



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Washington, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Mr. James Hale  
Executive Director  
Wood Preservative Science Council  
P.O. Box 183  
Manakin-Sabot, VA 23103

APR 12 2006

RE: **Request for Correction of EPA's Interim Data Report on the Evaluation of the Effectiveness of Coatings in Reducing Dislodgeable Arsenic, Chromium, and Copper from CCA Treated Wood (RFC #06001)**

Dear Mr. Hale:

Thank you for your letter dated October 17, 2005, filed under EPA's Information Quality Guidelines, and received by EPA via email on October 17, 2005. In the letter, on behalf of the Wood Preservative Science Council (WPSC), you requested that EPA make several corrections to the Interim Data Report entitled: *Evaluation of the Effectiveness of Coatings in Reducing Dislodgeable Arsenic, Chromium, and Copper from CCA Treated Wood. Interim Data Report.* EPA/600/R-05/050. May 9, 2005 ("Interim Data Report"). This letter responds to your request.

EPA collaborated with the Consumer Product Safety Commission (CPSC) in conducting a two-year study (August 2003-August 2005) of the effectiveness of coatings in preventing leaching of arsenic from chromated copper arsenate (CCA)<sup>1</sup> treated wood. On May 9, 2005, EPA released an Interim Data Report after all of the first year's data from the study were collected and analyzed. In addition, CPSC is also conducting another, similar study that involves wood materials and test sites other than those used in the EPA study. The CPSC study is available on their website<sup>2</sup>. Both studies, which use very similar protocols, are attempting to determine whether or not the application of different wood coatings on CCA-treated wood affects the amount of CCA residues to which an individual may be exposed.

Prior to its release, the May 2005 Interim Data Report underwent external peer review. The study protocol also underwent external peer review and public comment prior to its use. I understand you now have obtained copies of the materials related to these peer reviews under the Freedom of Information Act.

The Interim Data Report is not a final report. In issuing the Interim Data Report, EPA specifically cautioned readers of the report that it did not represent final results and noted the importance of evaluating the coating's performance for the entire two-year study period.<sup>3</sup> Even

<sup>1</sup> For information about CCA, go to <http://www.epa.gov/oppad001/reregistration/cca/>.

<sup>2</sup> <http://www.cpsc.gov/whatsnew.html>, under "Popular Issues"

<sup>3</sup> <http://www.epa.gov/oppad001/reregistration/cca/#sealants>

though this cautionary statement appears on the website, and in the Introduction to the Interim Data Report, the Agency has also now added the following statement to the cover of the report itself: "This interim report does not represent and should not be construed to represent any Agency determination or policy. The Agency plans to finalize this report after all of the data have been collected and evaluated and after the report undergoes independent external peer review."

EPA's Information Quality Guidelines apply to information the Agency disseminates to the public that is prepared by the Agency to support or represent an EPA viewpoint or to formulate or support a regulation, guidance or other Agency decision or position. EPA has not yet completed its evaluation of the effectiveness of coatings in preventing leaching of arsenic from CCA-treated wood. Until such time as the Agency has issued a Final Data Report, the Agency has no official position on the findings of the report. Thus, the Agency has determined that the administrative mechanisms for correction of information described in EPA's Information Quality Guidelines are not applicable to your request.

Please note, however, that we have referred your letter to the EPA team that is working on the Final Data Report, and your substantive comments on the Interim Data Report will be considered as we evaluate the second year data and prepare the Final Data Report. Once a draft Final Data Report is available, EPA plans to provide an opportunity for public comment and independent external peer review of the draft Final Data Report. Your comments on the interim report will be provided to the peer reviewers. EPA will consider both the public comments and the peer review comments received in finalizing its report.

During the comment period for the draft Final Data Report, we invite you to review the draft Final Data Report and provide any substantive comments that you have on the draft Final Data Report. As indicated previously, EPA will consider public comments and comments from the peer reviewers before it issues a Final Data Report later this year. After you review the Final Data Report, if you identify information in the Final Data Report that you believe warrants correction under EPA's Information Quality Guidelines, you may then submit a request for correction following the instructions provided in EPA's Information Quality Guidelines.

EPA values input from the public on the quality of information it produces or utilizes and embraces opportunities for improvement. EPA is committed to promoting transparency in our process and providing the public with information that is objective and useful.

If you have any questions about EPA's Information Quality Guidelines, please contact Reggie Cheatham, Director, Quality Staff, at 202-564-6830.

Sincerely,

  
Susan B. Hazen  
Acting Assistant Administrator

cc: Linda Travers (OEI)  
Reggie Cheatham (OEI)  
Angela Hofmann (OPPTS)  
Jim Jones (OPP)