

363-15

12/27/2004

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

December 27, 2004

Elwood Morris
President
Coopers Creek Chemical Corporation
884 River Road
West Conshohocken, PA 19428-2699

Subject: Coopersote Creosote Oil
EPA Registration Number 363-15
Application Date: September 7, 2004
EPA Received Date: November 17, 2004

Dear Mr. Morris:

The following amendment, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable with the conditions listed below:

Proposed Amendment

- Removal of Non Pressurized Wood Treatment Use

Conditions

Revise the label as follows:

1. Based on the acute toxicology profile from the "Preliminary Toxicology Science Chapter for Creosote Reregistration Eligibility Decision", revise the "Precautionary Statements" to specify:

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CONCURRENCES

CONCURRENCES							
SYMBOL	T-10C						
SURNAME	J. J. [Signature]						
DATE	12-27-04						

WARNING. Causes substantial but temporary eye injury. Harmful if swallowed, absorbed through the skin, or inhaled. Do not get in eyes, on skin, or on clothing. Wear goggles or face shield, protective clothing, and protective gloves. Avoid breathing vapor or spray mist. Use with adequate ventilation. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

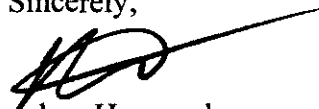
- 2. According to PR Notice 2001-1, the "First Aid" statements must be organized so that the severest route of exposures, as demonstrated by the toxicity classification, are listed first. Therefore, the statements must be organized as follows: "If in eyes, If swallowed, If on skin or clothing, and inhaled."
- 3. Change the signal word "DANGER" to "WARNING" wherever it appears on the label.

General Comments

A stamped copy of the labeling accepted with conditions is enclosed. Submit three(3) copies of your final printed labeling before distributing or selling the product bearing the revised labeling.

Should you have any questions or comments concerning this letter, please contact me at 703-308-6422.

Sincerely,



Adam Heyward
Product Manager 34
Regulatory Management Branch II
Antimicrobials Division (7510 C)

Enclosure: A Stamped Label

RESTRICTED USE PESTICIDE
 (Due to chronic toxicity in animal studies)
 For use only for by certified applicators or by persons under their direct supervision and only for those uses covered by the certified applicators' certification.

FOR PRESSURE TREATMENT OF WOOD

SINCE 1915

THE C-4 BRAND COOPERSOTE CREOSOTE OIL

PRESERVES AND LENGTHENS LIFE OF WOOD
 STAINS A RICH CHESTNUT BROWN COLOR

ACTIVE INGREDIENT:		
Creosote (25004) AWPA P1/P13....	98.5%	
OTHER INGREDIENTS:		
Water (Maximum)	1.5%	
Total	100.0%	

KEEP OUT OF REACH OF CHILDREN
DANGER!
 FIRST AID

If in eyes	<ul style="list-style-type: none"> Hold eye 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 for treatment advice.
If on skin or clothing	<ul style="list-style-type: none"> 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. For mild skin exposures, gently wipe skin with Mazola Corn Oil or waterless hand cleaner. Rinse skin immediately with plenty of water for 10 minutes. Hydrocortisone cream may be used for relief of skin irritation. Call doctor if irritation persists.
If inhaled	<ul style="list-style-type: none"> Move person to fresh air. If a person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for further treatment advice.
If swallowed	<ul style="list-style-type: none"> Call poison control center or doctor immediately for treatment advice. Do not induce vomiting unless told to do so by the poison control center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.
<p>HOT LINE NUMBER</p> <p>Have the product container or label with you when calling a poison control center or going for treatment. You may also call 1-810-828-0375 for emergency medical treatment information between 8am and 4pm, Monday through Friday. After 4pm, call your poison control center or 1-800-424-9300.</p> <p>NOTE TO PHYSICIAN</p> <p>Contains petroleum distillate (Creosote)-vomiting may cause aspiration pneumonia.</p>	

See Side Panel For Additional Precautionary Information Under Heading "Precautionary Statements: Hazards to Humans and Domestic Animals"

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. 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 EPA. Do not contaminate water by cleaning of equipment or disposal of wastes.

PHYSICAL AND CHEMICAL HAZARDS

Do not use or store near heat or open flame. Creosote has a strong odor. Do not use where odor may penetrate to cause an odor problem. For outside or exterior use only.

DIRECTIONS FOR USE

Apply this product only as specified on this label. It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

APPLICATION

FOR PRESSURE TREATMENT: Use only dry wood. Unseasoned wood should first be steam conditioned, followed by a 1 to 3 hour vacuum period, by vapor drying, or by Boultonizing where wood is heated in creosote while under vacuum. Normal retention required for creosote is from 6 to 12 pounds per cubic foot.

COVERAGE

Approximately 100 square feet per gallon.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Storage: Store in closed containers in a cool, well ventilated area. Do not use or store near heat or open flame. If product is leaking or has spilled, use an absorbent or sand and scrape up. Dispose of in an approved chemical disposal facility. Close container after each use.

Disposal: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or The Hazardous Waste Representative at the nearest EPA Regional Office for guidance.

Wood which has been treated with this product should be disposed of by burial or ordinary trash collection. Do not burn treated wood in an outdoor fire or in stoves or fireplaces because toxic chemicals will be produced as a part of the smoke and ashes.

PERSONAL PROTECTION EQUIPMENT

Applicators and other handlers must wear:

- Long sleeved shirt and pants
- Socks, shoes, and head covering
- Goggles or face shield
- Chemical-resistant gloves (vinyl coated or made from neoprene rubber)

USER SAFETY REQUIREMENTS AND RECOMMENDATIONS

Follow manufacturer instructions for cleaning/maintaining personal protective equipment. If no such instructions exist washables, use detergent and hot water. Keep and wash PPE separately from the other laundry.

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

NOTICE

This product is offered in good faith, however, the seller is not responsible for damages of any kind caused by careless or improper handling or use.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER!

MAY BE FATAL IF SWALLOWED, INHALED OR ABSORBED THROUGH SKIN. CAUSES SKIN AND EYE IRRITATION. MAY CAUSE SEVERE BURNS. DO NOT GET IN EYES, ON SKIN OR ON CLOTHING. DO NOT BREATHE VAPORS OR SPRAY MIST. USE WITH ADEQUATE VENTILATION. DO NOT TAKE INTERNALLY. WASH THOROUGHLY AFTER SKIN CONTACT, BEFORE EATING, DRINKING, USE OF TOBACCO PRODUCTS, OR USING RESTROOMS. WEAR GOGGLES OR FACE SHIELD WHEN HANDLING.

GENERAL PRECAUTIONS

Avoid inhaling vapors. If inhalation of vapors cannot be avoided, applicators must wear a properly fitting, well-maintained half-mask canister or cartridge respirator which is MSHA/NIOSH approved for polynuclear aromatics and organic vapors.

Protective clothing must be changed when it shows signs of contamination. Applicators must leave protective clothing and workshoes or boots and equipment at the plant. Wear out protective clothing and workshoes or boots must be left at the plant and disposed of in any general landfill, in the trash, or in any other manner approved for pesticide disposal.

Applicators must wear gloves impervious to the wood treatment formulation (e.g. polyvinyl acetate (PVA), polyvinyl chloride (PVC), or neoprene), in all situations where dermal contact is expected (e.g. during the actual application process and when handling freshly treated wood).

Applicators must not eat, drink or use tobacco products during these parts of the application process that may expose them to the wood treatment formulation.

Wash thoroughly after skin contact, and before eating, drinking, use of tobacco products or using restrooms.

ACCEPTED
 with COMMENTS
 EPA Letter Dated:

DEC 27 2004

under the Federal Insecticide,
 Fungicide, and Rodenticide Act as
 amended by the pesticide,
 registered under EPA Reg. No. 363-15

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C. CONTAINMENT TANK FOUNDATION:

1. The containment tank foundation shall be solidly constructed of a material sufficiently impervious to contain leaks, spills and accumulated pesticides and/or rinsate of pesticides;
2. The foundation covering must be free of cracks which would allow leakage;
3. The foundation must be sloped to facilitate cleanup of inadvertent spills;
4. The foundation must be constructed with a rim of sufficient height to contain run-off from cleanup activities or inadvertent spills and be protected from flood waters;
5. The foundation must be so constructed as to discharge all liquids into a sump for reuse; and
6. Wood preserving operations will provide spill containment or control for product (or chemical) storage and work tanks such that at minimum 110% of the volume of the largest tank together with the volumes of the other potential spills will be contained in the event of a worst case rupture of other malfunction.

I. CLOSED PESTICIDE APPLICATION CONTAINMENT SYSTEM REQUIREMENTS FOR DRIP PAD AND ASSOCIATED UNIT MANAGEMENT

- A. Drip pad systems must meet the following requirements:
1. Drip pad systems must be constructed of a curbed and/or sloped base having impermeable construction capable of containing drippage and accumulated precipitation while routed to an associated collection area or device (system);
 2. Drip pad systems must be maintained such that they prevent preservative from leaking from the drip pad;
 3. The drip pad and associated collection system must be designed and operated to collect and drain liquid resulting from drippage or precipitation in order to prevent run-off; and must be designed and maintained so as to be capable of containing precipitation from a 25-year/24-hour storm event if exposed to rainfall;
 4. Run-on onto the drip pad and associated collection system must be prevented unless the system has sufficient excess capacity to contain any run-on that might enter the system;
 5. Drippage and accumulated precipitation must be removed from the containment system as necessary to prevent overflow from the drip pad and associated collection system; and
 6. If the owner or operator detects a condition that could lead to a release of preservative, the condition must be repaired within a reasonably prompt period of time following discovery or the pad must be removed from service.

B. General Operating Requirement:

Drip pads must be operated and maintained in a manner to minimize incidental tracking of preservative or preservative constituents off the drip pad by personnel or equipment.

C. Inspections:

Drip pad systems must be inspected thoroughly for visual signs of ineffectiveness. Facility inspection programs must involve inspection of the entire drip pad system at least monthly.

FOR EXTERIOR USE ONLY

R.Q. OTHER REGULATED SUBSTANCES, LIQUID,
N.O.S., 9, NA3082, PGIII (CREOSOTE)

FOR MARINE SHIPMENTS

R.Q. ENVIRONMENTALLY HAZARDOUS SUBSTANCES
LIQUID, 9, N.O.S. (CONTAINS CREOSOTE)
UN3082 MARINE POLLUTANT



MARINE POLLUTANT

PRECAUTIONS FOR PRESSURE TREATMENT OF WOOD USE

Individuals must wear gloves impervious to the wood treatment formulation in all situations where dermal contact with creosote is expected (e.g., handling freshly treated wood and manually opening cylinder doors).

Individuals who manually open cylinder doors must wear gloves and a respirator. Individuals who enter pressure treatment cylinders and other related equipment that is contaminated with the wood treatment formulation (e.g., cylinders that are in operation or are not free of the treatment formulation) must wear protective clothing (including overalls, jacket, gloves and boots) impervious to the wood treatment formulation and a respirator. Acceptable materials for protective clothing during application and handling of this product are polyvinyl acetate (PVA), polyvinyl chloride (PVC), neoprene and NBR (Buna-N). Applicators must not eat, drink, or use tobacco products during those parts of the application process that may expose them to the wood treatment formulation (e.g., manually opening/closing cylinder doors, moving trams out of cylinder, mixing chemicals, and handling freshly treated wood).

CANCER HAZARD

This product contains creosote which may cause cancer of the skin, lungs, kidneys, or bladder. Risk depends on duration and level of exposure. Follow recommended hygiene practices to protect yourself. Product has a strong odor. Do not use where odor may penetrate. For outside or exterior use only.

FOR EXTERIOR USE ONLY

MANAGEMENT:

A. Commercial applicators electing to install closed containment systems for pesticides classified as a hazardous waste upon disposal must have such systems completed and operational on or before December 31, 1992. Following this effective date, any commercial applicator who is certified or licensed after January 1, 1993 who elects to install a closed containment system for pesticides classified as hazardous waste upon disposal, must have such system completed and operational before the issuance of the certification or license. (To be modified to reflect individual applicator licensing not facility licensing.)

B. CONTAINMENT TANKS:

1. Different containment tanks must be installed for different pesticides and/or rinsate of pesticides, except the same containment tanks may be used for two or more pesticides when such pesticides are physically and chemically compatible and when their mixing is not prohibited by their labels.

2. (i) General Requirements - Storage containers and tanks shall be constructed so as to prevent the discharge of liquid bulk pesticide. Storage containers and appurtenances shall be constructed of materials which are resistant to corrosion, puncture or cracking. Materials used in the construction or repair of storage containers and appurtenances may not be a type which reacts chemically or electrolytically with stored bulk pesticide in a way which may weaken the storage container or appurtenance, create a risk of discharge, or adulterate the pesticide. Metals used for valves, fittings and repairs on metal containers shall be compatible with metals used in the construction of the storage container, so that the combination of the metals does not cause or increase corrosion which may weaken the storage container or its appurtenances, or create a risk of discharge. Storage containers and appurtenances shall be designed to handle all operating stresses, taking into account static head, pressure buildup from pumps and compressors, and any other mechanical stress to which the storage containers and appurtenances may be subject in the foreseeable course of operations.

(ii) Appurtenances - Every storage container connection, except a safety relief connection, shall be equipped with a shutoff valve located on the storage container or at a distance from the storage container dictated by standard engineering practice. Except for a storage container of mini-bulk pesticide, all wetted parts inside shutoff valves, and all connections from the storage container to the shutoff valve, shall be made of material(s) compatible with the pesticide. Valves shall be secured to protect against vandalism or accidental valve openings which may result in a discharge. Pipes and fittings shall be adequately supported to prevent sagging and possible breakage because of gravity and other forces which may be encountered in the ordinary course of operations.

Manufactured By

COOPERS CREEK CHEMICAL CORPORATION

West Conshohocken, PA 19428

Phone 610-828-0375 for Questions

EPA Registration Number 363-~~25~~ 25

EPA Establishment Number 363-PA-1

ACCEPTED
with COMMENTS
EPA Letter Dated:

DEC 27 2004

Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No.

363-15