

Sonar[®] H4C

AQUATIC HERBICIDE

EPA Reg. No. 67690-61

24(c) Special Local Need Registration (SLN NY-150003)

FPL20150521 DRAFT

Registration Notes: NYS 24(c) Special Local Need labeling for Management of Hydrilla in Cayuga Lake and inlet tributaries.

Label Notes:

DRAFT SLN label

DOC ID 542319

Classified for
"RESTRICTED USE"
in New York State
under 6NYCRR Part 326

ACCEPTED
FOR REGISTRATION

May 29, 2015

New York State Department
of Environmental Conservation
Division of Materials Management
Pesticide Product Registration



Sonar[®] H4C Aquatic Herbicide

FIFRA 24(c) - SPECIAL LOCAL NEED (SLN) LABEL

SePRO Corporation 11550 North Meridian Street, Suite 600, Carmel, IN 46032 USA

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EPA Reg. No. 67690-61

24(c) Special Local Need Registration (SLN NY-150003)

This label for Sonar H4C Aquatic Herbicide expires and must not be distributed or used in accordance with this SLN registration after 31 December 2020.

FOR DISTRIBUTION AND USE ONLY FOR THE MANAGEMENT OF HYDRILLA IN CAYUGA LAKE (STATE OF NEW YORK) AND ITS INLET TRIBUTARIES.

An herbicide for management of aquatic vegetation in fresh water ponds, lakes, reservoirs (including inlets and tributaries), potable water sources, drainage canals, irrigation canals and rivers.

ATTENTION

- It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Read all Directions for Use carefully before applying.
- **For the state of New York, this 24(c) supplemental labeling provides directions for use, including use precautions and limitations applicable to the use of Sonar H4C and does not supersede the Directions for Use on the product/package label.**
- **This 24(c) supplemental labeling applies only for use in the management of hydrilla in Cayuga Lake (NY) and its inlet tributaries.**
- **See product label for Precautionary Statements, Environmental Hazards, First Aid, Storage and Disposal, Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies.**
- This FIFRA Section 24(c) labeling must be in the possession of the user at the time of application.
- Notice to All Pesticide Applicators in the State of New York: Before application under any project program, notification of and approval by the NYS Department of Environmental Conservation is required by an aquatic permit issued pursuant to ECL Section 15.0313(4).
- User must follow all additional water use restrictions or precautions required by a project-specific NYSDEC permit for hydrilla management in Cayuga Lake and its inlet tributaries.
- All restrictions and precautions on the EPA registered label are to be followed.

DIRECTIONS FOR USE

PRODUCT INFORMATION

Sonar H4C herbicide is a selective systemic aquatic herbicide for management of aquatic vegetation in fresh water ponds, lakes, reservoirs (including inlets and tributaries), drainage canals, irrigation canals, and rivers.

Application rates and calculations of Sonar H4C are provided to achieve a desired concentration of the active ingredient in parts per billion (ppb). **Sonar application in Cayuga Lake and inlet tributaries for hydrilla control will seek to maintain active ingredient**



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concentrations above 3 ppb in target management areas for duration of permitted treatment program, with an average range of 3 – 5 ppb. Flow rate in the treatment area and other factors can be considered to maintain a 3 ppb concentration minimum, but the sum of all applications cannot exceed 150 ppb per annual growth cycle in Cayuga Lake and inlets. This maximum concentration is based on the amount of product applied to the volume of treated water and is not determined by testing the concentration of fluridone in the treated water.

Use Restrictions and Precautions

- **Obtain Required Permits:** Consult with appropriate state or local pesticide and/or water authorities before applying this product in or around public waters. Permits and posting or treatment notification may be required by state or local public agencies.
- **Minimum water depth for application:** For management of hydrilla on Cayuga Lake and its inlet tributaries, Sonar H4C may be applied in any depth of water to meet hydrilla control objectives. **More specifically, Sonar H4C may be applied in less than 2 feet of water where deemed necessary to achieve appropriate exposure to target hydrilla plants.**
- **Hydroponic Farming:** Do not use Sonar H4C treated water for hydroponic farming unless a FastEST has been run and confirmed that concentrations are less than 1 ppb.
- **Greenhouse and Nursery Plants:** Consult with SePRO Corporation for site-specific recommendations prior to any use of Sonar H4C treated water for irrigating greenhouse or nursery plants. Without site-specific guidance from SePRO, do not use Sonar H4C treated water for irrigating greenhouse or nursery plants unless a FastEST has been run and confirmed that concentrations are less than 1 ppb.
- **Water Use Restrictions Following Applications With Sonar H4C when used to treat Cayuga Lake and its inlet tributaries (Days)**

| Application Rate | Drinking [†] | Fishing | Swimming | Livestock/Pet Consumption | Irrigation ^{††} |
|--------------------------------------|-----------------------|---------|----------|---------------------------|-----------------------------------|
| Target Sustained Rate (3-5 ppb a.i.) | 0 | 0 | 0 | 0 | See irrigation instructions below |

[†] Note below, under *Potable Water Intakes*, the information for application of Sonar H4C within ¼ mile (1,320 feet) of a functioning potable water intake.

^{††} Note below, under *Irrigation*, Sonar (fluridone) concentrations that provide the widest safety margin for irrigating with treated water.

- **Potable Water Intakes:** Do not apply Sonar H4C at application rates greater than 20 ppb within one-fourth (1/4) mile (1,320 feet) of any functioning potable water intake. At application rates up to 20 ppb, Sonar H4C may be applied where functioning potable water intakes are present.



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NOTE: Existing potable water intakes which are no longer in use, such as those replaced by potable water wells or connections to a municipal water system, are not considered to be functioning potable water intakes.

- **Irrigation:** Irrigation from a Sonar H4C treated area may result in injury to the irrigated vegetation. For the specific use for hydrilla management in Cayuga Lake, inform those who irrigate from areas treated with Sonar H4C of the following irrigation restrictions and precautions:
 - For tobacco, tomatoes, peppers or other plants within the Solanaceae Family and newly seeded crops or newly seeded grasses such as overseeded golf course greens: Do not use Sonar H4C treated water if measured fluridone concentrations are greater than 5 ppb.
 - When rotating crops: Do not plant members of the Solanaceae family in land that has been previously irrigated with fluridone concentrations in excess of 5 ppb.
 - For other irrigation uses including watering of established turf, established crops and ornamental species: There are no restrictions on irrigation as long as measured herbicide concentrations are below 10 ppb. If such values are measured, consult with SePRO on recommended approach to irrigation of these plant groups with treated water.
 - **It is recommended that a SePRO Aquatic Specialist be consulted prior to commencing irrigation with treated waters.**

APPLICATION DIRECTIONS

Application to Cayuga Lake and inlet tributaries

Where dilution of Sonar H4C with untreated water is anticipated, split or multiple applications may be used to extend the contact time to the target plants. The application rate and use frequency of Sonar H4C for hydrilla management in select areas of Cayuga Lake or its inlet tributaries will be determined on a site-specific basis within the use rates described above. For applications to select areas of Cayuga Lake or its inlet tributaries, the minimum target application rate is 1 ppb with a target sustained range in the treatment area of 3-5 ppb. Application rate should be based on local water flow rate, herbicide release rate from the pellets, FasTEST herbicide monitoring results and concurrent applications of Sonar liquids or pellets to assist with maintenance of 3 - 5 ppb target concentrations. Repeat applications may be made to maintain an active ingredient concentration minimum of 3 ppb and a target sustained range of 3 - 5 ppb over the treatment area. The sum of all fluridone applications cannot exceed 150 ppb per annual growth cycle within Cayuga Lake and its inlet tributaries.

Application Rate Calculation

The amount of Sonar H4C to be applied to provide the desired ppb concentration of active ingredient in treated water may be calculated as follows:

$$\text{Pounds of Sonar H4C required per treated acre} = \text{Average water depth of treatment site} \\ \times \text{Desired ppb concentration of active ingredient} \times 0.1$$

For example, the pounds per acre of Sonar H4C required to provide a concentration of 5 ppb of active ingredient in water with an average depth of 2 feet is calculated as follows:



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$2 \times 5 \times 0.1 = 1.0$ pounds per treated surface acre.

NOTE: Calculated rates may not exceed the maximum allowable rate in pounds per treated surface acre for the water depth listed in the application rate table for the site to be treated.

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EPA Registration No. 67690-61

FPL20150521

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Materials Management, Bureau of Pest Management
625 Broadway, 9th Floor, Albany, New York 12233-7254
P: (518) 402-8788 | F: (518) 402-9024
www.dec.ny.gov

May 29, 2015

VIA E-MAIL

Mr. Laurent Mezin
SePRO Corporation
11550 North Meridian Street, Suite 600
Carmel, Indiana 46032-4565

Dear Mr. Mezin:

Re: Registration of Special Local Need Labeling for the Geographically Limited Use of Sonar H4C Aquatic Herbicide (EPA Reg. No. 67690-61) Assigned SLN No. NY-150003

The New York State Department of Environmental Conservation (Department) has reviewed your application to register Special Local Need (SLN) labeling for **Sonar H4C Aquatic Herbicide** (EPA Reg. No. 67690-61) for limited use in the inlet tributaries of Cayuga Lake in Ithaca, New York. The product contains the active ingredient fluridone (chemical code 112900) at 2.7% as a solid (small pellet) formulation. Sonar H4C Aquatic Herbicide is labeled to control undesirable aquatic weeds in fresh water ponds, lakes, reservoirs, drainage canals, and irrigation canals.

The Department's Division of Water, Invasive Species Unit, and the Bureau of Pest Management have been working with SePRO Corporation and the Cayuga County Department of Health to implement an effective management plan to control the spread of *Hydrilla verticillata*. The hydrilla plant was discovered in the shallow back waters of the Cayuga Inlet in Ithaca, New York in August 2011. If the hydrilla is not treated while it remains in this quiescent and geographically limited area (approximately 166 acres), this invasive plant will migrate into Cayuga Lake and be impossible to control.

The current strategy for Cayuga Inlet involves nearly full growing season (4+ months), low-dose injection of Sonar (fluridone) liquid herbicide into infested inlet tributary waters with application of Sonar pellets to select areas. These methods are intended to completely eliminate the potential for hydrilla spread while preventing additional tuber deposition. A multi-year effort was initiated in 2012 to effectively deplete the hydrilla tuber bank and eradicate this invasive weed.

The Department will allow use of Sonar H4C Aquatic Herbicide to be applied in select back water locations of the inlet tributaries to Cayuga Lake as a replacement for previously approved pelleted formulations. The Sonar H4C solid formulation is a smaller pellet size and lower active ingredient load which allows for better “ground” coverage at the same application rate. The distribution of the smaller pellets vs. the larger pelleted Sonar One or Q formulations, over the same area ensures better control of hydrilla tubers. The use of the Sonar H4C pellet formulation will supplement low level metered applications of Sonar Genesis (SLN No. NY-120016) to maintain a treatment area concentration of 3 ppb fluridone. **The Department will allow application of the Sonar H4C pellet formulation in water less than 2 feet deep when used in conjunction with this FIFRA Section 24(c) Special Local Need (SLN) registration.**

The SLN labeling will limit application of Sonar H4C to geographically limited treatment areas that are not conducive to swimming or other water uses that may place applied product within reach of children playing in the water. In addition, the inlets receiving the pellet application of Sonar H4C have high turbidity levels so pellets that sink below the water surface will most likely be obscured from view.

The Department reminds the registrant that there are no chemical-specific federal or New York State drinking water/groundwater standards for fluridone. However, based on its chemical structure, this compound falls under the 50 microgram per liter ($\mu\text{g/L}$) New York State drinking water standard for “unspecified organic contaminants” (10NYCRR Part 5, Public Water Systems). The application of Sonar H4C in accordance with the SLN No. NY-150003 labeled use directions will ensure that no NYS drinking water standards will be exceeded.

The SLN labeling specifies the New York State required aquatic use restrictions for Sonar H4C Aquatic Herbicide (EPA Reg. No. 67690-61) for use within the designated treatment area of the Cayuga Lake inlet and its tributaries. The product is assigned the registration number: **SLN No. NY-150003**.

Therefore, under the authority of Section 24(c) of FIFRA, the Department hereby grants a Special Local Need registration for Sonar H4C Aquatic Herbicide (EPA Reg. No. 67690-61) for specified use within the designated treatment area of the Cayuga Lake inlet and its tributaries.

The SLN labeling contains the specific aquatic uses allowed for treatment of hydrilla in Cayuga Lake inlet and its tributaries in Ithaca, New York. All precautionary statements, applicable use directions, use precautions and limitations of the labeling affixed to the Sonar H4C Aquatic Herbicide container must be followed.

The SLN registration for the product **Sonar H4C Aquatic Herbicide** (SLN No. NY-150003), as noted on the “restriction” column of the certificate, is classified as “restricted use” in New York State under rules and regulations 6NYCRR 326.2(h). As such, this product is restricted in its purchase, distribution, sale, use, and possession in New York State.

According to New York State Department of Environmental Conservation Regulations 6NYCRR 326.3(a): "It shall be unlawful for any person to distribute, sell, offer for sale, purchase for the purpose of resale, or possess for the purpose of resale, any restricted pesticide unless said person shall have applied for, and been issued a commercial permit."

Should you require information to obtain a commercial permit, please contact the Pesticide Reporting & Certification Section, at (518) 402-8748.

The Pesticide Reporting Law (PRL) in the Environmental Conservation Law Article 33 Title 12 requires all certified commercial pesticide applicators to report information annually to the Department regarding each pesticide application they make. **Commercial pesticide retailers are required to report all sales of restricted pesticide products and sales of general use pesticide products to private applicators for use in agricultural crop production.** If no sales are made within New York State, a report still must be filed with the Department indicating this is the case.

If you need information relating to the Pesticide Reporting Law, or annual report forms, please visit the Department's website at <http://www.dec.ny.gov/chemical/27506.html> or call (518) 402-8748.

The Certificate of Pesticide Registration and a copy of the New York State stamped "Accepted" SLN labeling for Sonar H4C Aquatic Herbicide (EPA Reg. No. 67690-61), are enclosed for your records.

Please be reminded that a copy of the accepted SLN label **must** be in the possession of the user at the time of pesticide application.

Please contact me at (518) 402-8768, if you have any questions.

Sincerely,

Paula J. McBath
Environmental Chemist II
Pesticide Product Registration Section

Enclosures