

83451-10

7/13/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460



Office of Pesticide Programs

JUL 13 2009

Ross Beattie
Product Registration Specialist
BWA Water Additives US LLC
1979 Lakeside Parkway, Suite 925
Tucker, GA 30084

FILE COPY

Subject: Aquate
EPA Registration No. 83451-10
Application Date: June 17, 2009
Receipt Date: June 19, 2009

Dear Mr. Beattie:

This acknowledges receipt of your notification, submitted under the provision of PR Notice 98-10, FIFRA section 3(c)9.

Proposed Notification:

- Revision to Storage and Disposal Statement per PR Notice 2007-4

General Comments:

Based on a review of the material submitted, the following comment applies:

The notification is acceptable and a copy has been inserted in your file for future reference.

Should you have any questions or comments concerning this letter, please contact me at (703) 308-6345.

Sincerely,

Wanda Y. Henson
Product Reviewer (32)
Regulatory Management Branch II
Antimicrobials Division (7510P)



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 83451-10	2. EPA Product Manager Emily Mitchell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Aquate	PM# 32	
5. Name and Address of Applicant (Include ZIP Code) BWA Water Additives U.S. LLC 1979 Lakeside Parkway, Suite 925 Tucker, GA 30084 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(ii), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

Amendment - Explain below. Final printed labels in response to Agency letter dated _____

Resubmission in response to Agency letter dated _____ "Me Too" Application.

Notification - Explain below. Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
 Fee Determination: Fee category - Not applicable (Notification) ross.beattie@wateradditives.com
 Notification to change Pesticide Container Disposal language per PR Notice 2007-4
 See attached page for certification
 Update Official Company Address on SAL, as confirmed by January 10, 2007 correspondence from the EPA and to update the EPA Reg. No. as detailed by August 2, 2006 correspondence from the EPA

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	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	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) _____
* 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
 Label Container

4. Size(s) Retail Container

5. Location of Label Directions
 On label

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 Ross Beattie	Title Product Registration Specialist	Telephone No. (Include Area Code) 678-602-3032
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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.

2. Signature

3. Title
Product Registration Specialist, BWA Water Additives LLC

4. Typed Name
Ross Beattie

5. Date
June 17, 2009

6. Date Application Received (Stamped)

EPA Registration Number: 83451-10
Registration Name: Aquate
Application for Pesticide dated: June 16, 2009

Section – II

Explanation (Continued)

“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 Confidential Statement of Formula for this product. I understand that it is a violation of the 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.”

Wesley B. [Signature]
Jan 17/09



51 =

BWA Water Additives
1979 Lakeside Parkway
Suite 925
Tucker, GA 30084

Tel 678 802 3050
Fax 678 802 3024

June 17, 2009

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

Re: Aquate
EPA Reg. No.: 83451-10

Sir or Madam:

Please process the enclosed notification for the above referenced product.

The purpose of this notification is threefold:

- 1) Add language required by the Pesticide Container Rule under Storage and Disposal per PR notice 2007-4.

Enclosed are:

- a) Application for Pesticide (EPA Form 8570-1);
- b) Notification Certification Statement; and
- c) Proposed label with changes marked.

- 2) Update the company address that appears on the Stamped Accepted Label. Current EPA SAL does not reflect Official EPA Company Name and Address

Enclosed are:

- a) Copy of Confirmation of the Official EPA Company Name and Address document;
- b) Proposed label with changes marked.

- 3) Update the product EPA Registration Number on the Stamped Accepted Label. Current EPA SAL does not reflect the post-transfer Registration Number of this product.

Enclosed are:

- a) Copy of Transfer of Pesticide Registration and Data from Company Number 5185 to Company Number 83451 document
- b) Proposed label with changes marked.



BWA Water Additives
1979 Lakeside Parkway
Suite 925
Tucker, GA 30084

Tel 678 802 3050
Fax 678 802 3024

If you have any questions, please contact me via phone (678-802-3032) or email (ross.beattie@wateradditives.com).

Thank you for your time,

A handwritten signature in black ink, appearing to read "Ross Beattie", written over the printed name.

Ross Beattie
Product Registration Specialist
Enclosures

{All text in brackets [xxx] is optional and may or may not be included on a final label.}
{All text in braces {xxx} is administrative and will not appear on a final label.}

AQUATE™

{Optional marketing statements}

[For use as a Sanitizer, Bactericide, Fungicide, Algicide, and for Control of Microbial Slimes in Industrial Processes and Water Systems such as: Recirculating Cooling Water Systems, Once-Through Cooling Water Systems, Wastewater Treatment Systems, Brewery Pasteurizers, Air Conditioners, Dehumidifiers, Evaporative Coolers, Paper and Paperboard Process Water, and Decorative Waters.]

[Sanitizer]

[Bactericide]

[Algicide]

[Fungicide]

[Slimeicide]

NOTIFICATION
Date Reviewed: 12/13/09
Reviewed By: *[Signature]*

ACTIVE INGREDIENT:

1-Bromo-3-chloro-5,5-dimethylhydantoin 40.0%

OTHER INGREDIENTS: 60.0%

TOTAL: 100.0%

Provides: 26.5% Available Bromine
11.9% Available Chlorine

KEEP OUT OF REACH OF CHILDREN
DANGER

FIRST AID:

IF IN EYES: Hold eye(s) 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 poison control center or doctor for 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. Discard or decontaminate clothing.

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

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

IN CASE OF MEDICAL EMERGENCY, CALL [1-877-800-5553] [IN CASE OF TRANSPORT EMERGENCY, CALL [800-424-9300] [telephone number supplied by supplemental registrant].

See [back] [side] panel for additional precautionary statements.

MANUFACTURED FOR:

BWA Water Additives
1979 Lakeside Parkway, Suite 925
TUCKER, GEORGIA 30084

*Update to Official
Company Address
Jan 10, 2007*

EPA REG. # 83451-10
EPA EST. # 5185-MI-1

*Update to
EPA Reg. No.
Due to product
transfer
Aug 2, 2006*

NET CONTENTS: _____

DIRECTIONS FOR USE: It is a violation of federal law to use this product in any manner inconsistent with its labeling. Read the entire label and use strictly in accordance with precautionary statements and directions.

NOTE: This product degrades with age. Use a chlorine test kit and increase dosage, as necessary, to obtain the required level of bromine. To convert chlorine results to bromine in ppm, multiply by 2.25.

RECIRCULATING COOLING WATER SYSTEMS:

When used as directed, this product effectively controls algal, bacterial, and fungal slimes in commercial and industrial cooling towers; evaporative condensers, influent water systems such as flow-through filters, cooling ponds, canals, and lagoons; heat exchange water systems; industrial water scrubbing systems; brewery pasteurizers; and industrial air washing systems equipped with a mist eliminator.

ONCE-THROUGH COOLING WATER SYSTEMS:

When used as directed, this product effectively controls algal, bacterial, and fungal slimes in once-through fresh or salt water cooling systems; cooling ponds, canals, and lagoons. Treat cooling water with this product at the system intake or other critical areas, where mixing is uniform.

EVAPORATIVE COOLER:

When used as directed, this product effectively controls algal, bacterial, and fungal slimes in evaporative coolers.

PASTEURIZER, CAN WARMER, CANNERY, RETORT WATER SYSTEMS:

When used as directed, this product controls algal, bacterial, and fungal slime in cannery cooling canal water, cannery package warmers, cannery pasteurizer water, and retort water.

DOSAGE RATES.

Initial Dose: When the system is noticeably fouled, add 0.0477 to 0.143 gallons/1000 gallons of water contained in the system. Repeat initial dosage until 1 to 3 parts per million (milligrams per liter) bromine residual is established for at least 4 hours.

Subsequent Dose: When microbial control is evident, add 0.0238 to 0.072 gallons/1000 gallons of water contained in the system. Repeat as needed to maintain 1 to 3 parts per million (milligrams per liter) bromine residual for at least 4 hours.

WASTEWATER TREATMENT SYSTEMS:

When used as directed, this product effectively controls algal, bacterial, and fungal slimes and offers rapid sanitization of primary, secondary, and tertiary wastewater treatment systems.

DOSAGE RATES:

Add 0.0238 to 0.143 gallons/1000 gallons of water treated to maintain a 0.5 to 5.0 parts per million (milligrams per liter) bromine residual at the injection point in the contact chamber. Adjust this product's dosage to achieve sanitization and minimize the halogen concentration at the exit of the contact chamber. Do not use treated wastewater to irrigate crops.

PULP AND PAPER MILLS:

When used as directed this product effectively controls algal, bacterial, and fungal slime in pulp and paper mill fresh and sea water influent water systems; cooling water systems, wastewater treatment systems, service water systems, white water systems, and other process water.

This product can be used as a slimicide for the process water used in the manufacture of paper and paperboard products that contact food. Treat water at critical areas in the system process where mixing of the product with influent will be uniform. The frequency and duration of the treatment will depend upon the severity of the problem. Badly fouled process systems must be cleaned before initial treatment.

PRODUCT APPLICATION.

TREATMENT BY SYSTEM VOLUME:

When a system is noticeably fouled: add 0.0238 to 0.238 gallons of this product to 1000 gallons or 28.8 to 288 parts per million (milligrams per liter) of water in the system.

When biological control is evident: add 0.0238 to 0.179 gallons of this product to 1000 gallons or 28.8 to 216 parts per million (milligrams per liter) of water in the system.

TREATMENT BY RESIDUAL METHOD:

Add sufficient amount of this product to maintain a measured residual up to 5 parts per million (milligrams per liter) as bromine. Once biological control is evident, the use of this product normally can be reduced to something less than 1 part per million as bromine.

When used in the manufacture of food contact paper or paperboard do not exceed 2.5 kilograms (0.546 gallons) of product per 1000 kilograms of dry weight fiber.

DECORATIVE WATERS (that do not contain fish):

This product may be used to control microbiological growth in decorative fountains and ponds that do not contain fish.

DOSAGE RATES.

Ensure all equipment is working properly. Backwash the filter system (if present) following manufacturer's directions. Adjust pH to between 7.2-7.6. When using other products as outlined in directions for this product, always follow directions on those products.

A bromine or chlorine residual of 1-2 ppm must first be established in the water. When the bromine residual reaches 1-2 ppm adjust the feed rate accordingly. To maintain bromine residual, adjust the feed rate to assure a constant treatment level of 1-3 ppm. Regular use of a test kit is necessary to maintain a bromine residual in the water.

STORAGE AND DISPOSAL:

STORAGE: Keep this product dry in original tightly closed container when not in use. Store in a cool, dry, well ventilated area away from heat or open flame. In case of decomposition, isolate container if possible and flood area with large amounts of water to dissolve all material before discarding this container. Do not contaminate food or feed by storage or disposal.

DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Changed per PR Notice 2007-4

{Text for non-refillable containers}

CONTAINER DISPOSAL: Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse container (or equivalent) promptly after emptying.

{For containers of 5 gallons (50 lbs) or less} [Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.]

{For containers with capacities of greater than 5 gallons (50 lbs)} [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.]

{Text for refillable containers}

CONTAINER DISPOSAL: Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

PRECAUTIONARY STATEMENTS:

HAZARDS TO HUMANS AND DOMESTIC ANIMALS. DANGER: Corrosive. Causes irreversible eye damage or skin burns. Harmful if swallowed or absorbed through skin. Do not get in eyes, on skin, or on clothing. Wear chemical goggles, face shield, or safety glasses with side shields. Wear protective clothing and rubber gloves. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Immediately remove contaminated clothing and wash clothing before reuse.

PHYSICAL OR CHEMICAL HAZARDS: CONTAINS AN OXIDIZING AGENT: Do not mix with other chemicals. Mix only with water. Use clean dry utensils. Do not add this product to any dispensing device containing remnants of any other product. Such use may cause a violent reaction leading to fire or explosion. Contamination with organic matter or other chemicals will start a chemical reaction and generate heat, hazardous gas, possible fire and explosion. In case of contamination or decomposition, do not reseal container. If possible, isolate container in open air or well ventilated area. Flood area with large volumes of water.

ENVIRONMENTAL HAZARDS: This pesticide 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.

{Optional text}

[Treatment levels can be measured with test kits for either bromine or chlorine. Tests should be made immediately after drawing water samples from the system. Use test kits according to directions.

1. When a bromine test kit is used, results can be read directly as parts per million (milligrams per liter) bromine.
2. When a chlorine test kit is used, results can be expressed in terms of bromine by multiplying chlorine values by the conversion factor 2.25.]

NOTE: Buyer assumes all responsibility for safety and use not in accordance with directions.