COUNTY OF ROCKLAND Department of General Services **Purchasing Division**

Contract Award Notification

Title:		Chemical – Sodium Bisulfite 38%	
Contract Period:		April 1, 2022, through March 31, 2023, w/ (4) one-year options Extended through March 31, 2024, w/ (3) 1-year options Extended through March 31, 2025, w/ (2) 1-year options Extended through March 31, 2026, w/ 1-year option	
Original Date of I	[ssue:	March 10, 2022	
Date of Revision:		December 16, 2024	
BID No:		RFB-RC-2022-027	
Catalog:		Wastewater	
Authorized Users:		County Agencies, All Political Subdivisions	
		Address Inquiries To:	
	Name: Title: Phone: Fax: E-mail:	Michele Phillips Purchaser I 845-364-2984 845-364-3809 phillipm@co.rockland.ny.us	

Description

This contract is to provide sodium bisulfite chemicals

Contract #	Vendor Number	Contractor & Address	Telephone No.
BID 22-027	0000016040	Holland Company, Inc.	413-743-1292
		153 Howland Avenue	
		Adams, MA 01220-1199	
		Contact: Matthew B. Holland	
		hcoffice@hollandcompany.com	Fax: 413-743-1298

LINE NO.DESCRIPTIONITEM NUMBEREST. QTY. PER SHIPMENTUNIT PER GALLONS PER YEARUNIT PRICEBRAND NAL PRICE1Sodium Bisulfite Solution- As per the attached specifications Sunny Sol by Jones Chemical, PVC Chemical by Slack or approved equal - Estimated Quantity includes combined annual usage by the County and Town of Orangetown88582770006 885827700061,250- 2,000Per Gallon - bulk bulk truck load\$2.39Hollland Company, I Gallon - bulk bulk truck load	NDOR: Holland Company,
As per the attached specifications Sunny Sol by Jones Chemical, PVC Chemical by Slack or approved equal - Estimated Quantity includes combined annual usage by the County and	ME PRODUCT CODE

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COUNTY OF ROCKLAND - DGS-PURCHASING BLDG. A., 6TH FLOOR, 50 SANATORIUM RD, POMONA, NY 10970 TELEPHONE: 845-364-3820 / TELEFAX: 845-364-3809

TITLE: Chemical - Sodium Bisulfite 38%

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PURCHASES BY OTHER

LOCAL GOVERNMENTS, SCHOOL DISTRICTS, AND NON-PROFIT AGENCIES

As per the New York State General Municipal Law, all political subdivisions of New York State are allowed to make purchases through the resulting contract(s). As per Rockland County Procurement Policy, Non-Profit Agencies approved to participate in New York State's Contract Extension Program are authorized to make purchases through the resulting contract(s).

- 1. The County of Rockland shall make all contract award information available to other political subdivisions and non-profit agencies through our website: **www.rcpurchasing.com**
- 2. Any other political subdivision or Rockland County non-profit agency will issue purchase orders directly to vendors within the specified contract period referencing the County's contract and shall be liable for any payments due on such purchase orders; and shall accept sole responsibility for any payment due.
- 3. All purchases shall be subject to audit and inspection by the other political subdivisions and Rockland County non-profit agencies for which the purchase was made.
- 4. No officer, board or agency of a county, town, village, or school district shall make any purchase through the County when bids have been received for such purchase by such officer, board or agency, unless such purchase may be made upon the same terms, conditions and specifications at a lower price through the County.
- 5. All Bidders shall be on notice that as a condition of the award of a County contract, the successful bidder shall accept the award of a similar contract with any other political subdivision in New York State and Rockland County non-profit agencies authorized to use New York State's contracts, if called upon to do so. A listing of approved Rockland County non-profit agencies is available on the Purchasing Division's website at www.rcpurchasing.com. The County, however, will not be responsible for any debts incurred by the participants pursuant to this or any other agreement.
- 6. Necessary deviations from the County's specifications in the award of a participant contract, whether such deviations relate to quantities, or delivery points shall be resolved between the successful bidder and the other political subdivisions and Rockland County non-profit agencies.

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SPECIFICATIONS

1. SCOPE

- 1.1. Provide specified Sodium Bisulfite Chemicals for the County of Rockland Sewer District #1 located in Orangeburg, NY 10962.
 - 1.1.1. Note: The Town of Orangetown, Orangetown Sewer District #2 may order these chemicals through the County Contract.

2. SITE VISIT

- 2.1. Bidders are advised to visit the delivery sites specified and the storage tanks to become familiar with the conditions they may encounter when making deliveries. No allowance will be recognized for any claim made due to any difficulties encountered when attempting a delivery because the supplier with whom a contract was executed, failed to ascertain for himself the conditions and circumstances to be encountered during delivery.
- 2.2. To arrange a site visit to delivery locations for the Rockland County Sewer District #1, 4 Route 340, Orangeburg, NY 10962, contact Richard Hagen, at (845) 365-6111.
- 2.3. Town of Orangetown contact Michael Webber, Chief Operator, Orangetown Sewer District #2 127 Route 303, Orangeburg, NY 10962 - 845-359-6502 ext. 4205.

3. **REQUIREMENTS**

- 3.1. Bidders must submit SDS sheets and specifications with their bid.
- 3.2. Bidder must supply Mfg., Product Code on product being offered (see proposal pages).
- 3.3. All quantities shown are estimates based on previous usage. The successful bidder will be required to furnish quantities even if different than those used whether it is more or less during the term of the contract.
- 3.4. The Rockland County Sewer District#1 typically orders Sodium Bisulfite chemicals during the months of May through November of each year. This contract will be awarded commencing on March 25, 2022 through March 24, 2023 with four (4) one (1) year options available. Option Terms shall be of mutual agreement between the Contractor and the County.

3.4.1. Historical Usage 2021 – County of Rockland, Sewer District #1

3.4.1.1. Sodium Bisulfite 38%- 25,000 gallons- Estimate 1500-2000 gallons per delivery

3.4.2. Historical Usage 2021 – Town of Orangetown, Orangetown Sewer District #2

- 3.4.2.1. Sodium Bisulfite 9,800 gallons Estimate 1250 gallons per delivery
- 3.5. All contractors and/or bidders will be required to wear hard hats & safety protective equipment while doing work for and/or being on the Rockland County Sewer Dist. # 1 premises. This directive is effective immediately & shall be enforced. No work will be authorized or performed without proper safety protection equipment adhering to the most recent OSHA standards & it is the vendor's responsibility to supply the necessary items of equipment.

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3.6. All town and municipality orders must be billed to the requesting town or municipality.

4. APPROVED EQUAL OR EQUIVALENT ITEMS

- 4.1. Bidder must submit specifications, brochure data and SDS sheets with his bid. Bidders must also include company name, address, contact, and contact telephone number of three locations where the product is being utilized (see Certificate of Experience).
- 4.2. Product offered must meet or exceed the specifications provided. If the application of the product offered and awarded fails to comply with the specifications, the County of Rockland may move to rescind the award of the resulting contract and move to review and award to the 2nd lowest bidder or bidder whose product meets the stated requirements.

7. DELIVERIES

- 7.1. The delivery and unloading of the liquid Sodium Bisulfite shall be performed on Monday through Friday during the hours of 7:00 AM and 2:30 PM. Deliveries outside of these times may be denied at the district's discretion, at no additional cost to the County.
- 7.2. All deliveries must be verified via telephone at least 24 hours prior to arrival at the County of Rockland Facilities. The contact phone number is (845) 365-6111.
- 7.3. Prices must be FOB destination including transportation and delivery charges fully prepaid by the vendor.
- 7.4. Deliveries must be made within 5 calendar days of order.
- 7.5. Failure to deliver on time may result in default of bid. The County of Rockland is then permitted to purchase products on the open market and to chargeback differences to the defaulting vendor.
- 7.6. The sodium bisulfite solution shall be delivered by tank truck. The delivery tank truck must comply with all Federal and State regulations. The tank truck used for delivery must be used exclusively for liquid sodium bisulfite or it must be washed out from any other chemical prior to loading liquid Sodium Bisulfite. A washout slip must be provided with the delivery.
- 7.7. The tank truck used for delivery must be owned/leased by the Contractor. Details must be provided on the Certificate of Equipment provided in this bid package. If an alternate tank truck that is not owned/leased by the supplier is required for delivery, the supplier must notify the Sewer District in writing prior to delivery.
- 7.8. Unloading of the sodium bisulfite solution shall not commence until the truck driver contacts a representative of the Sewer District. District supervising personnel must be present when chemical is being loaded into designated tank. Delivery slips must be furnished to the Sewer District's

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representative on site at the time of delivery. At a minimum, the delivery slip must include the total number of gallons of liquid sodium bisulfite delivered, scale weights (Lbs, Gross Lbs, Tare, Lbs Net), and percent of Total Reducing Substances in the sodium bisulfite solution. If delivery is being split with another customer of the vendor, the truck must be equipped with a working calibrated flow meter measuring gallons loaded.

- 7.9. During unloading of the liquid sodium bisulfite, the tank truck must be fitted with a quick-connect female coupling to be compatible with the quick-connect male coupling at the Sewer District's sodium bisulfite unloading station. <u>NO FLANGE ADAPTERS</u> shall be used by the Contractor during unloading of the liquid sodium bisulfite. All equipment necessary for the delivery must be provided by the vendor.
- 7.10. Truck drivers delivering the liquid sodium bisulfite at the site must be directly employed by the Contractor.
- 7.11. The Contractor shall be responsible for cleanup costs and expenses due to spills or leaks caused by careless unloading procedures or by malfunctioning equipment owned by the Contractor.

8. SITE DAMAGE

8.1 Any damage to buildings, equipment, utilities, finished surfaces, or the property of the County of Rockland resulting from the performance of this contract shall be repaired by the Contractor at the Contractor's expense at no cost to the County of Rockland. Completed repairs shall be accepted and approved by the authorized representative of the County of Rockland.

9. PRICE ADJUSTMENTS

9.1. The County recognizes this product or service has a price component that may have a commodity with changing costs. The Contractor/Supplier may request a Price Adjustment no more frequently than once each quarter (3-month period).

A Price Adjustment request must be made in writing and include the reason for the request, documentation supporting the request (ie, commodity increases), the current pricing, and the requested revised pricing.

The County will review the Price Adjustment request. If the Price Adjustment is deemed reasonable the Price Adjustment request will be accepted by written acknowledgement. If the request is not accepted the County may entirely reject the request or may counter with revised pricing. In either case the County will provide a written explanation in support of the decision.

The Director of Purchasing may use available indexes (e.g. CPI or PPI) to determine if the requested Price Adjustment is reasonable. Typically, a Price Adjustment that exceeds 5% will not be approved unless very unusual and significant changes have occurred in the industry.

In the event industry costs decline, the County shall have the right to receive, from the Contractor, a reasonable reduction in prices/pricing that reflect such cost changes in the

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industry. The County will make a written request to the Contractor for a Price Adjustment in writing with supporting documentation

10. **AWARD**

10.1. Bid will be awarded to the lowest responsible bidder meeting the stated requirements.

11. DETAILED SPECIFICATIONS FOR SODIUM BISULFITE SOLUTION

- ANALYSIS
- The supplier must supply with their bid, a complete analysis of the liquid sodium bisulfite they propose to supply. The supplier shall certify that the liquid sodium bisulfite meets the minimum specifications, as listed below.

• <u>MINIMUM SPECIFICATIONS</u>:

•	Total Reducing Substances (TRS)	38% - 44%
•	APHA Color (maximum)	200
٠	Light Transmission	60%
٠	Heavy metals expressed as load (maximum)	20 ppm

- **REQUIREMENTS**
 - The Rockland County Sewer District reserves the right to have the supplied liquid sodium bisulfite sampled and analyzed by a certified laboratory.
 - The Contractor shall provide with his bid a material safety data sheet (MSDS) for the liquid sodium bisulfite.
 - The analysis submitted shall be made a part of the proposal of the supplier. In the event that the successful supplier shall deliver liquid sodium bisulfite which does not test within the limits as herein set forth or equal the specifications as furnished with the bid proposal, then the Contractor shall be required to remove, without cost to the Sewer District, within twelve hours after notification, the liquid sodium bisulfite that has been rejected by the Sewer District. Should the Contractor not remove the rejected sodium bisulfite within the said twelve hours, the Sewer District shall then be at liberty to have the sodium bisulfite removed from its premises and to dispose of such sodium bisulfite by sale or other means as the Sewer District shall elect. The Sewer District may then purchase sodium bisulfite in the open market and make chargebacks against the Contractor for excess cost in sodium bisulfite so purchased.

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- Should the Sewer District have consumed a part of such liquid sodium bisulfite, subject to rejection, such consumption shall not impair its right to cause the Contractor to remove the remainder of the delivered sodium bisulfite subject to rejection.
- In the event the contractor fills tank with incorrect chemical, Contractor will assume responsibility for cleaning tank. Additionally, contractor will be required to set up a temporary alternative for district to apply chemical and meet all regulatory requirements at contractor's expense. District Supervising Personnel must be present when Chemical is being loaded into designated tank.





Liquid Sodium Bisulfite

PRODUCT DATA SHEET

Formula: NaHSO₃ • H₂O **CAS #:** 7631-90-5 (anhydrous)

Grade: Commercial

Certification: NSF certified. Complies with ANSI 60 for use in drinking water

Properties	Typical analysis
NaHSO ₃ :	38.0% - 40.0% (25% is also available)
pH as is:	3.5 - 5.0
S.G. @ 60F:	1.32 – 1.34
Physical characteristics:	Straw colored liquid with a strong pungent odor

DOT Classification:

UN 2693 Bisulfites, Aqueous Solutions (sodium bisulfite solution) N.O.S. Corrosive Liquid Hazard class 8, Packing group III

Delivery / Packaging:

Self-unloading tank trucks. Bulk and mini bulk deliveries.

Storage:

Store in closed containers away from excessive heat and direct sunlight. Provide good ventilation in the storage and work areas.

The information set forth herein is furnished free of charge and is based on data that the Holland Company believes to be reliable. It is intended to assist those persons having technical skill in using this product and at their own discretion and risk. Since the conditions of use and qualifications of persons using this product are outside our control we make no warranties, express or implied, and assume no liabilities in connection with the use of this information.

Holland Company Adams Massachusetts 01220

800-639-9602 / 413-743-1292

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Holland Company

LIQUID SODIUM BISULFITE

Safety Data Sheet

SECTION 1. PRODUCT AND COMPANY IDENTIFICATION

Product/Chemical Name: Liquid Sodium Bisulfite **Chemical Family**: Bisulfites Aqueous **General use:** Water treatment and manufacturing applications

Company Information:

Holland Company, Inc. 153 Howland Avenue Adams, MA 01220 U.S.A. Phone: 413-743-1292

Emergency Phone:

Holland Company	1-800-639-9602
Chemtrac (USA)	1-800-424-9300
CANTUTEC (Canada)	1-613-996-6666

SECTION 2. HAZARDS IDENTIFICATION





WARNING MAY BE CORROSIVE TO SOME METALS

Hazard Statements

Irritating to eyes. Category 2

Fumes may be irritating to respiratory system. Category 3

May be irritating to skin. Category 2

May be harmful if ingested. Category 4

May be corrosive to some metals. Category 1

Precautionary Statements

Other Hazards: Contact with acids and oxidizers liberates hazardous fumes. Unknown acute toxicity: No data available.



SECTION 3. COMPOSITION / INFORMATION ON INGREDIENTS

Substance: Bisulfite sodium salt Product name: Liquid Sodium Bisulfite CAS #: 7631-90-5 Impurities: NA

SECTION 4. FIRST AID MEASURES

Inhalation: Possible acute irritation. Remove from continued exposure.

Get immediate medical attention if difficulty with breathing occurs.

Skin contact: Possible acute irritation. Wash skin with water. Remove contaminated clothing - footwear. If irritation develops get medical attention.

Eye contact: Acute irritation. Immediately rinse eyes with water for an extended period.

If irritation persists, get medical attention.

Ingestion: Possible acute irritation. If ingested DO NOT induce vomiting. Rinse mouth.

Seek medical attention if you feel unwell.

Most important symptoms/effects, acute and delayed:

Acute:

Inhalation: Irritation to respiratory system. May cause an allergic reaction in sulfite sensitive individuals. Skin contact: May cause irritation. May cause an allergic reaction in sulfite sensitive individuals. Eye contact: Causes serious irritation. May cause an allergic reaction in sulfite sensitive individuals. Ingestion: May cause adverse effects. May cause an allergic reaction in sulfite sensitive individuals. Delayed:

None expected under normal conditions of use.

Indication of immediate medical attention and special treatment needed, if necessary. If exposed or concerned, get medical advice and attention. Have product SDS or product data sheet at hand.

SECTION 5. FIRE FIGHTING MEASURES

Suitable extinguishing media:

Product is not flammable and will not burn.

Use water to cool and maintain integrity of containers.

Unsuitable extinguishing media:

None identified.

Hazards:

Negligible fire hazard.

In a fire when exposed to excessive heat product can decompose resulting in the formation of irritating and potentially toxic sulfur oxide fumes.

Exposure to products of decomposition during a fire may be hazardous to health.

Protective equipment:

In case of possible exposure to products of decomposition use appropriate self-contained or other approved respiratory protection.



SECTION 6. ACCIDENTIAL RELEASE MEASURES

General: Site specific procedures to address accidental spills are necessary as dictated by facility design, location, staffing, containment structures, and regulatory requirements.

Personal protection, protective equipment, and emergency services: In the event of a spill clear unnecessary staff from spill area. Isolate area and restrict entry. Avoid contact with skin, eyes, and inhalation with spilled material. If direct contact with spilled material, fumes or mist is likely use appropriate protective equipment. For people with sulfite sensitivity product fumes may provoke an allergic reaction. Do not release into sewers or waterways.

Methods and materials for containment and clean up: Prevent further leakage or spillage if safe to do so. Maintain adequate ventilation. Manage spilled liquid using containment structures or inert materials to collect for reuse. Product not reused can be neutralized using a mild alkali such as soda ash or calcium carbonate (agricultural lime). Neutralized residue can be swept up or rinsing down with water and captured using absorbent materials in accordance with local, state, province, and federal regulations.

SECTION 7. HANDLING AND STORAGE

Precautions for safe handling: Avoid contact with skin, eyes, and clothing. Avoid inhalation or ingestion. Do not eat, drink, take medication or smoke when direct contact is possible. Always thoroughly wash hands after leaving a work area where contact is possible or has occurred.

Conditions for safe storage including any incompatibilities: Store in covered tanks / containers in a secure area. Provide adequate ventilation and vent storage tanks away from work areas. Annually empty storage tanks to inspect and clean. Perform regular maintenance and cleaning of transfer systems. Have storage tanks, containers, and transfer systems properly labeled for contents. To accept deliveries, have procedures for determining quantity of product that can be unloaded into storage system. Use tanks, transfer lines, pumps valves and process instrumentation designed for this material using approved materials of construction. Some materials commonly used are FRP, plastic, Teflon®, and Stainless steel. Over time, common metals such as steel, iron, copper and aluminum will experience corrosion and their use should be avoided.

Containment: Product storage tanks should have a dedicated, liquid tight secondary containment system to minimize the possibility of a release to the environment or contact with incompatible chemicals / materials.

Incompatible Chemicals: Acids, oxidizers, common metals.

Temperature for storage: Preferred temperature range is 16°C-29°C (60°F-85°F). Temperatures outside of this range may affect product effectiveness and stability.

SECTION 8. EXPOSURE CONTROL / PERSONNAL PROTECTION

Exposure controls / personal protection:

OSHA (TWA), ACGIH (TVL), NIOSH (REL)

5 mg/m³ as dry sodium bisulfite

Appropriate engineering controls: Emergency eye wash stations and safety showers should be available. Ensure adequate ventilation.

Individual protection measures: To avoid direct contact use protective gloves, eye protection, full length shirts and pants.



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SECTION 9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance: Liquid. Clear to slight haze, amber to colorless. Odor: Pungent, sulfurous. Odor threshold: Not determined. pH: 3.0 - 5.0 @ 25°C (77°F) Freeze point approx.: 7°C (45°F) Boiling point-range: Not determined. Flash point: NA Evaporation rate: Similar to water. Flammability (liquid, solid, gas): Not flammable. Upper/lower flammability or explosive limits: NA Vapor pressure: Not determined. Vapor density: Not determined. Relative density (specific gravity): 1.30 - 1.37 S.G. @ 21°C (70°F) Water Solubility: Complete. Partial coefficient: n-octanol/water: No information Auto ignition: Not flammable. Decomposition temperature: Not determined. Viscosity: No data.

SECTION 10. STABILITY AND REACTIVITY

Reactivity: Not reactive under normal conditions of use.

Chemical stability: Product is chemically stable under recommended storage and handling conditions. **Possible hazardous reactions:** Hazardous polymerization will not occur.

Conditions to avoid: Unaffected by static discharge, shock, or vibration.

Incompatible materials: Acids, Oxidizers, Common metals.

Hazardous decomposition products: None expected under normal conditions of use and storage.

SECTION 11. TOXICOLOGY INFORMATION

Information on likely routes of exposure:

Inhalation, Ingestion, Skin, Eye.

Acute exposure: Inhalation: Not classified. Ingestion: Not classified. Skin: Not classified

Immediate effects of exposure:

Inhalation: May cause irritation.

Ingestion: May cause discomfort.

Skin: May irritate skin.

Eyes: Will cause irritation.

Mucous membranes: May cause irritation.

<u>Numeric toxicity</u>: In rats LD(50) > 5,000mg/kg as liquid sodium bisulfite (2g/kg dry sodium bisulfite).

Chronic effects of exposure: None expected under normal conditions of use.

Carcinogenicity: NTP Not listed. IARC Not listed. OSHA Not listed.

Reproductive toxicity, germ cell mutagenic or teratogenic effects: Not classified.



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SECTION 12. ECOLOGICAL INFORMATION

Ecotoxicity: An environmental hazard cannot be excluded in the event of incorrect or unprofessional handling, use and disposal of unused material.

<u>Aquatic</u>: May be harmful to aquatic life. High concentrations in water can cause a temporary reduction of oxygen levels in aquatic environments.

Reported EC50 119mg/l (48 hours Daphnia magna) as dry sodium bisulfite.

Terrestrial: No information.

Persistence and degradability: Not determined. **Bioaccumulation potential:** Not determined. **Mobility in Soil:** No information **Other adverse effects:** Not determined.

SECTION 13. DISPOSAL CONSIDERATIONS

RCRA Hazardous waste: Unused material is not listed as a hazardous waste.

Disposal recommendations: Waste material and packaging must be disposed of in accordance with local, state, province, and federal regulations.

SECTION 14. TRANSPORTATION INFORMATION

Note: The shipping descriptions stated were made with certain assumptions when the SDS was prepared. See current shipping documents for the most up to date information. Land (DOT) UN number: UN2693 Shipping name: Bisulfites, Aqueous N.O.S. (Liquid sodium bisulfite) Hazard class: 8 Packing group: III Marine pollutant: No Special precautions: None known.

SECTION 15. REGULATORY INFORMATION

RCRA Hazardous waste: Not Listed. CERCLA Hazardous substance: Listed. CERCLA Reportable Quantity (RQ): 5,000lbs dry basis, approx. 1,200 gallons liquid 38% SBS. SARA 311/312 Categories: Acute (immediate) health effects. Sudden release of pressure hazard: No Reactivity hazard: No SARA 313 Toxic Chemical listing: Not listed SARA 313 Toxic Chemical listing: Not listed SARA Extremely hazardous substance (EHS): Not listed. OSHA Air: Not listed OSHA Air: Not listed United States TSCA Section Inventory Status: Listed Canadian Domestic Substances List (DSL): Listed. State - Province regulations: Not determined.



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SECTION 16. OTHER INFORMATION

NSF International Certified as meeting NSF/ANSI/CAN Standard 60 for Water Treatment Chemicals Maximum use (MUL) 60 mg/L.

NFPA: Health 2Flammability 0Stability 0Instability 0Special Hazards Not DeterminedHMIS: Health 2Flammability 0Stability 0Physical Hazards 0Personal Protection Not Determined

Preparatory statement: Disclaimer The information in this Safety Data Sheet (SDS) is believed to be accurate to the best of our knowledge, information, and belief as of the publication date. The information given is designed only as guidance for safe handling, use, storage, transport, disposal, and release and is not to be considered a warranty or quality specification. The information relates only to the specific material designated and may not be valid for the material when used in combination with any other materials or in any process, application unless specified in the text.

Date Sources for the SDS:

Literature, direct manufacturing experience, databases, practice, publications, own tests, regulations.

Revision: January 2022, replaces all earlier **SDS ID:** Sodium Bisulfite



Holland Company, Inc. 153 Howland Avenue Adams, Massachusetts 01220 U.S.A. 800-639-9602

Res ; Jan 2022 replaces of earlier