



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**  
(Implements RCW 34.05.310)  
Do **NOT** use for expedited rule making

**Agency:** Dept. of Agriculture

**Subject of possible rule making:** Chapter 16-470 WAC, Quarantine - agricultural pests. The agency is considering amending the apple maggot quarantine by:

- (1) Establishing a special permit to allow transportation and distribution of solid waste for disposal at a solid waste landfill or disposal facility in the apple maggot and plum curculio pest-free area from the area under quarantine;
- (2) Establishing a special permit to allow transportation and distribution of yard debris, organic feedstocks, organic materials, and agricultural wastes for disposal at a solid waste landfill or treatment at a composting facility in the apple maggot and plum curculio pest-free area from the area under quarantine; and
- (3) Adding municipal solid waste, yard debris, organic feedstocks, organic materials, and agricultural wastes to the list of commodities regulated under the apple maggot quarantine.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 17.24.011, 17.24.041

**Reasons why rules on this subject may be needed and what they might accomplish:** The agency had been working with the solid waste industry and other stakeholders regarding re-issuance of a special permit under WAC 16-470-130 when it determined that section applied only to special permits for transport of fresh fruit. Without the adoption of a rule allowing issuance of special permits for transport of municipal solid waste, yard debris, organic feedstocks, organic materials, and agricultural wastes to solid waste disposal facilities or composting facilities in the pest-free area, the affected industry stakeholder(s) would lack alternatives to properly dispose of existing waste, creating storage and disposal back-ups with potential health risks and financial risks to the municipal corporations dependent on their contractors to properly and timely dispose of the waste.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**  
None

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) Department staff will discuss any proposed amendments with affected stakeholders. Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will be able to present oral testimony at the public hearing.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Brad White, Assistant Director  
Plant Protection Division  
Washington State Dept. of Agriculture  
PO Box 42560  
Olympia, Washington 98504-2560  
Phone: (360) 902-1907 Fax: (360) 902-2094  
Email: bwhite@agr.wa.gov

Jim Marra, Pest Program Manager  
Plant Protection Division  
Washington State Dept. of Agriculture  
PO Box 42560  
Olympia, Washington 98504-2560  
Phone: (360) 902-2071 Fax: (360) 902-2094  
Email: jmarra@agr.wa.gov

**DATE**

March 2, 2015

**NAME (TYPE OR PRINT)**

Brad White

**SIGNATURE**

**TITLE**

Assistant Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: March 02, 2015**

**TIME: 4:01 PM**

**WSR 15-06-051**