

MEMORANDUM

DATE: 30 April 2013 – *Revised 12 August 2014*

TO: Division of Shellfish Sanitation Staff

FROM: D.W. Powell, Division of Shellfish Sanitation 

THROUGH: B.K. Skiles, MPH, Director
Division of Shellfish Sanitation 

SUBJECT: Conditionally Condemned Classification – Daily Procedures

Purpose:

To define the daily procedures to be carried out by the Division of Shellfish Sanitation (DSS) in administering a conditionally condemned classification of a shellfish growing area.

Background:

The National Shellfish Sanitation Program (NSSP), under which Virginia's shellfish program operates, uses the term 'Restricted' to mean that shellfish can only be harvested for human consumption if those shellfish have either been 'Relayed' under permit to approved waters for at least 14 days to purge themselves, or 'Depurated' under controlled conditions, generally in tanks. The NSSP uses the term 'Prohibited' to mean areas from which shellfish may not be taken for human consumption (*i.e.*, no relay or depuration).

The NSSP uses the term 'Conditionally Condemned' differently than does the *Code of Virginia* (Code). The NSSP uses the term 'Conditionally Condemned' to mean conditional areas whose status can change between 'Restricted' and 'Prohibited'. Section 28.2-808 of the Code uses the term 'Conditionally Condemned' to mean an area that can switch from an 'Approved' shellfish harvesting area to a 'Restricted' area (as defined by the NSSP). This Policy Memo is using the term 'Conditionally Condemned' in the sense of the Code, to refer to conditional areas where shellfish can be relayed from the area during sufficiently warm water temperatures under a joint permit issued by the Virginia Marine Resources Commission and the Virginia Department of Health, as provided in §28.2-810 of the Code.

Under the NSSP, the conditions for the conditional area must be set such that the growing area is in the 'Open' status for a reasonable amount of time, and the factors determining this period are predictable and not overly complex. In other words, if rainfall is used as the condition to manage, then the rainfall in the growing area must be shown to be the factor to predictably affect the fecal coliform concentrations in the growing area.

Management of Rainfall-Based Conditionally Condemned Areas in Virginia

Rainfall-based conditionally condemned shellfish growing areas in Virginia are managed by daily monitoring of rainfall amounts to determine whether the status should be changed from the 'Open' status to the 'Closed' status. When an area is in the 'Open' status, shellfish may be harvesting for direct marketing. When in the 'Closed' status, shellfish may not be harvested for

direct marketing, but may be relayed if the water is sufficiently warm. The threshold rainfall amount to trigger the change in status from open to closed is chosen based on: the periodicity of rainfall such that the area can be open for a reasonable amount of time, and data indicating the amount of rainfall that causes a significant increase in fecal coliform concentrations.

All DSS staff members receive a daily email at approximately 8:30 pm from the National Oceanic and Atmospheric Administration (NOAA) containing rainfall data for the previous 24 hours, as of 8:00 pm that night. The rainfall data is developed by NOAA's Multi-sensor Precipitation Estimator (MPE), which is derived from multiple radars, compiled and error checked against hourly rain gauge data. This information is distributed to interested recipients via email and is available from a NOAA FTP site.

Specifics of NOAA's Email on Rainfall Totals

- Email is titled with the date. For example:

"Daily VA_MPE info from MARFC for 03/26/2013" is for the 24-hour period ending March 26, 2013.

- Email displays the precipitation estimated at 86 rainfall stations located throughout shellfish waters and near shore areas in Virginia. The estimated precipitation is a record of the 24-hour period ending and beginning each day at 8:00 pm.

- Email content is composed of comma-delimited text and lists the following fields:

#StNum,DateTime,StID,Lat,Lon,Value,9pixAvg

These fields correspond to the NOAA station identification number, date and time for the sampling date (twenty-hundred hours military time is 8pm), Latitude map coordinate and Longitude map coordinate for the center of the square pixel (2 miles on edge), estimated precipitation value in inches for both the one central pixel and for the additional surrounding pixels composing a 9-pixel average (6 miles on edge).

Tasks:

Monitoring of this data will be performed by selected Central Office staff members on a rotating on-call schedule. The staff member on call will perform each of the following tasks:

- Read NOAA's daily email arriving at or about 8:30pm each evening.

- Review the appropriate rainfall station for the growing area in question. (*For example, the Lynnhaven Bay, growing area # 70, is monitored by station # 70-10 located at longitude / latitude map coordinate 36.88451962,-76.11090899*).

- Document in the Calendar Record of that growing area's Conditional Area Management Plan, the rainfall amount shown in the 9-pixel average for that station and day and note the following day's conditional classification status.

- If the rainfall amount for the 24-hour period is greater than the specified threshold for a particular water body, that water body in that growing area will be closed for a set period of time. (*For example, the Lynnhaven Bay, Growing Area # 70, that threshold for the 9-pixel average is 1.0" in the specified 24-hour period and the closure time period is 10 days*).

- If a second rainfall event occurs within the closure time period, and this rainfall total is greater than the specified threshold, the closure time period is reset from the date following receipt of the second rainfall event.

- If a rainfall event exceeds the threshold established for *Lynnhaven Bay, Growing Area # 70*, a text is sent to those recipients that have indicated a desire to receive a notice of a change to 'Closed' status. That message is: *"VDH-DSS announces conditional waters in Lynnhaven River are in CLOSED status."*

- The on-call staff member will review the script and rainfall amount and date and leave a voice mail greeting message to the Division of Shellfish Sanitation Conditionally Condemned Classification hot line at: **804-864-7182**.

- When changing the voice mail greeting:
 - 1) Dial the hot line (804-864-7182)
 - 2) When the voiced message begins, immediately press the '*' (star or asterisk key) on the phone keypad.
 - 3) You will be asked to give the ID and PIN number (provided to on-call staff).
 - 4) Press '4' for 'Setup Options.'
 - 5) Press '1' to change 'Standard Greeting.'
 - 6) Press '1' to re-record 'Standard Greeting.'
 - 7) Read from script below depending on the current classification of that date and press '#' (pound key) to end recording.
 - 8) Press '*' to save recording and hang up to end call.

- On days when there has NOT been an exceedance of the rainfall threshold, and the day is NOT within the closure time period of a prior significant rain event, the recording is:

"You have reached the Virginia Department of Health, Division of Shellfish Sanitation, Conditional Closure Hotline. Lynnhaven River conditional area C1 will be in the open status effective for <insert following day and date>. For more information see our web site at www.vdh.virginia.gov/shellfish/, or contact us at 804-864-7480 during normal business hours."

- On days when rainfall exceeds the threshold, record a greeting message that indicates the conditionally condemned area is closed to harvest or that an existing closure is being extended. For example in the Lynnhaven River the recording is:

"You have reached the Virginia Department of Health, Division of Shellfish Sanitation, Conditional Closure Hotline. Lynnhaven River conditional area C1 will be in the closed status effective for <insert following day and date as start date> through <insert day and date ten days from start date >. Conditional area C1 is currently set to reopen on <insert day and date eleven days from start date>. For more information see our web site at www.vdh.virginia.gov/shellfish/, or contact us at 804-864-7480 during normal business hours."

- The on-call staff member will call the MRC Operations 'Dispatch' desk at **800-541-4646** and repeat the text above and confirm from the Dispatcher that it has been accurately and correctly received.

- The on-call staff member will log on and copy the reference document titled "condcond.pdf"

that reflects the conditionally condemned area or areas to the VDH web server under the folder: [\\vdhroot\vdhwebpux\EnvironmentalHealth\Shellfish\documents\](http://vdhroot/vdhwebpux/EnvironmentalHealth/Shellfish/documents/). The on-call staff member will check the web page to ensure the correct reference (file) has been successfully copied. If the classification status is unchanged from the previous day, simply edit the date and confirm the correct reference is present and visible to the public.

- On days when there has not been an exceedance of the rainfall threshold, and the day is not within the closure time period of a prior significant rain event, the reference is typed on a copy of DSS letterhead with the title “*Lynnhaven River, Conditionally Condemned Area C1*” and the following message:

“As of 12:01 am <insert following day and date> effective through midnight <insert following day and date> Conditionally Condemned Area C1 in the Lynnhaven River is OPEN to harvest.

To view the closure document (report and map) for Lynnhaven River, go to... <http://www.vdh.virginia.gov/EnvironmentalHealth/Shellfish/Closure/cond070-025.pdf>

For more information see the Division of Shellfish Sanitation’s web page at www.vdh.virginia.gov/shellfish, or contact the Division at 804-864-7480 during normal business hours.”

- On days when rainfall exceeds the threshold, or is within the closure time period of a prior significant rain event, the reference is typed on a copy of DSS letterhead with the title “*Lynnhaven River, Conditionally Condemned Area C1, <insert start date – end date>*” and the following message:

“As of 12:01am <insert start day and date> effective through midnight <insert date ten days from start date> Conditionally Condemned Area C1 in the Lynnhaven River is CLOSED to harvest. Conditionally Condemned Area C1 is currently set to reopen on <insert day and date eleven days from start date>.

To view the closure document (report and map) for Lynnhaven River, go to... <http://www.vdh.virginia.gov/EnvironmentalHealth/Shellfish/Closure/cond070-025.pdf> ... to view the closure document (report and map) for the Lynnhaven River.

For more information see the Division of Shellfish Sanitation’s web page at www.vdh.virginia.gov/shellfish, or contact the Division at 804-864-7480 during normal business hours.”

- The morning following the evening’s change in status from open to closed, the on-call staff member will either call Law Enforcement at MRC, or if it is the weekend, once again call the MRC Operations ‘Dispatch’ desk to ensure that current personnel on duty are aware of the status change.

- The evening before the change in status reverts from closed to open, the on-call staff member will send a text to the MRC Enforcement Captain, and his First Sergeant, that the Conditionally Condemned area will reopen at midnight that night. Notification to additional recipients via text or email is not performed when status reverts back to open, only MRC Enforcement is notified with this change in status. Hotline and web page updating is performed as usual.

Contingency Plans

The daily email is normally received at 8:30pm each evening. However, if a reasonable amount of time has passed and the email has not been received, the contingency plan will be to:

- Identify alternative web sites that are in reasonable proximity to those waters classified as Conditionally Condemned.
- Send an email to the other staff members that a contingency plan decision was made and include the precipitation amount for the 24-hour increment.
- For the Lynnhaven River basin, the Norfolk airport is acceptable when NOAA rainfall data is unavailable: www.weather.gov/obhistory/KORF.html. This particular web address notes rainfall in 1, 3 and 6-hour increments. Total the documented precipitation measurements for the appropriate 24-hour period and determine whether the threshold has been exceeded and continue with above instructions.

If there are Internet/web site connectivity problems, and there are no available on-call staff able to update the status of conditionally condemned shellfish waters, our emergency backup contact person with VDH-OIM is Randy Stepanek (randy.stepanek@vdh.virginia.gov and 804-864-7119 work phone #). His personal cell phone will be conveyed verbally to DSS on-call staff.

- Contact Randy Stepanek via his cell phone, notify him of connectivity problem and ask him to overwrite the reference document reflecting the current conditional closure status.

-Email this pdf document to his attention with request to overwrite the file located with this directory path:

<http://www.vdh.virginia.gov/EnvironmentalHealth/Shellfish/documents/condcond.pdf>

- If possible, confirm document has been overwritten to the web page.