

MEMORANDUM

DATE: 12/3/1997 **REVISED 12/20/2018**

TO: Division of Shellfish Sanitation Staff

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

FROM: Adam Wood, Growing Area Manager
Division of Shellfish Sanitation

SUBJECT: Wet Storage Permits

PURPOSE: To supplement the National Shellfish Sanitation Program Model Ordinance (MO) standards regarding wet storage and to provide clarification of the MO requirements for wet storage in Virginia.

DEFINITIONS:

Container: Any bag, sack, tote, conveyance or other receptacle used for containerizing shellfish for holding or transporting. (2017 MO)

Dealer: A person to whom certification is issued for the activities of shellstock shipper, shucker-packer, repacker, reshipper, or depuration processor. (2017 MO)

Harvest: The act of removing shellstock from growing areas and its placement on or in a manmade conveyance or other means of transport. (2017 MO)

Harvester: A person who takes shellstock by any means from a growing area. (2017 MO)

Wet storage: The storage, by a dealer, of shellstock from growing areas in the approved classification or in the open status of the conditionally approved classification in containers or floats in natural bodies of water or in tanks containing natural or synthetic seawater at any permitted land-based activity or facility. (2017 MO)

SECTION A

PURPOSE: To define when a Wet Storage Permit will be issued.

POLICY: A Wet Storage permit shall be issued only to a certified dealer and when harvested shellstock meets the criteria based on where it is stored (either Offshore or Land-Based)

Natural Body of Water (Offshore)

A Wet Storage Permit shall be issued when the certified dealer is not the same as the harvester; or when the certified dealer is also the harvester and shellstock is stored in a different body of water than it was harvested* (see appendix F) and stored less than thirty (30) days.

Artificial Body of Water (Land-Based)

A Wet Storage permit shall be issued anytime shellstock is being stored in an artificial body of water (Land-Based).

DISCUSSION:

The goal of issuing a wet storage permit is to maintain traceability in the event of an illness. Therefore, it is important to know where and when shellstock is harvested and in the event that they came from a different growing area (appendix F), the date and location of the original harvest.

Several regulations seek to maintain safety and traceability through permits. Some permits overlap, therefore, it is important to properly differentiate between these permits. Specifically the relay permit – the husbandry permit - and the wet storage permit.

Relay Permit: Wet Storage permits shall not be issued for product moved under a relay permit. See “*Pertaining to the Relaying of Shellfish*” (4 VAC 20-310 ET SEQ.).

Husbandry Permit: Wet Storage permits shall not be issued for oysters harvested or handled under Public Health and Warm Water Harvest Restrictions. See “*Pertaining to Restrictions on Shellfish*” (4 VAC 20-1230-10 ET SEQ.).

Wet Storage Permit: Wet Storage permits shall only be issued when shellstock is containerized in natural bodies of water or in tanks containing natural or synthetic seawater at a permitted land based activity or facility.

SECTION B

PURPOSE: Permitting Procedures for VDH-DSS Wet Storage Permits

Prior to construction, dealers choosing to practice wet storage in tanks on-shore shall submit plans for construction or remodeling to the assigned inspector or local field office (see MO Chapter VII @01 .04 Wet Storage in Artificial Bodies of Water (Land-Based)). Once facility design has been approved, the dealer may proceed to the submission of the application for a wet storage permit.

* *or initial harvest location if shellstock has been moved within the past 30 days

1. Wet Storage Permit application.

All dealers who choose to practice wet storage must complete an application annually. A copy of the application is attached as Appendix A. The application must include:

1. A chart or topographic map indicating the general vicinity of the proposed activity.
2. A VMRC Lease map identifying the specific lease or leases upon which the proposed activity will occur.
3. A copy of the Wet Storage Standard Operating Plan (SOP) (See Appendix B)*.
4. A copy of the shellfish tag for wet stored shellfish (See Appendix E).
5. Habitat Management Permit (VMRC)

2. Field Office Review and Inspection.

Once the dealer has submitted a completed application to the field office, the proposed site or on-shore facility must be evaluated. A copy of the wet storage site inspection form is attached as Appendix C. Sections of the form may not be applicable to all operations, however, the shellfish specialist at a minimum must complete section A. After completion of the applicable sections of the site evaluation/inspection, the application package must be submitted to the Central Office for the final evaluation and permit issuance.

3. Central Office Review.

The Growing Area Manager will review the application and check the water quality status in the vicinity of the proposed wet storage activity. If the application and materials meet MO requirements, the proposal will be forwarded to the VMRC for comment. If VDH-DSS receives no objection from VMRC within fifteen (15) business days, the permit will be issued and will expire concurrently with the dealer's certification.

Wet Storage Inspection and Authority Responsibilities.

Wet Storage activities require an initial inspection. Wet storage activities in natural bodies of water must be inspected at least annually. Land Based Wet Storage activities with flow-through systems must be inspected at least every six months. Land Based Wet Storage activities with recirculating systems must be inspected semi-annually. Inspectors shall immediately notify (within twenty-four (24) hours) all wet storage permit holders affected by a change in growing area classification or status.

Wet Storage Permit Suspension and Revocation.

Dealers holding wet storage permits must comply with the standards of the MO and the provisions of their wet storage SOP. Evidence of violation may be used as basis to support revocation of the wet storage permit. If Dealer certification is suspended, Wet Storage Permit will be suspended as well.

* A sample wet storage SOP is attached as Appendix B. The SOP must include, at a minimum, a description and purpose for the wet storage operation, the type(s) of shellfish to be wet stored, how the shellfish will be tagged or identified during wet storage, and how the shellfish will be handled and tagged once removed from wet storage.

**VIRGINIA DEPARTMENT OF HEALTH
DIVISION OF SHELLFISH SANITATION**

WET STORAGE PERMIT APPLICATION

Dealer Name: _____ Cert # VA _____

Description of proposed Wet Storage area: _____

Name of creek: _____ VMRC Lease/Plat Number: _____

Type of shellfish to be wet stored: _____

- Attachments: Chart or topographic map of proposed wet storage site vicinity
 VMRC lease and/or permit identifying proposed wet storage site
 Copy of Wet Storage Standard Operating Plan
 Copy of shellfish tag for wet stored shellfish

If such permit is granted, the undersigned agrees to practice wet storage in strict compliance with the attached Standard Operating Procedure, the Rules and Regulations of the Virginia Department of Health (VDH) and the applicable statutes of the Code of Virginia for the Sanitary Control of the Growing, Harvesting, Transporting, Processing, Packing and Shipping of Oysters, Clams and Other Shellfish.

 Signature of Company Official Title Date

----- For Department use only -----

Growing Area: _____ Closest sampling station: _____

Current classification: _____

Do additional seawater sample stations need to be established in the Wet Storage area? Yes _____
 No _____

Comments: _____

Approved for Wet Storage:

 Plant Program Manager Date

 Growing Area Manager Date

Wet Storage Permit # _____ Issued: _____ Expires: _____
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Shellfish Wet Storage Standard Operating Procedure (SOP)

ABC Shellfish Company
99 Oyster Shell Drive
Anywhere, VA 00000
(757) 000-0000
Certification # VA 000-SS

ABC Shellfish Company is requesting a wet storage permit to hold shellstock oysters in floats for the purpose of increasing the salt content of the oysters for flavor enhancement. Please refer to the attached map and diagram of the wet storage site and system design information. Shellfish floats will be labeled with the certification number of our company.


We understand that you will be forwarding copies of this application to the Virginia Marine Resources Commission to determine if additional permits are necessary.

Shellstock will be harvested from private grounds in approved waters, will be transported to and from the wet storage site by boat, and will be handled in compliance with the requirements of the National Shellfish Sanitation Program, and Virginia laws and regulations. Wet stored shellfish will be assigned lot numbers based on the original harvest site and date of harvest. No lots will be commingled in floats. Each float will be labeled with a tag identifying the lot number, the original harvest site and original harvest date. Once removed from wet storage, the shellfish will be tagged with a dealer wet storage tag that includes the wet storage lot number, the original harvest date, the date removed from wet storage (final harvest date), and the harvest location. Wet stored shellfish will not be shipped to our customers without a dealer wet storage tag containing the required information.

Signature

Title

Date

VIRGINIA DEPARTMENT OF HEALTH				
<i>Division of Shellfish Sanitation</i>				
Wet Storage Inspection Form				
Dealer Name:			Date:	
Dealer Address:			Certification Number:	
			WS Permit #:	
A: Wet Storage Site Evaluation				
#	Description	NSSP Reference		
1	Site adequately removed from significant boating activity	VII. .03B		<input type="checkbox"/>
2	Site not affected by on-shore sources of contamination	VII. .03B		<input type="checkbox"/>
3	Site not an attractant or otherwise significantly affected by birds, animals or other vermin	VII. .03B		<input type="checkbox"/>
4	Conditions and water quality during wet storage are sufficient to minimize the potential for compromising the sanitary quality of shellstock.	VII. .02E		<input type="checkbox"/>
B: General Wet Storage Operation				
5	Wet storage SOP available for review	VII. .02C		<input type="checkbox"/>
6	Wet storage activities in compliance with SOP	VII. .02C		<input type="checkbox"/>
7	Shellstock from approved source	VII. .01B		<input type="checkbox"/>
8	Shellstock protected from contamination during handling	VII. .02D	VII. .02F	<input type="checkbox"/>
9	Wet storage water quality	VII. .02E		<input type="checkbox"/>
10	Recordkeeping and lot identification	VII. .02G		<input type="checkbox"/>
11	Lots not commingled	VII. .02H	VII. .04D(2)	<input type="checkbox"/>
12	Construction and maintenance of containers or floats	VII. .03B(3)	VII. .04B(1)d	<input type="checkbox"/>
C: Land Based Wet Storage				
13	Wet storage protected from birds, animals and vermin	VII. .04B(1)a	VII. .04B(3)	<input type="checkbox"/>
14	Tank and plumbing construction and maintenance	VII. .04B(1)b		<input type="checkbox"/>
15	Adequate clearance between shellstock and tank bottom	VII. .04B(1)c		<input type="checkbox"/>
16	Building and grounds, construction and maintenance	VII. .04B(2)		<input type="checkbox"/>
17	Shellstock clean prior to loading into tanks	VII. .04D(1)		<input type="checkbox"/>
18	Bivalve mollusks not mixed with or sharing a common water supply with other species in tanks	VII. .04D(3)		<input type="checkbox"/>
Dealer's Signature:			Inspector's Signature:	
				

Appendix D

SOP Review:

- Identify harvest area
- Transportation method
- Handling practices in compliance with NSSP
- Assigned lot numbers linked to original harvest site and date
- No commingling of lots without commingling plan
- Each container identified with lot#
- Once removed, will be tagged with a ws tag that includes:
 - Lot #
 - original harvest date
 - date removed from WS

Appendix E

WET STORED SHELLSTOCK					
○	KEEP REFRIGERATED	Dealer Name: Dealer Address: City, State, Zipcode Original Shipper (if other than VA0000-SS):	Certification #: Original Harvest Date: Harvest Location:	Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness, especially if you have certain medical conditions.	○
○		Final Harvest Date:			○
○		Lot # W-			○
○		Type of Shellfish:			○
○	PERISHABLE	Quantity of Shellfish:			○
○		"THIS TAG IS REQUIRED TO BE ATTACHED UNTIL CONTAINER IS EMPTY IS RETAGGED AND THEREAFTER KEPT ON FILE, IN CHRONOLOGICAL ORDER, FOR 90 DAYS." "RETAILERS: DATE WHEN LAST SHELLFISH FROM THIS CONTAINER SOLD OR SERVED (INSERT DATE)_____."			○
○					○
○					○

White Stone Field Office:

001A: Upper Machodoc Creek
001: Rosier Creek
002: Monroe Bay – Monroe and Mattox Creeks
003: Mattox Creek to Currioman Bay
004: Nomini and Currioman Bay
005: Lower Machodoc Creek
006A: Gardner Creek
006B: Jackson Creek
006C: Bonum Creek
007: Yeocomico River
008: Coan River, The Glebe and Kingcote Creek
009A: Cod Creek
009B: Presley Creek
009C: Hull, Bridgeman, and Rogers Creeks
009D: Cubitt Creek
009E: Hack and Flag Creeks
010: Little Wicomico River
011: Gaskins and Owens Ponds and Taskmakers Creek
012: Cockrell Creek
013A: Great Wicomico River, West
013B: Great Wicomico River, East
013C: Cranes Creek
014A: Towles, Harvey, and Mill Creeks
014B: Cloverale and Ball Creeks
015: Dividing Creek
016A: Indian, Henry, and Barnes Creeks
016B: Dyer Creek
016C: Tabbs Creek
017: Little Bay and Antipoison Creek
018: Mosquito Creek to Carter Creek
018: Oyster, Little Oyster, Windmill Point and Mosquito
019: Mosquito Creek to Carter Creek
020: Carter Creek
021A: Corrotoman River
021B: Whitehouse Creek
022A: Beach Creek
022B: Paynes Creek
022C: Greenvale Creek
023A: Deep Creek
023B: Mulberry Creek
023C: Lancaster and Morattico Creeks
024: Farnham Creek
025: Totuskey and Richardson Creeks
025A: Totuskey Creek to Tappahannock
026A: Wares Wharf to Tappahannock Bridge
026: Wares Wharf to Mud Creek
027A: Mud Creek
027B: Parrotts Creek
027C: Harry George Creek
027D: Perkins Creek

028: Lagrange and Robinson Creeks
029: Urbanna Creek
030A: Whiting Creek
030B: Meachim Creek
031A: Locklies Creek
031B: Mill Creek
032C: Bush Park and Woods Creeks
032D: Sturgeon and Hunting Creeks
033A: Broad Creek
033B: Jackson Creek
034: Piankatank River, Lower
035: Piankatank River, Upper
036: Gwynn Island and Milford Haven
037A: Chapel Creek
037B: Queens and Winder Creeks
037C: Lanes, Hole in The Wall, Stutts, Morris,
Billups, Stokes, and Whites Creeks
038: Winter Harbor and Garden Creek
039A: Horn Harbor
039B: Dyer Creek
040A: Davis Creek
040B: Sloop and Pepper Creek
041: East River
042: North River
043: Ware River

Norfolk Field Office:

044: Severn River
045A: Browns Bay
045B: Monday Creek
046A: Perrin River
046B: Sarah Creek
047A: Timberneck Creek
047B: Carter and Cedarbush Creek
047C: Aberdeen Creek
047D: Fox and Jones Creeks
048A: Puritan Bay
048B: Adams Creek
048C: Morris Bay
049: West Point Vicinity
050A: Ware Creek
050B: Taskinas Creek
050C: Skimino Creek
050D: Carter Creek
051A: Queen Creek
051B: King and Felgates Creeks
051C: Indian Creek
052: Yorktown to Goodwin Islands
053A: Boathouse, Chisman, and Goose Creek
053B: Poquoson River
054A: Back River, North
054B: Back River, South
055: Back River to Old Point Comfort
056: Old Point Comfort to Newport News Point
057: Newport News Point to Deep Creek
058: Warwick River and Deep Creek
059: Mulberry Point to Jamestown Island
060: Cobham Bay and Lawnes Creek
061: Pagan River
061: Jones Creek
062: Chuckatuck Creek
063: Nansemond River
064: Nansemond River to Elizabeth River
065: Lafayette River
066: Tanner Point to Willoughby Spit
067: Willoughby
068: Little Creek
069: Little Creek to Lynnhaven Bay
070: Lynnhaven Bay
071: Broad and Linkhorn Bays
072: Cape Henry
073: Virginia Beach

Accomac Field Office:

074: Smith and Fox Islands
075: Pocomoke Sound
076A: Messongo and Cattail Creeks
076B: Muddy, Guilford, and Young Creeks
077A: Hunting and Bagwell Creeks
077B: Doe Creek
077C: Deep Creek
077D: Backway Gut
078A: Tangier Island
078B: Watts Island
079A: Pompcoc Creek
079B: Chesconessex Creek
079C: Back Creek
080A: Onancock Creek
080B: Matchotank Creek
081: Pungoteague Creek
082: Nandua and Curratuck Creeks
083: Craddock Creek
084: Occohannock Creek
085: Nassawadox Creek
086: Hungars and Mattawoman Creeks
087: The Gulf
088: Cherrystone Inlet
089: Cape Charles
090A: Old Plantation Creek to Cape Charles Point
090B: Old Plantation and Elliotts Creeks
091: Elliotts Creek to Cape Charles Point
092: Fishermans Island
093A: Magothy Bay
093B: South Bay
094A: The Narrows
094B: Sand Shoal Inlet
095A: Ramshorn Bay
095B: Outlet Bay
095C: Great Machipongo Inlet
095D: Hog Island Bay
096A: Machipongo River and Parting Creek
096B: Upshur Bay
096C: Revel Island Bay
096D: Swash Bay
097A: Bradford Bay
097B: Wachapreague Inlet
097C: Wachapreague Channel, Nickawampus, and
 Finney Creeks
097D: Burtons Bay
097E: Ceday Island Bay
097F: Folly and Cross Creeks
098A: Parker Creek
098B: Metompkin Bay
098C: Gargathy Bay

098D: Gargathy Creek
098E: Kegotank Bay
099A: Assowoman to Cat Creeks
099B: Bogues Bay
099C: Powells Bay
099D: Watts Bay
099E: Ballast Narrows
099F: Simoneaston Bay
099G: Shelly Bay
099H: Chincoteague Channel
100: Chincoteague Bay
101A: Assateague Channel
101B: Toms Cove
102A: Little Oyster Bay
102B: Oyster Bay
102C: Assateague Bay