



CHAPTER 246-282 WAC, SANITARY CONTROL OF SHELLFISH

Rulemaking Update
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Shellfish Rulemaking Update

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Presentation Outline



Background and CR-101 Filing



Rulemaking Advisory Committee (RAC) and Tribal Meetings



Emergency CR-103E filing



Fee Study

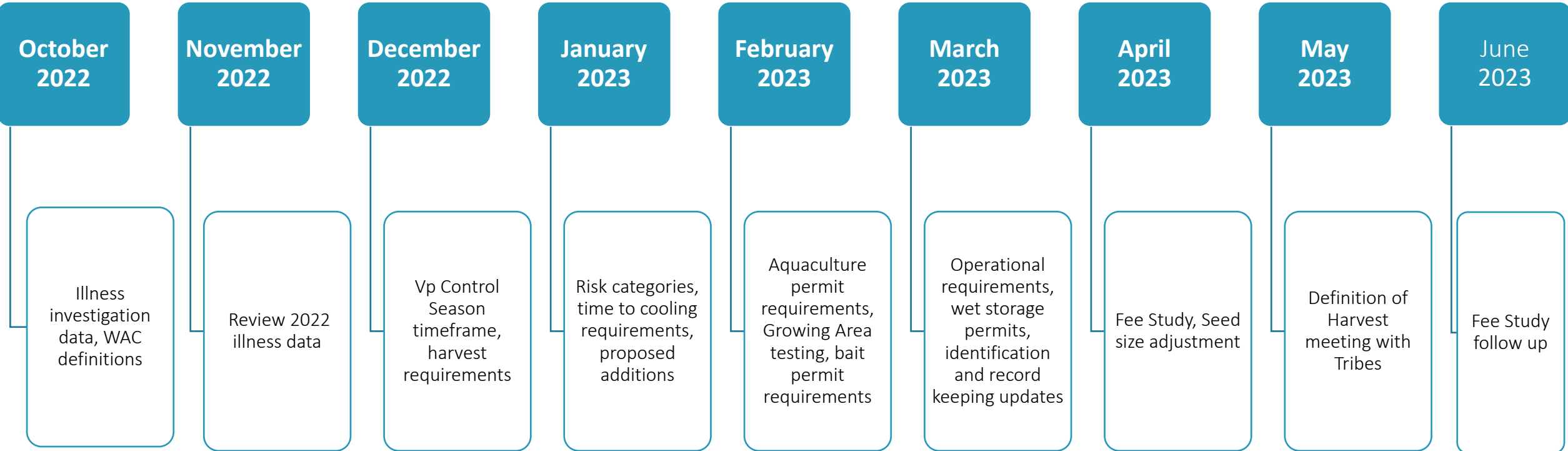


Next Steps

WAC 246-282 Rulemaking Background



Tribal & RAC Meetings



Emergency Rule – Vp Time to Cooling Requirements

- WAC 246-282-006 Vp Control Plan requirements
- Defines Vp season as May 1 to September 30
- Time to cooling is based on the risk category (1, 2, or 3) given to each growing area
 - Based on last 5 years of illnesses
- Emergency rule changed period for strictest controls:
 - Now May 17th until September 14th

Requirements:	Time to Cooling:
Except as noted below, time of harvest to cooling requirement from May 1st through September 30th is:	5 hours
When ambient air temperature at harvest is greater than 80°F, the time of harvest to cooling requirement is:	3 hours
When harvest temperature is between 64°F and 66°F from July 1st through August 31st, the time of harvest to cooling requirement is:	1 hour
Harvest Control: From July 1st through August 31st, harvest is not allowed for twenty-four hours when harvest temperature is above 66°F.	

Fee Analysis, WAC 246-282-990

Fee study to update annual shellfish operation license, biotoxin fees and export fees

- Fees have not been updated since:
 - 2002 (PSP Geoduck Fee)
 - 2007 (Shellfish Licensing Fee)
 - 2015 (Biotoxin and Export Fees)
- RCW 43.70.250 requires DOH to recover our fee eligible costs
- Different rulemaking requirements and timeline

Washington State Department of Health

Shellfish Operation Licensing & Biotoxin Fees

Shellfish operators must pay both an annual certification fee and an annual biotoxin fee.

Annual Certification (License) Fee

Type of Operation	Fee
Harvester	\$ 263.00
Shellstock Shipper	
0 - 49 Acres	\$ 297.00
50 or greater acres	\$ 476.00
Scallop Shellstock Shipper	\$ 297.00
Shucker-Packer	
Plants with floor space less than 2000 sq ft	\$ 542.00
Plants with floor space 2000 - 5000 sq ft	\$ 656.00
Plants with floor space more than 5000 sq ft	\$ 1,210.00

For definitions of Harvester, Shellstock Shipper, and Shucker-Packer, see page 2.

Annual Biotoxin Fee

Type of Operation	Number of Harvest Sites*	Fee
Harvester	2 or less	\$ 353.00
	3 or more	\$ 535.00
Shellstock Shipper – Wholesale Company		\$ 198.00
Shellstock Shipper (0 - 49 acres).....	2 or less	\$ 393.00
	3 or more	\$ 610.00
Shellstock Shipper (50 or greater acres)	N/A	\$ 961.00
Shucker-Packer (plants < 2000 sq ft)	2 or less	\$ 752.00
	3 or more	\$ 1,076.00
Shucker-Packer (plants 2000 - 5000 sq ft)	2 or less	\$ 882.00
	3 or more	\$ 1,297.00
Shucker-Packer (plants > 5000 sq ft)	N/A	\$ 2,412.00

*Two or more contiguous parcels with a total acreage of one acre or less is considered one harvest site.

Companies that exclusively harvest subtidal geoduck from Department of Natural Resources tracts don't have to pay the annual biotoxin fee. Department of Natural Resources pays these fees for non-tribal harvesters.

Next Steps

Finalize draft revisions to WAC 246-282

Meet with other agencies

Assistant Attorney General Review

Tribal, RAC, public review

Rule analyses and CR-102, proposed rule

Questions?

All meeting agendas,
presentations, and
information can be found at:

<https://doh.wa.gov/community-and-environment/shellfish/rules/wac-246-282-sanitary-control-shellfish-rule-revision>



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