



INTEROFFICE MEMORANDUM

Oregon Occupational Safety & Health Division

November 29, 2001

TO: All OR-OSHA

FROM: Marilyn K. Schuster, Manager
Standards and Technical Resources

SUBJECT: Arsenic

OSHA 437-002-1910.1018, "Inorganic Arsenic," exempts treating wood with preservatives and using wood preserved with arsenic. The reason for these exemptions and the role that Oregon OSHA has when handling an inspection or consultation dealing with these issues are as follows:

For wood preservatives that contain arsenic, the Environmental Protection Agency (EPA) is exercising their authority to address worker exposures to a pesticide, and require very specific labels on all products that contain inorganic arsenic. This label contains the hazards associated with the use of the product, lists the permissible exposure limit of 10 micrograms per cubic meter (mg/m³), and the employers' responsibility to monitor their employees when using the product.

The label must also state that if the employer does not choose to do personal monitoring, employees must wear the appropriate respiratory protection. If the personal air sampling shows an exposure over this level the employer must have their employees wear appropriate respiratory protection.

If the labeling does not contain all the appropriate information, EPA or the Department of Agriculture will cite the manufacturer of the product.

If the employer does not follow the requirements outlined on the label, then EPA or Department of Agriculture will cite the using employer.

OSHA directive TED 3.7 - Consultation for Wood Treatment Operations Inorganic Compounds details EPA's responsibility when dealing with inorganic arsenic.

EPA has requested that if Oregon OSHA has any inspections dealing with application of inorganic arsenic, or we find employees that are overexposed to arsenic during application that we ask for their assistance by either contacting the State Agriculture Department or EPA directly,

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and provide them with any information that we may have to help them in their inspection. You can contact the EPA at 503-326-3250 or the Department of Agriculture at 503-378-3776.

For employees who cut or work with wood treated with arsenic, OSHA stated in the preamble to the final standard, "Based on the evidence in this record arsenic in preserved wood is bound tightly to the wood sugars and exhibits substantial chemical differences and after reaction appears not to leach out in substantial amounts therefore OSHA does not believe it appropriate to regulate the preserved wood on the basis of the current record."

If you have any questions contact Clint Mc Bride at 503- 378-3272.

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