Resolution No. 011-01-COE Preservative-treated Wood Containing Arsenic
November 20, 2001

URGING THE MAYOR AND THE BOARD OF SUPERVISORS TO REQUIRE CITY DEPARTMENTS TO PURCHASE ONLY ALTERNATIVES TO PRESERVATIVE-TREATED WOOD CONTAINING ARSENIC FOR ALL CITY AND COUNTY CONSTRUCTION AND PROPERTY, SEAL AND PLACE WARNING LABELS ON EXISTING PLAYGROUND EQUIPMENT MADE OF PRESERVATIVE-TREATED WOOD CONTAINING ARSENIC, AND REPLACE EXISTING PLAYGROUND STRUCTURES AND PARK EQUIPMENT MADE OF PRESERVATIVE-TREATED WOOD CONTAINING ARSENIC WITH ARSENIC-FREE ALTERNATIVES AS SOON AS PRACTICABLE.

WHEREAS, the Sustainability Plan for the City of San Francisco specifically pledges to “minimize risks to human health and the environment by striving to eliminate hazardous materials and hazardous waste”\(^1\); and,

WHEREAS, in 1999, the City and County of San Francisco adopted an Environmentally Preferable Purchasing Ordinance stating that it shall be the policy of the City to aggressively pursue the goal of reducing the health and environmental impact of products used in its operations\(^2\); and,

WHEREAS, the City and County of San Francisco adopted an Integrated Pest Management Ordinance in 1996 mandating that San Francisco minimize its pesticide use and reduce the negative impact of pesticides on people and the environment\(^3\); and,

WHEREAS, wood preservatives are registered pesticides and the Integrated Pest Management Ordinance does not currently include any wood preservatives on the “Approved List of Reduced Risk Pesticides” for San Francisco\(^4\); and,

\(^1\) The Sustainability Plan for the City of San Francisco, 1997, p. 49. 
\(^3\) San Francisco Administrative Code, Chapter 39 San Francisco Integrated Pest Management Program. 
WHEREAS, some wood preservatives contain arsenic compounds; and,

WHEREAS, the Board of Supervisors of the City and County of San Francisco adopted a resolution supporting a Congressional Bill mandating that all preservative-treated wood containing arsenic is labeled appropriately; and,

WHEREAS, the Commission on the Environment and the Board of Supervisors of the City and County of San Francisco passed a resolution urging reduced use of toxic wood preservatives in wood utility poles, including arsenic-containing treatments; and,

WHEREAS, the Presidio Trust recognizes the negative health effects from arsenic and therefore does not purchase preservative-treated wood containing arsenic; and,

WHEREAS, the Department of Recreation and Park of the City and County of San Francisco no longer installs preservative-treated wood containing arsenic in its playgrounds and has demonstrated leadership in investigating alternatives to the use of arsenic-treated wood; and,

WHEREAS, legislation banning the use of preservative-treated wood containing arsenic in playground equipment is currently pending in the United States House of Representatives and the Florida state legislature, and has passed in Alachua County, Florida.

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7 City and County of San Francisco, Board of Supervisors, Resolution 512-01, File 011117, Wood Preservatives Resolution, June 29, 2001.
8 Presidio Trust Internal Memorandum, “Treated Dimensional Lumber,” From Bruce Anderson to Steve Potts et al, October 19, 2001. On file at the San Francisco Department of the Environment with the Commission Secretary.
10 Florida Legislature, H 113, “Relating to Treated Wood,” prefiled September 11, 2001, (prohibits use of wood products treated with chromated copper arsenate in publicly funded playground equipment, and prohibits state agencies from purchasing wood treated with chromated copper arsenate, inter alia).
11 Alachua County (Florida) Board of County Commissioners, acceptance of report “Chromated Copper Arsenate (CCA) Pressure Treated Wood Inventory and Management Practices in Alachua County,” September 25, 2001 (recommending, inter alia, arsenic-free wood for county purchasing, replacement of arsenic-contaminated mulch and
WHEREAS, legislation requiring a warning label on preservative-treated wood containing arsenic is currently pending in the United States House of Representatives\textsuperscript{12} and the United States Senate\textsuperscript{13}, and,

WHEREAS, the Environmental Protection Agency recently expanded its consumer information program for preservative-treated wood containing arsenic, implementing end-tag labeling for such wood, in-store bin stickers and signs, and a toll-free consumer information hotline and website; and,

WHEREAS, arsenic has been classified by the US EPA as a Group A, known human carcinogen\textsuperscript{14}; and,

WHEREAS, in addition to skin and lung cancer, arsenic is also known to cause neurological problems, numbness, paralysis, and other human health problems including: nausea and vomiting; decreased production of red and white blood cells; abnormal heart rhythm; blood vessel and skin damage\textsuperscript{15}; and,

WHEREAS, many arsenical treatments, including Copper Chromium Arsenate, also contain chromium VI\textsuperscript{16}, which is listed as a chemical known to cause cancer under California’s Safe Drinking Water and Toxic Enforcement Act\textsuperscript{17} and has been classified by the US EPA as a Group A, known human carcinogen of high carcinogenic hazard\textsuperscript{18}; and,

\begin{itemize}
\item soil in playground areas, and replacement of CCA-containing playgrounds and picnic tables with arsenic-free alternative equipment)
\item \textsuperscript{12} 107\textsuperscript{th} Congress, 1\textsuperscript{st} Session, H.R. 2721, “Arsenic-Treated Wood Mandatory Labeling Act,” introduced August 2, 2001 (to amend the Agricultural Marketing Act of 1946 to require that a warning label be affixed to arsenic-treated wood sold in the United States)
\item \textsuperscript{13} 107\textsuperscript{th} Congress, 1\textsuperscript{st} Session, S. 877, “Arsenic-Treated Wood Mandatory Labeling Act,” introduced May 14, 2001, (to amend the Agricultural Marketing Act of 1946 to require that a warning label be affixed to arsenic-treated wood sold in the United States).
\item \textsuperscript{14} U.S. Environmental Protection Agency. \textit{Integrated Risk Information System (IRIS) on Arsenic.} Environmental Criteria and Assessment Office, Office of Health and Environmental Assessment, Office of Research and Development, Cincinnati, OH. 1993.
\item \textsuperscript{16} Brooks, K. M. 1993. Anticipated Environmental Impacts from the use of Chromated Copper Arsenate (CCA) Treated Wood. Prepared for Western Wood Preservers Institute.
\end{itemize}
WHEREAS, studies conducted in California\textsuperscript{19}, Connecticut\textsuperscript{20}, and Florida\textsuperscript{21} show that arsenic leaches from preservative-treated wood containing arsenic and can end up on children's hands and in their mouths; and,

WHEREAS, preservative-treated wood containing arsenic poses potential health risks in manufacture, by affecting workers who make the product\textsuperscript{22}, and disposal, by leaching into groundwater from landfills\textsuperscript{23}; and,

WHEREAS, 144 million pounds of preservative-treated wood containing arsenic are used annually in the United States\textsuperscript{24}, and,

WHEREAS, wooden playground and park equipment (including picnic tables and park benches) throughout San Francisco are made of wood that has been pressure-treated with arsenicals, to kill insects and prevent rot; and,

WHEREAS, San Francisco children are potentially exposed to arsenic, by playing on wooden playground and park equipment made from preservative-treated wood containing arsenic; and,

WHEREAS, parents have no way of knowing that their children are potentially exposed to arsenic, because there is no warning sign on playground and park equipment made from preservative-treated wood containing arsenic; and,


\textsuperscript{23} Tom, Patricia-Anne, “Poison Wood: Good Wood Gone Bad,” Waste Age magazine Special Report, August 9, 2001 (available at www.wasteage.com, and on file with Commission Secretary).

WHEREAS, children are potentially exposed to arsenic at state parks, and national parks, by eating on picnic tables, sitting on park benches, and playing on play structures constructed with preservative-treated wood containing arsenic; and,

WHEREAS, preservative-treated wood containing arsenic is used in a wide variety of applications, including, sill plates, building supports, fence posts and stairs; and,

WHEREAS, there are a variety of alternatives to preservative-treated wood containing arsenic compounds readily available throughout California, including non-wood substances such as metal and recycled non-chlorinated plastic, sustainably harvested naturally pest- and rot-resistant woods, and alternative wood treatments such as Alkaline Copper Quaternary (“ACQ”) and Copper Boron Azole (“CBA”), and,

WHEREAS, there is currently no alternative to pressure treated wood products containing arsenic approved for use in saltwater immersion environments now, therefore, be it

RESOLVED, that the Commission on the Environment urges the Department of the Environment to develop a list of environmentally preferable alternatives to preservative-treated wood containing arsenic for non-saltwater immersion uses within six months of the passage of this resolution; and, be it

FURTHER RESOLVED, that the Commission on the Environment urges the Mayor and the Board of Supervisors of the City and County of San Francisco to require all City Departments and contractors performing work pursuant to City contracts to purchase only pressure treated wood products from the Department of the Environment’s approved list of environmentally preferable alternatives to preservative-treated wood containing arsenic; and, be it

FURTHER RESOLVED, that the Commission on the Environment urges the Mayor and the Board of Supervisors of the City and County of San Francisco to require all City departments who own or maintain existing City playground and park equipment, such as benches, picnic tables and playsets, constructed...
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with preservative-treated wood containing arsenic to develop a timeline and cost analysis for replacing them with arsenic-free alternatives and present the timeline within six months of the passage of this resolution to the Commission on the Environment; and, be it

FURTHER RESOLVED, that the Commission on the Environment urges the Mayor and the Board of Supervisors of the City and County of San Francisco to require all City Departments who maintain existing playground and park equipment made of preservative-treated wood containing arsenic where contact with human skin is likely to ensure proper sealing in accordance with California Health and Safety Code section 115775 until such time that all structures have been replaced with arsenic-free alternatives; and, be it

FURTHER RESOLVED, that the Commission on the Environment urges all City Departments wishing to dispose of preservative-treated wood containing arsenic to ensure that the wood is not re-used, burned nor used for wood chips or mulch, but is disposed of in an approved landfill; and, be it

FURTHER RESOLVED, that the Commission on the Environment urges the Mayor and the Board of Supervisors of the City and County of San Francisco to require all City Departments who own, purchase or maintain City playground and park equipment to place warning labels indicating they are constructed out of preservative-treated wood containing arsenic, and, be it

FURTHER RESOLVED, that the Commission on the Environment urges the Mayor and the Board of Supervisors of the City and County of San Francisco to write a letter urging the State of California to stop purchasing preservative-treated wood containing arsenic, replace all existing state park equipment (such as benches and picnic tables) constructed with preservative-treated wood containing arsenic with arsenic-free alternatives as soon as practicable, and ensure sealing of existing structures in accordance with California Health and Safety Code section 115775 until such time that all structures have been replaced with arsenic-free alternatives; and, be it
FURTHER RESOLVED, that the Commission on the Environment urges the Department of Building Inspection and the Department of the Environment to investigate the possibility of a citywide ban on the sale and installation of preservative-treated wood containing arsenic and report back to the Commission on the Environment within six months of the passage of this resolution, and, be it

FURTHER RESOLVED, that the Commission on the Environment urges the Port of San Francisco to report back to the Commission on the Environment within six months of the passage of this resolution and annually thereafter on alternatives to preservative-treated wood containing arsenic for use in saltwater immersion environments and to seal sections of docks and piers where frequent human contact is likely, and, be it

FURTHER RESOLVED, that the Commission on the Environment urges the Port of San Francisco to require that all treated wood purchased for use in Port facilities be certified as produced in conformance with the Best Management Practices for Treated Wood Used in Aquatic Environments.25

FURTHER RESOLVED, that the Commission on the Environment urges the Mayor and the Board of Supervisors to ban the use of pressure-treated wood containing arsenic in all saltwater immersion environments by January 1, 2005.

I hereby certify that this resolution was adopted by the Commission on the Environment at its Special meeting on November 20, 2001.

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Kristal Aliyas
Commission Secretary

VOTE:

Ayes: Commissioners Hayes, Bingham, Shah, Werbe, and Rodriguez.
Noes: None.
Absent: Commissioners Evans and Bradford-Bell.