



NuChem

NuChem Corp.
747 N Fenwick Street
Allentown, PA 18109
Ph: 610 770 2000
Fax: 610 770 1313

May 9, 2016

Ms. Jennifer M. Abramson (3RC50)
Senior Assistant Regional Counsel
U.S. Environmental Protection Agency
1650 Arch Street
Philadelphia, PA 19103-2029

Re: Federal Insecticide, Fungicide and Rodenticide Act
Complaint and Notice of Opportunity for Hearing
EPA Docket No. FIFRA-03-2016-0098

RECEIVED
2016 JUN 16 PM 3:25
REGIONAL HEARING CLERK
EPA REGION III, PHILA, PA

Dear Ms. Abramson,

In response to the complaint, NuChem did have a product designated as BIO-600 Aquabrom. We did not willfully look to sell or distribute the product. It was to be used as a secondary biocide in our water treatment program for cooling towers. We had used an identical product from Leslie's Pool Supply. The Leslie product was not distributed or openly sold. When the Leslie container was broken down the product was placed in plastic containers used by our Service personnel to treat cooling tower sumps. We put the bromine product into "floaters" inside the cooling tower. We placed the BIO-600 label on our containers to control where the product was being used. To the best of my knowledge and based on our records, we shipped the bromine product (Leslie material) only once and that was to an existing water treatment customer where we were using the material on site. NuChem never made any attempt to sell or distribute product designated as BIO-600 Aquabrom.

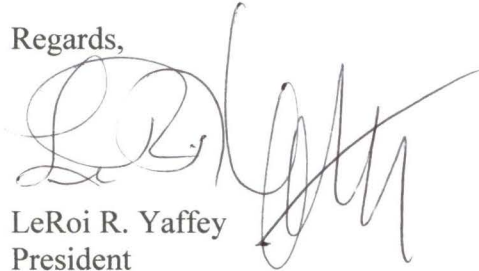
NuChem does have an existing product designated as NuChem CDS-100. We have a sub-registration with Stepan. At a point in time the distributor shipped the Mason chemical quat. Unfortunately, while the materials are identical the blender used the Mason product and not the Stepan material. Once we realized what had occurred, we immediately corrected the problem. We did not willfully use the Mason material. I personally saw what had occurred on a batch sheet and took corrective action. We made no move to cover up the problem. We further tightened our manufacturing and control procedures to prevent a reoccurrence.

NuChem CF-167 was 10% solution of sodium hypochlorite; initially we received approval on the product on September 30, 1994. Our business model changed and due to some unfortunate business and personal matters there was a lapse. We did not willfully look to sell or distribute the product. In cooling tower applications sodium hypochlorite is a staple to control algae and other microbes. We used the NuChem CF-167 product

name to control our uses of sodium hypochlorite. Effective February 25, 2016, we have received our new registration for NuChem CF-167. For whatever reason, EPA recommended we do a registration for 12.5 % rather than 10%.

I would like a hearing to contest some of the matters in this complaint. We will not be using outside counsel. I will represent NuChem Corp. We would like a conference for an informal settlement to resolve this matter.

Regards,

A handwritten signature in black ink, appearing to read "LeRoi R. Yaffey". The signature is written in a cursive style with a large initial "L" and "R".

LeRoi R. Yaffey
President

LRY/km

Enclosure

cc: John Armstead, EPA
Evelyn Sorto, EPA



U.S. ENVIRONMENTAL PROTECTION AGENCY
 Office of Pesticide Programs
 Antimicrobials Division (7510P)
 1200 Pennsylvania Ave., N.W.
 Washington, D.C. 20460

EPA Reg. Number:

59151-2

Date of Issuance:

2/25/16

NOTICE OF PESTICIDE:

Registration
 Reregistration
 (under FIFRA, as amended)

Term of Issuance:

Unconditional

Name of Pesticide Product:

NUCHEM CF-167 SANITIZER
 CHLORINATED CLEANER

Name and Address of Registrant (include ZIP Code):

NuChem Corp
 747 N. Fenwick St.
 Allentown, PA 18109

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Antimicrobials 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 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 unconditionally registered in accordance with FIFRA section 3(c)(5) provided that you:

1. Submit and/or cite all data required for registration/reregistration/registration review of your product when the Agency requires all registrants of similar products to submit such data.
2. The data requirements for storage stability and corrosion characteristics (Guidelines 830.6317 and 830.6320) are not satisfied. A one year study is required to satisfy these data requirements. You have 18 months from the date of registration to provide these data.

Signature of Approving Official:

Demson Fuller, Product Manager 32
 Regulatory management Branch II,
 Antimicrobials Division (7510P)

Date:

2/25/16

3. Make the following label changes before you release the product for shipment:
 - Revise the EPA Registration Number to read, "EPA Reg. No. 59151-2."
4. Submit one copy of the revised final printed label for the record before you release the product for shipment.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements 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 Agency 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.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6. Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records. Please also note that the record for this product currently contains the following CSFs:

- Basic CSF dated 02/19/2016

If you have any questions, please contact Wanda Henson by phone at (703) 308-6345, or via email at henson.wanda@epa.gov

Sincerely,



Demson Fuller, Product Manager 32
Regulatory Management Branch II
Antimicrobials Division (7510P)
Office of Pesticide Programs

Enclosure



ACCEPTED
02/25/2016
 Under the Federal Insecticide, Fungicide
 and Rodenticide Act as amended for the
 pesticide registered under
 EPA Reg. No. **59151-2**

NUCHEM CF- 167
SANITIZER CHLORINATED CLEANER

ACTIVE INGREDIENT	
Sodium Hypochlorite	12.5%
INERT INGREDIENT.....	87.5%
TOTAL	100.0%

DIRECTIONS FOR USE - It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. NOTE: This product degrades with age. Use chlorine test kit and increase dosage, as necessary, to obtain the required level of available chlorine.

STORAGE AND DISPOSAL: Store this product in a cool dry area, away from direct sunlight and heat to avoid deterioration. In case of spill, flood areas with large quantities of water. Do not contaminate food or feed by storage, disposal or cleaning of equipment. (Consult PR-Notice 2007-4 for disposal language).

COOLING TOWER/EVAPORATIVE CONDENSER WATER:

SLUG FEED METHOD – Initial Dose: When system is noticeably fouled, apply 52 to 104 oz. of this product per 10,000 gallons of water in the system to obtain from 5 to 10 ppm available chlorine. Repeat until control is achieved.

Subsequent Dose: When microbial control is evident, add 11 oz. of this product per 10,000 gallons of water in the system daily, or as needed, to maintain control and keep the chlorine residual at 1 ppm. Badly fouled systems must be cleaned before treatment is begun.

INTERMITTENT FEED METHOD – Initial Dose: When system is noticeably fouled, apply 52 to 104 oz. of this product per 10,000 gallons of water in the system to obtain from 5 to 10 ppm available chlorine. Apply half (or 1/3, 1/4, 1/5) of this initial dose when half (or 1/3, 1/4, 1/5) of the water in the system has been lost by blowdown.

Subsequent Dose: When microbial control is evident, add 11 oz. of this product per 10,000 gallons of water in the system daily, or as needed, to maintain control and keep the chlorine residual at ppm. Apply half (or 1/3, 1/4, 1/5) of this initial dose when half (or 1/3, 1/4, 1/5) of the water in the system has been lost by blowdown. Badly fouled systems must be cleaned before treatment is begun.

CONTINUOUS FEED METHOD: Initial Dose: When system is noticeably fouled, apply 52 to 104 oz. of this product per 10,000 gallons of water in the system to obtain from 5 to 10 ppm available chlorine.

Subsequent Dose: Maintain this treatment level by starting a continuous feed of 1 oz. of this product per 1,000 gallons of water lost by blowdown to maintain a 1 ppm residual. Badly fouled systems must be cleaned before treatment is begun.

SANITIZATION OF NON-POROUS FOOD CONTACT SURFACES – Rinse

Method: A solution of 100 ppm available chlorine may be used in the sanitizing solution if a chlorine test kit is available. Solutions containing an initial concentration of 100 ppm available chlorine must be tested and adjusted periodically to ensure that the available chlorine does not drop below 50 ppm. Prepare a 100 ppm sanitizing solution by thoroughly mixing 1 fl. oz. of this product with 10 gallons of water. If no test kit is available, prepare a sanitizing solution by thoroughly mixing 2 fl. oz. of this product with 10 gallons of water to provide approximately 200 ppm available chlorine by weight. Clean equipment surfaces in the normal manner. Prior to use, rinse all surfaces thoroughly with the sanitizing solution, maintaining contact with the sanitizer for at least 2 minutes. If solution contains less than 50 ppm available chlorine, as determined by a suitable test kit, either discard the solution or add sufficient product to reestablish a 200 ppm residual. Do not rinse equipment with water after treatment and do not soak equipment overnight. Sanitizers used in automated systems may be used for general cleaning but may not be reused for sanitizing purposes.

KEEP OUT OF REACH OF CHILDREN
DANGER

Manufactured by NUCHEM CORP.
 747 N. FENWICK STREET
 ALLENTOWN, PA 18109
 610 770 2000

Emergency Response
 1 888 7NUCHEM

EPA EST # 59151- PA-1
 EPA REG #

FIRST AID

IF IN EYES: Hold eyes 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.

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.

IF SWALLOWED: Call a poison control center or doctor 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 poison control center or doctor.

Have the product container label with you when calling a poison control center or doctor, or going for treatment.

NET CONTENTS:

IMMERSION METHOD: A solution of 100 ppm available chlorine may be used in the sanitizing solution if a chlorine test kit is available. Solutions containing an initial concentration of 100 ppm available chlorine must be tested and adjusted periodically to insure that the available chlorine does not drop below 50 ppm. Prepare a 100 ppm sanitizing solution by thoroughly mixing 1 fl. oz. of this product with 10 gallons of water. If no test kit is available, prepare a sanitizing solution by thoroughly mixing 2 fl. oz. of this product with 10 gallons of water to provide approximately 200 ppm available chlorine by weight. Clean equipment by the normal manner. Prior to use, immerse equipment in the sanitizing solution for at least 2 minutes and allow sanitizer to drain. If solution contains less than 50 ppm available chlorine, as determined by a suitable test kit, either discard the solution or add sufficient product to reestablish a 200 ppm residual. Do not rinse equipment with water after treatment. Sanitizers used in automated systems may be used for general cleaning but may not be re-used for sanitizing purposes.

Clean in Place Method: Thoroughly clean equipment after use. Prepare a volume of a 200 ppm available chlorine sanitizing solution equal to 110% of volume capacity of the equipment by mixing the product in a ratio of 2 fl. oz. product with 10 gallons of water. Pump solution through the system until full flow is obtained at all extremities, the system is completely filled with the sanitizer and all air is removed from the system. Close drain valves and hold under pressure for at least 10 minutes to ensure contact with all internal surfaces. Remove some cleaning solution from drain valve and test with a chlorine test kit. Repeat entire cleaning/sanitizing process if effluent contains less than 50 ppm available chlorine.

Flow/Pressure Method: Disassemble equipment and thoroughly clean after use. Assemble equipment in operating position prior to use. Prepare a volume of a 200 ppm available chlorine sanitizing solution equal to 110% of volume capacity of the equipment by mixing the product in a ratio of 2 fl. oz. product with 10 gallons of water. Pump solution through the system until full flow is obtained at all extremities, the system is completely filled with the sanitizer and all air is removed from the system. Close drain valves & hold under pressure for at least 2 minutes to ensure contact with all internal surfaces. Remove some cleaning solution from drain valve and test with a chlorine test kit. Repeat entire cleaning/sanitizing process if effluent contains less than 50 ppm available chlorine.

DISINFECTION OF DRINKING WATER (PUBLIC/INDIVIDUAL SYSTEMS)

PUBLIC SYSTEMS – Mix a ratio of 1 oz. of this product to 100 gallons of water. Begin feeding this solution with a hypochlorinator until a free available chlorine residual of at least 0.2 ppm and no more than 0.6 ppm is attained throughout the distribution system. Check water frequently with a chlorine test kit. Bacteriological sampling must be conducted at a frequency no less than that prescribed by the National Secondary Drinking Water Regulations. Contact your local Health Department for further details.

INDIVIDUAL SYSTEMS (DUG WELLS) – Upon completion of the casing (lining) wash the interior of the casing (lining) with a 100 ppm available chlorine solution using a stiff brush. This solution can be made by thoroughly mixing 1 oz. of this product into 10 gallons of water. After covering the well, pour the solution into the well through both the pipe sleeve opening and the pipeline. Wash the exterior of the pump cylinder also with the solution. Start the pump and pump water until strong odor of chlorine in water is noted. Stop pump and wait at least 24 hours. After 24 hours flush well until all traces of chlorine have been removed from the water. Contact your local Health Department for further details.

PRECAUTIONARY STATEMENTS - HAZARDS TO HUMANS AND DOMESTIC ANIMALS -

DANGER: Corrosive. Causes irreversible eye damage and skin burns. May be fatal if swallowed. Do not get in eyes, on skin or on clothing. Wear goggles or safety glasses and rubber gloves when handling this product. Irritating to nose and throat. Avoid breathing dust. 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. Avoid breathing vapors. Vacate poorly ventilated area as soon as possible. Do not return until strong odors have dissipated.

ENVIRONMENTAL HAZARDS - This product is toxic to fish, aquatic invertebrates, oysters and shrimp. Do not discharge into lakes, streams, ponds or other waters unless in accordance with requirements of a National Pollutant Discharge Elimination System (NPDES) permit. 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 U.S. Environmental Protection Agency.

PHYSICAL OR CHEMICAL HAZARDS - Strong Oxidizing Agent: Mix only with water according to label directions. Mixing this product with chemicals (eg. ammonia, acids, detergents, etc.) or organic matter (eg. urine, feces, etc.) will release chlorine gas which is irritating to eyes, lungs and mucous membranes.