



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Utah Department of Agriculture and Food
PO Box 146500
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Salt Lake City, UT 84114-6500

Date Issued: April 21, 2021
Expiration Date: April 21, 2022
Report Due Date: October 21, 2022
File Symbol: 21UT01

Attn: Henry Nahalewski and Shelly Jensen

The U.S. Environmental Protection Agency (EPA) hereby authorizes a public health exemption under the provisions of section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) to the Utah Department of Agriculture and Food (UDAF) for use of the unregistered products BiaXam^{TM1} B110-V and BiaXamTM B110-P, containing the unregistered active ingredient, Benzene, 1-(1,1-dimethylethyl)-4-ethenyl-, polymer with ethenylbenzene and 2-methyl-1,3-butadiene, sulfonated (CAS# 1637665-77-0), on indoor hard, nonpliable, nonporous, nonfood-contact surfaces of aircraft, airports, and associated facilities owned or operated by Delta Air Lines, to provide residual control of the novel coronavirus (severe acute respiratory syndrome coronavirus 2 or SARS-CoV-2) in specified sites in Utah. This exemption is subject to the conditions set forth in your request, dated December 2, 2020, as well as the following conditions and restrictions:

- 1) The UDAF is responsible for ensuring that all provisions of this public health exemption are met. UDAF is also responsible for providing information in accordance with 40 CFR 166.32(b). Accordingly, a report summarizing the results of this program must be submitted to EPA Headquarters and the appropriate EPA Regional office within 6 months following the expiration of this exemption, or prior to requesting a subsequent exemption for the use. Additionally, in accordance with 40 CFR 166.32(a), these offices must also be immediately informed of any adverse effects resulting from use of this pesticide in connection with the exemption use. Any future correspondence regarding this exemption should refer to file symbol 21UT01.
- 2) The unregistered products, BiaXamTM B110-V and BiaXamTM B110-P (transparent films with 100% coating of the active ingredient (a.i.) Benzene, 1-(1,1-dimethylethyl)-4-ethenyl-, polymer with ethenylbenzene and 2-methyl-1,3-butadiene, sulfonated (CAS# 1637665-77-0), manufactured by Kraton Polymers, may be used under this exemption. All applicable use directions, restrictions, and precautions on the revised Section 18 label of April 16, 2021 must be followed unless otherwise modified in this authorization.

¹ BiaXam is the trademark of Kraton Polymers, LLC.

- 3) The products are ready-to-be-used adhesive films and must be applied by trained applicators (described below) to indoor surfaces in airplanes, airports, and related facilities at the Delta Air Lines sites listed in this document and on the label. The products may only be used on indoor hard, nonpliable, nonporous, nonfood-contact surfaces in airplanes, airports, and other air-travel related facilities owned or controlled by Delta Air Lines, Inc. including, but not limited to:

Airplanes: railings, doorknobs/handles, armrests, seatback touch screens, seatbelt buckles, window shades, overhead bins, and overhead control buttons.

Airports and other air-travel related facilities: check-in kiosks and counters, gate counters, railings, doorknobs/handles, luggage bins, desks, keyboards, computer mice, touchscreens, printers, badge readers, plastic divider walls, hard nonporous seating, armrests, and elevator buttons.

- 4) BiaXam™ B110-V and BiaXam™ B110-P use on porous and pliable surfaces is prohibited.
- 5) Prior to application of the products, the surface must be pre-cleaned/disinfected using a disinfectant from EPA's List N – Disinfectants for Use Against SARS-CoV-2². Follow all applicable label use instructions on those products. Let the surface dry after cleaning/disinfecting and before applying products.
- 6) Immediately after the surface dries, apply the film by removing the liner from the adhesive and pressing the adhesive side of the film against the surface intended to be covered. Applying pressure evenly, pull a hand-held squeegee across the surface in a continuous motion to remove excessive air bubbles and affix adhesive to the surface. If applying to a smaller surface or contoured surface, cut film to fit the shape and size of the surface.
- 7) BiaXam™ B110-V and BiaXam™ B110-P are to be replaced in airplanes at least every 200 days, and in airports and related facilities at least every 100 days. If the film detaches from the surface, degrades, is damaged, becomes irreparably soiled, or its edges or corners begin to peel, the film is to be removed, the surface cleaned and dried using a List N disinfectant, and a new layer of film applied to the surface according to the application instructions.
- 8) To maintain protective effect on surfaces that have been treated with BiaXam™ B110-V and BiaXam™ B110-P, only alcohol-based Purell wipes, Matrix Disinfectant/Cleaner #3 (quaternary ammonium based, EPA Reg. No. 1839-168-67026), and Lysol wipes (quaternary ammonium based, EPA Reg. No. 777-114), may be used on film-covered surfaces for routine cleaning and disinfection. The film surface is to be cleaned directly in place and not removed unless replacing. If cleaning products are provided to the public (e.g, airline passengers), only products compatible with BiaXam™ B110-V and BiaXam™ B110-P should be provided.
- 9) BiaXam™ B110-V and BiaXam™ B110-P may be used at the following sites in Utah:

Cedar City Regional Airport (CDC)

²<https://www.epa.gov/pesticide-registration/list-n-disinfectants-coronavirus-covid-19>

2560 Aviation Way St, Cedar City, UT 84721

Salt Lake City International Airport (SLC)
776 N Terminal Dr, Salt Lake City, UT 84122

St. George Regional Airport (SGU)
4550 S Airport Pkwy, St. George, UT 84790

- 10) The requested emergency use can only be used to supplement current disinfection products and procedures, in light of the need to reduce the spread of SARS-CoV-2. Guidance issued by Federal, State, and local public health officials recommending face masks, social distancing, limited occupancy, and increased ventilation must also be followed when feasible.
- 11) BiaXam™ B110-V and BiaXam™ B110-P are not for private use and may only be sold and distributed under this emergency exemption to users authorized by Delta Air Lines.
- 12) Only users trained and authorized by Kraton Polymers, or those under the direct supervision of a trained and authorized user, may apply BiaXam™ B110-V and BiaXam™ B110-P. Prior to allowing use, UDAF and Kraton Polymers will coordinate training for users. Records of all training and applications must be kept and made available, along with all training materials, to the UDAF upon request.
- 13) UDAF will coordinate with Kraton Polymers to communicate with Federal, State, and local officials that BiaXam™ B110-V and BiaXam™ B110-P are only available to those authorized by UDAF under this emergency exemption authorization.
- 14) Stocks of the unregistered BiaXam™ B110-V and BiaXam™ B110-P may be distributed or sold only for purposes authorized by this emergency exemption authorization, in accordance with 40 CFR 152.30(e). Any unused, unregistered product must either be returned to the manufacturer or distributor (unopened containers) or disposed of in accordance with applicable federal, state, and local waste disposal requirements following the expiration of this emergency exemption.
- 15) This public health exemption will expire one year from date of issuance as given above.
- 16) Issuance of this emergency exemption does not constitute an endorsement by EPA of any product or service.
- 17) The regulations at 40 Code of Federal Regulations (CFR) part 166.7(b) stipulate that public communications regarding FIFRA section 18 emergency exemptions must be very limited in scope and focused on informing eligible users within the authorized geographic area of: the availability of the use, where to obtain product, and the limitations on the use. As per the regulations at 40 CFR 166.7 and 168.22, EPA regards it as unlawful to place, sponsor advertisements, or suggest the purchase or use of the authorized product that fall outside of the scope of these stipulations and may revoke an exemption if the use of the pesticide, as covered by the exemption, is advertised unlawfully.

Additionally, the regulations at 40 CFR 166.35 state that the authorization of an emergency exemption may be modified or revoked if the terms and conditions established by the exemption and the section 18 regulations are not being complied with.

If you or your staff have any questions with respect to this authorization document, please contact Emergency Response Team Member Andrea Conrath at 703.308.9356; conrath.andrea@epa.gov, or the Emergency Response Team Leader Tawanda Maignan at 703.308.8050; maignan.tawanda@epa.gov.

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Ed Messina, Esq., Acting Director
Office of Pesticide Programs

cc: *Kimberly Pardue-Welch, USEPA Region 8*