



Wisconsin Department of Agriculture, Trade and Consumer Protection
 Division of Agricultural Resource Management
 Bureau of Plant Industry
 PO Box 8911, Madison WI 53708-8911
 Phone: (608) 224-4573 Fax: (608) 224-4656

Wisconsin Department of Agriculture, Trade and Consumer Protection

EMERALD ASH BORER COMPLIANCE AGREEMENT

Approved Mill Facility Handling Ash Chips and Mulch (Excluding Firewood) OUTSIDE QUARANTINED AREA

| | | | |
|--|--|----------------------|--|
| Company Name: | | Contact Name: | |
| Mailing Address: | | E-mail: | |
| County: | | Telephone: | Fax: |
| Disposal or Processing Yard Location (if different than mailing address above): | | | Disposal or Processing Yard County: |

Applicable to State or Federal Cooperative Domestic Quarantines for the Emerald Ash Borer (*Agrilus planipennis*) pursuant to ATCP 21, Wisconsin Administrative Code

This Emerald Ash Borer Compliance Agreement between the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) and (the Company) provides a limited exception for the Company to the quarantine established pursuant to s. 21.17 Wis. Adm. Code and 7 CFR 301.53-3. The limited exception authorizes the Company to transport ash chips and mulch from the quarantined area to outside of the quarantined area subject to the following conditions:

- The Company acknowledges State and Federal regulations governing the Emerald Ash Borer (EAB) and "regulated articles"*. When working within and near EAB quarantine zone(s), the Company agrees to supply records that may be required for inspection. The Company agrees that the regulated item(s) to which this Compliance Agreement applies is (are) produced, processed, stored, handled or used under conditions, described below, that effectively preclude the transmission of emerald ash borer.
- This Company will ship regulated ash chips and mulch from a quarantined area ONLY after **ONE** of the following treatments is completed at the establishment's expense: (Circle those that apply)
 - Produce mulch chips that comply with the Mulch Sample Protocol provided in Attachment A-1
 - Composting process as provided in Attachment A-1.
- Transportation of ash material to the manufacturing/treatment facility must take place between October 1 and March 31. All ash material must be processed by April 30. Regulated articles that have undergone an approved treatment may be shipped throughout the year.
- The Company informs DATCP of any suspected EAB infestation;
- A copy of this compliance agreement is carried the Company employees working within EAB quarantine zone(s);
- The Company writes the compliance agreement number on the scale ticket, invoice or any other shipping document accompanying the shipment of any ash chips or mulch.

Additional stipulations:

- From April 30 to September 30, all regulated articles in possession of the Company originating on EAB-infested properties shall only be transported within regulated areas in an enclosed vehicle or a vehicle completely enclosed by a covering, such as canvas, plastic or other tightly woven cloth, adequate to prevent the passage of the Emerald Ash Borer to the environment;
- Ash bark and bark products are subject to additional regulations and requirements if moved outside an area regulated for Gypsy Moth. A current map of the area regulated for Gypsy Moth is attached to this agreement. Do not make commitments to move chips, mulch, or other regulated materials outside of the area regulated for Gypsy Moth without contacting DATCP.
- Regulated articles that have undergone an approved treatment may be shipped throughout the year.

*"Regulated Articles" are defined as the following:

- The Emerald Ash Borer (*Agrilus planipennis* Fairmaire) in any living stage;
- Ash trees (*Fraxinus spp.*) of any size;
- Ash limbs, branches and roots;
- Any cut non-coniferous firewood;
- Ash chips and bark fragments (both composted and uncomposted) larger than one inch in diameter;
- Ash logs, slabs or untreated lumber with bark attached;
- Any other item or substance not listed here that may be designated as a regulated item if a pest control official determines that it presents a risk of spreading emerald ash borer and notifies the person in possession of the item or substance that it is subject to the restrictions of the regulations.

One original signed agreement to be maintained at Wisconsin Department of Agriculture, Trade and Consumer Protection and a second original signed agreement to be maintained at the company office.
 [8/8/2008, EABComplianceAgreement V.doc]

If at any time, the information on this form is no longer accurate, the signator must notify WDATCP. WDATCP also retains the right to withdraw the agreement if the signator misrepresents any information on this form, or fails to honor any of the commitments made on this form.

Personal information you provide may be used for purposes other than that for which it was originally collected (sec. 15.04 (1)(m), Wis. Stats.)

Signature/Title _____ Date Signed _____

State Agency Official Signature _____ Compliance Agreement No: _____

Wisconsin Department of Agriculture, Trade and Consumer Protection
2811 Agriculture Drive
Madison, Wisconsin 53718
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Attachment A-1

MULCH SAMPLING PROTOCOL

Size Requirements and Screening Procedure for Hardwood Mulch and Chips in the Emerald Ash Borer Quarantine Area

February 23, 2007

The following procedure should be followed to determine if hardwood and bark chips, nuggets, and mulch materials can be considered safe for movement from the emerald ash borer quarantine area:

Step 1. Using a 12 inch diameter 3.25 inch deep sieve with 1.25 inch steel mesh openings (Fisher Scientific #04-884-1J) take 10 samples from random locations in the chip or mulch pile - - do not take all samples from the same location. If any chips are found that are greater than 2.5 inches in two dimensions the pile is rejected. If there are no chips found greater than 2.5 inches in two dimensions then proceed to Step 2.

Step 2. If four or more chips from the 10 samples do not pass through the sieve proceed to Step 3. If three or fewer chips from the 10 samples do not pass through the sieve, then the pile passes and can be moved.

Step 3. Resample. Take 10 additional samples from random locations in the chip pile. If any chips are found that are greater than 2.5 inches in two dimensions the pile is rejected. If there are no chips found greater than 2.5 inches then proceed to Step 4.

Step 4. If four or more chips from the 10 samples do not pass through/put through the sieve the pile is rejected. If three or fewer chips fail to pass through the sieve then the pile passes and can be moved.

NOTE: Mulch chips that do not meet the specified requirements as outlined above may be reground to meet this specification or composted as outlined below.

Composting Requirements for Hardwood Mulch and Chips in the Emerald Ash Borer Quarantine Area

To treat hardwood and bark chips, nuggets, and mulch material that are larger than 1.00 inches (2.54 cm) in two dimensions, to mitigate risk of spread of Emerald Ash Borer, they can be composted using the following procedure adapted from the Gypsy Moth Manual:

1. Compost piles must be a minimum of 200 cubic yards.
2. Internal temperature at a depth of 18 inches must reach 140 °F (60 °C) for four (4) continuous days.
3. Using a front-end loader or a bulldozer, remove the outer layer of the compost pile to a depth of three (3) feet.
4. Start a second compost pile using the recently-removed cover material as a core.

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5. Move the core material from the first compost pile and place on the second compost pile as a cover at least three (3) feet deep.
6. Allow the second compost pile to remain undisturbed until the temperature reaches 140 °F (60 °C) for at least four (4) continuous days.
7. Remove the second compost pile and use as fully-composted material.
This procedure will allow continuous operation. After the first compost pile is “turned” to become the second compost pile, a new “first” compost pile can be started.

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