



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

MAY - 5 2010

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Mr. David Crow
Agent for Creosote Council
1156 15th St NW, Ste 525
Washington, DC 20005

Subject: P-2 Creosote/Petroleum Solution
EPA Registration Number: 363-48

Dear Mr. Crow:

The following amendment submitted in connection with registration under FIFRA, as amended, is acceptable with the conditions listed below.

Proposed Amendment

Revise label in accordance with Creosote RED Labeling Requirements

Conditions

Revise the label as follows:

- 1.) The "First Aid" statements on page 2 must be reorganized so that the most severe route of exposure, as demonstrated by toxicity classification, is listed first. Therefore, reorganize the list to reflect: "If in eyes, If swallowed, If on skin, and If inhaled."
- 2.) The "Personal Protective Equipment (PPE)" section on page 3 must be revised to be in agreement with the Creosote RED by modifying the 1st, 4th, and 8th bullets by deleting "or" and replacing it with "over" such that the statement read "Washable or disposable coveralls over long-sleeved shirt and long pants. Also, revise the 3rd, 6th, and 10th bullets by indicating safety "work" boots.
- 3.) Revise the first statement in the third paragraph under "User Safety Requirements" on page 3 by deleting the term, has, and replace it with "have" such that the statement reads "Discard clothing and other absorbent material that *have* been drenched or heavily contaminated with product's concentrate."
- 4.) The "User Safety Recommendations" section on page 3 must be revised to be in compliance with PR Notice 2000-5, Mandatory Labeling, by revising the heading to read "User Safety Requirements" and deleting the term, should, and stating "*must*."
- 5.) Revise the second statement under "Treatment Process" on page 4 by adding the term, to, to the statement such that it reads "the final vacuum must attain equal to or greater than the initial vacuum..."
- 6.) Revise the third bullet under "Double Vacuuming" by indicating "22 inches of Hg."

General Comments

A stamped label with conditions is enclosed for your records. Submit a copy of your final printed label before distributing or selling the product bearing the revised labeling.

Submit and/or cite all data required for registration/reregistration of your product under FIFRA section 3 (c) (5) and section 4 (a) when the Agency requires all registrants of similar products to submit such data.

If the above conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6 (e). Your release for shipment of the product bearing the amended labeling constitutes acceptance of these conditions.

Should you have any questions or comments concerning this letter, you may contact me by telephone at (703) 308-6416 or by e-mail at campbell-mcfarlane.jacqueline@epa.gov or Killian Swift by telephone at (703) 308-6346 or by e-mail at swift.killian@epa.gov. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,



Jacqueline McFarlane
(Acting) Product Manager (34)
Regulatory Management Branch II
Antimicrobials Division (7510P)

Enclosure: EPA stamped label

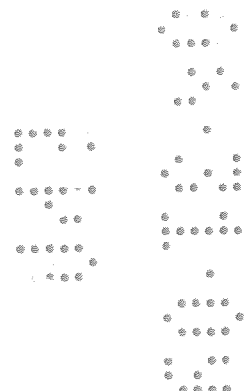
RESTRICTED USE PESTICIDE

Due to chronic toxicity in animal studies

For sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's certification.

P-2 CREOSOTE / PETROLEUM SOLUTION

PRESSURE APPLICATIONS



Active Ingredient:

Coal Tar Creosote (AWPA Standard)

75.00 %*

Inert Ingredients

25.00 %

Total

100.00%

* See actual lot number and assay on this panel.

CONTAINS PETROLEUM DISTILLATES

WARNING

See [side] [back] panel for additional precautionary statements, [First Aid], and complete Directions for Use

EPA Reg. No. 363-48

EPA Est. No.

Net contents _____ gallons

Lot. Number _____

Creosote Assay _____ %

ACCEPTED
with COMMENTS
EPA Letter Dated:
MAY - 5 2010

Manufactured by:

Coopers Creek Chemical Corporation
884 River Road
West Conshohocken, PA 19428

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

363-48

FIRST AID

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 anything by mouth to an unconscious person.
If inhaled	<ul style="list-style-type: none">• 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.• Call a poison control center or doctor for further treatment advice.
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.

HOTLINE NUMBER

Have the product label or MSDS with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical treatment information.

NOTE TO PHYSICIAN

Probable mucosal damage may contraindicate the use of gastric lavage. Vomiting may cause aspiration pneumonia. Contains petroleum distillates.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING: Causes substantial but temporary eye injury. Harmful if swallowed or absorbed through skin. Avoid breathing vapors of heated material. Do not get in eyes, on skin or on clothing. Wear protective eye wear (goggles, protective glasses or face shield). Wash thoroughly after skin contact, before eating, drinking, chewing gum, using tobacco products, or using restrooms. Remove and wash contaminated clothing before reuse. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

Prolonged and repeated skin exposure over many years in the absence of recommended hygiene practices may lead to changes in skin pigmentation, benign skin growth and in some cases, result in skin cancer. The inhalation exposure limit to creosote vapor is 0.2 mg/m³ OSHA PEL (* Hour TWA) for Coal Tar Pitch Volatiles (benzene soluble fraction) as specified in 29 CFR 1910.1002. Prolonged or repeated inhalation exposure above the limit may lead to respiratory system effects such as inflammation and possibly changes in liver, thyroid and blood elements.

See side panel for additional precautions and First Aid.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

All personnel handling treated wood or handling treating equipment (including poles/hooks used to retrieve charge cables) that has come into contact with preservative must wear the following PPE:

- Washable or disposable coveralls or long-sleeved shirt and long pants,
- Chemical resistant gloves, and
- Socks plus industrial grade safety boots with chemical resistant soles.

All personnel cleaning or maintaining the treatment cylinder gasket/equipment or working with concentrate or wood treatment preservative must wear the following PPE:

- Washable or disposable coveralls or long-sleeved shirt and long pants,
- Chemical resistant gloves,
- Socks plus industrial grade safety boots with chemical resistant soles, and
- A full face shield.

In the event of equipment malfunction, or for door spacer placement, all personnel located within 15 feet of the cylinder opening prior to cylinder ventilation must wear the following PPE:

- Washable or disposable coveralls or long-sleeved shirt and long pants,
- Chemical resistant gloves,
- Socks plus industrial grade safety boots with chemical resistant soles, and
- A properly fitting half mask elastomeric respirator with appropriate cartridges and/or filters.

Entry to confined spaces is regulated by Federal and/or State Occupational Safety and Health Programs. Compliance is mandated by law. Individuals who enter pressure treatment cylinders or other related equipment that is contaminated with the wood treatment preservative (e.g. cylinders that are not free of treatment preservative or preservative storage tanks) must wear protective clothing and/or equipment as required by Federal and/or State Occupational Safety and Health Compliance laws.

USER SAFETY REQUIREMENTS

Personnel must leave aprons, protective coveralls, chemical resistant gloves, work footwear, and any other material contaminated with preservative at the treatment facility.

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

Discard clothing and other absorbent material that has been drenched or heavily contaminated with the product's concentrate. Do not reuse them.

Eating, drinking, smoking are prohibited in the treatment cylinder load-out area, drip pad area, and engineering control room of the wood treatment facilities. EXCEPTION: Where treating operator control rooms are isolated from the treating cylinders, drip pad, and work tanks, eating, drinking, and smoking (depending on local restrictions) are permitted.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet,
- Remove clothing/PPE 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. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This product is toxic to aquatic organisms. 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 Pollution 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.

PHYSICAL AND CHEMICAL HAZARDS

Do not use or store near heat or open flame. Close container after each use.

DIRECTIONS FOR USE

It is a violation of federal law to use this product in a manner inconsistent with its labeling.

The product may only be used for terrestrial and aquatic non-food wood/wood structure protection treatments via pressure methods for utility poles/crossarms, railroad ties, switch ties, bridge timbers, agricultural fence and highway construction guardrail posts, foundation timbers, marine and foundation round piles, sawn lumber and timber products for bridge and foundation construction only, and exterior structural composite glue laminated wood products for bridge and foundation construction only. Treated wood is intended for exterior/outdoor uses only.

APPLICATION

Engineering Controls to be put in place as of December 31, 2013:

- For pressure treatment with creosote, automatic, remotely operated devices must be used to open, close, lock, and unlock cylinder doors,
- Mechanical methods must be used to place/remove bridge rails

General Instructions for Creosote Pressure Treatment:

- Cylinder openings and door pits must use grating and additional measures such as sumps, dams or other devices which prevent or remove spillage of the preservative.
- Personnel must not directly handle the charge tables, poles or hooks used to retrieve charge cables, or other equipment that has contacted the preservative without wearing chemical resistant gloves.
- In the event of equipment malfunction, or to place the spacer to hold the door open during venting, only personnel wearing specified PPE are permitted within 15 feet of the cylinder opening prior to ventilation.

The Treatment Process:

- A final vacuum must be used to remove excess preservative from the wood. The final vacuum must attain a vacuum equal or greater than the initial vacuum. This vacuum must be held for an

appropriate time period based on wood species, retention levels, and commodity treated to remove excess preservative from the wood.

- After creosote treatment, wood must be moved to a drip pad capable of recovering excess preservative until the wood is drip free.

Post-Treatment Procedures:

Creosote-treated wood intended for use in aquatic or marine environments must be processed using one of the following alternative procedures, as determined by the treater:

- **Expansion Bath** – Following the pressure period, creosote should be heated from 10 - 20 degrees F. above press temperatures (consistent with the preservative and species temperature limitations set by AWPA) for a minimum of one hour. Pump creosote back to storage and apply a minimum vacuum of 22 inches of Hg (adjusted for location elevation) for a minimum of two hours.
- **Steaming** – Following the pressure period, and after the creosote has been pumped back to the work tank, a vacuum must be applied for a minimum of two hours at not less than 22 inches of Hg (adjusted for location elevation) to recover excess preservative. Release vacuum back to atmospheric pressure and steam for two hours for lumber and timbers and three hours for round piling. Maximum temperature during this process should not exceed 240 degrees F. Apply a second vacuum for a minimum of four hours at 22 inches of Hg (adjusted for location elevation).
- **Double Vacuuming** – Following the pressure period and after the creosote has been pumped back to the work tank, a vacuum must be applied for a minimum of one hour at not less than 22 Hg (adjusted for location elevation) to recover excess preservative. Release vacuum back to atmospheric pressure and then follow with a second vacuum of not less than 22 Hg (adjusted for location elevation) for a minimum period of three hours.

Ventilation Process (at conclusion of treatment):

- The cylinder must be ventilated by purging the post-treatment cylinder through fresh air exchange. The ventilation process is considered complete after a minimum of 2 volume exchanges based on the empty treatment cylinder volume. The exhaust pipe of the vacuum system or any air moving device utilized in conducting the air purge must terminate into a containment vessel such as a treating solution work tank or water/effluent tank.
- The ventilation process may be accomplished by one of the following methods: 1) activating an air purge system that operates while the cylinder door remains closed; or 2) using a device to open and hold open the cylinder door (no more than 6 inches) to allow adequate ventilation and activating the vacuum pump.
- If the second method is utilized, at the conclusion of the treatment, no personnel may be located within 15 feet of the cylinder when open (cracked) until the cylinder has been ventilated.
- After ventilation is complete, the cylinder door may be completely opened.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

Pesticide Storage: In case of spillage, absorb (with sand, earth, etc.) and dispose of in accordance with applicable Federal, State and local regulations. Contaminated materials must be handled and managed as a RCRA Hazardous Waste and treated before disposal in an approved landfill. This waste is identified by the EPA as a U051 hazardous waste and must meet the treatment standards specified in 40 CFR 268 Subpart D. An RCRA Hazardous Waste Storage permit is required for storage of wastes beyond 90 days.

Pesticide Disposal: Pesticide wastes are toxic. Improper disposal of excess pesticide 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.