

CITW Facts by Fax

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INDUSTRY ON THE HOT SEAT

What a summer. Hot, dry and could the media please pick on something other than treated wood?

Last summer the U.S. media started its focus on our industry and the use of arsenic in pressure treated wood. Canadian media paid little attention.

Then last fall came the television series "The Practice" with the fictional depiction of a poor American family. The parents sue the U.S. Environmental Protection Agency for huge sums of money because of some far fetched story claiming their children were affected by their backyard play structure made from CCA treated wood.

In January 2001 a flurry of media reports in Florida focused on CCA play structures. The articles reported on the closing/reopening of playgrounds with CCA treated equipment in Florida.

Let's speculate – could this be part of the reason that our industry, including the preservative suppliers, the industry association and some retailers in the United States are now embroiled in a legal suit in Canada's favourite vacation spot – Florida. Could this be some warped version of TV becoming "reality".

The U.S. Environmental Protection Agency (EPA), not unlike Canadian authorities, reacted and immediately began discussions with industry on how to address the issue of consumers "right to know" i.e. consumer information sheets. Industry responded through the American Wood Preservers Institute with

a very comprehensive labelling and information program. The U.S. introduced their program in September.

Meanwhile in Canada, during the last week of June, the Pest Management Regulatory Agency, Health Canada suggests through the SOP Consumer Outreach Working Group that the Canadian industry might consider a similar program in Canada. The Working Group had already been working for a year on some type of enhanced information program.

Days later on July 14th, the Ottawa Citizen/National Post reported that Environment Canada is imposing a labelling program on the Canadian industry and the labels will begin to appear this fall. This was news to all of us including Environment Canada!

The July 16th edition of Time magazine carried an article entitled Toxic Playgrounds asking the question "Forts and castles made of arsenic treated wood last for years, but should kids be playing on them?"

Calls from print and electronic media across Canada were fielded throughout the week. Four separate radio interviews were conducted with CITW. The last one beginning with the question "Is this issue being sensationalised?" The answer was "yes".

TO OUR U.S. MEMBERS

The thoughts and support of CITW members and staff go out to all of our U.S. members and their families. The attack on Washington and New York on September 11th is a tragedy that affects us all.



Many treaters participated in a cross Canada industry conference call conducted by CITW on July 26th where the status of discussions with Environment Canada and the SOP Working Group was explained. A CITW communications strategy was introduced to deal with the labelling issue and the negative reports.

In early August, CITW surveyed members to gain knowledge on current labelling practices and procedures.

By the end of August, CITW developed a labelling program that is simpler and more feasible than the American version. Mary-Anne Dalkowski, Timber Specialties Limited assisted in drafting schematics and presentation of the program. Marcia Straatsma, Arch Wood Protection Canada Corp assisted with a Canadian version of the Consumer Safety Information Sheets.

Another industry conference call was held on the morning of September 10 to gain consensus on the proposed program. This was followed by a presentation to the SOP Working Group during a conference call that afternoon. A victory!

Environment Canada, Health Canada and the Pest Management Regulatory Agency all agree to the program in principle with confirmation to come by weeks end.

CITW TO MEET JOINTLY WITH CWPA & CSA

For the first time, the CITW will be holding its fall committee meetings in conjunction with the Canadian Wood Preservation Association Annual Meeting and the CSA Wood Preservation Technical Committee meeting.

The CITW Promotion & Education Committee, the Technical Committee, the Environmental Committee and the Pole Committee will conduct their meetings on Monday, October 22, 2001. Details will be distributed shortly.

The Canadian Wood Preservation Association will be holding its Annual Meeting immediately following CITW on Tuesday, October 23 and Wednesday, October 24, 2001. Day one of the conference is scheduled to be a wood preservation back to basics. This is a great opportunity to include plant staff. Day two is the research symposium that includes presentations on leaching, fixation etc. See the attached program for more details.

The Canadian Standards Association Wood Preservation Technical Committee will meet on Thursday, October 25, 2001.

All three events will be held at the Holiday Inn Select Toronto Airport, 970 Dixon Road, Toronto, Ontario. Members wishing to attend should make their arrangements for accommodations as soon as possible as the **cut-off date for the special conference rate is September 29, 2001**. Call the hotel directly at 416-675-7611 for reservations. Please mention you will be attending any one of the meetings to get the special rate of \$129.95 single/double.

SOP PROGRESS REPORT

The Manufacturers/Treaters Steering Committee involved in the Strategic Options Process met in Toronto on June 27 and 28 to review its progress. Reports were given on the NPRI Reporting Working Group, the TRD Assessment/

Implementation Working Group, the Outreach Working Group, the Consumer Information Systems Working Group and the Commerce Lumber Waste Management Working Group.

Most of the deliberation centred around the finalisation of the Assessment 2000 Report and the Technical Recommendations Document (TRD) Technical Guidance Document.

The industry-wide aggregate summary of the Assessment 2000 program will be available in the near future. The Technical Guidance Document designed to assist treaters to prepare their Implementation Plans was distributed by CITW to all plants.

Administered by the CITW with the assistance of Environment Canada, the nation-wide plant assessment program was a prerequisite to the formulation of a Technical Recommendations Document (TRD) Implementation Plan. Implementation plans are required for every treating plant in Canada. Failure to submit will engage Environment Canada action under the Canadian Environmental Protections Act (CEPA). It must be submitted by December 31, 2001, with an annual follow-up report over the next five years.

The assessment program will provide a benchmark for the industry, and an industry benchmark for Environment Canada. By 2006, the steering committee will review and measure the success of the voluntary program. It will also review the effectiveness of the TRD in reducing CEPA toxic substance releases.

Henry Walthert was elected as Co-Chair of the Steering Committee to ensure consistency with the departure of Terry Mah, Environment Canada.

THRESHOLDS FOR CHEMICAL COMPOUNDS UNDER REVISION

The timing could not be more fitting. With new thresholds for a series of chemical compounds being proposed by the National Pollutant Release Inventory (NPRI), the Multi-Stakeholder Working Group on Substances met in Toronto over two days late in June to discuss the matter. Executive Director Henry Walthert

took part in the discussions. More than just revising standards, the NPRI is considering adopting a new concept -- specification. So far, industry can yield reports about chemicals such as arsenic without making specific reference to its compounds. The NPRI would like to change that and compel business to report on both the chemical and its compounds.

Among the chemicals slated for revision is arsenic and its compounds. The current reporting threshold stands at 10,000 kilograms. The NPRI wants to dramatically curtail it to 50 or 500 kilograms. Any companies using the substance above that figure would have to report to the NPRI.

Also being targeted is hexavalent chromium and its compounds. As with arsenic, discussions are being held to reduce its threshold from 10,000 kilograms to 50 or 500 kilograms.

These proposed changes, however, are expected to have a minimal impact on CITW members, according to Walthert. That's because most CITW members already file. "The motivation behind these proposed changes is to capture more users," notes Walthert. For example, thanks to current standards, the utility sector need not report releases of hexavalent chromium. But if the standards for hexavalent chromium and its compounds were reduced to 500 kilograms, then it would capture 94 per cent of its releases. At 50 kilograms, 100 per cent of its releases would be collared. "Lowering the thresholds is a positive move -- as long as it applies to all industry sectors," adds Walthert. Though nothing has yet been etched in stone, the changes are expected to take into effect as of May 2002.

BEETLE INFESTATION WREAKING HAVOC

A beetle infestation wreaking havoc in British Columbia is putting in jeopardy a stretch of forest twice the size of Vancouver Island, worth about \$4.2 billion.

Considered to be the largest mountain beetle infestation in Canadian history, the beetles are chewing their way through lodgepole pine forests in B.C.'s northern Interior, creating forest fire hazards while

threatening the economic stability of more than 30 communities and 25,000 people.

The situation is so serious that B.C. Premier Gordon Campbell announced the creation of a task force to map a strategy to deal with the infestation. A private consulting firm will be seeking input over the coming weeks from forest companies, timber licensees, local communities and aboriginals. A course of action is expected to be finalised by this September.

"If we don't deal with it aggressively now, we're going to see a continuation of the devastation of our forests," noted Campbell, who is likely going to be relaxing timber harvesting regulations to allow the cutting of vast tracks of pine beetle-infested forests

The beetle-infested trees turn red before drying and dying, notes Greg Jadryk, president of Northern Forests Products Association. "In some of the hardest hit areas, it's just a sea of red," says Jadryk.

Cold weather can decimate beetle populations but winters have been relatively warm in recent years. Without government action, it could take up to 30 years for the pine beetle infested forests to begin regenerating, adds Jadryk. Rebuilding the forests includes harvesting the infested trees as well as making the area suitable for re-planting.

SUPREME COURT RULES CITIES FREE TO BAN PESTICIDES

In the wake of a landmark ruling by the Supreme Court of Canada, the Quebec government is now expected to introduce a provincial code governing the use of pesticides.

The Supreme Court ruled recently that municipalities in most provinces are free to ban or restrict the use of pesticides for aesthetic purposes. The court said the small town of Hudson, Quebec was with-in its rights to pass a by-law banning pesticides and herbicides used for cosmetic purposes. The court, though, also opened the doors to municipalities across most of the country, handing them protection from court challenges if they want to pass similar by-laws. The court, however, did not directly examine whether the use of pesticides pose

a potential health hazard. Rather it reviewed the principle over whether a town had the legal right to regulate its use.

"It is reasonable to conclude that the town by-law's purpose is to minimise the use of allegedly harmful pesticides in order to promote the health of its inhabitants," wrote Chief Justice Claire L'Heureux Dubé in a unanimous decision.

The Supreme Court ruling is expected to have a dramatic impact, with hundreds of municipalities across the country moving ahead with anti-pesticide by-laws. At present, more than 31 Quebec municipalities have by-laws banning some pesticide use. Last year, Halifax joined the ranks, passing a by-law that phases out pesticides over four years and banning them within 50 metres of daycares or schools.

The Quebec wants to take it a step further. André Boisclair, Quebec's Environment Minister, recently announced that the government will adopt a pesticide code, which should be ready in the coming months. Besides establishing emergency procedures in case of accidental pesticide spills, the code will set safety rules for storage and preparation of pesticides, establishing minimum distances from wells, sewers and underground water sources. The code will also require signage warning the public when pesticides have been applied on public and private property. It will also compel companies that store pesticides to have insurance to cover environmental damage in case of spills. Finally, the new code will establish rules for when the ministry and the public must be notified prior to pesticide application.

A province-wide code is something that lawn-care companies have been demanding for years, according to industry spokesman René Simoneau. "Without a pesticide code based on a scientific understanding in this matter, Quebec's territory risks being cut up into legal enclaves, opening the door to arbitrary by-laws, discrimination and chaos," said Simoneau.

Pesticides are big business. In 1997, \$1.4 billion of pesticides were sold for industrial usage in Canada, with the bulk used for agriculture, according to the Crop Protection Institute of Canada. Sales of non-agricultural pest-manage-

ment products totalled \$121 million in 1997.

CONSULTING FIRMS HANDED STIFF FINE

Two consulting firms that designed and constructed a medium density fibre board (MDF) plant in Pembroke, Ontario were fined for more than \$100,000 after pleading guilty to discharging a contaminant from the plant.

Roche Ltd. Consulting Group was fined \$75,000 plus a victim fine surcharge of \$15,000 while Bennett & Wright Inc. was handed a \$10,000 fine and a victim fine surcharge of \$2,000.

The two companies forged a joint venture -- RBW Group -- after obtaining a turnkey construction contract to design the MDF plant for MacMillan Bloedel Limited. All three companies ended up charged and convicted of discharging or allowing the discharge of wood fibre and odour from the plant. After being convicted under Section 14 (1) of Ontario's Environmental Protection Act, all three firms were fined for a total sum \$225,000 plus victim fine surcharges of \$45,000.

CALENDAR OF EVENTS

Canadian Wood Council
Semi-annual General Meeting
October 18-19, 2001
Montreal, PQ

Canadian Institute of Treated Wood
Committee Meetings
October 22, 2001
Toronto, ON

Canadian Wood Preservation Association
Annual Meeting
October 23-24, 2001
Toronto, ON

Canadian Standards Association
CSA O80 Meeting
October 25, 2001
Toronto, ON

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202-2141 Thurston Drive
Ottawa, ON K1G 6C9
Tel: 613-737-4337
Fax: 613-247-0540
Email: citw@fox.nstn.ca
Website: www.citw.org*