.	•••
Rev. 5/10/2010	
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