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September 4, 2008

Mr. Ned Therien
101 Israel Road SE
P. O. Box 47990
Olympia, WA 98504

**RE: Comments Regarding Proposed New Regulation, Chapter
246-366A WAC, Primary & Secondary Schools**

Dear Mr. Therien:

Creosote Council is a non-profit trade organization with members comprised of all the North American creosote registrants, who manufacture and/or import creosote. In addition we represent those companies who treat wood with creosote.

The comments provided relate to the new proposed regulations by the Washington Dept. of Health. These new regulations for creosote treated wood are misleading and unnecessary.

Under FIFRA, the US EPA regulates the use of creosote, not the use of creosote treated wood. Further for consideration, EPA has not prohibited, or attempted to regulate any use of creosote treated wood.

The major uses for creosote treated wood are commercial; generally limited to heavy duty construction – railroad crosstie, utility poles and piling materials. The only potential use would be landscape retaining walls. Typically such crosstie material has been “retired” from use by the railroads after 20 to 50 years service in the track bed. Exposure to such “retired” product would be minimal.

Treated wood is a cost effective renewable resource. It is significantly less expensive than the “so called” substitutes – steel and plastic materials. Appreciate the opportunity to comment on these proposed regulations. Please contact me if you have any questions.

Sincerely,

David A. Webb
Administrative Director, Creosote Council