

## New Pressure-Treated Lumber Promises Less Corrosion

After concern about the toxicity of CCA-treated lumber led manufacturers to voluntarily phase it out of general use in January 2004, a new problem emerged: The less-toxic, copper-based preservatives that replaced CCA — such as ACQ and copper azole — were much more corrosive to metal fasteners and connectors. (Galvanic corrosion, as it's called, occurs when dissimilar metals like copper and steel — or copper and the zinc coating on galvanized steel — come into contact in the presence of water.) Connector maker Simpson Strong-Tie launched a campaign to make builders and consumers aware of the issue and ramped up production of corrosion-resistant stainless steel and heavily galvanized connectors.

However, the recent introduction of lumber treated with a copper-free preservative has the potential to greatly reduce such concerns. Generically known as PTI (for the chemicals propiconazole, tebuconazole, and imidacloprid), the new compound was developed by Georgia-based Arch Wood Protection, which markets the treated lumber under the trade name Wolmanized L3 Outdoor Wood. PTI lumber has been code-compliant through an ICC evaluation report since its introduction about a year ago; it's expected to receive final approval from the American Wood Protection Association sometime this winter — which, since AWPA standards are referenced in virtually all building codes, may significantly expand its use.

Arch's literature refers to PTI as "carbon-based," meaning that the preservative molecules are nonmetallic, explains Arch spokesman Huck DeVenzio. The company planned to describe the preservative as "organic," DeVenzio notes, because its chemical structure classifies it as an organic molecule. "But the EPA told us not to use that word," he says. "'Organic' means something very different to a consumer than it does to a chemist."

In contrast to copper-based preservatives, which give treated wood a characteristic greenish tint, PTI is colorless. Green dye is added during production to show that the finished lumber has been pressure treated. And unlike lumber treated with copper-based preservatives — which at high retentions can be used in ground-contact applications — PTI

■ With the upcoming presidential election making it unlikely that the federal government will tackle immigration reform before mid-2009 at the earliest, several states have moved to address the issue on their own in the meantime. On January 1, new laws took effect in Arizona and Tennessee that penalize companies for knowingly employing undocumented workers, by suspending or revoking their business licenses. Whether the new laws will prove enforceable and how they will affect the labor supply remains to be seen; ditto for whether federal courts will allow states to enact immigration requirements beyond those imposed by the federal government.

■ A federal judge has ordered Half Moon Bay, Calif., to pay a landowner \$36.8 million for damage to a 24-acre plot of land. The site had been slated for residential development since 1976, and in 1984 the city constructed storm drains on the property to alleviate flooding. When the city denied a building permit for the site in 2000 on the grounds that it was a protected wetland, the current owner successfully argued that the city's earlier drainage project was responsible for the wetland designation. The city is likely to appeal the award, which is roughly three times its annual operating budget.

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lumber is rated for nonground-contact outdoor use only.

According to DeVenzio, PTI-treated wood holds paint noticeably better than similar wood treated with a copper preservative and has less of a tendency to dull saw blades and edge tools.

Mark Crawford, vice president of engineering at Simpson Strong-Tie, expressed cautious support for Arch's claims about PTI. "Arch says it's no more corrosive than untreated wood, but we haven't verified that for ourselves through testing," he says. "But it doesn't have any metal, so I would expect it to have a significantly lower potential for corrosion." — *Jon Vara*

## Employers Must Pay for Safety Gear, OSHA Says

OSHA rules are pretty clear about when workers are required to use personal protective equipment. But who is responsible for paying for it — the employee or the employer — has been a source of disagreement for many years (*In the News*, 3/07). This past November, the agency finally made its position clear in a ruling scheduled to take effect on February 13. (An enforcement grace period lasting until May 15 gives companies extra time to comply.)

In short, OSHA decided that the employer must pay for any necessary PPE, including safety glasses, protective harnesses, hearing protection, hard hats, respirators — whatever the job requires.

Somewhat surprisingly — given the agency's history — the new rule is quite flexible and doesn't require any documentation. (For example, employers don't need to keep receipts.) Moreover, it allows a range of payment options: Employers can buy the equipment outright and issue it to employees, or give them a PPE allowance, or reimburse them for purchases they made themselves. If employees want to upgrade, they are welcome to do so at their own cost; the employer need pay only up to the amount of a standard piece of gear.

The rule's preamble states that inspectors can determine compliance by interviewing employees — particularly any who lack the correct equipment. Also, according to Marie Lynn, a compliance officer with the Denver-area OSHA office, the new standard involves no citation flow-through from subcontractor to prime contractor. In other words, if you're the prime contractor, you're responsible for making sure that any subcontractor employees on your site are equipped with the required PPE — but you don't need to concern yourself with who paid for it.

For more information on the new rule, go to [www.osha.gov/briefing.html](http://www.osha.gov/briefing.html) and read over — or at least skim — the 249-page preamble. — *Michael Davis*

■ The spectacular career of the Bonnie and Clyde of mortgage fraud appears to be over, at least for now. In November, Tampa, Fla., resident Matthew Cox was sentenced to 26 years in prison and ordered to pay \$5.9 million to more than 100 victims for a three-year crime spree across a half-dozen southeastern states. (Cox's partner, Marie Hauck, was caught and sentenced to a five-year prison term in 2006.) The pair took advantage of a hot mortgage market to obtain multiple mortgage loans on about two dozen homes that they contracted to buy through accomplices or with stolen identities.

■ Developers in the Chicago-area suburb of Cary, Ill., will be charged a fee of at least \$6,000 for any cul-de-sacs they build, reports the *Chicago Tribune*. Village administrator Cameron Davis says the charge is meant to offset the extra cost — \$20,000 over 30 years, according to the village's estimates — of plowing, paving, and maintaining a cul-de-sac (compared with a regular street). "Fuel, time, and what you spend on extra asphalt for a cul-de-sac ... it all adds up," he explains.