



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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

February 2, 2004

Kevin J. Archer
Product Development Manager
CHEMICAL SPECIALTIES, Inc.
One Woodlawn Green, Suite 250
Charlotte, North Carolina 28217

Subjects: **CCA Type C Wood Preservative 60% Concentrate**
 EPA Registration No. 10465-28
 CCA Type C Wood Preservative 50% Concentrate
 EPA Registration No. 10465-26
 Applications Date: January 21, 2004
 EPA Receive Date: January 29, 2004

Dear Mr. Archer:

The labeling amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is accepted.

Proposed amendment:

- *Revised Directions for Use to include AWPA Standard C30.*

General comments:

A stamped copy of the labeling is enclosed. 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 (7510C)

enclosures:

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS & DOMESTIC ANIMALS
DANGER**

Corrosive. Causes irreversible eye damage, skin or mucous membrane irritation, harmful or fatal if swallowed, inhaled or absorbed through skin. Handle in a well ventilated area. Do not get on skin, in eyes or on clothing. Keep container closed when not in use.

Individuals in the work area of an arsenical wood treatment plant must wear properly fitting, well-maintained, high efficiency respirators, MSHA/NIOSH-approved for inorganic arsenic, if the level of inorganic arsenic in the plant is unknown or exceeds 10 micrograms per cubic meter of air (10 ug/m³) averaged over an 8-hour work period. Air monitoring programs, procedures, record retention and submission must be conducted in accordance with the instructions on the attached labeling material.

Refer to label attachment, "Permissible Exposure Limit (PEL) Monitoring Program" for additional information concerning the use of this product.

ENVIRONMENTAL HAZARDS

This product is toxic to fish and wildlife. Do not contaminate water by cleaning of equipment or disposal of wastes. 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.

PHYSICAL AND CHEMICAL HAZARDS

Do not use or store near heat or open flame.

RESTRICTED USE PESTICIDE
DUE TO ACUTE TOXICITY AND BECAUSE THIS PRODUCT CONTAINS ARSENIC AND/OR CHROMIUM COMPOUNDS SOME TYPES OF WHICH HAVE BEEN ASSOCIATED WITH TUMOR DEVELOPMENT IN HUMANS
For retail sale to and use only by certified applicators or persons under their direct supervisions and only for those uses covered by the certified applicator certification.

**CCA TYPE-C WOOD
PRESERVATIVE
FOR INDUSTRIAL USE ONLY
CHROMATED COPPER ARSENATE
50% CONCENTRATE**

Guarantee:

ACTIVE INGREDIENTS	Oxide
Chromic Acid (CrO₃)	23.75%
Cupric Oxide (CuO)	09.25%
Arsenic Pentoxide(As₂O₅)	17.00%
INERT INGREDIENT	50.00%
TOTAL	100.00%

Total arsenic, all in water soluble form, expressed as metallic - 11.10%
This product contains 6.8 lbs. oxide per gallon.
This product weighs 13.6 lbs. per gallon.

**STORAGE AND DISPOSAL
PROHIBITIONS**

Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

STORAGE

This product must be stored in closed tanks or drums which display a label properly identifying the product and its concentration.

PESTICIDE DISPOSAL

Pesticides wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If this waste 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.

CONTAINER DISPOSAL

Triple rinse (or equivalent) and offer for recycling or reconditioning or disposal of in a sanitary landfill or by other approved State and local procedures.

SPILLS

- Avoid contact with eyes, skin or clothing.
- Dike to contain with sand or soil.
- Collect usable liquid and return to work tank or drum.
- Neutralize any uncollected liquid.

50% Concentrate

Apply 200 pounds of lime or 800 pounds of cement per 50 gallons of 50% concentrate.

Working Solutions (up to 10% solution)

Apply 40 pounds of lime or 160 pounds of cement per 50 gallons of solution of 10% or less.

- Collect and enclose in steel drums, any contaminated soil, sand or absorbent and dispose in accordance with local, state and federal regulations or hazardous waste.
- Collect chemical manufacturer, state environmental agency or U.S. E.P.A. for assistance and instructions for control of spilled chemicals.

KEEP OUT OF REACH OF CHILDREN



IF SWALLOWED: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

IF IN EYES: 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 the eye. Call a poison control center or doctor for treatment advice.

IF ON SKIN OR CLOTHING: 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.

IF INHALED: Move person to fresh air. If 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.

Note to Physician: Probable mucosal damage may contraindicate the use of gastric lavage.

Refer to additional precautionary statements elsewhere on the label under the heading, "Precautionary Statements: Hazards to Humans and Domestic Animals".

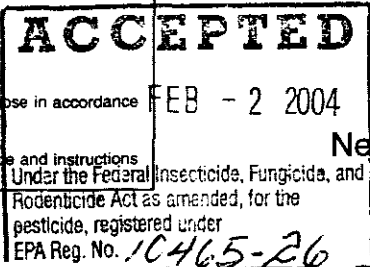
Have the product container or label with you when calling a poison control center or doctor.



Manufactured By:
Chemical Specialties, Inc.
200 East Woodlawn Road, Suite 250
Charlotte NC 28217
Email: productinfo@chemspec.com
Phone 1-800-424-9300 (CHEMTREC) in case of emergency.

- EPA Reg. No. 10465-26
- EPA Est. No. 10465-NC-1
- EPA Est. No. 10465-GA-1
- EPA Est. No. 10465-TX-1
- EPA Est. No. 10465-WA-1

Net Contents: _____ lb.



POST A COPY OF THE

DIRECT

It is a violation of Federal Law to use this product

Effective December 31, 2003, this product and the following categories of forest products and (parenthetically) of the 2001 and 2002 National Fire Preservers Association Standards: Lumber (C1), Poles (C4), Plywood (C9), Wood for Highways (C10), Round Fence Posts (C16), Poles, Piles and Posts (C16), Plywood Used on Farms (C16), Wood for Foundations (C22), Round Sawn Timber Used To Support Residential Buildings (C25), Structural Glued Laminated Membrane Timber and Plywood for Cooling Towers (C33), and Shakes and Shingles (C34). For more information or distributed for uses within the AWPA Code of Practice.

SPECIFIC

Contents for use only in pressure treated wood in concentrated form. Do not attempt to use this product and equipment. To be used only in impregnation concentrations ranging from 0.5% to 10% in accordance to the current specifications of the American Wood Preservers Association provided protection against termites, ascomycetes and fungi.

Applicators must wear gloves impervious to the wood treatment solution. Dermal contact is expected (e.g., handling cylinder doors).

Individuals who enter pressure treated wood containers contaminated with the wood treatment solution (of the treatment solution) must wear protective boots, impervious to the wood treatment solution. Treatment cylinders must wear properly fitted, MSHA/NIOSH-approved for inorganic arsenic, if the level of inorganic arsenic is unknown or exceeds 10 micrograms per cubic meter of air (10 ug/m³) averaged over an 8-hour work period. Air monitoring programs, procedures, record retention and submission must be conducted in accordance with the instructions on the attached labeling material.

Applicators must not eat, drink or use tobacco while in process that may expose them to the wood treatment solution cylinder doors, moving trams out of cylinders.

Protective clothing must be changed when contaminated. Protective clothing and workshoes or boots must be kept separate from pesticide disposal and in accordance with local, state and federal regulations or hazardous waste.

Processes used to apply inorganic arsenic and copper deposits on the wood, as defined by AWPA, surface residue or crystallization on the wood surface chemical on otherwise clean wood shall be removed.

NOTE TO USER: Examples of acceptable materials (jackets and boots) required during application: polyvinyl chloride (PVC), neoprene, NBR (Nitrile).

WARF

Following directions carefully. Buyer assumes responsibility for use not in strict accordance with directions given.

IMPLEMENTATION OF THE PERMISSIBLE EXPOSURE LIMIT (PEL) MONITORING PROGRAM

Each arsenical wood treatment plant employer shall require all employees potentially exposed to airborne inorganic arsenic to wear properly fitting, well maintained, high efficiency filter respirators. MSHA/NIOSH-approved for inorganic arsenic for the entire period that the employees are in the treatment process. Alternatively, to potentially relieve employees from the burden of wearing respirators, the employer may implement a Permissible Exposure Limit (PEL) Monitoring Program. This requirement became effective on July 10, 1986. Any plant which begins operation after April 10, 1986 will have 3 months from the date of initial operation to implement this program.

All wood treatment plant employees who elect to implement the PEL monitoring program must determine the current levels of airborne arsenic, averaged over an 8-hour period, to which their employees are exposed. Monitoring data must be obtained in the same manner as described below under "Monitoring and Measured Procedures". If the initial or subsequent monitoring demonstrates that airborne inorganic arsenic in a work area is greater than 10 ug/m^3 , all employees working in that area are required to wear properly fitting, well-maintained, high efficiency filter respirators, MSHA/NIOSH-approved for inorganic arsenic. If in subsequent monitoring, at least two consecutive measurements taken at least 7 days apart, the inorganic arsenic levels are below 10 ug/m^3 , employees in those areas may discontinue wearing the respirators except as discussed in the PEL Checklist below. However, if the employee exposure is below 10 ug/m^3 , but above 5 ug/m^3 , the employer shall repeat monitoring at least every 6 months until at least two consecutive measurements, taken at least 7 days apart, are 5 ug/m^3 . The employer may then discontinue monitoring except as discussed in the PEL Checklist below.

If the monitoring reveals employees are exposed to airborne arsenic levels below 5 ug/m^3 , monitoring need not be repeated except as discussed in the PEL Checklist below.

PEL CHECKLIST

In all cases where there has been a change in production, process, control, or employee handling procedures, or if any events in the PEL Checklist occurred, or if, for any other reasons an employer should suspect new or additional airborne inorganic arsenic, additional monitoring that complies with the requirements for initial monitoring shall be completed. Responses to the Checklist will become part of the monitoring records. Monitoring is required within 3 months if any of the following events/questions on the Checklist can be answered in the affirmative with respect to any events which may have occurred since the last monitoring report submitted to the Agency.

1. After the wood has been treated, have you changed from hand stacking to mechanical stacking or from mechanical stacking to hand stacking? If yes, when?
2. Has your production capacity increased significantly? If yes, when?
3. Have you changed from a ready-to-use or dilute concentrate to a mix-it-yourself formulation? Has the proportional amounts of arsenic in

solution increased, e.g., have you shifted from CCA Type A or C to Type B? If yes, when?

4. Has a significant (i.e., reportable under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (Superfund), 42 U.S.C. 960 et seq.) spill occurred? If yes, when?
5. Is treated wood being retained on the drip pad for less time? If yes, when?
6. Have there been any other production, process control or employee handling procedure changes which could result in new or additional airborne inorganic arsenic? Identify change and when it occurred.

MONITORING AND MEASUREMENT PROCEDURES

The Employer shall collect personal air samples, including at least one sample which is adequate to represent typical conditions for a full work shift (at least 7 hours) for each job classification in each work area. Sampling should be done using a personal sampling pump calibrated at a flow rate of 2 liters per minute. Samples should be collected on 0.8 micrometer pore size membrane filters (37 mm diameter). The method of sampling analysis should have an accuracy of not less than ± 25 percent (with a confidence limit of 95 percent) for 10 micrograms per cubic meter of air (10 ug/m^3) and ± 35 percent (with a confidence limit of 95 percent) for concentrations of inorganic arsenic between 5 and 10 ug/m^3 .

Monitoring may be conducted through a request made to the Occupational Safety and Health Administration (OSHA) for monitoring assistance, which may be provided free of charge under the terms of the OSHA consultation program as provided under section 7(c)(1) of the OSHA Act, or by the employees or contractors of the employer's choosing.

The Environmental Protection Agency (EPA) may direct that remonitoring take place at statistically selected establishments to assure that the checklist is effective in the identifying events which increase airborne arsenic. Selected employers will be responsible for obtaining current air monitoring data within the time specified in the remonitoring notification and for submitting this data and report to the EPA as described below.

DATA SUBMISSION AND CERTIFICATION

The employer shall establish and maintain accurate records which include responses to the PEL Checklist and all monitoring reports. The annual record or copies thereof shall be submitted to the U.S. Environmental Protection Agency, Office of Pesticides and Toxic Substances, Office of Compliance Monitoring (EN-0342), 401 M Street, S.W., Washington, D.C. 20460. All records submitted will be certified by the employer as accurate and in compliance with all calibration analytical and sampling requirements outlined in this program. If the employer received assistance, from an OSHA 7(c)(1) consultant, that consultant's report to the employer will be an acceptable record of calibration, analysis, and monitoring requiring no additional certification.

3/3