

<b>WEST VIRGINIA DEPARTMENT OF AGRICULTURE PLANT INDUSTRIES DIVISION COMPLIANCE AGREEMENT</b>		2. Location: UTMs:	
1. Name or Address of Person or Firm		COUNTY: PHONE:	
3. Regulated Article(s) <b>Approved Facility Required to Treat for EAB outside a Quarantined Area Ash Logs, Lumber, Stumps, Branches, and Chips (Excluding Firewood)</b>			
4. Applicable Laws/Regulations <b>Chapter 19, Article 12, Section 6 of Code of West Virginia. Emerald Ash Borer (<i>Agilus planipennis</i>), State of West Virginia EAB Interior Quarantine</b>			
5. I/We agree to the following: hereby enters into a Compliance Agreement with the West Virginia Department of Agriculture (WVDA) under the provisions of the Emerald Ash Borer Quarantine and agrees to handle and ship regulated articles only as provided for in this Compliance Agreement.  will accept regulated ash logs, lumber, stumps, branches, and chips moved <b>intrastate</b> from a quarantined area. Regulated materials may only be accepted from a shipper under an appropriate WVDA compliance agreement, an appropriate cooperator's compliance agreement, and/or with a valid limited permit will ensure that each shipment of treated regulated material is accompanied by a completed WVDA issued Limited Permit and will maintain Parts 2 and 3 (yellow and pink copies) of the WVDA Limited Permit at their premises. will ensure that the WVDA Limited Permits are safeguarded from misuse, unauthorized use, and loss. No certificates are to be duplicated without the approval of WVDA. All certificates must be accounted for, including voids. WVDA Limited permits must be signed and dated upon receipt, maintained at the mill, and surrendered to USDA/WVDA or appropriate cooperator personnel upon request.  Regulated materials accepted must receive <b>ONE</b> of the following treatments: 1. Remove the bark and an additional ½ inch of wood. The bark and wood removed will be regulated separately. 2. Follow a kiln sterilization treatment. The maximum thickness of allowable wood is three inches. See attachment A- 1  Treatments are completed at the establishment's expense.  <b>will ensure that all regulated ash logs will be stored separately from other logs and marked with a "Q" until processing and disposal of waste by shredding / chipping to less than an inch in two dimensions, and/or burning on site. None of these items will be distributed as firewood.</b>  <b>Note: Ash logs may be received from quarantined areas between October 1 and March 31. Receiving ash logs from quarantined areas is prohibited between April 1 and September 30.</b> will ensure that all regulated material (including waste i.e. slab wood) will be processed or disposed of by April 7. Any regulated materials remaining after April 7 will be considered a violation of this agreement. If regulated items are present in violation of this agreement they will be immediately treated/disposed of under WVDA supervision using appropriate safeguards at the owner's expense. The manufacturing/treatment process will take place on the mill premises between October 1 and April 7.  The USDA and/or WVDA retain the right to conduct inspections of regulated articles, monitor inspection procedures, and examine shipment, treatment, and issued certificates and permits at any time. All records must be maintained for at least 36 months. All document requests will be filled within 48 hours of the initial request.  If fails to comply with the provisions of this Compliance Agreement and/or the Emerald Ash Borer Quarantine regulations, this Compliance Agreement will be canceled. In addition, violations of this quarantine are subject to civil and criminal penalties with monetary fines not to exceed \$1,000.00 and imprisonment not to exceed 6 months. The WVDA reserves the right to revise or cancel the Compliance Agreement at any time.  This Compliance Agreement replaces and supersedes any other intrastate Compliance Agreements issued to by the WVDA for the handling of regulated articles described in box 3 above originating from a quarantined area. Compliance agreements are non-transferable. The establishment must notify the local WVDA office in the event that: <ul style="list-style-type: none"> <li>• The designated signatory individual in block 6 changes,</li> <li>• The applicant/company physically relocates,</li> <li>• The company name or ownership changes, or</li> <li>• Any other event which may affect the handling of the regulated article occurs.</li> </ul>			
6. Signature		7. Name and Title ( <i>Please Print</i> )	
8. Date Signed			
9. Agreement Number EAB-5 -WV		10. Product	
		11. Date of Agreement	
12. State Agency Official ( <i>Name, Title, Agency</i> ) Gary Gibson Director		13. Address Plant Industries Division West Virginia Department of Agriculture Charleston, WV 25305	
14. Signature		15. Date	

# Attachment A-1 Treatment Requirements

## Kiln Sterilization Treatment Schedule

Treatment: T404-b-4 Kiln Sterilization

Dry Bulb temperatures	Wet Bulb depression	Relative humidity	Moisture content	Thickness of lumber	Exposure time
140°F	7°F	82%	13.8%	1 inch	3 hrs
				2 inches	5 hrs
				3 inches	7 hrs
130°F	16°F	60%	9.4%	1 inch	10 hrs
				2 inches	12 hrs
				3 inches	14 hrs

1. After kiln drying, the wood will be checked with a moisture meter to verify the wood is at or below the appropriate moisture content listed above. Two readings will be taken per stack of wood: one near the top of the stack and one near the bottom of the stack. These reading will be recorded in a computer database along with the date and time. This database information will be supplied to USDA, APHIS, PPQ on a monthly basis.
2. If the wood does not meet moisture content guidelines, it will NOT be in compliance unless it undergoes additional kiln drying and can then demonstrate that the moisture requirement has been met.