

72536-1

10-15-2003

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Please read instructions on reverse before completing form.

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

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

1. Company/Product Number 72536-1	2. EPA Product Manager Giles-Parker	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) AquaPlex	PM# 22	
5. Name and Address of Applicant (Include ZIP Code) Cheltec, Inc. 2215 Industrial Blvd. Sarasota, FL 34234 <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"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.
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NOTIFICATION

OCT 15 2003

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

NOTIFICATION OF: (1) Change in registered label name from AquaPlex to AquaTec; and (2) addition of residential use disposal text per PR Notice 2001-6

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. Cheltec Inc. understands that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA, and further understands 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 Cheltec, Inc. 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:			
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Package wgt No. per container	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <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"/> _____
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 Rebecca M. Horton	Title Consultant/Agent	Telephone No. (Include Area Code) 540-375-8826
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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 Consultant/Agent	
4. Typed Name Rebecca M. Horton	5. Date 9-30-03	

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AquaTec™

NOTIFICATION

OCT 15 2003

ALGAECIDE / HERBICIDE

RESIDUAL CONTROL

FOR USE IN: LAKES; POTABLE WATER RESERVOIRS; SWIMMING AREAS; FARM, FISH, INDUSTRIAL, GOLF COURSE, ORNAMENTAL AND IRRIGATION PONDS; CROP AND NON-CROP IRRIGATION CONVEYANCE SYSTEMS; CANALS, DITCHES, AND LATERALS; FISH HATCHERIES.

Treats Livestock Water Supplies

FOR LISTED ALGAE & WEED CONTROL

Water treated with AquaTec™ may be used for swimming, fishing, drinking, livestock watering, and irrigation immediately after treatment.

Active Ingredient:

*Copper Sulfate Pentahydrate	19.8%
Other Ingredients	<u>80.2%</u>
*Metallic copper equivalent 5.04%	Total 100.0%

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 eye. 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 to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

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.

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.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. [You may also contact 1-800-424-9300 for emergency medical treatment information.]

NET CONTENTS: 2.5 GALLONS (9.46 LITERS)

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
DANGER

Corrosive: Causes irreversible eye damage. Do not get in eyes or on clothing. Wear goggles or safety glasses when handling. Harmful if swallowed, inhaled, or absorbed through skin. Contact with skin may cause allergic skin response. Avoid contact with skin. Wash thoroughly with soap and water after handling. As with all chemical applications, apply best management practices to avoid unnecessary contact with concentrate or spray mixture. For 24-hour assistance or information regarding spill, leak, fire, or exposure to this product, please call Chemtrec at 1-800-424-9300.

ENVIRONMENTAL HAZARDS

Fish and Aquatic Organisms: This product may be toxic to Trout, Koi, and other species of fish at application rates recommended on this label, especially in soft or acidic waters. Fish toxicity is directly correlated with water hardness and generally decreases as the hardness of the water increases. If the carbonate hardness is below 50 ppm, do not use this product in waters containing susceptible fish species without consulting Cheltec, Inc. or local authority prior to treatment. Direct application of AquaTect™ to water may cause a significant reduction in populations of aquatic invertebrates, plants, and certain species of fish. Do not treat more than one-half of a lake or pond at one time in order to avoid depletion of oxygen from decaying vegetation. Allow 1 to 2 weeks between treatments for oxygen levels to recover.

Do not contaminate water when disposing of equipment wash waters (See disposal instructions). 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 laws 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 in specific areas within the following counties:

STATE	SPECIES	BULLETIN NO.	COUNTY
CALIFORNIA	Solano Grass	EPA/ES-85-13	Solano
TENNESSEE	Slackwater Darter	EPA/ES-85-04	Lawrence Wayne Hancock
	Freshwater Mussels	EPA/ES-85-07	Clayborne Hawkins Sullivan
ALABAMA	Slackwater Darter	EPA/ES-85-05	Lauderdale Limestone Madison

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VIRGINIA	Freshwater Mussels	EPA/ES-85-06	Grayson Smyth Scott Washington Lee
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***** PLEASE NOTE***** Before using this product in the above counties, you must obtain the EPA bulletin specific to your area. This 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 Endangered 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.

Potable Water: Do not allow water containing in excess of 1 ppm copper derived from AquaTec™ to flow into any water to be used as potable water.

Terrestrial Plants: Do not apply this product in its concentrated form directly to any crop plants, grass, or ornamental plants as injury may result.

APPLICATION AND HANDLING

This product is corrosive to cotton fabrics. Do not allow clothing to come in contact with concentrate or dilution. Application, handling, or storage equipment **MUST** consist of fiberglass, PVC's, polypropylenes, viton, most plastics, or stainless steel. Never use mild steel, nylon, brass, or copper around full strength AquaTec™. Wash spray equipment after each application.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Permits for the use of this product in public water may be required. Check with local authorities.

[Commercial/Agricultural Use]

STORAGE AND DISPOSAL

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

Storage: AquaTec™ is a concentrate and must be stored in its original container or handled and stored as outlined above (please see "APPLICATION AND HANDLING").

Do not allow AquaTec™ to freeze; freezing may cause product separation. Seller makes no warranty for performance of the product that has been frozen.

Keep container closed when not in use. In case of a spill, neutralize with limestone or baking soda before disposal. May deteriorate concrete.

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: Triple rinse all containers prior to disposal and then offer for recycling, puncture and dispose of in an approved manner, or dispose by incineration if allowed by local and state authorities. If disposal is by incineration, stay out of smoke.

[Residential Use]

STORAGE AND DISPOSAL

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

Storage: AquaTect™ is a concentrate and must be stored in its original container or handled and stored as outlined above (please see "APPLICATION AND HANDLING").

Do not allow AquaTect™ to freeze; freezing may cause product separation. Seller makes no warranty for performance of the product that has been frozen.

Keep container closed when not in use. In case of a spill, neutralize with limestone or baking soda before disposal. May deteriorate concrete.

Pesticide Disposal: *If empty* Do not reuse this container. Place in trash or offer for recycling if available. *If partly filled* Call your local solid waste agency or 1-800-CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.

GENERAL INFORMATION

AquaTect™ is effective in controlling a broad range of algae including; *Chara, Spirogyra, Cladophora, Ulothrix* and *Oscillatoria*.

In addition, AquaTect™ is effective in controlling rooted and floating aquatic plants such as *Hydrilla, Potamogeton sp.*, and Water Hyacinth.

The formulation of AquaTect™ protects against the precipitation of copper with carbonates and bicarbonates in the treated water and results in increased time of exposure for **true residual activity**. In addition, this formulation allows for application at any time - including overcast/cloudy conditions as well as **during night-time hours**.

Water treated with AquaTect™ may be used for swimming, fishing, drinking, livestock watering, and irrigation immediately after treatment. For best results, apply when livestock water consumption is low or watering area is not in use. AquaTect™ effectively controls *Chara, Spirogyra, Cladophora, Ulothrix* and *Oscillatoria*; algae growth commonly found in livestock watering tanks, troughs, and ponds.

ALGAECIDE APPLICATION

AquaTect™ can be applied by simply pouring into the water, as a surface spray, or by injection. For effective control, the proper chemical concentration should be maintained for a minimum of three hours duration to assure adequate uptake. The application rates in the chart below are based on static or low flow conditions. When significant dilution occurs from inflow of untreated waters within the three-hour period the chemical may need to be metered. (See drip system application)

- Identify the algae growth present as one of the following; planktonic, filamentous, or *Chara*.
- Determine the surface area and average depth to be treated.

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- Refer to the chart below to determine gallons of AquaTect™ to apply per surface acre.

CHART 1

**Application Rates
Gallons per Surface Acre**

Algae Type	ppm Copper	Average Depth in Feet			
		1 ft.	2 ft.	3 ft.	4 ft.
Planktonic	0.2	1.0 gal.	2.2 gal.	3.2 gal.	4.3 gal.
Filamentous	0.2	1.0 gal.	2.2 gal.	3.2 gal.	4.3 gal.
Chara	0.4	2.2 gal.	4.3 gal.	6.5 gal.	8.6 gal.

For Planktonic algae and free floating filamentous algal mats, application rates should be based on treating the upper 3 - 4 feet of water where the algae is growing. If fish population is present and algae growth is heavy in treatment area, treat only 1/2 to 1/3 of the water body at a time to avoid potential fish kill by oxygen depletion. In areas of heavy growth, plan your treatment to avoid trapping fish in coves or enclosed areas. Before application, dilute the AquaTect™ with sufficient water to ensure even application to the affected area. For quickest results, apply when conditions are calm and sunny. However, this product can be applied whenever weather allows or **during night time hours**. A hand or power sprayer may be used. Treat shoreline areas first and then continue treatment, as needed, into main water body.

For algaecide application in waters used for livestock: For stock watering ponds, tanks, and troughs, apply ¼ fluid ounce of AquaTect™ per 250 gallons of water (8 milliliters per 1,000 liters) to achieve the desired 0.4 PPM (mg/L) of copper for algae control. Product can be simply added to the water column (body of water) as the residual control will allow for even distribution throughout the water column. Where existing algae mats are present at time of treatment, most effective control will be obtained by breaking up mats and/or evenly dispersing diluted AquaTect™ over the algae mats. Apply AquaTect™ as needed to control and prevent algae growth; more frequent applications may be needed in times of higher water temperatures.

DETERMINE VOLUME OF TANK, TROUGH OR POND WATER TO BE TREATED. Measure length (L), width (W), and average depth (D) in feet (ft.) or meters (m) and calculate volume using one of the following formulas:

*For Square or rectangular tanks, troughs and ponds:

$$L(\text{ft.}) \times W(\text{ft.}) \times D(\text{ft.}) \times 7.5 = \text{Gallons}$$

$$L(\text{m}) \times W(\text{m}) \times D(\text{m}) \times 1000 = \text{Liters}$$

*For Circular or elliptical tanks, troughs and ponds:

$$L(\text{ft.}) \times W(\text{ft.}) \times D(\text{ft.}) \times 5.9 = \text{Gallons}$$

$$L(\text{m}) \times W(\text{m}) \times D(\text{m}) \times 786 = \text{Liters}$$

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HERBICIDE APPLICATION
For rooted and submerged plants

Control of many rooted and submerged plants such as *Hydrilla* and *Potamogeton* can be obtained from use of AquaTect™ to give Copper concentrations at 0.4 - 1.0 ppm. Choose the application rate dependent upon the density and stage of growth and the water depth from the chart below.

Application Rates
Gallons per Surface Acre

Growth stage Relative Density	ppm Copper	Average Depth in Feet			
		1	2	3	4
(Low Density) Early Season	0.4	2.2	4.4	6.6	8.8
(Moderate Density) Mid Season	0.7	3.8	7.6	11.4	15.2
(Heavy Density) Late Season	1.0	5.4	10.8	16.2	21.6

Application rates for depths greater than 4 feet may be obtained by adding the rates above to give the proper depth. Do not exceed a copper concentration of 1.0 ppm copper in the treated water.

FOR WATER HYACINTH CONTROL

The following mixture can be used as a **control** method for water hyacinth and other floating aquatic vegetation (Effective eradication requires stronger rates and/or mixtures with other herbicides - please call for specific information).

Mix 1 gallon of AquaTect™ per 7 gallons of water. Apply this solution as a coverage spray to thoroughly wet all exposed vegetation. In areas of heavy infestation, multiple applications may be required. Applications may be repeated after 7-day intervals. Non-ionic adjuvants should be used with this product to improve dispersion and/or adhesion.

DRIP SYSTEM APPLICATION FOR FLOWING WATER

AquaTect™ should be applied as soon as algae or plants begin to interfere with normal or desired water uses. Heavy infestations and flows may cause poor chemical distribution resulting in unsatisfactory control. Under these conditions, continuous feed systems offer advantage.

Prior to treatment it is important to determine the water flow rates. In the absence of weirs, or flow determining devices for this information, water flow may be estimated as shown below.

Avg. Width X Avg. Depth X Velocity in feet/sec. X 0.9 = CFS(Cubic Feet/Second)

Velocity is the time it takes for a floating object to move a given distance. This measurement should be made as the average of at least three determinations taken at the treatment location.

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Calculate the drip rate of AquaTect™ from the chart below (based on heavy algae growth).

Water Flow Rate		AquaTect™ drip rate		
CFS	Gal./Min.	Qts./Hr.	ML/Min.	Fl. Oz./Min.
1	450	3.6	58	2.0
2	900	7.2	116	4.0
3	1350	10.8	170	6.0
4	1800	14.4	226	7.6
5	2250	18.0	284	10.0

Calculate the amount of AquaTect™ needed to maintain the drip rate for a period of 4 hours by multiplying Qts./Hr. by 4, ML/min. by 240, or Fl. Oz/Min. by 240. **This dosage will maintain the Copper level at 2.0 ppm for 4 hours (to be used as a general reference rate to control heavy algae growth). Effective control of most algae species can be obtained with Copper levels between .5 - 1.8 ppm maintained for 4 - 6 hours.** The chemical must be introduced at a point of turbulence.

Place the required amount of AquaTect™ into a tank equipped with a needle valve and set the drip rate as required using a stop watch and a measuring tube. Readjust as required if flows change. Distance of control will vary. Treatment points should be determined in the field and placed at the required intervals for control. Periodic maintenance treatments may be required.

For Drip-system use in Livestock Watering Tanks: Tanks fed by a continuous flow of spring or well water may be equipped with a chemical drip system designed to meter-in AquaTect™ based upon water flow rates. Systems should be adjusted to maintain a concentration of 0.4 PPM (mg/L) copper in incoming stock water. Pre-dilute AquaTect™ 100:1 with water (a 1% solution) and calibrate metering valve to establish a drip rate of 1 fl. oz./min. per 10 gal./min. water flow rate or 40 ml/min. per 50 L/min. water flow rate. Treat continuously or as needed to control and prevent algae regrowth.

GENERAL TREATMENT NOTES

The following suggestions apply to the use of AquaTect™ as an algaecide or herbicide:

- The product works best at temperatures at or above 60 degrees F.
- Treat when growth first appears or nuisance is first noted.
- Apply in a manner to insure even distribution in the treatment area.
- Retreat as required. Allow 1 to 2 weeks between treatments.

• **Formula for water-column treatment: Gallons of AquaTect™ needed X 50,000 ppm = Gallons of water to be treated X Desired ppm of treatment (from chart)**

Conversion factors: cubic feet X 7.48 = gallons

one acre/foot = 326,000 gallons (one acre = 43,560 square feet)

To calculate number of gallons or liters:

For square or rectangular bodies of water: L(ft.) x W(ft.) x D(ft.) x 7.5 = Gallons

L(m) x W(m) x D(m) x 1000 = Liters

For circular or elliptical bodies of water: L(ft.) x W(ft.) x D(ft.) x 5.9 Gallons

L(m) x W(m) x D(m) x 786 = Liters

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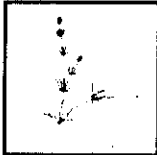
LIMITED WARRANTY AND LIMITATION OF REMEDIES

Seller warrants that the product conforms to the chemical description and is reasonably fit for the purposes stated on the label for use under normal conditions, but makes no other warranties of FITNESS OR MERCHANTABILITY expressed or implied, or any other warranty if the product is used contrary to the label instructions or under abnormal conditions not foreseeable to the seller. In no case shall the seller be liable for more than the cost of the product to the buyer, and will in no event be liable for any consequential, special or indirect damages connected with the use or handling of this product. This product is offered and the buyer or user accepts it subject to the forgoing terms, which may not be varied.

Cheltec, Inc.
2215 Industrial Blvd.
Sarasota, Florida U.S.A. 34234
(941) 355-1045

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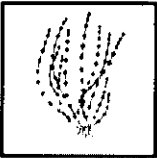
OPTIONAL MARKETING TEXT/GRAPHICS THAT MAY BE FEATURED ON SUBREGISTRANT LABEL(S):



PLANKTONIC ALGAE: Microscopic growth often visible as a greenish tinge suspended in the upper few feet of water. Severe blooms may resemble peas soup and actually thicken the water.



FILAMENTOUS ALGAE: Individual filaments a series of cells joined end to end that give a thread-like appearance. Often referred to as pond scum or moss. Forms surface "mats". Growth begins at the bottom and rises to the surface as a bubble-filled mass. May also form fur-like growths on logs and rocks at the bottom.



CHARA ALGAE (Chara vulgaris): Leaf-like structures whorled around hollow stem. Dense growth attached, but not rooted to bottom. May "carpet" large areas of a lake or pond bottom. Strong musky odor when crushed. May have a gritty texture due to mineral deposits on the surface. Do not confuse with higher weeds.



HYDRILLA (Hydrilla verticillata): Leaves whorled in groups. Hydrilla leaves have a serrated edge. Whorls of leaves are compact near the growing tips. Spacing between whorls increases further down the stem.



PONDWEED (Potamogeton species): Leaves are stiff, narrow and thread like. Stems branched with leaves alternately attached. Spreading leaves resemble a fan with an overall bushy appearance. Nutlets appear like beads on a string. Tiny green flower appears on a spike along with nutlets above the water surface.

September 30, 2003

CERTIFIED MAIL #7002 1680 0001 9463 0338

Document Processing Desk (NOTIF)
Cynthia Giles-Parker (PM 22)
Office of Pesticide Programs
Registration Division (7504C)
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: EPA Reg. No. 72536-1. AquaPlex
Notification of change in registered label name and addition of residential use
disposal text per PR Notice 2001-6.

Registrations
by Design[™]
Inc.

Dear Ms. Parker,

On behalf of Cheltec Inc. of Sarasota, Florida, enclosed is notification of the above-referenced label changes. The following documents are provided:

- 1) EPA Form #8570-1, Application for Pesticide — NOTIFICATION
- 2) Copy of the revised label with all areas of change highlighted in blue
- 3) Copy of the current EPA-stamped approved label (Jan. 22, 2003)

If any additional information or action is required on Cheltec's behalf in this matter, please advise.

Best regards,



Rebecca M. Horton
Consultant/Agent for
CHELTEC, INC.

/bmh

Enclosure

cc: DDeLancy/Cheltec

Member CHEMICAL PRODUCERS & DISTRICTORS ASSN.

Federal & State Pesticide/Fertilizer Registration Services *plus* typesetting & design of final product labeling
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e-mail: registrationsbydesign@att.net