

1 15A NCAC 02D .0546 is proposed for adoption as follows:

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3 **15A NCAC 02D .0546 CONTROL OF EMISSIONS FROM LOG FUMIGATION OPERATIONS**

4 (a) Purpose. The purpose of this rule is to establish emission control requirements for hazardous air pollutants and
5 toxic air pollutants from log fumigation operations.

6 (b) Definitions. For the purpose of this Rule, the following definitions and definitions in this Subchapter or
7 Subchapter 02Q apply:

8 (1) "Bulk or tarpaulin log fumigation" means the fumigation of logs which are placed in piles on an
9 impermeable surface and covered with a weighted-down tarpaulin.

10 (2) "Chamber log fumigation" means the fumigation of logs inside a sealed building or structure that
11 is specifically used for fumigation. Chambers used for fumigation may be either atmospheric or
12 vacuum type.

13 (3) "Container log fumigation" means the fumigation of logs inside a container and where the doors
14 of the container are closed and sealed.

15 (4) "Fumigant" means the hazardous air pollutant or toxic air pollutant that is used to suffocate or
16 poison the pests within the logs.

17 (5) "Fumigation operation" means the period of time that the fumigant is injected and retained in the
18 container or chamber for the purposes of treating the logs for insects and other pests to prevent the
19 transfer of exotic organisms.

20 (6) "Hazardous air pollutant" means any pollutant listed under Section 112(b) of the federal Clean Air
21 Act.

22 (7) "Public right-of-way" means an access area where people can reasonably be expected to be
23 present for any or all parts of a 24-hour period.

24 (8) "Toxic air pollutant" means any of the carcinogens, chronic toxicants, acute systemic toxicants, or
25 acute irritants that are listed in 15A NCAC 02D .1104.

26 (c) Applicability. This rule applies to new, existing, and modified bulk or tarpaulin, chamber, and container log
27 fumigation operations that use a hazardous air pollutant or toxic air pollutant as a fumigant.

28 (d) Emission Control Requirements. The owner or operator of a log fumigation operation shall comply with the
29 Toxic Air Pollutant Guidelines specified in 15A NCAC 02D .1104 and follow the procedures specified in 15A
30 NCAC 02D .1106, 15A NCAC 02Q .0709, and 02Q .0710.

31 (e) The owner or operator shall post signs notifying the public of fumigation operations. The signs must be visible
32 and legible at the fence or property line closest to any public right-of-way. The signs must remain in place at all times
33 and must conform to the format for placards mandated by the federally approved fumigant label.

34 (f) Monitoring, Recordkeeping and Reporting. The owner or operator of a chamber or container log fumigation
35 operation shall comply with the requirements pursuant to 15A NCAC 02D .0600:

36 (1) The owner or operator shall send an initial notification of commencement of operations to the
37 appropriate Division of Air Quality regional office within 15-days of initial fumigation start-up.

1 (2) The owner or operator shall submit a quarterly summary report, with the original signature of the
2 Permittee or the authorized responsible official, of the monitoring and recordkeeping activities
3 postmarked no later than 30 days after the end of each calendar year quarter. The report shall contain
4 the following:

5 (A) company name, address, and facility ID number;

6 (B) calendar year quarter represented by the report;

7 (C) daily and total fumigant usage in pounds for each quarter; and

8 (D) a summary of the monitoring data required by the permit that was collected during the
9 quarter;

10 (E) a summary of exceedances from the levels established in the permit that occurred during
11 the quarter of any monitoring parameters.

12 (g) Compliance Schedule. The owner or operator of an existing log fumigation operation subject to this Rule shall
13 achieve compliance within 60 days after the Rule is effective or in accordance with an alternate compliance schedule
14 approved by the Director. In establishing an alternate compliance schedule, the Director shall consider whether the
15 compliance approach chosen by the facility involves the purchase and installation of a control device. New and
16 modified facilities shall achieve compliance with this Rule upon start-up.

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18 History Note: Authority G.S.

19 Amendment Eff.: