

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

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

(b) Definitions. For the purpose of this Rule, the following definitions and definitions in this Subchapter or 15A NCAC 02Q apply:

- (1) "Bulk or tarpaulin log fumigation" means the fumigation of logs that are placed in piles on an impermeable surface and covered with a weighted-down tarpaulin.
- (2) "Chamber log fumigation" means the fumigation of logs inside a sealed building or structure that is specifically used for fumigation. Chambers used for fumigation may be either atmospheric or vacuum type.
- (3) "Container log fumigation" means the fumigation of logs inside a container where the doors of the container are closed and sealed.
- (4) "Fumigant" means the hazardous air pollutant or toxic air pollutant that is used to eliminate the pests within the logs.
- (5) "Fumigation operation" means the period of time that the fumigant is injected and retained in the container, chamber, or bulk piles for the purposes of treating the logs for insects and other pests to prevent the transfer of exotic organisms.
- (6) "Hazardous air pollutant" means a pollutant listed under Section 112(b) of the federal Clean Air Act in 42 U.S.C. 7412(b).
- (7) "Public right-of-way" means an area where people may reasonably be expected to be present for any part of a 24-hour period.
- (8) "Toxic air pollutant" means a carcinogen, chronic toxicant, acute systemic toxicant, or acute irritant that is listed in 15A NCAC 02D .1104.

(c) Applicability. This Rule shall apply to new, existing, and modified bulk, chamber, and container log fumigation operations that use a hazardous air pollutant or toxic air pollutant as a fumigant.

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

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

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

- (1) The owner or operator shall send an initial notification of commencement of operations to the Division of Air Quality regional office within 15 days of initial fumigation start-up.
- (2) The owner or operator shall submit quarterly summary reports, signed by the permittee or the authorized responsible official, of the monitoring and recordkeeping activities. Within 30 days after the end of the calendar year quarter, reports shall be postmarked or received by the Division in accordance with 15A NCAC 02D .0605(i). The report shall contain the following:
 - (A) the company name, address, and facility ID number;
 - (B) the calendar year quarter represented by the report;
 - (C) the daily and total fumigant usage in pounds for the quarter;
 - (D) a summary of the monitoring data required by the permit that was collected during the quarter; and
 - (E) a summary of deviations from the monitoring parameters or allowable operating levels established in the permit.

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

*History Note: Authority G.S. 143-215.3(a)(1); 143-215.107(a)(4); 143-215.107(a)(5);
Eff. November 1, 2020;
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