



December 19, 2008

Michele L. Brooks, Director  
Program Development and Regulatory Analysis  
USDA Rural Development  
1400 Independence Avenue SW  
Stop 1522, Room 5818-S South Building  
Washington, DC 20250-1522

Re: Comments on Proposed Rule  
Federal Register Vol. 73, No. 189

Dear Ms. Brooks:

The following comments on the proposed rule are provided by Timber Products Inspection, Inc. (TP), which is an independent inspection firm founded in 1969. We provide new pole and cross arm inspection under the NRECA/WQC Program as well as Independent Inspection using the RUS specifications.

**Bulletin 1728F-700**

**Paragraph 3.9**

TP is in agreement with this paragraph as written.

**Paragraph 4.3 and Paragraph 4.2.3 of Appendix A**

These paragraphs require that all kiln dried poles be treated within 30 days of drying. Given that many producers dry their poles as they are produced, it is an operational challenge to ensure that all poles are treated within 30 days. In particular, uncommon sizes may need to be accumulated for a period of time prior to treatment. It is suggested that this time limit be removed or at least extended to a reasonable time limit such that the integrity of the white poles would not be compromised.

### Paragraph 8.1.2

✓ Definitions (page 4) Butt Treated means poles are treated in the section of the pole from the ground line zone to zero at the butt.

OK  
YHR Douglas-fir is singled out in the text when other species are not. The same formulation applies to all other species, required to be sterilized. Also, treatment Group D includes WRC; however the sterilization time needs to be considered.

✓ This paragraph includes a sterilization requirement for Douglas fir poles that is inconsistent with the requirements in paragraph 8.1 and the AWPA standards referenced by the bulletin.

### Paragraph 8.2

✓ It is recommended that the last sentence of this paragraph be modified by the addition of the words "or modified full cell" after the existing words "full cell" because poles treated with water-borne preservatives are commonly treated using a modified full cell process to reduce post-treatment drip page and the possible occurrence of surface deposits.

✓ The table in paragraph 8.2 contains a maximum creosote and oil-borne preservative temperature for Western Red Cedar of 200°F, which is the only value in the table that is different than that in AWPA Standard T1. Unless there is some technical reason for this difference, it is recommended that the table be changed to conform to AWPA Standard T1.

### Paragraph 8.4.3

OK We suggest that Rubeanic Acid be included in the same way as Chrome Azurol S, per the AWPA Standards.

### Paragraph 8.5

This paragraph states that all distribution poles that are bored, gained, or cut back after treatment shall be retreated. It is suggested that the requirement to retreat a pole that is bored after treatment be removed. The bulletin allows the more structurally important transmission poles to be bored and gained after treatment so long as a supplemental surface treatment is applied. Many RUS borrowers often ask for additional holes beyond the standard distribution framing pattern.

A producer should be allowed to drill additional holes requested by the buyer in poles taken from treated stock and provide a supplemental treatment similar to that applied to holes drilled in the field, as provided for in the AWPA Standards.

### **Appendix A, Section 2**

Definitions (Para 19) "Split" Add: May also be referenced as a "burst" when occurring in the inner body of the pole.

### **Appendix A, Paragraph 7.1.0**

Duplicated as 7.13 (page 24)

### **Appendix A, Paragraph 7.5**

This section refers to surface deposits. Many times in the industry this characteristic in a pole is referred to as a "bleeder". It is our experience that poles produced at sea level and are free of surface deposits, for example, may not always be so at higher elevations or with summer like temperatures. This certainly should not happen with an entire lot but can easily happen with occasional pieces, which may not be identified at the point of production. This provision may be viewed as a penalty to the producer where they have no control after the pole(s) leave the plant.

### **Appendix A, Paragraph 8.2**

Circumference should be the measurement where the top dimensional requirement applies at a point corresponding to the minimum length permitted for the pole "prior to the application of any gains" made to the pole.

### **Appendix A, Paragraph 9.6.2**

This paragraph requires that transmission poles bored or gained after treatment have the cut area treated with a "supplemental ground line type preservative." This is confusing in that it could be construed to mean a system presently used for periodic ground line treatments. It is recommended that the words be replaced with "a preservative approved for use in ground contact by the AWPA."

### **Appendix A, Paragraph 9.6.8**

It is suggested that Anti-Splitting devices such as "star locks" or "S" irons may be added to the ends of poles in order to prevent splitting during the drying and treatment process.

**Appendix A, Paragraph 9.7.2**

Add: Through boring may be requested or offered as an alternative with the submission of an industry approved pattern and hole sizes.

**Bulletin 1728H-701**

These comments refer to the rule paragraphs as published in the Federal Register Vol. 73, No. 189, September 29, 2008, starting on page 56513.

**Paragraph (a) (12), page 56515**

TP is in agreement with this paragraph as written.

**Paragraph K(4), page 56520**

This paragraph contains a table showing AWPAs analysis methods. Method A9 should be added as an acceptable method of analysis for pentachlorophenol as recognized elsewhere in the bulletin.

**Bulletin 1728H-702**

These comments refer to the rule paragraphs as published in the Federal Register, Vol. 73, No. 189, September 29, 2008, starting on page 56524.

**Paragraph 8, page 56525**

TP is in agreement with this paragraph as written.

**Paragraph (e) preservatives 1-4, page 56526**

A complete analysis of the wood preservative can be very expensive and time consuming for the plant and the agency. We suggest that the system accept the official results of the preservative analysis from the supplier and further perform their own analysis on an occasional basis at the plant or by submitting to a commercial laboratory.

**Paragraph (g) (5) & (6), page 56527**

This paragraph requires each independent inspector and plant quality control personnel to be trained and certified competent by the XRF instrument manufacturer. This provision is unreasonable and it is uncertain whether the manufacturer would accept this responsibility. A certification program tied to the manufacturer of the instrument does not appear to be operationally feasible.

Some plants will require inspection visits by the agency several times per month or even every day. Others may not require visits on a monthly basis. So for a requirement to perform the "precision check" on a weekly basis when a visit is not scheduled places unreasonable expense on the agency. There are instances where a plant is served by multiple agencies. It would be confusing for the various agencies to coordinate and track instrument checks. As such, a plant should be responsible for performing instrument checks by submitting samples to outside laboratories and having the on-going results available for any agency review

The requirement for the inspector be trained by the "instrument manufacturer" is again unreasonable, especially if they have no program to do so. Additionally there could be a significant cost, given that some agencies have their personnel stationed in many parts of the nation, not in proximity to an "instrument manufacturer". A suggestion would be to have each agency inspector trained and continually monitored on their performance, including proper use of the instrument(s) by the agency supervisor or laboratory manager.

**Paragraph (c)(5), Appendix A, page 56528**

This paragraph contains the same requirement for certification of competency by the XRF instrument manufacture. Please see the preceding comment.

TP appreciates the opportunity to provide these comments. Please contact me if you need additional information or clarification.

Sincerely,

**TIMBER PRODUCTS INSPECTION**



Todd Greer  
Vice President

/jr  
Xc: File