Attachment 4

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460



OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Kim Patten Washington State University Long Beach Research and Unit 2907 Pioneer Rd. Long Beach, WA 98631

APR 1 1 2013

Dear Dr. Patten:

Subject:

Request for extension of experimental use permit to use imidacloprid against

burrowing shrimp

Nuprid 2F, EPA Reg. No. 228-484

EPA Experimental Use Permit No. 86414-EUP-1 New Effective Dates: April 11, 2013 to April 10, 2014

Quantity Authorized: 30 pounds of active ingredient per year applied to a

maximum of 60 acres

On the basis of the information furnished by the applicant and the annexed program, an Experimental Use Permit (EUP) under Section 5 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (86 Stat. 983), is hereby extended for the named pesticide. Shipment/use under this Permit is subject to the provisions of 40 CFR 172.

Prior to continuance of this experimental program beyond the original expiration date in any State, you are to notify the State lead agency of the States in which your experimental program will continue to be conducted of the specific testing program (when, where, how much, etc.).

Prior to the shipment/use of this material, you must consult with the state pesticide regulatory official of the states in which your experimental program will be conducted and obtain a state permit or license if such is required. Issuance of this federal permit does not negate the need for permission from individual states. Failure to do so may result in revocation or modification of this experimental use permit.

Based upon the experimental program submitted, this product may be shipped for use under this permit to Washington for use in Willapa Bay and Grays Harbor.

The labeling submitted in connection with the application for an EUP is acceptable. This labeling must be used for all shipments under this experimental use permit.

Sincerely,

John Hebert (PM 07) Insecticide-Rodenticide Branch Registration Division (7505P)

Enclosure

NUPRID 2F FOR EXPERIMENTAL USE ONLY

Experimental Use Permit Number: 86414-EUP-1

NOT FOR SALE TO ANY PERSON OTHER THAN A PARTICIPANT IN THE EXPERIMENTAL USE PROGRAM

Permittee: Kim Patten, Extension Specialist, Professor Washington State University Long Beach Research and Unit 2907 Pioneer Road Long Beach WA 98631

ACTIVE INGREDIENT:	
Imidacloprid: 1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine	
OTHER INGREDIENTS:	78.6%
TOTAL:	100.0%
Contains 2 pounds of imidacloprid per gallon.	•

KEEP OUT OF REACH OF CHILDREN CAUTION - CAUCION

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

EPA Permit No. 86414-EUP-1

ACCEPTED

For shipment and use of product for experimental purposes under the provision of the Federal Association, Fungicide, and Rodenticide Act, subject to attached comments.

Permit No.	86414-EUP-1:
Issued on	

FIRST AID	
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 the 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 by mouth-to-mouth; if possible.
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 in eyes:	 Hold eye open and rinse slowly and gently with water for 15-20 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.
NOTE TO PHYSICIAN No specific antidote is available. Treat the patient symptomatically.	

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Harmful if swallowed, inhaled, or absorbed through skin. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE) Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves made of any waterproof material such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, natural rubber, polyethylene, polyvinylchloride (PVC) or viton
- Shoes plus socks
- Protective eyewear when working in a non-ventilated space Follow manufacturer's instructions for cleaning/maintaining PPE. If instructions for washables do not exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

ENGINEERING CONTROLS STATEMENTS When

handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Users must:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. A copy of this label must be in the possession of the user at the time the product is applied.

READ THIS LABEL: Read the entire label and follow all use directions and precautions.

MIXING INSTRUCTIONS: To prepare the application mixture, add a portion of the required amount of water to the spray tank, begin agitation, and add the Nuprid. Complete filling tank with the balance of water needed. Be sure to maintain agitation during both mixing and application. Do NOT formulate this product into other end-use products.

APPLICATION INSTRUCTIONS

To test efficacy to burrowing shrimp, transport, dissipation, and non-target effects in Willapa Bay and Grays Harbor, apply at a maximum rate of 0.5 lb a.i./ac using the following properly calibrated application equipment:

- helicopters equipped with boom 3/4 as long as rotor diameter equipped with Accu-flo™ or similar large-orififced nozzles designed for precise application.
- backpack sprayer equipped with 5' 11025 a.i.
 noozle boom with a 11' pattern at 55 psi and 15 to 20 gpa depending on ground type.
- dual 10' or single 12' boom with 8002 nozzles mounted on a semi- amphibious vehicle (Argo™) at ~ 20 gpa.

RESTRICTIONS:

- Do not harvest clams or oysters within one year after treatment.
- All ground must be properly staked and flagged to protect adjacent shellfish and water areas.
 For aerial applications, the corners of each plot marked for treatment shall be marked so the plot is visible from an altitude of at least 500 ft.
- For aerial and ground-based topical

applications and ground-based subsurface injection, all applications must be on beds exposed at low tide.

- All applications must occur between May 1 and October 15.
- A 200-foot buffer zone must be maintained between the treatment area and the nearest shellfish to be harvested when treatment is by aerial spray; a 50 foot buffer zone is required if treatment is by hand spray.
- Do not apply aerially during the July 4 or other holiday weekends
- During aerial applications, all public access areas within one-quarter (1/4) mile and all public boat launches within a one-and-a-half (11/2) mile radius of any bed scheduled for treatment shall be posted. Public access areas shall be posted at 500 foot intervals at those access areas more than 500 feet white material. Lettering shall be in bold black type with the word "WARNING" or "CAUTION" at least one-inch high, and all other words at least one-fourth (1/4) of an inch high. Signs will include a map of the inlet that wide. Signs shall be a minimum of 81/2 x 11 inches in size, and be made of a durable weather-resistant, indicates the location of the treated area and an extended buffer that extends one-fourth (1/4) mile the area's perimeter and the statement "Do Not Fish, Crab, or Clam within 1/4 mile of area treated with experimental material, as indicated by the circle on the map". Signs shall be posted so they are secure from the normal effects of weather and water currents, but cause no damage to private or public property. Signs shall be posted at least 2 days prior to treatment and shall remain for at least 3 days after treatment.

SPRAY DRIFT MANAGEMENT

The interaction of many equipment and weather related factors determine the potential for spray drift. Wind speed at the time of application is not to exceed 10 mph to minimize drift to adjacent shellfish and water areas. Drift potential increases at wind speeds of less than 3 mph (due to inversion potential) or more than 10 mph. However, many factors, including droplet size and canopy and equipment specifications determine drift potential at any give wind speed. Do not apply when winds are greater than 10 mph or during temperature inversions.

Restrictions During Temperature Inversions
Because the potential for spray drift is high during
temperature inversions, do not make ground
applications during temperature inversions.
Temperature inversions restrict vertical air mixing,

which causes small suspended droplets to remain close to the ground and move laterally in a concentrated cloud. Temperature inversions are characterized by increasing temperature with altitude and are common on nights with limited cloud cover and light to no wind. They begin to form as the sun sets and often continue into the morning. Their presence can be indicated by ground fog; however if fog is not present, inversions can also be identified by the movement of smoke from a ground source. Smoke that layers and moves laterally in a concentrated cloud (under low wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical mixing. The applicator is responsible for considering all of these factors when making application decisions.

Importance of Droplet Size

An important factor influencing drift is droplet size. Small droplets (<150-200 microns) drift to a greater extent than large droplets. Within typical equipment specifications, applications are to be made to deliver the largest droplet spectrum that provides sufficient control and coverage. Formation of very small droplets may be minimized by appropriate nozzle selection.

Mixing and Loading Requirements

The use of a properly designed and maintained containment pad for mixing and loading of any pesticide into application equipment is recommended. If containment pad is not used, maintain a minimum distance of 25 feet between mixing and loading areas and potential surface to groundwater conduits such as field sumps, uncased well heads, sinkholes, or field drains.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal. Pesticide Storage: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. For containers smaller than 5 gallons: Non-refillable container: Do not reuse or refill this container. 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 1/4 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. 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. Plastic containers are also disposable by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.