



# CITW

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### **CITW Eyes Success in Haz Waste Battle**

The monumental effort mounted by CITW since April 2004 is beginning to pay-off.

When Environment Canada proposed regulations for the import/export of hazardous waste that specifically listed treated wood in early 2004 the Institute leapt into action to resolve the biggest threat to our industry ever experienced.

Working with an assembly of preservative suppliers, the Western Wood Preservers Institute and the Treated

Wood Council, CITW filed comments and a legal Notice of Objection to the proposed regulations.

Leading Ottawa lobbyist Michael Teeter, Hillwatch Inc. was hired and together with legal counsel at Osler, Hoskins and Harcourt and Herb Estreicher, Keller & Heckman. A coalition with major users including the Canadian Electricity Association, the Railway Association of Canada and Bell Canada was formed to make representation to Environment Canada.

Two meetings were held with senior Environment Canada officials in the fall of 2004 with some success. **A major concession was been obtained from Environment Canada when they agreed to remove treated wood from the Schedule 3 list. This is a significant advancement as treated wood will no longer be identified.** However, Environment Canada has maintained that treated wood is already covered by the existing regulations and CITW continues to question this interpretation. In addition, industry has

agreed to work with Environment Canada to develop a guidance document for treated wood waste.

*Several members must be recognized for their response to CITW's call for financial support to assist in funding this extraordinary effort. Special thanks to the following for their generous contributions:*

*Arch Wood Protection  
Canada Corp.  
Chemical Specialties  
Inc.  
Koppers Inc.  
Penta Task Force –  
KMG Bernuth Inc. and  
Vulcan Inc.  
Timber Specialties Inc.  
VfT Inc.  
Brisco Wood Preservers  
Ltd.  
Pastway Planing Ltd.  
Prairie Forest Products  
Ltd.  
Shelburne Wood  
Processing  
Spray Lakes Sawmills  
Ltd.  
Stella-Jones Inc.  
Total Forest Industries  
Ltd.*

### **CITW 2005AGM**

President Craig Frohlich invites all CITW members to mark their calendars for the 2005 Annual General Meeting

to be held April 3-5, 2005 at the Banff Springs Hotel in beautiful Banff, Alberta. Details will follow.

### **CITW Fall Committee Meetings**

CITW held their Fall Committee Meetings on October 18<sup>th</sup> 2004 in Vancouver, British Columbia. The meetings began with the Technical Committee that included the topics of PMRA registration issues, National Building Code of Canada for 2005 and a presentation on the Leadership in Energy and Environmental Design (LEED)'s program by the Canadian Wood Council's Director of Sustainable Development Linda Mcphee. Next was the Standards Review Committee, which covered topics CSA standard proposals for new preservatives and the new stabilization requirements. The Environmental Committee covered the Environment Canada strategic option process, a presentation of the TRD certification program, which is being worked on by a CITW

task-force, and an in-depth explanation from Herb Estreicher concerning the hazardous waste regulations threatening the viability of the wood preservation industry. Following the Environmental Committee was the Promotion and Education Committee which included an update on the CITW website and how it has been changed to reflect the new preservatives, the safety information website updates, the presentation of the WHMIS training module which is ready for comments and an update on the tradeshow that CITW has attended and plan on attending. The final committee meeting to end the day was the Commercial / Industrial, which included updates on the status of the CSA pole standard and CITW's involvement with the North American Wood Pole Council (NAWPC). The meetings had a great turnout and lots of productive discussions took place.

### **TRD Certification**

The self-certification program for the wood preservation industry is well underway and intended to take effect at the end of December 2005 when the voluntary CEPA-SOP activities come to a close. A working group was assigned at the annual general meeting in Montreal and the group has made great progress. The group has participated in many conference calls and met in Vancouver on June 8<sup>th</sup> and 9<sup>th</sup> 2004 to lay the groundwork for the program. The program has been given the name the Canadian Wood Preservation Certification Agency(CWPCA), and is being worked on by members from all different aspects of the industry.

The purpose of the program is “To outline the rules for the implementation of an industry self certification program which is intended to insure that all Canadian wood preservation plants maintain design and operating practices to minimize environmental impact and to protect workers from harmful exposures

to preservative chemicals.” This will satisfy Environment Canada while letting the industry diligently go about their business independently. The committee is chaired by Ian Jones from Bell Pole and consists of Jonna Stein from Chemical Specialties Inc, Howard Pruden of Spray Lake Sawmills, Craig Frohlich from Guelph Utility Pole, Jim Mogan from CFP Forest Products, Friedl Brudermann from FRIDO Consulting, George Butler Jr. of Vulcan Chemicals and Robert Lloyd from CITW.

### **WHMIS Online Module**

The Workplace Hazardous Materials Information System (WHMIS) training module has been built and is operational. The idea of building the WHMIS training module for treating plant members was first introduced at the Strategic Planning Session in January 2004. The idea was then presented to the membership in April at the Annual General Meeting in Montreal,

Quebec. The membership liked the idea and since then CITW has gathered the required information and contracted a web development firm to build the online training module. Presently, several committees are reviewing the module and providing their feedback. This online module is the first of many that CITW plans on implementing to assist treating plants in their operations. WHMIS seemed like a logical selection for the first module as treating plant worker safety is a priority and many treating plants are in remote locations so it could save members’ considerable time and travel expenses when training employees. As mentioned the module is still in a comment period. We have received some good feedback but not enough; if you would like to try the module and make comments please put the following address in your browser: <http://www.citw.org/whmis/login.html> and send your comments to [robert@citw.org](mailto:robert@citw.org). Look forward to hearing from you.

## **CWPA**

The Canadian Wood Preservation Association (CWPA) held their annual meetings following the CITW meetings on October 19<sup>th</sup> and 20<sup>th</sup> 2004 in Vancouver, British Columbia. These meetings represented the 25<sup>th</sup> year anniversary of the association. There was a great turnout with lots of interesting and informative speakers. The keynote speaker for the event was Mrs. Jeannette Drysdale from New Zealand speaking about the changing regulations for treated framing in New Zealand. First on the agenda of meetings was a treated wood in buildings symposium. Topics covered included: Attitudes to treated framing in the US South, pressure treated framing in Hawaii, framing stage treatments in the USA, opportunities in China, opportunities with beetle – killed pine, treated wood in repair of leaky condominiums, termites in western Canada, changes in the national building code, health issues with mold and mold control treatments for lumber and

composites were all covered throughout the day. Following the presentations was a cocktail social celebrating the 25<sup>th</sup> anniversary of the CWPA. The subject of the second day presentations was changing preservative use patterns which included: trends in millwork treatments, continuing uses for CCA, continuing uses for creosote, trends in heavy-duty wood preservatives, CCA plant conversion: a US treater's perspective, process control with the new preservatives, regulatory issues, technical recommendation documents, leach resistance of copper amines in field exposure, retailer observations on the transition from CCA, process risk management, hot oil treatments and finally evaluation of natural finishes. The meetings were a great success.

## **A “World First” for PMRA Electronic Regulatory System**

The PMRA, an agency of Health Canada announced October 20<sup>th</sup> the launch of the PMRA Electronic Regulatory System (e-PRS). It will be the world's first web-based service for conducting pesticide regulatory transactions. Using the government's Internet based online secure channel service; e-PRS will allow companies to conduct secure web-based transactions when submitting applications and provide essential health and environmental data to the PMRA. With e-PRS the PMRA's ability to process, review and report to the public on pesticide information will be strengthened which is a necessity for the new Pest Control Products act which will come into effect 2005. This should improve the overall effectiveness of the PMRA in this aspect as typically the average information required for new pesticide applications contain 30,000 plus pages of mandatory health and environmental data.

## **Adverse effect reporting forms under new pesticide regime posted**

On October 25<sup>th</sup> the PMRA posted draft adverse effect reporting forms that companies must use when filing adverse effects information with them. The deadline for comments is January 6<sup>th</sup> 2005. The Pest Control Products Adverse Effects Reporting Regulations, under the Pest Control Products Act, were published in the October 23<sup>rd</sup> 2004 edition of Canada Gazette, Part I for a 75day public comment period. The regulations will come into force January 1<sup>st</sup> 2006 if approved and will require pesticide registrants and applicants for registration, to report information concerning adverse effects related to their pesticides in Canada, the US or generated through studies conducted anywhere else in the world. Each type of adverse effect category is included in the comprehensive forms. There will be different time frames for different adverse effects; the time frame depends on severity of the effects, population affected and geographical impact. An adverse effect is defined

as an effect on humans, domestic animals, or the environment – as well as residues in food or water, pest resistance, and packaging failure that could result in human exposure and efficacy failure of a pesticide used to control a pest that poses a risk to human health.

### **Jurisdiction of Municipalities Increasing**

Typically a municipality is a creature of statute, it can only exercise powers that have been granted to them through legislation. When municipalities tried to regulate in an area where it had not been given clear and specific powers the courts typically overruled them. Current trends reveal that this is no longer the case and municipalities are becoming more powerful due to new legislation that are coupled with recent court decisions, which grant municipalities' additional jurisdictional leeway. Municipalities across Canada have been flexing their new muscles passing new by-laws, including by-laws regulating the use of

pesticides. Obviously lawn-care and pesticide companies are opposed to this and Croplife has been active in trying to re-introduce pesticides for cosmetic use in municipalities. In *Croplife Canada v. Toronto (city)*, [2003] O.J No. 4828 the court upheld a City of Toronto By-law that, for all practical purposes prohibits the use of cosmetic pesticides. Croplife contends that the by-law was for protection of the environment, which is a decision of the Ministry of the Environment and not the municipalities. Croplife contended that the city could not regulate in an area that was already regulated both federally under the Pest Control Products Act and provincially by the Pesticides Act. The city argued that it had the jurisdiction to pass the by-law under section 130 of the Municipal Act, 2001 which states: "A municipality may regulate matters not specifically provided for this by Act or any other Act for purpose related to the health, safety and well-being of the inhabitants of the municipality." The city claims that the by-law

should not be seen as an environmental regulation but as being directed at the health, safety and well being of the City's inhabitants. The court found in favor of the City and upheld the by-law. There have been other applicants that were equally as unsuccessful in removal of the by-law, the fight over the pesticide ban continues however. Essentially the City of Toronto pesticides by-law and the sixty plus other municipalities nationwide that have passed legislation of similar nature demonstrates the increasing power municipalities have gained over regulating environmental matters within their boundaries.

**AF&PA Study Claims Chinese Government Subsidizing Forest Products Industry**

China continues to see tremendous expansion in the pulp, paper and wood processing manufacturing capacity due to subsidies and other government policies. According to a 77-page report by the American Forest & Paper Association (AF&PA) the government is using many policy tools to finance explosive growth in its industry mainly through direct subsidies. World-class paper and wood processing facilities are being built all over China. State-owned enterprises, the introduction of new technology, and heavy foreign investment are accelerating growth. Henson Moore President and CEO of AF&PA claims that the "ambitious capacity expansion targets" and "aggressive development policies" backed by heavy subsidies and other financial incentives to support China's forest products industry are putting North American producers at a disadvantage globally.

**CITW Website Statistics**

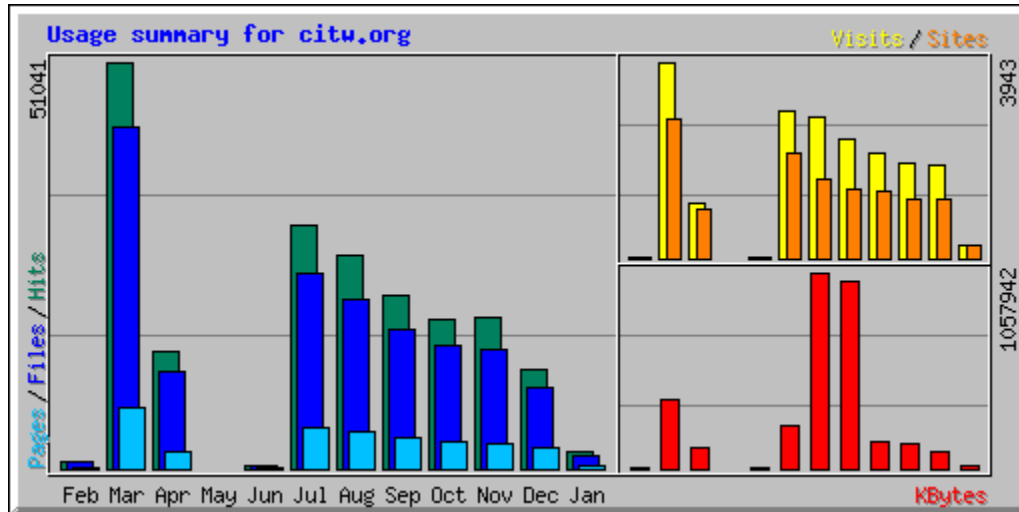
On the page below is a copy of a program displaying the statistics for the website [www.citw.org](http://www.citw.org). The important data to interpret are the visits and pages columns. The visits column tells you the average number of unique visitors daily and monthly. The pages column represents how many different pages they loaded from our website while visiting. The website [www.citw.org](http://www.citw.org) averages well above 1500 visitors a month. We received an email from the Canadian Wood Council informing us that their preservatives website got over 4000 hits in the month of June and at the time was their most popular section.

*Published by: CITW  
202-2141 Thurston Drive  
Ottawa, ON K1G 6C9  
Tel: 613-737-4337  
Fax 613-247-0540  
Email: [citw@citw.org](mailto:citw@citw.org)  
Website: [www.citw.org](http://www.citw.org)*



# USAGE STATISTICS FOR CITW.ORG

Summary Period: Last 12 Months  
Generated 06-Jan-2005 02:02 EST



Summary by Month										
Month	Daily Avg				Monthly Totals					
	Hits	Files	Pages	Visits	Sites	KBytes	Visits	Pages	Files	Hits
<a href="#">Jan 2005</a>	354	276	58	40	254	14608	244	351	1657	2124
<a href="#">Dec 2004</a>	399	324	86	60	1181	91191	1860	2684	10062	12370
<a href="#">Nov 2004</a>	629	498	108	63	1171	131920	1910	3252	14957	18871
<a href="#">Oct 2004</a>	603	497	113	68	1333	140948	2111	3505	15427	18713
<a href="#">Sep 2004</a>	721	581	132	79	1373	1012864	2393	3972	17451	21634
<a href="#">Aug 2004</a>	860	684	148	91	1581	1057942	2835	4599	21223	26687
<a href="#">Jul 2004</a>	988	788	166	95	2130	235845	2953	5160	24445	30628
<a href="#">Jun 2004</a>	399	372	59	32	29	2995	32	59	372	399
<a href="#">Apr 2004</a>	1341	1119	183	101	972	110728	1120	2022	12318	14753
<a href="#">Mar 2004</a>	1760	1477	261	135	2784	375452	3943	7570	42845	51041
<a href="#">Feb 2004</a>	833	770	36	4	4	4780	4	36	770	833
<b>Totals</b>						<b>3179273</b>	<b>19405</b>	<b>33210</b>	<b>161527</b>	<b>198053</b>