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(February 1, 2002)

Supplemental Guidance on Interpretation of Revised Chromated Copper Arsenate (CCA) Wood Preservative Label

Introduction

The registrations and EPA-approved labels for CCA wood preservatives were voluntarily amended by each registrant to state that, effective December 31, 2003, CCA may be lawfully used only to treat wood or forest products for uses that fall under the 2001 Edition of the American Wood Preservers' Association (AWPA) standards listed on the new label. Subsequently, in December of 2003 and February of 2004, the registrants requested that their registrations and EPA-approved labels be amended to include standard C30 (Lumber, Timbers and Plywood for Cooling Towers-Preservative Treatment by Pressure Processes) of the 2002 Edition of the AWPA standards. These amendments were approved by the Agency and the resulting label language is described below.

To address confusion in the marketplace resulting from the first round of label changes, the registrants agreed to limit wood treated for marine construction (C18 standard) to brackish or saltwater use (immersion), and members out of water but subject to saltwater (or brackish water) splash. To accomplish this, the registrants have requested voluntary deletion of the use under C18 which refers to "members out of water and not subject to salt water splash and not in soil use," along with the necessary label changes,

effective December 31, 2004. The Agency will publish a 6(f) notice under FIFRA and then take appropriate steps to finalize the changes. In the interim, the registrants have agreed to label new product with the revised label language (for both end-use products and manufacturing-use products) to clarify allowable uses.

This guidance is designed to help explain the revised labeling to wood treaters, building code inspectors, and others responsible for working with CCA and CCA-treated wood. It is of utmost importance that the wood or forest products 1) be treated according to the AWPAs standards listed on the new label, and 2) that these treated wood or forest products be used according to the AWPAs standard listed on the new label.

Exporting/Importing of CCA-Treated Wood

With respect to the exporting of CCA-treated wood, the following text from the Federal Register of April 9, 2003 (68 FR 17370) needs to be consulted: “...wood treatment facilities are only allowed to treat wood products with CCA that are intended to be used only for those remaining uses approved on the CCA product label. Wood intended for use in prohibited residential settings may not be treated with CCA after December 30, 2003, unless the product being used is a pre-existing product and such use is permitted by that product label. (See Unit V: “Provisions for Disposition of Existing Stocks”) Because of the method of product manufacture and distribution used in the wood preservation industry, the Agency does not expect any more than de minimus stocks to exist as of December 31, 2003, that do not bear the more restrictive label language. Hence, beginning December 31, 2003, unless the label on the affected product provides otherwise, it would be illegal to treat wood with CCA for any prohibited residential use, regardless of whether the treated wood is to be used in the United States or exported for use in other countries.”

With respect to the importing of CCA-treated wood, CCA-treated wood for which pesticidal claims are being made must be registered as a pesticide if it does not qualify for the treated article exemption. In order to qualify for the treated article exemption, the treated wood must be treated with a pesticide product registered in the United States for the treatment of wood for the specific intended use in question.

Current Label

Following is the new label amendment language, as cited in the Federal Register: April 9, 2003 (68 FR 17371-72). Additional language was specified and is shown below in the respective sections to accomplish the label change for standard C30 (Lumber, Timbers and Plywood for Cooling Towers-Preservative Treatment by Pressure Processes), which was included in the 2002 Edition of the American Wood Preservers' Association (AWPA) standards, and the pending change for C18 (Wood for Marine Construction). The additional language is described below.

The following manufacturing product registrations were amended to delete certain terminated uses as of May 16, 2003:

3008-66	Arsenic Acid 75%
10465-32	CSI Arsenic Acid 75%
62190-7	Arsenic Acid 75%

For the above identified manufacturing-use products, the accepted amended labeling reads as follows:

Effective December 31, 2003, this product may only be used (1) for formulation of the following end-use wood preservative products: ammoniacal copper zinc arsenate (ACZA) or chromated copper arsenate (CCA) labeled in accordance with the Directions for Use shown below, or (2) by persons other than the

registrant, in combination with one or more other products to make: ACZA wood preservative; or CCA wood preservative that is used in accordance with the Directions for Use shown below. Effective December 31, 2003, this product may only be used for preservative treatment of the following categories of forest products and in accordance with the respective cited standard (noted parenthetically) of the 2001 edition of the American Wood-Preservers Association Standards: Lumber and Timber for Salt Water Use Only (C2), Piles (C3), Poles (C4), Plywood (C9), Wood for Highway Construction (C14), Round, Half Round and Quarter Round Fence Posts (C16), Poles, Piles and Posts Used as Structural Members on Farms, and Plywood Used on Farms (C16), Wood for Marine Construction (C18), Lumber and Plywood for Permanent Wood Foundations (C22), Round Poles and Posts Used in Building Construction (C23), Sawn Timber Used To Support Residential and Commercial Structures (C24), Sawn Crossarms (C25), Structural Glued Laminated Members and Laminations Before Gluing (C28), Structural Composite Lumber (C33), and Shakes and Shingles (C34). Forest products treated with this product may only be sold or distributed for uses within the AWP Commodity Standards under which the treatment occurred.

The following end use product registrations were amended to delete certain terminated uses as of May 16, 2003:

- 3008-17 K-33-C (72%) Wood Preservative
- 3008-21 Special K-33 Preservative
- 3008-34 K-33 (60%) Wood Preservative
- 3008-35 K-33 (40%) Type-B Wood Preservative
- 3008-36 K-33-C (50%) Wood Preservative
- 3008-42 K-33-A (50%) Wood Preservative
- 3008-72 Osmose Arsenic Acid 75%
- 10465-26 CCA Type-C Wood Preservative 50%
- 10465-28 CCA Type-C Wood Preservative 60%

10465-32	CSI Arsenic Acid 75%
35896-2	Wood-Last Conc. Wood Preservation AQ 50% Solution CCA-Type A
62190-2	Wolmanac Concentrate 50%
62190-8	Wolmanac Concentrate 72%
62190-14	Wolmanac Concentrate 60%

For the above identified end-use products, the accepted amended label is to read as follows:

Effective December 31, 2003, this product may only be used for preservative treatment of the following categories of forest products and in accordance with the respective cited standard (noted parenthetically) of the 2001 edition of the American Wood-Preservers Association Standards: Lumber and Timber for Salt Water Use Only (C2), Piles (C3), Poles (C4), Plywood (C9), Wood for Highway Construction (C14), Round, Half Round and Quarter Round Fence Posts (C16), Poles, Piles and Posts Used as Structural Members on Farms, and Plywood Used on Farms (C16), Wood for Marine Construction (C18), Lumber and Plywood for Permanent Wood Foundations (C22), Round Poles and Posts Used in Building Construction (C23), Sawn Timber Used To Support Residential and Commercial Structures (C24), Sawn Crossarms (C25), Structural Glued Laminated Members and Laminations Before Gluing (C28), Structural Composite Lumber (C33), and Shakes and Shingles (C34). Forest products treated with this product may only be sold or distributed for uses within the AWPAs Commodity Standards under which the treatment occurred. *

*The referenced FR notice also included provision for registrants to make certain additional specified changes to their labels via notification.

The above label for CCA refers to the 2001 Edition of the AWPAs standards to specify the categories of wood products that may be treated as of December 31, 2003. As noted above, subsequent changes were made to these labels, which, among other things, added a reference to the 2002 Edition of the AWPAs standards for C30 only. That language as well as language pertaining to

C18 follows.

New Label Language for C30

Following is the new label amendment language which references the AWWA Standard C30 (label revisions were approved as of December 2003 and February 2004):

(For end-use products [EUP]): “...this product may only be used for preservative treatment of the following categories of forest products and in accordance with the respective cited standard (noted parenthetically) of the ...2002 edition of the American Wood-Preservers Association Standard: Lumber and Plywood for Cooling Towers (C30)...”

(For manufacturing-use products [MUP]): The accepted amended labeling reads as follows:

“Effective December 31, 2003, this product may only be used (1) for formulation of the following end-use wood preservative products: ammoniacal copper zinc arsenate (ACZA) or chromated copper arsenate (CCA) labeled in accordance with the Directions for Use shown below, or (2) by persons other than the registrant, in combination with one or more other products to make: ACZA wood preservative; or CCA wood preservative that is used in accordance with the Directions for Use shown below. Effective December 31, 2003, this product may only be used for preservative treatment of the following categories of forest products and in accordance with the respective cited standard (noted parenthetically) of the ...2002 edition of the American Wood-Preservers Association Standard: Lumber and Plywood for Cooling Towers (C30)...”

Revised Label Language for C18

For the termination of the use (“members out of water and not subject to saltwater [or brackish water] splash¹ and not in soil use”) under AWWA standard C18 (Wood for Marine Construction) the registrants have agreed to label new product with the revised label language (for both end-use products and manufacturing-use products) to clarify allowable uses (see page 1). The following language has been approved by the Agency for the expression of uses allowable under the AWWA C18 Wood for Marine Construction Standard and reflects the label language that incorporates that change as well as those described earlier:

REVISED LANGUAGE (EUP)

This product may only be used for preservative treatment of the following categories of forest products and in accordance with the respective cited standard (noted parenthetically) of the 2001 edition of the American Wood-Preservers' Association (AWPA) Standards: Lumber and Timber for Salt Water Use Only (C2), Piles (C3), Poles (C4), Plywood (C9), Wood for Highway Construction (C14), Round, Half Round and Quarter Round Fence Posts (C16), Poles, Piles and Posts Used as Structural Members on Farms, and Plywood Used on Farms (C16), Wood for Marine Construction (C18), Lumber and Plywood for Permanent Wood Foundations (C22), Round Poles and Posts Used in Building Construction (C23), Sawn Timber Used To Support Residential and Commercial Structures (C24), Sawn Crossarms (C25), Structural Glued Laminated Members and Laminations Before Gluing (C28), Structural Composite Lumber (C33), and Shakes and Shingles (C34); and in accordance with the respective cited standard (noted parenthetically) of the 2002 edition of the American Wood-Preservers' Association Standards: Lumber, Timbers and Plywood for Cooling Towers (C30). Forest products treated with this product may only be sold or distributed for uses within the AWWA Commodity Standards under which the treatment occurred.

¹See Definitions for definition of “subject to saltwater (or brackish water) splash.”

Effective December 31, 2004, this product may only be used for preservative treatment of the following categories of forest products and in accordance with the respective cited standard (noted parenthetically) of the 2001 edition of the American Wood-Preservers' Association (AWPA) Standards: Lumber and Timber for Salt Water Use (also includes brackish water) Only (C2), Piles (C3), Poles (C4), Plywood (C9), Wood for Highway Construction (C14), Round, Half Round and Quarter Round Fence Posts (C16), Poles, Piles and Posts Used as Structural Members on Farms, and Plywood Used on Farms (C16), Wood for Marine Construction for Salt Water Use (also includes brackish water) (immersion and/or subject to saltwater (or brackish water) splash ["subject to saltwater (or brackish water) splash" means any member of a marine structure which is positioned above mean high tide, but is subject to frequent wetting from wave action]), [Pilings (sheet, round and square), Timbers, and Plywood; Walers, Framing, Stringers and Cross Bracing (2" x 8" and/or 3"x6" and larger nominal dimensions and treated to a minimum of 0.60 pcf) (C18), Lumber and Plywood for Permanent Wood Foundations (C22), Round Poles and Posts Used in Building Construction (C23), Sawn Timber Used To Support Residential and Commercial Structures (C24), Sawn Crossarms (C25), Structural Glued Laminated Members and Laminations Before Gluing (C28), Structural Composite Lumber (C33), and Shakes and Shingles (C34); and in accordance with the respective cited standard (noted parenthetically) of the 2002 edition of the American Wood-Preservers' Association Standards: Lumber, Timbers and Plywood for Cooling Towers (C30). Forest products treated with this product may only be sold or distributed for uses within the AWPA Commodity Standards under which the treatment occurred, except where otherwise provided above.

REVISED LANGUAGE (MUP)

This product may only be used (1) for formulation of the following end-use wood preservative products: ammoniacal copper zinc arsenate (ACZA) or chromated copper arsenate (CCA) labeled in accordance with the Directions for Use shown below, or (2) by persons other than the registrant, in combination with one or more other products to make: ACZA wood preservative; or CCA wood preservative that is used in accordance with the Directions for Use shown

below.

This product may only be used for preservative treatment of the following categories of forest products and in accordance with the respective cited standard (noted parenthetically) of the 2001 edition of the American Wood-Preservers' Association (AWPA) Standards: Lumber and Timber for Salt Water Use Only (C2), Piles (C3), Poles (C4), Plywood (C9), Wood for Highway Construction (C14), Round, Half Round and Quarter Round Fence Posts (C16), Poles, Piles and Posts Used as Structural Members on Farms, and Plywood Used on Farms (C16), Wood for Marine Construction (C18), Lumber and Plywood for Permanent Wood Foundations (C22), Round Poles and Posts Used in Building Construction (C23), Sawn Timber Used To Support Residential and Commercial Structures (C24), Sawn Crossarms (C25), Structural Glued Laminated Members and Laminations Before Gluing (C28), Structural Composite Lumber (C33), and Shakes and Shingles (C34); and in accordance with the respective cited standard (noted parenthetically) of the 2002 edition of the American Wood-Preservers' Association Standards: Lumber, Timbers and Plywood for Cooling Towers (C30). Forest products treated with this product may only be sold or distributed for uses within the AWPA Commodity Standards under which the treatment occurred.

Effective December 31, 2004, this product may only be used for preservative treatment of the following categories of forest products and in accordance with the respective cited standard (noted parenthetically) of the 2001 edition of the American Wood-Preservers' Association (AWPA) Standards: Lumber and Timber for Salt Water Use (also includes brackish water) Only (C2), Piles (C3), Poles (C4), Plywood (C9), Wood for Highway Construction (C14), Round, Half Round and Quarter Round Fence Posts (C16), Poles, Piles and Posts Used as Structural Members on Farms, and Plywood Used on Farms (C16), Wood for Marine Construction for Salt Water Use (also includes brackish water) (immersion and/or subject to saltwater (or brackish water) splash ["subject to saltwater (or brackish water) splash" means any member of a marine structure which is positioned above mean high tide, but is subject to frequent wetting from wave action]), [Pilings (sheet, round and square), Timbers, and Plywood; Walers, Framing, Stringers and Cross Bracing (2" x 8" and/or 3"x6" and larger nominal dimensions

and treated to a minimum of 0.60 pcf) (C18), Lumber and Plywood for Permanent Wood Foundations (C22), Round Poles and Posts Used in Building Construction (C23), Sawn Timber Used To Support Residential and Commercial Structures (C24), Sawn Crossarms (C25), Structural Glued Laminated Members and Laminations Before Gluing (C28), Structural Composite Lumber (C33), and Shakes and Shingles (C34); and in accordance with the respective cited standard (noted parenthetically) of the 2002 edition of the American Wood-Preservers' Association Standards: Lumber, Timbers and Plywood for Cooling Towers (C30). Forest products treated with this product may only be sold or distributed for uses within the AWPAs Commodity Standards under which the treatment occurred, except where otherwise provided above.

Building code inspectors, wood treaters, and other responsible for working with CCA and CCA-treated wood need to review the label, along with the 2001 and 2002* editions of the AWPAs standards, to determine whether CCA can be used to treat the wood for a particular application. If the use category of wood to be treated is not included within the AWPAs standards listed on the label, CCA is not registered for that treatment, and CCA may not be used for such treatment.

The new label does not allow the use of CCA for virtually all wood use at residences, including wood used in playground structures, decks, picnic tables, landscaping timbers, residential fencing, patios and walkways/boardwalks. The label authorizes use of CCA in industrial and commercial applications specified therein. Most of those applications are heavy retention treatments of 0.50 or more pounds per cubic foot. The only standards under which lower retention treatments may be used are C9, C14, C16, C18 (fish ladders, lobster traps and oyster farming timbers only), C25, C28, C30*, C33 and C34. Most dimensional lumber (defined as lumber that is from 2" up to, but not including, 5" thick, and that is 2 or more inches in width) historically treated with CCA to .25 or .40 under AWPAs standard C2 may no longer be treated with CCA and must now be treated with alternative non-CCA preservatives.

* 2002 Edition is to be consulted for C30 only.

Examples of CCA Uses

The following list is taken from the 2001 Edition of the AWPA standards and, for C30 only, the 2002 Edition of the AWPA standards to illustrate examples of the types of wood that fall within each standard. While the list is not exhaustive, it does provide some examples of specific wood/forest product uses within each AWPA commodity standards referenced on the label and that may be treated with CCA.

Lumber and Timber for Salt Water Use Only (2001 AWPA Standard C2)

- Aquaculture timber, in salt water and subject to marine borer attack
- Boat Building material
 - Lumber, timbers, plywood, in salt water and subject to marine borer attack
- Bulkhead Sheathing
 - In salt water and subject to marine borer attack
- Mariculture lumbers and timbers
 - In brackish or saltwater use and subject to marine borer attack
- Marine lumber and timbers
 - In brackish or saltwater use and subject to marine borer attack
- Oyster farming timbers
- Lobster Traps
- Fish Ladders
- Highway Material

Structural lumber and timbers in salt water use and subject to marine borer attack

Piles (2001 AWP Standard C3)

Highway Material

Piles, foundation, land and fresh water use

Piling in salt water use and subject to marine borer attack

Piles

Foundation (round)

Land and fresh water use (round)

Marine (round) in salt or brackish and subject to marine borer attack

Marine, dual treatment (round)

Poles (2001 AWP Standard C4)

Agriculture, Wood used on farms

Round poles

As round structural members

Highway material

Poles, lighting

Poles, agriculture

Round

Poles, building

Round

Poles, utility

Distribution

Transmission

Plywood (2001 AWP Standard C9)

Agriculture, Wood used on farms

Plywood, not in soil contact

Plywood, in soil contact

Boat building material

- Plywood, fresh water
- Lumber, timbers, plywood, in salt water and subject to marine borer attack
- Building construction material
 - Roof decking, plywood
- Decking, Tongue and Groove
 - Flooring, plywood
 - Subflooring, plywood
- Decking
 - Roof, plywood
- Plywood
 - Sub-floor, damp, above ground
 - Exterior, above ground
 - Soil contact

Wood for Highway Construction (2001 AWWPA Standard C14)

- Beams and timbers, glue laminated before or after treatment
 - For highway construction
- Decking
 - Highway bridge
- Highway material
 - Lumber and timber for bridges, structural members, decking, cribbing, and culverts
 - Structural lumber and timbers in salt water use and subject to marine borer attack
 - Piles, foundation, land and fresh water use
 - Piling in salt water use and subject to marine borer attack
 - Posts: Round, half-round, quarter round
 - Posts: Sawn
 - Poles, lighting
- Glue laminated beams
- Brine Storage buildings
- Posts, guardrail
 - Round
 - Sawn

Posts, sawn four sides
Highway
Other

Poles, Piles and Posts Used as Structural Members on Farms, and Plywood Used on Farms (2001 AWP Standard C16)

Agriculture, Wood used on farms
Round poles and posts as round structural members
Sawn poles and posts
As structural members
Plywood, not in soil contact
Plywood, in soil contact
Sawn building poles and posts
As structural members
Round building poles and posts
As structural members
Sawn structural timbers (piles)
Supporting residential and commercial structures
Poles, Agricultural
Round; includes farm-fence rails
Sawn
Posts, fence
Round, half-round, and quarter round

Wood for Marine Construction (2001 AWP Standard C18)

Except Members Out of Water and Not Subject to Splash and Not in Soil Use (*effective 12/31/04*)

Timber and plywood in salt water use
Aquaculture timber, in salt water and subject to marine borer attack
Mariculture lumber and timbers
In brackish or saltwater use and subject to marine borer attack
Marine lumber and timbers
In brackish or saltwater use and subject to marine borer attack

Oyster farming timbers
Lobster Traps
Fish Ladders
Piles
Members Out of Water But Subject to Saltwater (or brackish water) Splash
Marine (round) in salt or brackish and subject to marine borer attack
Marine, dual treatment (round)

Lumber and Plywood for Permanent Wood Foundations (2001 AWPA Standard C22)

Lumber and Plywood for Wood Foundations

Round Poles and Posts Used in Building Construction (2001 AWPA Standard C23)

Round building poles and posts
As structural members
Poles, building
Round

Sawn Timber Used to Support Residential and Commercial Structures (2001 AWPA Standard C24)

Sawn structural timbers
Supporting residential and commercial structures
Piles
Sawn timber piles

Sawn Crossarms (2001 AWPA Standard C25)

Crossarms, sawn

Structural Glued-Laminated Members and Laminations before Gluing (2001 AWPA Standard C28)² (nails/mechanical fasteners may be used as laminate in lieu of, or in combination with, glue)

- Beams and timbers, glue laminated before or after treatment
 - Damp environment, above ground
 - Dry environment, above ground
 - Ground contact
- Highway material
 - Glue laminated beams

Lumber, Timbers and Plywood for Cooling Towers-Preservative Treatment by Pressure Processes (2002 AWPA Standard C30)

- Lumber, timber and plywood for Cooling Tower Use Only

Structural Composite Lumber (2001 AWPA Standard C33)

- Highway material
 - Structural composite lumber
- Lumber, structural composite
 - Above ground
 - Soil or fresh water contact
 - Highway construction

Shakes and Shingles (2001 AWPA Standard C34)

- Shakes and Shingles
 - Siding, commercial, residential, agricultural

- Tile Batts

²The Agency interprets this to include nailed laminated members (nails/mechanical fasteners may be used as laminate in lieu of, or in combination with, glue).