

83875-2

08-09-2007

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Antimicrobials Division (7510P)
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

NOTICE OF PESTICIDE:

[x] Registration
Reregistration

(under FIFRA, as amended)

EPA Reg. Number: 83875-2

Date of Issuance: AUG 9 2007

Term of Issuance: Conditional

Name of Pesticide Product: NovaCide 50

Name and Address of Registrant (include ZIP Code):

James D. Thompson
NoavaStar LP
2310 Wolfcamp Circle
Midland, TX 79706

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec 3(c)(7)(a) provided that you:

- 1. Submit and/or cite all data required for registration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for re-registration of your product under FIFRA section 4.
2. Make the labeling changes listed below before you release the product for shipment:
a. Revise the "EPA Registration Number to read, EPA Reg. No. 83875-2"

Signature of Approving Official:

Marshall Swindell
Product Manager Team-33
Regulatory Management Branch I
Antimicrobials Division (7510P)

[Handwritten Signature]

Date:

AUG 9 2007

- b. This product is registered as a Me-Too product as defined in Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) Section 3(c)(3)(B)(i)(I). As stated in FIFRA, the product should be identical or substantially similar to the product intended to be emulated as listed in the application for registration of a proposed product. Although your registration falls under the regulations as a me-too, the language currently in your label does not meet the criteria of this definition. Therefore, under the *Precautionary Statements* section, delete the language that is listed. Based on acute toxicity data submitted for the registration you intend to emulate, the precautionary statement language must be similar to that product. Therefore, the language should be as followed:

Corrosive. Causes irreversible eye damage. Causes skin burns. Harmful if inhaled. May be fatal if swallowed. Harmful if absorbed through skin. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Causes asthmatic signs and symptoms in hyper-reactive individuals. Do not get in eyes, on skin, on clothing. Avoid breathing vapor. Do not swallow. Wear goggles, protective clothing, and butyl or nitrate gloves. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

- c. A section needs to be added to the label with the heading "*Storage and Handling*". That section should include the following language:

NOVACIDE-50 is incompatible with many commonly used materials of construction such as steel, galvanized iron, aluminum, tin, and zinc. NOVACIDE-50 can be stored and handled in baked phenolic-lined steel, polyethylene, stainless steel, or reinforced epoxy-plastic equipment. This product freezes at about -6°F (-21°C). Therefore, unless the storage tank is inside or underground, heating and insulation may be required. If heating is needed, exposure to high temperatures should be avoided. For short shortage times (up to about 1 month), temperatures of up to 100°F (37.8°C) can be tolerated but the preferred maximum storage temperature is about 80°F (26.7°C)

A stainless steel centrifugal pump is suggested for transfer service. Spiral-wound stainless steel with TEFLON® Polymer is suitable for gaskets and packing.

Handle in a well-ventilated area. If vapors are irritating to the nose or eyes, special ventilation or respiratory protection (MSHA/NIOSH approved air purifying respirator equipped with an organic vapor cartridge) may be required.

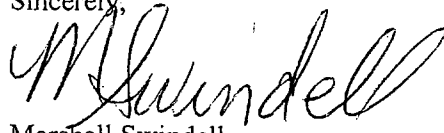
- d. Under the *First Aid* section, after all the listed First Aid Statements, add the following language, "**NOTE TO PHYSICIAN:** Aspiration may cause lung damage. Probable mucosal damage may contraindicate the use of gastric lavage".
- e. In the Ingredient statement box, the word "Gluteraldehyde" is spelled incorrectly. It should be spelled "Glutaraldehyde".

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records. Submit one (3) copy of your final printed labeling prior to release of this product for shipment. If you have any questions concerning this letter, please contact Demson Fuller at (703) 308-8062.

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Sincerely,



Marshall Swindell
Product Manager Team-33
Regulatory Management Branch I
Antimicrobials Division (7510P)

Enclosure: (Stamped Label)

PRECAUTIONARY STATEMENTS

HAZARD TO HUMANS AND DOMESTIC ANIMALS

Corrosive. Causes irreversible eye damage. Causes skin burns. Harmful if inhaled. May be fatal if swallowed. Harmful if absorbed through skin. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Causes asthmatic signs and symptoms in hyper-reactive individuals. Do not get in eyes, on skin, on clothing. Avoid breathing vapor. Do not swallow. Wear goggles, protective clothing, and butyl or nitrate gloves. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

ENVIRONMENTAL HAZARDS

This product is toxic to fish and wildlife. 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

EPA Registration NumberPending
EPA Establishment Numbers 083875-TX-001

NET CONTENTS:

DISTRIBUTED BY:

NovaStar

2310 Wolfcamp Circle
Midland, Texas 79706
(432) 684-4233

ACCEPTED
by the Agency for Spill, fire or exposure,
in EPA Level 1, CHEMTREC at
1-800-424-9300
AUG 9 2007
Day or Night

Under the Federal Insecticide, Fungicide, and Rodenticide Act, this pesticide is registered under EPA Reg. No. 83875-2

NovaCide -50

Industrial Bactericide

FOR USE IN INDUSTRIAL PROCESSES ONLY
NOT FOR DOMESTIC USE.

ACTIVE INGREDIENT:

Gluteraldehyde 50%
INERT INGREDIENTS:..... 50%
TOTAL: 100%

**KEEP OUT OF REACH OF CHILDREN
! DANGER !**

SEE SIDE PANELS FOR ADDITIONAL PRECAUTIONARY STATEMENTS

FIRST AID

CALL POISON CONTROL CENTER OR DOCTOR IMMEDIATELY FOR TREATMENT ADVICE.
HAVE THE PRODUCT CONTAINER OR LABEL WITH YOU WHEN CALLING THE POISON CONTROL CENTER DOCTOR OR GOING IN FOR TREATMENT.

IF IN THE EYES

- Wash immediately and continuously with flowing water for at least 30 minutes.
- Remove contact lenses after first 5 minutes and continue washing. Obtain prompt medical attention.
- Call a poison control center or doctor immediately for treatment advice.

IF ON SKIN OR CLOTHING

- Take off contaminated clothing.
- Rinse skin immediately with plenty of water for 15-20 minutes.
- Call poison control center for treatment advice.

IF SWALLOWED

- Call poison control center or doctor immediately for treatment advice.
- DO NOT INDUCE VOMITTING.
- Do not give anything to drink.

IF INHALED

- Move person to fresh air.
- If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth to mouth if possible.
- Call poison control center or doctor for further treatment advice.

DIRECTIONS FOR USE

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

WATER FLOODS: NOVACIDE-50 should be added to a water flood system at a point of uniform mixing. **Initial Treatment:** When the system is noticeably contaminated, add 100 to 5,000 ppm NOVACIDE-50 to the system (0.09 to 4.4 gallons NOVACIDE-50 per 1,000 gallons flood water). Repeat until control is achieved. **Subsequent Dose:** When microbial control is evident, add 20 to 5,000 ppm NOVACIDE-50 (0.02 to 4.4 gallons NOVACIDE-50 per 1,000 gallons flood water) to the system weekly or as needed to maintain control. **DRILLING, COMPLETION, AND WORKOVER FLUIDS:** NOVACIDE-50 should be added to a drilling fluid system at point of uniform mixing. **Initial Treatment:** Add 50 to 1,000 ppm NOVACIDE-50 (0.2 to 3.7 per 100 barrels of fluid) to a freshly prepared fluid depending on the severity of contamination. **Maintenance Dosage:** Maintain a concentration of 50 to 1,000 ppm NOVACIDE-50 by adding 0.2 to 3.7 gallons of NOVACIDE-50 per 100 barrels of additional fluid as needed, depending on the severity of contamination. **PACKER FLUIDS:** NOVACIDE-50 should be added to a packer fluid at a point of uniform mixing such as a circulating holding tank. Add 50 to 600 ppm NOVACIDE-50 (0.2 to 2.2 gallons NOVACIDE-50 per 100 barrels of fluid) to a freshly prepared fluid depending on the severity of contamination. Seal the treated packer fluid in the wall between the casing and production tube. **GAS PRODUCTION AND TRANSMISSION PIPELINES AND SYSTEMS:** NOVACIDE-50 should be added to a gas production or transmission pipeline via direct injection. The application should be conducted to ensure maximum distribution of the NOVACIDE-50 through the entire internal surface of the pipeline. To facilitate application, it may be desirable to dilute the NOVACIDE-50 with an appropriate solvent immediately before use. Injections to the system should be weekly, or as needed to maintain control. **GAS STORAGE WELLS AND SYSTEMS:** Individual injection wells should be treated with a sufficient quantity of formulation. Injection should take place before gas is injected (during the summer). Injections should be repeated yearly, or as needed to maintain control. Individual drips should be treated with a sufficient quantity of NOVACIDE-50 to produce a concentration of 200 to 2,000 ppm NOVACIDE-50 when diluted by the water present in the drip. Injections should be repeated yearly, or as needed to maintain control. **HYDROTESTING:** Water used to hydrotest pipelines or vessels should contain 100 to 4,000 ppm NOVACIDE-50 (0.09 to 3.5 gallons NOVACIDE-50 per 1,000 gallons water), depending on water quality and length of time the equipment will remain idle. **PIPELINE PIGGING AND SCRAPING OPERATIONS:** Add NOVACIDE-50 to a slug of water immediately following the scraper (ideally this water volume can be kept to a minimum and contained between the scraper and a trailing pig). Sufficient NOVACIDE-50 should be added to produce a concentration of 0.1 to 1% (0.09 to 0.9 gallons NOVACIDE-50 1202 per 100 gallons of water), depending on the length of the pipeline and the severity of biofouling.

STORAGE AND DISPOSAL

STORAGE: Do not contaminate water, food or feed by storage or disposal. Do not use, pour, spill or store near heat or open flame. **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 Environmental Control Agency, or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance. **CONTAINER DISPOSAL:** 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.

Read Product Material Safety Data Sheet prior to use. **PRODUCT WARRANTY, DISCLAIMER AND LIMITATION OF LIABILITY ARE FOUND THEREON.**

Use of Product signifies agreement with these provisions.

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