

# Wood Preservatives Avoid the Axe

EPA exposure assessment assumes the public has no contact with utility poles that line streets across country, contaminated with dioxin, hexachlorobenzene, chromium VI, and furans.

The U.S. Environmental Protection Agency (EPA) released for public comment, on April 16, 2008, its revised risk assessments for three heavy-duty toxic chemical wood preservatives: chromated copper arsenate (CCA), pentachlorophenol (PCP), and creosote. Beyond Pesticides has maintained that the hazards associated with the use, storage and disposal of these three chemicals are unnecessary, given the availability of alternative materials. Chromated arsenicals, such as (CCA), were phased out in 2002 for treatment of decks and patios, picnic tables, playground equipment, walkways/boardwalks, landscaping timbers, and fencing, and continue to be used on utility poles and wood treated for industrial purposes. The arsenic in CCA is a known human carcinogen and has been linked to nervous system damage and birth defects. It also contains chromium VI another potent carcinogen. Creosote, a complex mixture of many chemicals, is a carcinogen and mutagen. PCP, also a carcinogen, is already banned in several countries due to health or environmental risks under the Stockholm Convention on Persistent Organic Pollutants, which the U.S. signed in 2001, but has failed to ratify. PCP and its contaminants are classified as a "persistent organic pollutants" by the United Nations Environment Programme ("UNEP"). It is widely used on utility poles and railroad ties and is contaminated with dioxin, furans and hexachlorobenzene. These chemicals are all endocrine disruptors and thus can have adverse effects on development at extremely low doses, affecting development, reproductive capacity, sexual development and causing diseases like cancer later in life.

Beyond Pesticides has called for a banning of these heavy duty wood preservatives and said that the voluntary phase-out of residential uses of these chemicals does not adequately protect public health or the environment. Even though wood for residential use may no longer be treated with these toxic chemicals, industrial uses (railroad ties, utility poles) continue to put workers and the public at risk. Occupational exposures increase the risk of

cancers in workers. These chemicals also impact the environment and have been found in surface waters. In fact, the major source of contamination in surface waters and groundwater is wastewater from wood preserving facilities. Individuals living or working near wood preserving facilities are exceptionally susceptible to being exposed to surface water or groundwater, increasing their exposure and risk. These preservatives are also known to leach from previously treated wood. Children are at risk if they put their unwashed hands in their mouths after touching soil or wood that is contaminated with these preservatives. As a result, public and environmental health continues to be compromised.

On December 10, 2002, a federal lawsuit, led by Beyond Pesticides, was filed in federal court by a national labor union, environmental groups and a victim family to stop the use of arsenic and dioxin-laden wood preservatives, which are used to treat lumber, utility poles and railroad ties. The litigation argued that the chemicals, known carcinogenic agents, hurt utility workers exposed to treated poles, children playing near treated structures, and the environment, and cites the availability of alternatives. The lawsuit [Civil Case No. 02-2419(RJL)] was dismissed by Judge Richard Leon, U.S. District Court (Washington, DC), on March 21, 2005. Despite numerous requests by Beyond Pesticides and scientists, going back to 1997, which urged EPA to cancel the "heavy duty" wood preservatives, the judge found that, "Beyond Pesticides did not make formal requests to cancel and suspend the wood preservative pesticides registrations until late 2001 and early 2002." Thus, the decision reads, "...EPA did not become [sic] obligated to respond to Beyond Pesticides until the formal petitions were filed...." Jay Feldman, executive director of Beyond Pesticides, called the judge's ruling "unsound, given that EPA has been unresponsive to scientific findings in a timely manner, and inherently unprotective of public health," calling into question the ability of the *Federal Insecticide, Fungicide, and Rodenticide Act* (FIFRA) to protect public health and the environment.

## Have You Ever Seen Someone Near a Utility Pole? EPA Hasn't!

*Send a picture and help EPA see the reality of wood preservative exposure in your community.*

Children playing around utility poles treated with chemicals like pentachlorophenol with contaminants including dioxin, furans and hexachlorobenzene. People, pets and wildlife exposed daily. The pictures speak for themselves and they reflect the reality that people know.

Yet, in documents EPA released on April 17, 2008 the agency says people don't come into contact with utility poles or these chemicals, known by EPA to cause cancer, kidney and liver disease and reproductive effects.

Why? Because the hazard to human health, if recognized by EPA, would require that it put a risk number in its risk assessment (for which the agency is seeking public comments by June 16, 2008) that would force the banning of pentachlorophenol (PCP), its contaminants, and other deadly wood preservatives.

Like so many times in its risk assessments, EPA just waives away reality. Here's what EPA has to say about public exposure to hazardous utility poles: "The opportunity for residential consumer contact is limited since PCP-treated wood is not sold to the general public. Rather it is predominantly marketed for commercial installations as utility poles. Where utility poles are installed on home/school or other residential sites, child contact via the dermal or oral routes is not anticipated since play activities with or around these pole structures would not normally occur and any incidental exposure would therefore be negligible."

In response to comments Beyond Pesticides and others submitted in January 2005, pointing out that utility poles line the streets and backyards and are often next to bus stops and school yards, while millions



The undoctored stock photos on this page illustrate how common exposure to utility poles, both in use and recycled, is in everyday life.

of poles are removed from service and can end up in gardens or places around the home, EPA only had this to say: "PCP is not registered for residential uses."

Since EPA does not accept the reality expressed by the written word, Beyond Pesticides is calling on you to take pictures of utility poles (telephone poles) in your community when you see people coming in contact with them. Take pictures of children playing around them (it could be used as base in a game of tag), people posting signs on them, or leaning on them at bus stops. Then send the picture to EPA's docket (with a copy to Beyond Pesticides), which you can send either electronically (go to the bottom of the document, hit the browse button and upload your picture) or send by mail by following the directions below.

The good news is that we do not need these chemicals. There are alternative materials that are better for health and the environment.

**TAKE ACTION:** Let the EPA know that the wood preservatives pentachlorophenol, chromated copper arsenate (CCA) and creosote pose unnecessary risks to worker health and to your community. Submit your photos and/or comments no later than June 16, 2008. You can submit them online at [www.regulations.gov](http://www.regulations.gov), using the following docket numbers: CCA (Docket ID - EPA-HQ-OPP-2003-0250), Creosote (Docket ID - EPA-HQ-OPP-2008-0248), PCP (Docket ID - EPA-HQ-OPP-2004-0402). If submitting by mail, send to Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460-0001.

For more information about these wood preservatives, visit Beyond Pesticides' Wood Preservatives webpage, [www.beyondpesticides.org/wood](http://www.beyondpesticides.org/wood).



Pregnant woman at bus stop.