

71992-1

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



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WASHINGTON, D.C. 20460

AUG - 3 2010

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Sharon C. Trippany, CHMM
EHS&S Manager
2701 Warrior Road,
Tuscaloosa, AL 35404

Subject:	Product Name:	CuNap-8 Wood Preservative
	EPA Registration No.:	71992-1
	Notification Date:	July 01, 2010
	EPA Receipt Date:	July 02, 2010

Dear Sharon C. Trippany,

This letter acknowledges receipt of your notification submitted under the provision of FIFRA section 3(c) 9 and PR Notice 2007-4.

Proposed Notification

- The registrant updated the container disposal statements as specified in PR Notice 2007-4. The language for water rinsing has been change by using non-water solvents for rinsing. The letter listed a number of solvents that is suitable for rinsing containers containing residual "CuNap-8 Wood Preservative" prior to re-use as a diluent, individually or as blends.
- The registrant also notifies a slight company name change from "Merichem Chemical & Refinery Services LLC" to "Merichem Company."

General Comments

Based on a review of the submitted materials, your notification to update the container disposal statement and the new company's name are acceptable and apart of the records on file.

Should you have any questions or comments concerning this letter, please contact (Juan F. Negrón) at (703-308-8116).

Sincerely,

Jacqueline McFarlane

CONCURRENT Product Manager (34)

Regulatory Management Branch
Antimicrobials Division (7510P)

SYMBOL							
SURNAME							
DATE							

Please read instructions on reverse before completing form.

Form Approved OMB No. 2070-0060

Print Form



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input checked="" type="checkbox"/>	Amendment
<input type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 71992-1	2. EPA Product Manager Jacqueline McFarlane (Acting)	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) CuNap-8 Wood Preservative	PM# 34	
5. Name and Address of Applicant (Include ZIP Code) Merichem Company 5455 Old Spanish Trail Houston, TX 77023 <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: <input checked="" type="checkbox"/> 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 type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

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

Per the instructions in PR Notice 2007-4, amend the registration to specify the use of a diluent other than water for efficient residue removal from containers because CuNap-8 is insoluble in water as instructed on the current label. No other changes have been made to the label except for those clearly marked on the revised labeling.

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	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 <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 Sharon Trippany	Title EHS&S Manager	Telephone No. (Include Area Code) 205-462-2282
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 Plant Manager	
4. Typed Name John Greer	5. Date July 1, 2010	



July 1, 2010

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

By Federal Express

Re: Application for Amended Registration and Notification
CuNap-8 Wood Preservative (EPA Reg. No. 71992-1)
Regarding PR Notice 2007-4 and solvent rinsing of containers

Dear Sir or Madam:

An application for Notification and draft revised labels for CuNap-8 Wood Preservative to update the container disposal statements as specified in PR Notice 2007-4 were received by EPA on December 23, 2009, and accepted on January 20, 2010. That submission used the suggested language for water rinsing, but the submission should have given instructions for using non-water solvents for rinsing. This letter and application for amendment requests EPA's review and approval for using a diluent other than water.

We request an amended registration to specify the use of a diluent other than water (e.g., solvents) to remove residues from this pesticide product and are submitting an amendment application, as described in 40 CFR §§ 152.50 and 152.55, and in section IV.B. of PR Notice 2007-4. This letter serves as the written request to modify the residue removal instructions via an amendment and is consistent with the applicable regulations based on the following rationale pursuant to 40 CFR §156.146(d):

A non-water diluent is necessary for efficient residue removal because CuNap-8 Wood Preservative is insoluble in water as currently instructed on the label revision dated January 20, 2010. CuNap-8 Wood Preservative is a concentrate that must be diluted with organic solvents prior to treatment of wood, textiles and other cellulosic materials subject to attack by decay fungi and wood-destroying insects. CuNap-8 Wood Preservative would not be adequately rinsed out of containers using water. The end users preferably use an organic solvent to rinse pesticide containers and then re-cycle the rinsate for treating solution as make up diluent rather than dispose of rinsate water as waste.

Any number of solvents is suitable for rinsing containers containing residual CuNap-8 Wood Preservative prior to re-use as a diluent, individually or as blends, including:

- mineral spirits [CAS No. 64742-47-8];
- kerosene [8008-20-6] or hydrodesulfurized kerosene [64742-81-0];
- distillate fuels including fuel oil No. 2 [68476-30-2], diesel fuel No. 2 [68476-34-6], and fuel oil No. 4 [68476-31-3];

CuNap-8

WOOD PRESERVATIVE

ACTIVE INGREDIENT:
Copper naphthenate: 68%
(Copper, as Metal, 8%)

INERT INGREDIENTS: 32%

TOTAL: 100%

CONTAINS PETROLEUM DISTILLATES

See other precautionary statements on side panel.

KEEP OUT OF REACH OF CHILDREN
WARNING

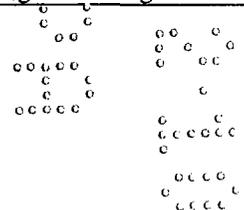
FIRST AID	
IF IN EYES	<ul style="list-style-type: none"> • Hold eye open and rinse with a slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes and then continue rinsing eyes with water. • Call a poison control center or doctor immediately for 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 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 give anything by mouth to an unconscious person. • Do not induce vomiting unless told to do so by a poison control center or doctor.
IF INHALED	<ul style="list-style-type: none"> • Remove 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 immediately for treatment advice.
HOT LINE NUMBER	
CuNap-8 (Copper Naphthenate)	
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, Monday through Friday, 9 a.m. to 5 p.m. After 5:00 p.m. call your poison control center at 1-800-222-1222.	
NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.	

EPA Reg. No. 71992-1
EPA Est. No. 71992-AL-001

Manufactured by
Merichem Company Chemicals & Refinery Services LLC
5455 Old Spanish Trail
Houston, TX 77023

Batch No:

NOTIFICATION
Date Reviewed: 8/13/10
Reviewed By: *[Signature]*



PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals

WARNING

Causes skin and eye irritation. Wear goggles, face shield, or safety glasses. Remove contaminated clothing and wash before reuse. Prolonged or repeated skin contact may cause allergic reactions in some individuals. Do not get in eyes, on skin, or on clothing. Harmful if swallowed or inhaled. Avoid breathing vapors or spray mist. Wash thoroughly with soap and water after handling.

Do NOT breathe vapors or mist during brush, roll, spray, and dip applications. Wear a NIOSH/MSHA approved mist/vapor respirator when spraying for continued or prolonged use of this product or for frequent use of this product.

In case of medical questions, emergencies, or accidents involving this product, call Chemtrec at 1-800-424-9300. Application of this product may produce a strong, lingering, unpleasant odor.

ENVIRONMENTAL HAZARDS

This product is toxic to fish and aquatic organisms. 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 local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

STORAGE

Store at temperature between 0°F and 120°F. Store in original container only. Keep container closed when not in use.

PESTICIDE DISPOSAL

Pesticide concentrate, solution or rinsate that cannot be used or chemically reprocessed should be disposed of according to procedures approved by Federal, State or local authorities.

CONTAINER DISPOSAL

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 solvent used to prepare the diluted treating solution. 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.

Non-refillable metal containers: Then offer for recycling, if available, or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

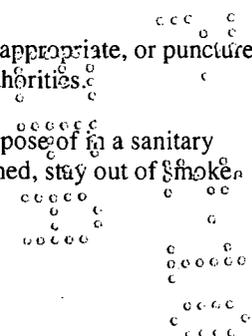
Non-refillable plastic containers: Then offer for recycling, if available, or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

GENERAL

Consult federal, state or local disposal authorities for approved alternative procedures.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling Use only the application method specified for a particular use. For Exterior Use Only.



CuNap-8 must be diluted before use with solvents such as mineral spirits, diesel fuel, mineral oil, etc., or solvents meeting AWWA Standard P-9* to protect treated items against deterioration by stain, mold and decay fungi, moss, mildew, termites, wood-boring beetles and carpenter ants.

CuNap-8 solutions may be applied to wood products such as lumber, posts, poles, ties, siding, boats, piers, docks, boxes, roof shakes and shingles, porches, steps, fence pickets and rails beverage cases; and for ornamental planting landscape timbers, wooden seedling trays, plant and flower boxes. Wood treated with CuNap-8 is NOT suitable for food garden uses. Effective application rates vary according to severity of conditions to which the treated product is exposed. Wood to be treated should be thoroughly seasoned and free of bark. Do not apply at sites on or near water or wetlands. Wood treated with CuNap-8 should not be used where it may come in contact with food, feed or potable water.

FOR TEXTILE TREATMENT

CuNap-8 solutions may be applied to cellulosic textiles and cordage products such as tents, awnings, tarpaulins, canvas products, ropes, and nets (except fishnets). However, CuNap-8 should not be used to treat textiles intended for uses resulting in repeated skin contact or contact with food or feed or potable water. Effective application results in 1% copper metal remaining in the treated product. The level of treatment is usually attained by dipping or soaking the product in a solution containing 2% copper metal made by mixing CuNap-8 with a solvent such as mineral spirits.

FOR TREATMENT BY SPRAYING, DIP, ROLLER, AND BRUSH

ABOVE GROUND CONTACT

For above ground exposure, brush, roller, spray or dip applications of solutions containing 1 or 2 percent copper metal are adequate for wood in non-critical applications. Dilute CuNap-8 with 3.0-3.8 volumes of solvent (depending upon density of diluent) to obtain 2% copper metal or 7.5-8.0 volumes of solvent (depending upon density of diluent) to obtain 1% copper metal.

COVERAGE: One gallon covers 100-300 sq. ft. depending upon the wood species, porosity of the wood, and method of application.

GROUND CONTACT

For wood intended for ground contact, treat according to AWWA Standards* with a solution containing 0.75 to 1.0 percent copper metal to a retention in the wood of 0.055 to 0.15 pounds copper metal per cubic foot.

FOR PRESSURE, VACUUM AND THERMAL TREATMENT

ABOVE GROUND CONTACT

For wood used above ground in critical (structural) applications or under more severe exposure conditions where it is subject to extended periods of wetting, extended soaking or pressure treatment in accordance with AWWA Standards* with a solution containing 0.5 to 1.0 percent copper metal to a retention in the wood of 0.04 to 0.06 pounds copper metal per cubic foot is recommended.

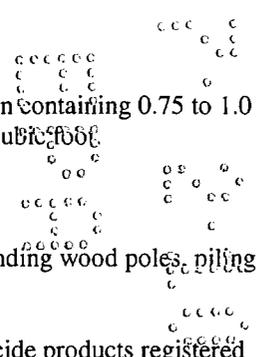
GROUND CONTACT

For wood intended for ground contact, treat according to AWWA Standards* with a solution containing 0.75 to 1.0 percent copper metal to a retention in the wood of 0.055 to 0.15 pounds copper metal per cubic foot.

FOR REMEDIAL TREATMENTS

CuNap-8 solutions of 2% copper metal may be used for external remedial treatment of standing wood poles, piling and other existing structures.

CuNap-8 may be used by formulators as an active ingredient source for ready-to-use pesticide products registered with the US Environmental Protection Agency. Products formulated or repackaged from this product must be labeled for "Exterior Use Only," and must bear all statements listed under the section entitled Precautionary Statements and the repackager(s) or formulator(s) telephone number.



*American Wood Protection Association

