



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

October 22, 2021

Brian Hogan
Agent for Bluegreen US Water Technologies, Inc.
c/o KRK Consulting LLC
5807 Churchill Way
Medina, OH 44256

Subject: Labeling Notification per Pesticide Registration Notice (PRN) 98-10 – Add registered trademark symbol and remove trademark symbol; Re-word section of general information; Update Address
Product Name: Lake Guard® Oxy
EPA Registration Number: 93647-2
Application Date: 08/20/2021
OPP Case Number: 00317870

Dear Mr. Hogan:

The U.S. Environmental Protection Agency (EPA) is in receipt of your application for notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. The Biopesticides and Pollution Prevention Division (BPPD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10.

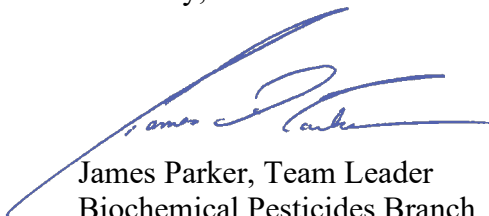
The labeling submitted with this application has been stamped “Notification” and will be placed in our records. You must submit one (1) copy of the final printed labeling with the modifications.

Should you wish to add/retain a reference to your company’s website on your label, then please be aware that the website becomes labeling under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and is subject to review by the EPA. If the website is false or misleading, the product will be considered to be misbranded and sale or distribution of the product is unlawful under FIFRA section 12(a)(1)(E). 40 CFR § 156.10(a)(5) lists examples of statements the EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product’s label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the EPA find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA-approved registration, the website will be referred to the EPA’s Office of Enforcement and Compliance Assurance.

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If you have any questions, please contact Susannah Powell of my team by phone at via email at powell.susannah@epa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "James Parker", is written over a horizontal line.

James Parker, Team Leader
Biochemical Pesticides Branch
Biopesticides and Pollution
Prevention Division (7511P)
Office of Pesticide Programs

Enclosure

NOTIFICATION

93647-2

The applicant has certified that no changes, other than those reported to the Agency have been made to the labeling. The Agency acknowledges this notification by letter dated:

10/22/2021

LAKE GUARD® Oxy™

Algaecide/Cyanobactericide

[Large Granules] [Small Granules] [Dust]



Certified to NSF/ANSI 60

ACTIVE INGREDIENT

Sodium percarbonate..... 83.3%

OTHER INGREDIENTS 16.7%

TOTAL 100.0%

[UN 3378}

[CLASS 5.1]

**KEEP OUT OF REACH OF CHILDREN
DANGER / PELIGRO**

**Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)**

FIRST AID	
If in eyes	<ul style="list-style-type: none"> • 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. • 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. • 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 to an unconscious person.
If on skin	<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 inhaled	<ul style="list-style-type: none"> • 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.
Have the product container or label with you when calling a poison control center, doctor, or going for treatment. For non-emergency information concerning this product, call the National Pesticides Information Center (NPIC) at 1-800-858-7378 (NPIC Web site: www.npic.orst.edu). For emergencies, call the poison control center 1-800-222-1222.	
NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.	

EPA Reg. No. 93647-2

EPA Est. No. XXXXX-XX-X

Net Contents: 10, 25, 50, 1,000, 2,000, 2,025 lbs.

Batch Code:

PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals
DANGER / PELIGRO

Corrosive. Causes irreversible eye damage and causes skin burns. May be fatal if swallowed. Harmful if absorbed through skin or inhaled. Do not get in eyes, on skin, or on clothing. Avoid breathing dust. Wear protective eyewear, such as goggles, face shield, or safety glasses. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

Environmental Hazards

This pesticide is toxic to birds. This product is highly toxic to bees and other beneficial insects exposed to direct contact on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment. Do not apply this product or allow it to drift to crops where beneficial insects are part of an integrated pest management strategy. Do not contaminate water by cleaning of equipment or disposal of wash waters.

For container sizes 50 lbs. or greater: 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 into sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of U.S. EPA. For additional information, refer to the product Material Safety Data Sheet.

Physical and Chemical Hazards

Oxidizing agent. Never use with other pesticides, cleaners, or oxidizing agents.

Personal Protective Equipment

Corrosive. Mixers, loaders, applicators, and other handlers must wear the following:

- Long-sleeved shirt and long pants
- Chemical resistant gloves
- Protective eyewear (goggles or face shield)
- Shoes plus socks

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS

Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

DIRECTIONS FOR USE

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

GENERAL APPLICATION RESTRICTIONS

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the State or Tribal agency responsible for pesticide regulation.

This product is not intended as treatment against any public health organism for any use on this label. Do not apply directly to treated, finished drinking water reservoirs or drinking water receptacles when the water is intended for human consumption.

SPRAY DRIFT MANAGEMENT

A variety of factors including weather conditions (e.g., wind direction, wind speed, temperature, and relative humidity) and the method of application (e.g., ground or aerial) can influence pesticide drift. The applicator must evaluate all factors and make appropriate adjustments when applying this product.

Droplet Size

Apply only as a medium or coarser spray (ASAE standard 572) or a volume mean diameter of 300 microns or greater for spinning atomizer nozzles.

Wind Speed

Do not apply at wind speeds greater than 15 mph. Only apply this product if the wind direction favors on-target deposition (approximately 3 to 10 mph), and there are no sensitive areas within 250 feet downwind.

Temperature Inversions

If applying at wind speeds less than 3 mph, the applicator must determine if a) conditions of temperature inversion exist, or b) stable atmospheric conditions exist at or below nozzle height. Do not make applications into areas of temperature inversions or stable atmospheric conditions.

Other State and Local Requirements

Applicators must follow all state and local pesticide drift requirements regarding application of hydrogen peroxide compounds. Where states have more stringent regulations, they must be observed.

Equipment

All aerial and ground application equipment must be properly maintained and calibrated using appropriate carriers or surrogates.

For aerial applications:

The boom length must not exceed 75% of the wingspan or 90% of the rotor blade diameter. Release granules at the lowest height consistent with efficacy and flight safety. Do not release granules at a height greater than 10 feet above the water surface unless a greater height is required for aircraft safety. When applications are made with a crosswind, the swath must be displaced downwind. The applicator must compensate for this displacement at the up and downwind edge of the application area by adjusting the path of the aircraft upwind.

For ground boom applications:

Do not apply granules at height greater than 4 feet above the water surface.

GENERAL INFORMATION

All types of impounded water bodies, such as **impounded water**, raw-water for drinking, lakes, ponds, reservoirs, brackish and salt water contaminated with algae/cyanobacteria can be treated with Lake Guard® Oxy™.

Do not apply when wind speed favors drift beyond the area intended for treatment.

Do not apply to shallow water bodies less than three feet deep, or to areas where surface water is stagnant.

Water hardness, temperature of the water, type and cell density of algae/cyanobacteria to be controlled, and the amount of water flow are to be considered in using Lake Guard® Oxy™ to control algae/cyanobacteria. Treated water resource should be monitored systematically for the presence of harmful algae/cyanobacteria using adequate and precise apparatuses. Begin treatment as soon as algal/cyanobacterial cell numbers reach 5,000-20,000 cells/mL (and below 10 µg chlorophyll-a/liter).

If treatment is delayed until algal/cyanobacterial cell numbers exceed 20,000 cell/mL (or equivalently, above 10 µg chlorophyll-a/liter), an increase in the quantities of Lake Guard® Oxy™ will be required, as well as in treatment frequency. It is not recommended, however, to treat heavy blooms (over than 20,000

algae/cyanobacteria per mL or 10 µg chlorophyll-a/liter) as it is most likely that a mass of dead cells will be floating on the water surface and may result in bad odors and in oxygen loss from mass decomposition of dead algae/cyanobacteria. This loss can cause fish suffocation. See application rates section for treating heaving blooms.

Always apply the granules off wind and let the wind and currents to carry them where algae/cyanobacteria cell masses are concentrated. It is best to treat algae on a sunny day at morning hours. If there is some doubt about the amount of Lake Guard® Oxy™ to apply, it is best to start with the lower application rate.

APPLICATION RATES

The best method by which to apply Lake Guard® Oxy™ granules to impounded-water is by dusting it over a well-defined contamination zone, at early bloom stages, when harmful algal/cyanobacteria numbers are at 5,000 to 20,000 cells/mL (and below 10 µg chlorophyll-a/liter).

Determination of surface area to be treated

Determine the size of the infested area as follows: (1) in small infested reservoirs, under than 250 acres, obtain surface area by measuring of regular shaped ponds or mapping of irregular ponds or by reference to previously recorded engineering data or maps. (2) In water bodies larger than 250 acres (or smaller ponds with a defined contaminated zone) outline the infested area by a combination of the following instruments: microscopical count, pigment extraction, toxin evaluation, probes that detect specific pigments that are known to serve as a correlated proxy for algae/cyanobacteria biomass, satellite imaging, etc. NOTE: evaluation of the state of the infestation should be done by a professional personal.

Determination of the application rate

For control of harmful algae/cyanobacteria infestation it is essential to begin Lake Guard® Oxy™ treatment when harmful algae/cyanobacteria cell numbers are in the range of 5,000-20,000 cell/mL (or below 10 µg chlorophyll-a/liter). Apply 8-80 lbs./acre Lake Guard® Oxy™ at these algal/cyanobacterial cell-densities. Always start with the lower recommended rate. At higher infestation rates use 80-160 lbs./acre Lake Guard® Oxy™. NOTE: Maximum single application rate allowed is 294 lbs./acre Lake Guard® Oxy™. The minimum retreatment interval is 48 hours.

If treatment is delayed until algal/cyanobacterial cell numbers exceed 20,000 cell/mL (or equivalently, above 10 µg chlorophyll-a/liter), an increase in the quantities of Lake Guard® Oxy™ will be required, as well as in treatment frequency. Therefore, in heavy blooms (over than 20,000 cells/mL of algae/cyanobacteria or over 10 µg chlorophyll-a/liter), treat no more than one-half of the water area in a single operation and wait at least 24 hours between treatments.

APPLICATION METHOD

Apply Lake Guard® Oxy™ using equipment designed for granular dusting. Dusting can be done manually by hand or by a boat or airplane, depending on the area of the zone and its proximity to reservoir's bank. When a small duster is mounted on a properly equipped boat, application can be broadcast directly on the water surface at the edge of the infested zone. Note that the direction of the wind is an important factor - always dust off-wind. Do not use this method unless completely familiar with this type of application. Dusting should be applied in small to medium reservoirs (smaller than 250 acres) only from one edge of the reservoir and off-wind so (1) wind and currents can carry the particles where algae/cyanobacteria concentrates are and (2) to minimize risk to the operator. Alternatively, using a boat, smaller quantities can be applied off-wind from a closer location towards the algal/cyanobacterial concentrates. For large water bodies, treatment should be applied off-wind using boats or aerial application at the maximal proximity to the algal/cyanobacterial's zone of contamination.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Keep pesticide in original container. Do not use in food or drink containers.

PESTICIDE DISPOSAL: Pesticide wastes may be 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 HANDLING: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment, then offer for recycling if available or dispose of empty bag in a sanitary landfill or by incineration.



CONDITIONS OF SALE AND LIMITATIONS OF WARRANTY AND LIABILITY

Read the entire directions for use, conditions of warranties and limitations of liability before using this product. If terms are not acceptable, return the unopened product container at once. By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability. **CONDITIONS:** The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of BlueGreen Water Technologies. All such risks shall be assumed by the user or buyer. **DISCLAIMER OF WARRANTIES:** To the extent consistent with applicable law, BlueGreen Water Technologies makes no other warranties, express or implied, of merchantability or of fitness for a particular purpose or otherwise, that extend beyond the statements made on this label. No agent of BlueGreen Water Technologies is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, BlueGreen Water Technologies disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product. **LIMITATIONS OF LIABILITY:** To the extent consistent with applicable law, the exclusive remedy of the user or buyer for any and all losses, injuries or damages resulting from the use or handling of this product, whether in contract, warranty, tort, negligence, strict liability or otherwise, shall not exceed the purchase price paid or at BlueGreen Water Technologies' election, the replacement of product.

Manufactured for:
BlueGreen US Water Technologies, Ltd.
2100 West Loop South, Suite 1100
1302 Waugh Drive, #428
Houston, Texas, 77027-77019
281-731-1455
Info@bgtechs.com
US.Sales@bgtechs.com