

Procedures for Companies Requesting Approval To Transport Regulated Garbage Interstate

As codified in Title 7 *Code of Federal Regulations* Part 330.401(e) and Title 9 *Code of Federal Regulations* Part 94.5(c)(4)(iv), "The Plant Protection and Quarantine Programs and Veterinary Services, Animal and Plant Health Inspection Service will cooperate with other Federal, State, and local agencies responsible for enforcing other statutes and regulations governing disposal of the regulated garbage to the end that such disposal shall be adequate to prevent the dissemination of plant pests and livestock or poultry diseases and comply with applicable laws for environmental protection. The inspectors, in maintaining surveillance over regulated garbage movements and disposal, shall coordinate their activities with the activities of representatives of the Environmental Protection Agency, and other Federal, State and local agencies also having jurisdiction over such regulated garbage." To satisfy the requirements of Title 7 *Code of Federal Regulations* Part 330.401(e) and Title 9 *Code of Federal Regulations* Part 94.5(c)(4)(iv), any company interested in transporting regulated garbage across state lines must contact the Environmental Protection Agency, and other Federal, State and local agencies in each state associated with proposed hauling route to discuss intent.

Procedures for requesting approval to transport regulated garbage interstate:

1. Any company interested in transporting regulated garbage interstate must follow the procedures outlined in the "New Facility Approval Procedures" document, which includes sending a **signed** letter requesting approval to handle regulated garbage to the Animal and Plant Health Inspection Service (APHIS) Administrator. The letter to the APHIS Administrator must include the name and physical address of the processing (i.e., sterilizer or incinerator) facility that will sterilize or incinerate the regulated garbage. If the company is already approved to handle or transport regulated garbage, also include a copy of the current compliance agreement with the request.
2. The company must communicate with the APHIS Veterinary Services Area Veterinarian-in-Charge (AVIC), the State Veterinarian, and the state environmental protection agency and any other state or Federal agency responsible with oversight for garbage for each state associated with the proposed hauling route. The communication must notify these entities of the company's intent to haul APHIS regulated garbage in their state. The requesting company must allow them the chance to provide the company with any additional requirements that must be met in order to comply with applicable state and federal statutes and regulations, governing the movement of regulated garbage. The requesting company should request a written response within 21 days of the communication.
3. Contact information for the AVIC and the State Veterinarian can be found at: http://www.aphis.usda.gov/import_export/index.shtml . At this web site address, on the right side of this screen, under the box titled "I want to:", please select the bullet reading "Find a State Veterinarian" and the bullet reading "Find an Area Veterinarian-in-Charge" to obtain contact information for the State Veterinarian and the AVIC of each state associated with the proposed interstate transport route. The State Veterinarian may be able to assist you in obtaining contact information for the state environmental protection agency and other agencies as necessary. Your local APHIS Plant Protection and Quarantine (PPQ) Veterinary Regulatory Support (VRS) Agriculture Quarantine Veterinary Medical Officer (AQI VMO) may be able to assist you as well.

4. The company must provide our office with written proof of communication with each AVIC, State Veterinarian, state environmental protection agency and other state and Federal agencies with jurisdiction over the movement of regulated garbage, as well as any responses received from these officials. If the responses indicate that additional requirements must be met, then the company will have to provide proof that those additional requirements have been met. The proof of communication and proof of meeting additional requirements must be provided to APHIS, prior to the APHIS Administrator granting approval to the company to transport regulated garbage interstate. **The requesting company is responsible for obtaining the required state and federal licenses and complying with all applicable environmental laws and regulations.**

If after APHIS approval to haul regulated garbage is granted, a company found operating in violation of the state(s) environmental protection laws will be required to suspend regulated garbage activities until such time a proof of compliance with these laws is provided to APHIS VRS headquarters using the below addresses. Failure to comply with local, state and Federal environmental laws may also result in cancellation of the compliance agreement.

NOTE: Signed letters addressed and supporting documentation can be sent electronically to the e-mail address: PPQ_VRS.Regulated.Garbage@aphis.usda.gov.

Alternatively, they can be sent by hard copy to:

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

Please send your request by either electronically or by hard copy.