

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

71992-3

1/23/2006

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

January 23, 2006

James A. Brient
Chemical Products Technology Manager
Merichem Chemicals & Refinery Services LLC
5455 Old Spanish Trail
Houston, TX 77023-5013

Subject: CuNap-5W
EPA Registration No. 71992-3
Application Date: October 21, 2005
EPA Received Date: October 25, 2005

Dear Mr. Brient:

The following amendment, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable with the conditions listed below:

Proposed Amendment

- Revised labeling

Conditions

Revise the label as follows:

1. Remove the statement "Open dumping is prohibited." from beneath the "Storage and Disposal" heading and place it under the heading "General" located within the Storage and Disposal section of the product label.

General Comments

A stamped copy of the labeling accepted with conditions is enclosed. Submit three(3) copies of your final printed labeling before distributing or selling the product bearing the revised labeling.

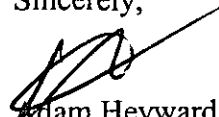
CONCURRENCES

MBOL	75106							
IRNAME	Y. H. C.							
DATE	1/23/06							

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Should you have any questions or comments concerning this letter, please contact me at 703-308-6422.

Sincerely,



Adam Heyward
Product Manager 34
Regulatory Management Branch II
Antimicrobials Division (7510 C)

CuNap-5W

WOOD PRESERVATIVE

ACTIVE INGREDIENT:	
Copper naphthenate:	42%
(Copper, as Metal, 5%)	
OTHER INGREDIENTS:	
	<u>58%</u>
TOTAL:	
	100%

See other precautionary statements on side panel.

KEEP OUT OF REACH OF CHILDREN
DANGER

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-5W (Copper Naphthenate)	
Have the product container or label with you when calling a poison control center or doctor, or when going for treatment. You may also contact Chemtrec at 1-800-424-9300 for emergency medical treatment information, Monday through Friday, 8 a.m. to 4:30 p.m. (Central Time). After 4:30 p.m. call your poison control center.	
NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastral lavage.	

EPA Reg. No. 71992-3
EPA Est. No. 71992-AL-001

ACCEPTED
with COMMENTS
EPA Letter Dated:

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

8/8/2005

JAN 23 2006

Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No. 71992-3

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

DANGER

Corrosive. Causes burns and irreversible eye damage. May be fatal if inhaled. Harmful if swallowed or inhaled. Do not get in eyes, on skin, or on clothing. Avoid breathing vapors or spray mist. Wear a NIOSH/MHSA approved mist/vapor respirator. Wear goggles, face shield, or safety glasses, protective clothing and rubber gloves. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse. Prolonged or repeated skin contact may cause allergic reactions in some individuals.

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.

PESTICIDE STORAGE

Store at temperature between 0°F and 120°F. Store in a secure, well-ventilated area in original container only. Keep container closed when not in use.

PESTICIDE DISPOSAL

Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. Pesticide concentrate, solution or rinsate that cannot be used or chemically reprocessed should be disposed of by use according to procedures approved by Federal, State or local authorities.

PESTICIDE CONTAINER DISPOSAL

Plastic containers: Triple rinse (or equivalent). 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.

Metal containers: 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.

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-5W 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 the statements listed under the section entitled Precautionary Statements and the formulator(s) or repackager(s) telephone number.

CuNap-5W is a concentrate and must be diluted with water before use to protect treated items against deterioration by stain, mold and decay fungi, moss, mildew, termites, wood-boring beetles and carpenter ants. To treat wood for use in moderate decay hazard locations, dilute one volume of CuNap-5W with 4 volumes of water to give a solution containing 1 percent copper metal. To treat wood for use in high decay hazard locations, such as ground contact, dilute one volume of CuNap-5W with 1.5 volumes of water to give a solution containing 2 percent copper metal.

CuNap-5W solutions may be applied to wood products for all exterior wood exposed to moisture or weather such as lumber, posts, poles, piles, plywood, particle board, oriented strand board and other composite wood products, lumber, siding, millwork, boats, piers, docks, boxes, roof shakes and shingles, porches, steps, foundation sills, fence pickets and rails beverage cases; and for ornamental planting landscape timbers, wooden seedling trays, plant and flower boxes. Since CuNap-5W has very low phytotoxicity it can be used to treat wood for greenhouses, nursery flats, etc. Wood treated with CuNap-5W is NOT suitable for food garden uses. Effective application rates vary according to severity of conditions to which the treated product is exposed. Pretreatment only. Do not apply at sites on or near water or wetlands.

In addition to preventing decay, blue stain, and insect attack on wood, CuNap-5W may reduce warping, swelling, shrinking and end checking caused by changes in moisture content of lumber and plywood products.

Wood to be protected against subterranean termites should be treated before used in construction.

Wood treated with CuNap-5W should not be used where it may come in contact with food, feed or potable water.

FOR TEXTILE TREATMENT

CuNap-5W solutions may be applied to cellulosic textiles and cordage products such as tents, awnings, tarpaulins, canvas products, ropes, and nets (except fishnets). However, CuNap-5W 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 percent 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 percent copper metal.

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-5W with 1.5 volumes of water to obtain 2 percent copper metal or 4.0 volumes of water to obtain 1 percent copper metal. The best results are obtained if wood to be treated is immersed for 3 minutes or longer. If dipping is not possible, 2 brush coats, roller or spray applications should be applied. Allow at least one hour between applications. Make certain all areas are fully treated to get the maximum benefits. Allow 24 hours or longer after application of the preservative prior to painting.

GROUND CONTACT

Seasoned or green wood may be treated. Make certain the wood to be treated is free of bark, then immerse in diluted CuNap-5W solution for 12 to 48 hours or until the sapwood is completely penetrated.

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

Water repellants may be admixed with CuNap-5W to improve dimensional stability of the treated wood. Colorants may be admixed for aesthetics and additional UV protection. This product is compatible and may be colored by the universal machine colorants employed to color oil or water-based paints. Note that colorants weather differently, and that color development varies with species, grain and wood undertone.

FOR COMPOSITE WOOD PRODUCTS

CuNap-5W may be employed as a preservative for particleboard, plywood, oriented strand board, insulation board, and other wood fiber and particle-based composite panel materials. In this use, CuNap-5W is either applied to the wood furnish or mixed with resin or binding agent at 1-3 percent based on dry weight of wood.

FOR PRESSURE 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 AWPAs' Standards' with a solution containing 0.25 to 1.0 percent copper metal to a retention in the wood of 0.06 to 0.20 pounds copper metal per cubic foot is recommended.

GROUND CONTACT

For wood intended for ground contact, treat according to AWPAs' Standards* with a solution containing 0.25 to 1.0 percent copper metal to a retention in the wood of 0.06 to 0.20 pounds copper metal per cubic foot.

FOR REMEDIAL TREATMENTS

CuNap-5W solutions of 2 percent copper metal may be used for external remedial treatment of standing wood poles, piling and other existing structures.

*American Wood Preservers' Association