

NOTEBOOK

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EDITED BY JON VARA

CCA-Treated Lumber Is History

Wood preservers agree to voluntary phaseout

It's official: In February, after a series of meetings between the EPA and the three U.S. manufacturers of CCA preservatives, the federal environmental agency announced that all three will voluntarily phase out the arsenic-based preservatives. Wood treaters will begin converting existing plants to a new generation of much less toxic chemicals, and after December 31, 2003, CCA-treated lumber will be off limits for most nonindustrial uses. It will still be approved for utility poles, marine timbers and pilings, highway construction, and possibly some limited residential use, such

as in plywood roof decking.

No unreasonable risk. Although CCA-treated lumber has been in widespread use for more than half a century, for the past few years it has come under close scrutiny as a potential long-term health hazard (see "New Arsenic Scare Puts Spotlight on PT Lumber," *Notebook*, 6/01). In the face of growing pressure from consumer groups and concern on the part of lumber retailers, the industry chose to cut a deal rather than risk an outright ban from the EPA, which might have paved the way for future litigation.

Under the terms of the voluntary agreement, the EPA specifically declined to describe CCA-treated lumber as a health hazard, saying

that it has "not concluded that CCA-treated wood poses unreasonable risks to the public." But because arsenic is a known human carcinogen, the agency explains, any reduction in the levels of potential exposure to arsenic is desirable.

The 22-month timetable for the CCA phaseout came as a relief to lumber retailers, who now have ample time to sell existing stock. "We're confident that we can be into the new product well before the deadline," says Home Depot public relations manager Don Harrison.

Out with the green, in with the brown. The successors to CCA are a
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Marvin Wins Lawsuit Against PPG

A long-running legal battle between Marvin Windows and PPG Industries took a surprising turn recently when a federal jury awarded Marvin \$135.8 million on its breach of warranty claim against the Pittsburgh-based paint and industrial coatings company. The source of the dispute was Marvin's decision, in 1985, to replace the pentachlorophenol wood preservative it had been using with a less toxic tributyl tin oxide preservative supplied by PPG under the trade name PILT. Within a few years, many of the PILT-treated windows began rotting, and in 1989, Marvin discontinued its use of the preservative.



Although the affected windows carried only a one-year warranty, Marvin opted to pay the full cost of replacing the failed units. In 1994, Marvin filed a lawsuit against PPG in an effort to force it to share the mounting cost of replacing the defective windows.

Round one went to PPG: Marvin's initial suit was thrown out by a federal judge in 1999 (see "Marvin Court Case Against PPG Dismissed," *Notebook*, 6/99), and Marvin scrapped its full-replacement policy for a system of pro-rated discounts on replacement windows, excluding installation costs. But a year later, an appeals
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CCA-Treated Lumber

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pair of alkaline copper compounds: copper azole, manufactured by Arch Wood Protection, and alkaline copper quaternary (ACQ), produced by both Chemical Specialties, Inc., and Osmose (all three companies have their own proprietary formulas and will be marketing the chemicals under a variety of brand names). Both are said to provide a level of rot and insect protection comparable to that of the arsenic-based preservatives.

tle or no difference in performance or handling characteristics. The most apparent difference, Fowlie explains, is in appearance: Unlike CCA-treated wood, which is initially greenish before gradually weathering to gray, ACQ- and copper azole-treated wood turn brown when exposed to sunlight. Eventually, the newer materials will also weather to gray.

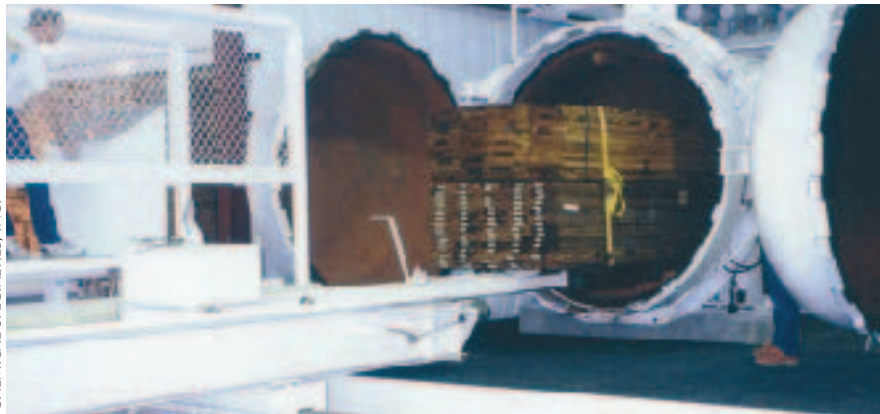
New plumbing. Manufacturers have already begun converting many of the nation's 350 pressure-treatment plants to the new process. Because the old and new

engineering, permitting, cleanup, and installing new equipment — in the \$80,000 to \$100,000 range.

The market adjusts. Lumber treated with the new generation of preservatives now sells for about 20% more than CCA-treated lumber, but that may change as more of the updated treatment plants come on line. "You learn that in Business 101," says Don Harrison. "When you have more competition, people get better at what they do and prices come down."

How much will prices decline? It's hard to say at this point, but they're unlikely to approach the current standard set by CCA-treated material, at least in the near term. That will work to the advantage of manufacturers of composite and plastic decking, who can be expected to use the narrower price gap between wood and their own products as a way to increase market share. "This may cause people to think more about what is going into their deck," says Trex spokeswoman Maureen Murray. "It may speed the transition to products like Trex."

"It's a dollars-and-cents decision for consumers," says Don Harrison. "When plastic decking or fencing is forty percent more than CCA-treated wood, it's easy to choose the cheaper stuff."



CHEMICAL SPECIALTIES, INC.

Chemical Specialties vice president Doug Fowlie notes that because treaters will be relying on the same wood species they always have — primarily southern yellow pine in the East and Douglas fir in the West — builders will notice lit-

preservatives are chemically incompatible, switching preservatives involves a thorough cleaning of all existing plant equipment, as well as replacing valves and piping. Doug Fowlie puts the cost of a typical plant conversion — including

Marvin Wins Lawsuit

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court ruled that one of the original 13 charges — Marvin's contention that PPG had made and broken warranties concerning the future performance of its preservative — should be decided by a jury. That trial began in October of 2001, and in mid February of this year, the jury ordered PPG to pay the window manufacturer for its out-of-pocket costs for replacing doors and windows, lost profits, and loss of goodwill.

The saga isn't quite over yet. PPG has announced that it will appeal the verdict,

meaning that Marvin may not see any money for several years, even if the verdict is upheld. But for now, the Warroad, Minn.-based manufacturer is optimistic. "We always felt that a jury would back up our decision to stand behind our products," says Marvin spokeswoman Brenda Baumann. She notes that the company still offers discounts on replacements for the original PILT-treated windows — now at least 13 years old — and plans to continue the program at least through 2004.

Cross-Threaded Between the Ears



COURTESY ASHI REPORTER

Creativity is a good thing, but only up to a point. Allendale, N.J., home inspector Joe Staub spotted this unorthodox installation in the basement of an older north Jersey home. Its original owner — a longtime employee of a major pump company — apparently had a knack for coming up with Rube Goldberg solutions to household problems: Graywater from the basement washing machine, for example, drained into a metal garbage can rigged with a centrifugal pump, from which it was pushed to a higher drain line. (The hose from the pump, of course, was secured to a trapless standpipe with tape.) A drastically oversized industrial pump had been adapted to serve the basement drainage sump.

But drilling and tapping a cast-iron sewer cleanout to accept a boiler drain? “I’ve never seen anything like it,” Staub says. “I’ve thought and thought and thought about it, but I still have no idea what he could have been thinking.”

OFFCUTS

Three national construction organizations have launched a website designed to encourage students to consider careers in construction. The ConstructMyFuture.com website was created by Associated General Contractors, the Associated

Equipment Distributors Foundation, and the Construction Industry Manufacturers Association. It contains links to information about schooling, scholarships, and apprenticeship

programs. As a further enticement to the digital generation, the site will soon offer visitors a chance to engage in online chat with students who are in apprenticeship programs or working toward engineering or design degrees.



Houses are still getting bigger, as we have come to expect. According to statistics released by the NAHB at the most recent International Builders Show, the average American home topped 2,300 square feet for the first time — an increase of more than 50% since the 1970s. New houses are also getting taller: More than 40% of new houses now have ceilings that are nine feet or higher.

The Canadian Masonry Research Institute has confirmed that masonry structures are more bullet resistant than many other types of wall construction. In a series of tests

conducted with the assistance of the Royal Canadian Mounted Police, the institute subjected 16 wall assemblies to a series of projectiles ranging from .177-caliber airgun pellets to .50-caliber machine gun rounds. Not surprisingly, all of the masonry walls handily outperformed the vinyl-sided test wall. The institute also found that “stucco finishing does not significantly reduce life-threatening situations for people inside or outside a wall that is subjected to most centerfire bullet impacts.”



ImproveNet has announced that it will restructure its business and cut 40% of its work force. According to a company press release, the Redwood City, California-based home-improvement service will focus primarily on its installed sales and repair and warranty services. The company has streamlined its marketing services and automated much of the project support for its Find-a-Contractor service.

STANLEY TOOLS SETS SAIL FOR BERMUDA

Stanley Works, the Connecticut-based tool and hardware manufacturer, has announced plans to reincorporate as a Bermuda company. According to a press release, the move is expected to create competitive advantages for the company, including a sharp reduction in its taxes. There is no income tax in Bermuda, which will enable the company to cut its tax bill by an estimated \$30 million a year, to about \$80 million.

Despite the tangible benefits it

will bring the company, the change of incorporation is essentially a paper transaction. Like other companies that have made similar moves, Stanley will obtain a Bermuda mail drop and pay some fees to the Bermudian government, but will not move any of its operations to the island. The press release announcing the change of incorporation notes that Stanley's corporate offices will remain in New Britain, Conn., and that "there are no plants, distribu-

tion centers, customer relationships or vendor relationships that will change because of this transaction."

Will tool users shrug off the change, as the company believes? Stanley executives could not be reached for comment, so the basis of that belief is unclear. In the end, it will be the company's customers — most of them too small to profitably transfer their own assets to the Caribbean — who will decide that.

OFFCUTS

New home sales for 2001 reached an all-time high, according to figures released by the Commerce Department in late January of this year. Despite the recession that began in March of 2001, a record 900,000 new homes were sold nationally. That figure surpassed the previous record of 886,000 homes, which was set in 1998.



A Maryland lawyer narrowly escaped injury when the vehicle he was driving was impaled by a 13-foot steel girder. According to the *Washington Post*, Jeffrey Pargament was driving to work in downtown Washington, D.C., when a construction crew on the 11th floor of a nearby construction site lost control of the 143-pound beam, which struck his Mercedes E-420 sedan just behind the driver's seat. Pargament told reporters he planned to pursue his run of good luck by purchasing a lottery ticket.

Norm Abram's house contains an unfinished rough main stairway, according to the *Washington Post*. The well-known master carpenter and idol of millions of PBS viewers explained that he has the lumber on hand and has been trying to find time to finish the job for the past six years. "I'm like a lot of people," he said. "I'm a homeowner, and I have a lot of chores to do."

Georgia builders have overturned a building moratorium in the community of Peachtree City, according to the *Atlanta Business Chronicle*. The moratorium, which was enacted by the city council on January 10, halted existing projects as well as new developments. In response, the Home Builders Association of Midway Georgia filed a lawsuit claiming that the moratorium wasn't justified. On February 14, a Fayette County superior court judge agreed and overturned the restriction, which he said "created a negative effect on the business climate in Fayette County."

Willamette Industries officials have agreed to sell the company to Weyerhaeuser for \$6.1 billion. The deal, which marks the end of a long and bitter takeover battle, makes Weyerhaeuser the second-largest owner of timberland in



North America. According to *Random Lengths*, Weyerhaeuser will now control 50% of North American I-joist production, 55% of LVL production, 18% of OSB, and 13% of plywood.

A Princeton, Ill., company has developed a new foam insulation made from soybean oil. Urethane Soy Systems owns the patent on a product it calls SoyOyl, a polyurethane plastic that is 60% soybean oil and 40% conventional petrochemicals. According to the company, the new material is about 10% cheaper than conventional plastics of the same type.

BUSINESS TUNE-UP | How Can They Not Understand Me?

by Melanie Hodgdon

People process information through different mental pathways — psychologists call them modalities — and such personal differences in brain wiring underlie many communication problems. My husband and I are a complete mismatch in terms of information processing. I'm a visual learner, which means that I need to see something in order to understand it. Ed is an auditory learner who processes information through his ears. Others process by touching (tactile learners) or moving through the process (kinesthetic learners). Unless these sorts of differences are taken into account, confusion, comedy, and occasional catastrophe are practically guaranteed.

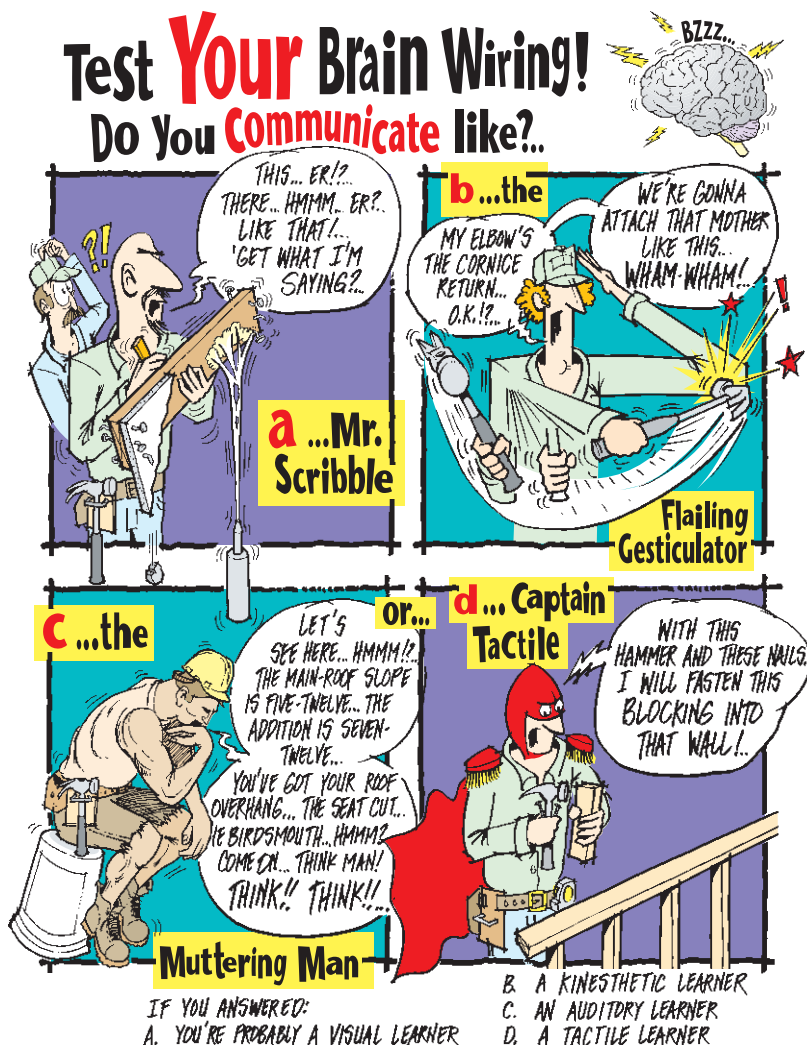
A few years ago, for example, Ed and I were putting on an addition that involved a challenging transition between the old and new soffit and fascia, with their differing angles, pitches, and heights. As we stood and studied the problem, I grabbed a

hunk of wood to scribble on, while Ed muttered to himself (when nobody else is talking to them, auditory learners will "feed" their auditory channel by talking to themselves). When we each thought we knew what had to be done, we got together to present our respective solutions.

"Here," I said, thrusting my wood scrap at him. "We need to make this [pointing] match this here [pointing]." "Huh?" he responded, not even looking at my work of art. "Explain it to me." I was stumped. The picture seemed so clear that words were unnecessary. (In fact, I find it difficult to speak without a writing implement in my hand.) "Well, what's your idea?" I asked, none too graciously. "Well," he said, "blah, blah, blah, soffit, blah, blah, blah, cut, blah, blah, angle, blah, blah, blah. See?" But of course I didn't see — any more than he could hear my picture.

If you're blaming an employee's inability to follow directions on laziness, sloppiness, or inattentiveness, consider whether there's a learning-style mismatch and make allowances. Formal tests have been developed to identify an individual's strongest processing channel, but here's a simplified version: Imagine that you're standing on a street corner holding a pencil and pad of paper in your hand. A car stops and the driver asks for directions to a nearby location that you know. Do you (a) draw a map, (b) face the driver and explain it to him, (c) orient yourself in the direction of the route he is to travel and then use gestures and body language to "walk him through" the route? If you answered "a," your visual channel is probably strong; "b," auditory; "c," kinesthetic. Given a real challenge, people will use multiple channels. For example, if I'm trying to grasp tax law, I read it (visual) out loud (auditory) and may use my arms as well (kinesthetic).

How do you put all this to practical use? Simply learn to recognize how employees and coworkers process information, and encourage them to communicate through whatever channel works best. Allow visual learners to write down instructions without making them feel like nitwits. Have auditory learners repeat what you tell them, and don't make fun of them for talking to themselves. Allow kinesthetic learners to demonstrate what they're going to do. It may sound silly, but it makes it much more likely that the job will get done right the first time.



Exploding Water Heater Creates Video Spectacular

A water-heater explosion at a Burien, Wash., video store last summer has been attributed to a combination of poor installation, mechanical failure, and human error. According to King County assistant fire marshal Bill Harm, the 50- to 80-gallon heater, which was located in a storage area next to the employee bathroom in the Seattle-area strip mall, had apparently been installed without a pressure-relief valve. When the high-temperature cutoff to the electric heating element failed, the heater began producing scalding water.

KING COUNTY FIRE MARSHAL



“The occupants first noticed the problem when the lavatory near the heater began filling with hot water,” Harm says. “The pressure was high enough that the hot water was being forced out the inlet against the pressure in the city main.” The owner called a plumber, who reported that the heater needed to be replaced; he turned off the power and closed the cold-water inlet valve.

What happened next is not entirely clear, but Harm believes that a store employee probably turned on a hot-water tap, and — upon getting only a dribble of water — turned the heating element back on in a misguided effort to solve the problem. Steam pressure quickly built up in the now partially drained tank, which then exploded, shattering masonry walls and raining glass and debris onto cars parked in front of the building. The heater itself rocketed through the roof and over a six-lane highway before coming to rest in a parking lot nearly 500 feet away.

Miraculously, only four people were injured in the blast. Three were treated and released at a local hospital, while a fourth — the owner of the store — received second-degree burns on the arm. Property damage was estimated at half a million dollars.

Kohler Recalls Shower Doors

In cooperation with the U.S. Consumer Products Safety Commission, Kohler Co. has announced the voluntary recall of about 41,000 shower doors equipped with hinges that can fail, causing the doors to fall. The company has received nearly a dozen reports of doors that have fallen from their hinges, including one case that resulted in minor injuries.

The recalled shower doors

include the Kohler Helios and Sterling Freestyle models made from January 1997 through September 2001. The hinge design used on the Helios and Freestyle models allows the doors to swing back and forth and retract from side to side without the use of the anchored track guides common to many shower doors. The doors were distributed for shower enclosure and bathtub

applications in both single- and double-door configurations. They were sold in a variety of sizes and glass treatments and in chrome, white, and brass frame finishes.

Consumers should stop using the recalled doors immediately. For information on how to receive a replacement door, contact Kohler at 866/782-6329.

