



62190-27

8/5/2008

Page 1 of 3

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

August 5, 2008

Julia Ownbey
Regulatory Specialist
Arch Wood Protection, Inc.
1955 Lake Park Drive, Suite 100
Smyrna, GA 30080

Subject: **Chemonite™ Part A**
EPA Registration No. 62190-27
Application Dated: July 2, 2008
Receipt Date: July 3, 2008

Dear Ms. Ownbey:

The following amendment, submitted in connection with registration under section of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), is acceptable:

Proposed Amendment:

- Updated labeling

Other comments:

A stamped copy of the accepted labeling is enclosed.

Thank you for submitting this amendment as an electronic application. Please continue to submit your application(s) electronically.

Should you have any questions concerning this letter, please contact me by telephone at (703) 308-6422 or email address at: heyward.adam@epa.gov, or Renae Whitaker telephone at (703) 308-7003 or email address at: whitaker.renae@epa.gov during the hours of 8:00 am to 3:30 pm EST. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,

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

Enclosure: EPA stamped approved labeling

**PRECAUTIONARY STATEMENTS
HAZARDOUS TO HUMANS AND DOMESTIC ANIMALS**

DANGER

CAUSES SEVERE EYE AND SKIN BURNS. FATAL IF INHALED, ABSORBED THROUGH SKIN OR SWALLOWED.

Corrosive. This product is an acid which may cause severe eye and skin burns with direct contact. It may be fatal if inhaled, absorbed through skin contact or swallowed. Do not get in eyes, on skin, or breathe vapors or spray mist. Avoid all contact with clothing and if contaminated with this product, remove clothing immediately and wash separately from household laundry before reuse. This product is extremely corrosive and must only be used with adequately engineered tanks and systems with ventilation controls when dust, mist, spray or other hazardous by-products may be generated during use.

PERSONAL PROTECTIVE EQUIPMENT

Individuals using this product must be thoroughly trained in all hazards associated with its use and have current knowledge about the use of proper PPE when dermal or inhalation contact is expected or a potential risk. Acceptable materials for acceptable impervious protective clothing (e.g., gloves, overalls, jackets and boots) required during handling of inorganic arsenicals are polyvinyl chloride (PVCs), neoprene, NBR (Buna-N) and polyethylene. Protective clothing must be changed when it shows signs of contamination and Users of these PPE must leave clothing, work shoes or boots and equipment at the plant. Worn out contaminated PPE must be left at the plant and disposed of in a manner approved for pesticide disposal and in accordance with State and Federal regulations.

In addition, individuals working in vapor or spray mist exposure potential areas of the plant where the level of inorganic arsenic is unknown or exceeds 10 micrograms per cubic meter of air (10µg/m3) averaged over an 8 hour work period must wear properly fitting, well-maintained, high efficiency filter respirators, NIOSH-approved for inorganic arsenic in accordance with the PEL Monitoring Program.

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. Worn out protective clothing and workshoes or boots must be left at the plant and disposed of in a manner approved for pesticide disposal and in accordance with state and Federal regulations. *Examples of acceptable materials for protective clothing (e.g., gloves, overalls, jackets and boots) required during application and handling of inorganic arsenicals are vinyl polyvinyl chloride (PVC), neoprene, NBR (Buna-N) and polyethylene.

USER SAFETY RECOMMENDATIONS

Individuals who may come in contact with this acid component while mixing and formulating the wood preservative solution **MUST NOT EAT, DRINK OR USE TOBACCO PRODUCTS** during any part of the process that may expose them to the preservative components or vapors during its use. Wash thoroughly after skin contact and before eating, drinking, use of tobacco products or using restrooms.

AIR QUALITY MONITORING

Individuals in the work area of an arsenical wood treatment plant must wear properly fitting, well maintained, high efficiency filter respirators, 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 (10µg/m3) averaged over an 8-hour work period. Air monitoring programs, procedures and record retention and submission must be conducted in accordance with the instructions on the Permissible Exposure Limit (PEL) monitoring program.

Restricted Use Pesticide

This product contains arsenic compounds which may be associated with tumor development in humans and is considered to have an acute toxicity level. This product is not for retail sale and can only be used by certified applicators holding a current State certification for pesticide applications or are under their direct supervision. It must be used strictly in accordance with this label as a component to formulate wood preservative solutions.

For Industrial Use Only

**Chemonite™ Part A
Preservative Component**

Use for blending of Chemonite™ wood preservative only.

INGREDIENTS:

Active Ingredients:
Arsenic Acid (H₃AsO₄) 75%
Inert Ingredients: 25%
Total: 100%
(Total Arsenic, expressed as metal, all in water soluble form 39.58%)

KEEP OUT OF REACH OF CHILDREN

DANGER  **POISON**

FIRST AID:

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.
- Discard footwear, which cannot be decontaminated.
- 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, preferable mouth-to-mouth if possible.
- Call a poison control center or doctor for further treatment advice.

IF SWALLOWED:

- Call a poison control center or doctor immediately for treatment advice.
- Do not induce vomiting unless told to do so by a poison control center or doctor.
- Drink promptly 1 glass of milk, or 1 to 2 oz. (30-60g) of activated charcoal in water to victims as tolerated.
- Do not give anything by mouth to an unconscious person.

Have the MSDS or label with you when calling a poison control center or doctor, or going for treatment.
FOR MEDICAL EMERGENCIES: 800-654-6911
Outside the USA: 423-780-2970

"NOTE TO PHYSICIAN": Probable mucosal damage may contraindicate the use of gastric lavage.

DIRECTIONS FOR USE

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

Chemonite™ PART A is 75% arsenic acid and only sold as a component to blend with other components used to formulate Chemonite™ wood treating solution intended for pressure treatment of wood products. Mixing must be done with caution, only by those individuals properly trained and strictly in accordance with detailed instructions provided by Arch Wood Protection, Inc. Further information and assistance in solving particular problems is available from Arch Wood Protection technical staff.

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

FOLLOW LABEL PRECAUTIONS DESCRIBED UNDER THE HEADING "PRECAUTIONARY STATEMENTS: HAZARDS TO HUMANS AND DOMESTIC ANIMALS"

ENVIRONMENTAL HAZARDS

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 Systems (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. This is a nonrefillable container. Do not reuse this container. Offer for recycling if available.

PHYSICAL AND CHEMICAL HAZARDS

Do not store near heat or open flame. Chemonite Part A has acidic properties and reacts with galvanized metals, black iron, and certain other metals. Do not use galvanized metal containers as highly toxic arsine gas may be formed. To reduce possible corrosion to metals and other parts, all equipment which has been in contact with or exposed to Chemonite Part A should be thoroughly washed with water immediately after use.

STORAGE & DISPOSAL

Do not contaminate water, food or feed by storage or disposal.
PESTICIDE STORAGE: Keep closures tight and upright to prevent leakage. Keep container closed when not in use. In case of spillage, absorb and dispose of in accordance with local applicable regulations.
PESTICIDE 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.
CONTAINER DISPOSAL: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.
PHYSICAL AND CHEMICAL HAZARDS
Do not use or store near heat or open flame. Close container after each use.

Arch Wood Protection, Inc., Smyrna, GA 30080
ACEAN 24-hr. Emergency Response 800-654-6911

EPA Reg. No. 62190-27 EPA Est. 62190-GA-001



APPROVED FOR SALE

JUL - 5 2008

Arch Wood Protection, Inc. is a registered distributor of this product. For more information, contact your local distributor.

62190-27

62190-27

2
8
3

Permissible Exposure Limit (PEL) Monitoring Program

IMPLEMENTATION — 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 respirator MSHA/NIOSH-approved for inorganic arsenic for the entire period that the employees are in the treatment application work area or engaged in any activity associated with 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 becomes effective for existing plants on July 10, 1986. Any plants which begin operations in the future will have three (3) months from the date of initial operation to implement this requirement.

All wood treatment plant employers who elect to implement the PEL monitoring program must determine the current levels of airborne arsenic, averaged over an eight (8)-hour period, to which their employees are exposed by July 10, 1986. Monitoring data obtained two (2) years prior to this implementation date may be used to determine the initial levels of airborne exposure to employees, if the data were obtained in the same manner as described below in the "Monitoring and Measurements Procedures" unit, and if the employer can certify that no changes have been made since the time of monitoring that could have resulted in new or additional employee exposure to inorganic arsenic including events on the "PEL Checklist" below.

If the initial or subsequent monitoring demonstrates that airborne inorganic arsenic in a work area is greater than 10ug/m³, 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 (2) consecutive measurements taken at least (7) days apart, the inorganic arsenic levels are below 10ug/m³, employees in those areas may discontinue the wearing of the respirators, except as discussed the "PEL Checklist" below. However, if the employee exposure is above 5ug/m³ and below 10ug/m³, the employer shall repeat monitoring at least every six (6) months until at least two (2) consecutive mea-

surements, taken at least (7) days apart, are below 5ug/m³. 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 5ug/m³ 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 reason an employer should suspect new or additional airborne inorganic arsenic, additional monitoring that complies with the requirements for initial monitoring shall be completed. Monitoring is required within three (3) months if any of the following events/questions on the check list 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 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 amount of arsenic in the 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. 9601 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 seven (7) hours) for each job classification in each work area. Sampling should be done using a personal sample pump calibrated at a flow rate of two (2) liters per minute. Samples should be collected on 0.8 micrometer pore size membrane filter (37mm diameter). The method of sampling analysis should have an accuracy of not less than $\pm 25\%$ (with a confidence limit of 95% for 10 micrograms per cubic meter of air (10ug/m³) and $\pm 35\%$ (with a confidence limit of 95%) for concentrations of inorganic arsenic between five (5) and 10ug/m³.

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 OSHA consultation program as provided under the Section (7)(C)(1) of the OSHA Act, or by employees or contractors of the employer's choosing.

The Environmental Protection Agency (EPA) may direct that re-monitoring take place at statistically selected establishments to assure that the Checklist is effective in identifying events which increase airborne arsenic. Selected employers will be notified by EPA/State enforcement representatives. The employer will be responsible for obtaining current air monitoring reports. The annual records copies therefore shall be submitted to the:

Mark Hartman, Branch Chief, RMB2
Antimicrobials Division, OPP
U.S. ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF PESTICIDES AND TOXIC SUBSTANCES
1200 Pennsylvania Avenue NW (7510P)
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 requires no additional certification.

W
of
W