

Procedures for New Facilities Requesting Approval to Handle Regulated Garbage

Any company interested in receiving U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS) approval to handle regulated garbage must contact the APHIS Plant Protection and Quarantine (PPQ) State Plant Health Director, local Customs and Border Protection (CBP) and the local APHIS PPQ Agriculture Quarantine Inspection Veterinary Medical Officer to discuss intent. Please call the APHIS Regulated Garbage Program in PPQ Quarantine Policy, Analysis and Support (QPAS) at (301) 851-2295 to obtain contact names and phone numbers.

APHIS approval to handle, haul, or dispose of regulated garbage removed from means of conveyances arriving from outside of the United States and Canada is a three step process:

Step 1: Letter to the Administrator

Anyone wishing to handle, haul, or dispose of regulated garbage must send a signed letter requesting approval to handle regulated garbage to the APHIS Administrator electronically at:

PPQ_VRS.Regulated.Garbage@aphis.usda.gov

Alternatively, a signed letter requesting approval to handle regulated garbage may be sent to the APHIS Administrator by mail at the following address:

Administrator
Animal and Plant Health Inspection Service
c/o Director, PPQ Quarantine Policy, Analysis and Support
4700 River Road, Unit 60
Riverdale, MD 20737

NOTE: It is not necessary to send a signed letter both electronically and by mail. Please submit letters electronically if possible.

Instructions for writing the request letter:

Include information for each of the following sections. Do not leave any sections blank. Some sections will ask for information that you may need to request from the processing facility (such as processing information, record keeping and landfill information). Please request the information from the processing facility and include it in your application. Only include information related to regulated garbage handling, and do not include extraneous information. The application will be delayed or denied if all requested information is not provided.

1. Name and address of applicant's company
2. Name, title, phone number, and email address of applicant's company contact
3. Description of the specific regulated garbage handling function(s) that applicant is requesting approval for (example cleaning or catering international aircraft at XXX airport, storing regulated garbage at XXX location, hauling regulated garbage from XXX location to XXX location, processing

regulated garbage, cruise ship with Bermuda, Caribbean or Mexico itinerary – passenger education, cruise ship with Bermuda, Caribbean or Mexico itinerary – supervising landing of regulated garbage, etc.)

4. Name and address of any company that will be sub-contracted by the applicant's company to perform regulated garbage handling (if applicable). Please note, if a company will be performing a service for your company, such as hauling or processing your regulated garbage, but they have their own compliance agreement, they are not considered by APHIS to be sub-contractors. If your company is planning on using a sub-contractor, which means that the sub-contractor will operate under your company's compliance agreement and your company takes responsibility and liability for their actions. (Note: All sub-contractors must be approved prior to inclusion in the primary company's compliance agreement except stevedores or longshoremen)
5. Name, title, phone number, and email address of any subcontracted company contact (if applicable)
6. Name and address of processing facility (i.e., sterilizing/incinerating facility)
7. Name, title, phone number, and email address of processing facility contact
8. Source of regulated garbage (aircraft, water conveyance, etc.)
9. Name and address of company hauling regulated garbage collected by applicant, to the processing facility
10. Approximate weight of international garbage that will be received or collected by applicant's company (daily, weekly, etc.)
11. Complete description of the method that will be used by the applicant's company to keep regulated garbage separate from domestic non-regulated garbage during collection, and at the applicant's facility and/or in transfer vehicles
12. Complete description of the process for the handling of regulated garbage by applicant's company including, but not limited to:
 - A. How will applicant's company initially collect the regulated garbage from the aircraft, water conveyance, storage facility, etc?
 - B. How will the regulated garbage that is collected be weighed or amount estimated by applicant's company?
 - C. Describe the plastic bags that will be used to contain the regulated garbage. Will they have a minimum thickness of 3 MIL?
 - D. Describe the collection/storage containers to be used for the collection/storage of regulated garbage. Are they rigid, leak-proof, covered with a tight fitting lid, and properly labeled "Regulated Garbage"?
 - E. How will the regulated garbage be transferred from collection site to storage location or from collection site to processing facility?
 - F. Describe the location where the regulated garbage will be stored at applicant's facility. Is it designated for regulated garbage storage only, clearly marked, and secure or locked?
 - G. How long will regulated garbage be stored at applicant's facility? (note –the maximum storage time , the time allowed by APHIS for the regulated garbage to be in the possession of the company, is 72 hours)
 - H. How will the regulated garbage be transferred from the storage location to the processing facility (if applicable)?
 - I. What records will be kept of regulated garbage that is collected by the applicant, stored at the applicant's facility, and/or transferred to a processing facility by applicant's company?

- J. What method will be used to process the regulated garbage at the processing facility? (i.e. incineration or sterilization)
 - K. If an incinerator will be used, does it burn all materials to ash (except glass and metal)?
 - L. If a commercial grinder will be used as the primary disposal method, is it connected to an EPA/APHIS approved sewage system (septic tanks and similar systems are not authorized)? Does it chop the regulated garbage into pieces sufficiently small enough so that flow is maintained into the sewage system? Explain how materials associated with regulated garbage, i.e. plastics, paper, food containers, etc. will be processed (incinerated or sterilized).
 - M. If a sterilizer is used, it must be capable of sterilizing regulated garbage to an internal garbage temperature of 212 ° F for a minimum of 30 minutes; will adequate time and temperature settings be used to meet these time and temperature requirements ? Does the sterilizer have an automated method of creating accurate permanent time/temperature records of each processing cycle as required?
13. Provide the name and address of landfill where processed garbage will be taken to, once it is removed from processing facility.
 14. Provide the name and address of company hauling processed garbage from the processing facility to landfill.
 15. Provide a complete description of applicant company's employee training regarding the handling of regulated garbage, including frequency and materials used. At a minimum, regulated garbage training must be given initially to employees before they are allowed to handle regulated garbage and must be repeated annually. The training must include at a minimum:
 - i. Definition of regulated garbage
 - ii. Explanation and purpose of the regulations (9 CFR 94.5 and 7 CFR 330.400 – 330.403)
 - iii. Inclusion of film, slides, or other training aids on foreign animal and plant diseases and pests (this can include the "No Free Ride" DVD)
 - iv. Review of the company's written Standard Operating Procedure (SOP) for handling regulated garbage (see APHIS guidance for SOPs)
 - v. Review of the compliance agreement
 16. Provide the specific name of the APHIS approved disinfectant to be used to disinfect regulated garbage spills or contamination anywhere outside an aircraft. If the APHIS approved disinfectant will be diluted with water, provide the dilution instructions that will be used to ensure a minimum effective concentration.
 17. If applicable, provide the name of a sanitizer approved by the Environmental Protection Agency (EPA), to be used around food contact surfaces to sanitize regulated garbage spills and contamination inside an aircraft. APHIS approved disinfectants are not to be used inside an aircraft.
 18. Provide the cleaning and disinfection procedures to be used in the event of a regulated garbage spill anywhere outside an aircraft including emergency notifications. If applicable, also provide the cleaning and disinfection procedures to be used inside an aircraft. APHIS approved disinfectants are not to be used inside an aircraft. Describe your procedures to clean and disinfect vehicles, tools, etc. used in the handling of regulated garbage. If the company handles regulated garbage on or near water, describe procedures for handling regulated garbage spills into waterways.

19. Provide a description of the spill kit that will be immediately available to clean and disinfect regulated garbage spills or contamination. Include a list of contents (materials and equipment) of the spill kit and location where the spill kit will be kept.
20. Provide a complete description of the pest control program used by the applicant's facility
21. If a cruise ship, provide a description of the APHIS approved passenger educational material.
22. Provide a complete description of facility emergency back-up plan to be used by applicant's company, in the event that applicant's company is unable to perform their regulated garbage handling function, or applicant's company's primary caterer, hauler, storage facility, or processor is unable to perform their regulated garbage handling function for the applicant's company. Only currently APHIS approved entities may be included in the emergency back-up plan. The SOP must contain information about handling emergencies related to regulated garbage. (Note – APHIS approval will not be granted until an adequate emergency back-up plan is in place).
 - A. If applicant's company is an airline cleaner, who will meet and clean the plane in the event that the applicant's company cannot meet and clean the plane? How will the regulated garbage be handled by applicant's company † in the event that caterer personnel are not able to collect it from cleaning personnel planeside? Who will collect the regulated garbage from the applicant's company if the primary caterer or hauler cannot?
 - B. If the applicant's company is a hauler/cartage firm, who will pick up and haul the regulated garbage in the event that the applicant's company is unable to pick up and haul the regulated garbage? What processing facility will the applicant's company take the regulated garbage to in the event that the primary processing facility is unable to accept the regulated garbage?
 - C. If the applicant's company is a caterer, who will meet and de-cater the plane and collect the regulated garbage, in the event that the applicant's company cannot? Who will haul the regulated garbage from the caterer's facility in the event that the caterer's processing equipment is non-functional or the caterer's primary hauling company is unavailable to pick up the regulated garbage from the caterer's facility?
 - D. If the applicants company is a processor, who will process the regulated garbage in the event that it cannot be processed on-site at the applicant's facility due to the primary processing system being inoperable? Include the name of the company that will pick up the regulated garbage from the processing facility and haul it to the back-up processor.
 - E. If the applicant's company is a Fixed Base Operator, identify who will be your back-up to meet the plane and collect the regulated garbage, in the event that the primary crew is unavailable? Who will pick up regulated garbage from the applicant's facility, and haul it to a processing facility, in the event that the primary hauler/cartage firm is unable to pick up the regulated garbage from the applicant's facility.
 - F. If the applicant's company is a storage location, identify who will be your back-up to pick up regulated garbage from the applicant's facility, and haul it to a processing facility, in the event that the primary hauler/cartage firm is unable to pick up the regulated garbage from the applicant's facility?
 - G. If the applicant's company is a military installation with on-site processing capabilities, who will meet the plane or ship, and collect the regulated garbage, in the event that the primary crew is unavailable? Who will process the regulated garbage in the event that it cannot be processed on-site at the applicant's facility due to the primary processing system being

inoperable? Include the name of the company that will pick up the regulated garbage from the processing facility and haul it to the back-up processor.

- H. If the applicant's company is a military installation without on-site processing capabilities, who will meet the plane or ship, and collect the regulated garbage, in the event that the primary crew is unavailable? Who will pick up regulated garbage from the applicant's facility, and haul it to a processing facility, in the event that the primary hauler/cartage firm is unable to pick up the regulated garbage from the applicant's facility.
- I. If the applicant's company is a cruise ship, who will off-load the regulated garbage in the event the personnel responsible are unavailable? Who will store and haul the regulated garbage off-loaded from the cruise ship, in the event that the primary storage and hauling company is unavailable?

Step 2: Facility and equipment evaluation and recommendation for approval/denial

After the Administrator or designee has received and reviewed the letter requesting approval to handle regulated garbage, and has found all required information to be included in the letter, representatives from APHIS and/or CBP will be selected to evaluate and inspect the applicant's facility and equipment to determine if the facility and equipment meets all APHIS requirements. There may be multiple site visits and conference calls prior to the final Pre-Approval Inspection to make sure the facility is ready. **All required equipment and materials must be present at the time of the final pre-approval inspection.** The pre-approval evaluation of the facility will include:

- Visiting the applicant's facility to conduct an evaluation of the facility and equipment. CBP and APHIS will work together to evaluate airports, caterers, cleaners, cruise ships, fixed base operators, hauling/cartage firms, marinas, military facilities (as appropriate), storage facilities, rail yards, and transfer stations.
- Providing the applicant with a copy of the compliance agreement (PPQ Form 519 and associated relevant Uniform Standards for Compliance Agreements - Regulated Garbage templates).
- Reviewing the compliance agreement template step-by-step with the applicant to ensure that the facility understands its obligations and to make sure that the applicant understands the conditions for handling and disposing of regulated garbage specified in the compliance agreement must be met by the company.
- Review of the applicant's written Standard Operating Procedures (SOP) to ensure the procedures accurately reflect the procedures company personnel will follow when handling regulated garbage and to ensure that it is complete and contains all required information. Confirmation of procedures at alternate garbage handling locations with local CBP for cruise ships and hauling/cartage firms.
- Observing the operation or use of any equipment and materials, including sterilizers, grinders, incinerators, garbage containers, transport vehicles, plastic bags etc., for adequacy in handling regulated garbage. New technology must be approved by the APHIS Administrator (see [New Technology and Storage](#)). All wooden surfaces must be treated so they are impervious to liquids and can be cleaned and disinfected.
- Requiring that cleaning equipment and APHIS approved disinfectants are carried on all vehicles associated with the movement of regulated garbage and are available in all areas where regulated garbage is handled.
- For processors, APHIS must verify that the sterilizing equipment is capable of heating regulated garbage to an internal temperature of 212 °F for at least 30 minutes; that grinders chop regulated

garbage into pieces small enough to pass into an approved sewage system with appropriate procedures for processing associated materials (septic tanks or similar systems are not allowed); or that the incinerator is capable of burning regulated garbage to ash (except glass and metal). Applicants using grinders as the primary disposal method must also have written or pictorial procedures for processing associated materials such as plastics, paper, food containers, etc. Sterilizers must be calibrated and processing documentation provided with the final pre-approval inspection report, incinerators and grinders must be observed for compliance

- Confirming that the regulated garbage will be properly handled and observing garbage handling procedures already in place, if appropriate
- Reviewing the proposed regulated garbage handling training for company employees and ensuring that training records will be maintained as required
- Ensuring that the company has adequate record keeping procedures for all records
- Advising the applicant that, in addition to the scheduled and unscheduled quarterly compliance enforcement visits, there will also be additional unannounced compliance enforcement visits at any location where regulated garbage handling activities take place. CBP and APHIS personnel must be allowed unfettered access to personnel and all locations where these activities take place in order to conduct these visits
- Informing the applicant of the consequences of failing to abide by the conditions of the compliance agreement. Regulated garbage handling activities may be suspended for non-compliance by either CBP or APHIS personnel. The compliance agreement can also be cancelled for non-compliance with the terms of the compliance agreement and that a company can be prohibited from handling regulated garbage under any circumstances by APHIS. Applicants must be advised that details regarding suspension, cancellation and prohibition information related to their company will be posted on the APHIS website
- Ensuring that all applicants are aware that they must comply with all applicable local, state, and federal laws in all states in which they handle regulated garbage prior to handling regulated garbage if approved and that approval by APHIS does not negate these requirements

After the evaluation, APHIS and/or CBP will prepare a formal report and make a recommendation for or against APHIS approval. This report will be forwarded to the Director of Veterinary Regulatory Support, where a final decision for or against APHIS approval will be made. Final approval/denial will be communicated in writing by APHIS to all parties via an official letter. **Not all companies that apply to handle regulated garbage are approved.** APHIS strongly recommends that a company not bid on contracts to handle regulated garbage until they are approved to do so.

If approval to handle regulated garbage is granted by APHIS, representatives from APHIS and/or CBP will re-visit the applicant once official approval is received to discuss and sign the final compliance agreement (PPQ Form 519 and the appropriate Uniform Standards for Compliance Agreements for Regulated Garbage). The compliance agreement must also have attached all addenda outlining the facility's procedures including the establishment's SOP. All addenda must also be initialed and dated. The PPQ Form 519, the appropriate Uniform Standards for Compliance Agreements for Regulated Garbage and all addenda issued by CBP must be reviewed and approved by APHIS. The applicant will be authorized to handle regulated garbage only after receiving the official approval letter from APHIS and entering into a compliance agreement (PPQ Form 519 and all addenda including the appropriate Uniform Standards for Compliance Agreements for Regulated Garbage and the facility SOP) approved by APHIS.

If approved, the applicant must forward a copy of the signed compliance agreement within 45 days of receipt of the approval notification to:

Director, PPQ Quarantine Policy, Analysis and Support
Animal and Plant Health Inspection Service
4700 River Road, Unit 60
Riverdale, MD 20737

Alternatively, the applicant may forward a copy of the signed compliance agreement electronically to the email address:

PPQ_VRS.Regulated.Garbage@aphis.usda.gov

Please use the subject line: "Signed Compliance Agreement"

Applicants not providing a copy of the signed compliance agreement to the Director of Veterinary Regulatory Support are subject to cancellation of APHIS approval and will be required to complete once again the entire approval process.

References:

The *Code of Federal Regulations* and the APHIS Regulated Garbage Program website

The regulations codifying the requirements for handling international garbage [Title 7 *Code of Federal Regulations* Part 330.400 - 330.403 and Title 9 *Code of Federal Regulations* Part 94.5] are on the Internet.

To view Title 7 *Code of Federal Regulations* Part 330.400 - 330.403, visit:

<http://www.aphis.usda.gov/regulations/index.shtml>, and scroll to the bottom of the page and select "Electronic Code of Federal Regulations". In the box titled Browse, select the arrow down and highlight "Title 7 - Agriculture" and select "GO". Select "300-399", then select "330". Scroll down and select "330.400, 330...401, 330.402, and 330.403" to access the plant garbage regulations.

To view Title 9 *Code of Federal Regulations* Part 94.5, at the same web site above, in the box titled Browse, select the arrow down and highlight "Title 9 - Animal and Animal Products". Select "1-199", then select "94". Scroll down and select "94.5" to access the animal garbage regulations. The terms "regulated garbage" and "international garbage" are interchangeable.

Information on the APHIS Regulated Garbage Program and Uniform Standards for Compliance Agreements for Regulated Garbage is on the APHIS Regulated Garbage Program web site at

http://www.aphis.usda.gov/import_export/vrs/regulated_garbage.shtml