

**12:51:10:06. Treatment of regulated articles.** Regulated articles listed in § 12:51:10:03 may receive a permit from the secretary or a designated agent to authorize movement outside of the quarantine area. A permit will include specific treatment activities that must be performed in order to prevent the spread of emerald ash borer out of the quarantine area. The treatment activities are as follows:

(1) Heat Treatment: the article has been brought to an internal temperature of 140 deg F (60 deg C) for 60 minutes, or other temperature and exposure time as described in USDA Heat Treatment Schedule T314-a (Regulated Wood Articles including Fraxinus and all Hardwood Firewood from Emerald Ash Borer Quarantine areas) or USDA Kiln Sterilization Schedule T404-b-4 (Wood Products including containers);

(2) Fumigation: Fumigation must be approved and conducted under expert guidance and appropriate for the particular article, and under official observation by USDA-APHIS-PPQ or the Department of Agriculture and Natural Resources Division of Agricultural Services;

(3) Chipping: Bark or other wood may be chipped so that the size of the chips is 1 inch or less in two dimensions;

(4) Debarking: The article has 100% of the bark removed, plus an additional 1/2 inch of wood. No residual bark or cambium shall remain;

(5) Other: If the secretary determines the article will not present a risk of transporting the emerald ash borer.

**Source:** 45 SDR 84, effective December 19, 2018; SL 2021, ch 1, §§ 8, 19, effective April 19, 2021.

**General Authority:** SDCL 38-24A-9.

**Law Implemented:** SDCL 38-24A-12, 38-24A-12.1, 7 C.F.R. Part 301.53-1 to 301.53-9, inclusive.