ISSC	**Proposal for Task Force Consideration at the ISSC 2019 Biennial Meeting**	1.	a.	☒	Growing Area
			b.	☐	Harvesting/Handling/Distribution
			c.	☐	Administrative

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10.	Proposal Subject	Determining Emergency Conditions
11.	Specific NSSP Guide Reference	Section I. Purposes and Definitions Section II. Model Ordinance Chapter IV @.03 A.(1)
12.	Text of Proposal/ Requested Action	Section I. Purposes and Definitions New Definition: B.(39) **Emergency Conditions** means potential or actual pollution conditions which were not specifically represented in the sanitary survey information used to establish the classification and support the status of a shellfish growing area. Emergency conditions include, but are not limited to, tropical storms, hurricanes, sewage spills, oil spills, poisonous or deleterious substance spills, excessive rainfall, and flooding events. Chapter IV @.03 A.(1): (1) Emergency Conditions. A growing area shall be placed in the closed status under Section @.03A. (5) when ~~pollution conditions exist which were not included in the database used to classify the area~~ emergency conditions exist. The Authority shall: (a) Develop a written emergency conditions protocol defining the thresholds and criteria used to determine if emergency conditions exist, including defining what conditions would trigger a growing area closure, and how to reopen a growing area once the emergency conditions no longer exist. The thresholds and criteria used to determine if emergency conditions exist, shall be based on the potential or actual pollution conditions which were not specifically represented in the sanitary survey information or database used to establish the classification and support the status of a shellfish growing area. These potential or actual pollution conditions may include, but are not limited to, tropical storms, hurricanes, sewage spills, oil spills, poisonous or deleterious substance spills, excessive rainfall, and flooding events; (b) Make a determination within 24 hours of a potential emergency condition event as to whether conditions exceed the established thresholds and criteria defined in the emergency conditions protocol and maintain a written record of the determination assessment; (c) Notify FDA and ISSC of the determination within 24 hours; (d) Once it is determined that an emergency condition exists, ~~If it is~~

	~~determined that an emergency condition or situation exists, then the growing area will be~~ immediately (within 24 hours) ~~placed in the closed status.~~ place the growing area in the closed status; (e) If a determination cannot be made within 24 hours, notify FDA and ISSC and immediately place the growing area in the closed status; (f) If the growing area is closed due to a precautionary closure and a determination is later made that the growing area did not experience emergency conditions based on the established protocol, the area may be immediately re-opened. The determination shall be documented in a written report and included in the sanitary survey for the area; and ~~(e)~~(g) If the growing area is closed due to emergency conditions, prior to re-opening, conduct an assessment of the growing area based on the established protocol and field observations and document the results in a written report to be included in the sanitary survey. Field observations include, but are not limited to, observations of actual or potential pollution sources made via shoreline survey, boat survey, sample collection, and/or analysis of sample results. The assessment shall include documentation of any new pollution sources and their effect on the growing area.
13. Public Health Significance	Current Model Ordinance language in Chapter IV states "If it is determined that an emergency condition or situation exists…", but does not specify the circumstances under which a determination must be made by the Authority. It will not be clear to a state Authority that pollution conditions exist which were not included in the data used to classify a growing area unless the Authority decides to check the data within the sanitary survey and perform an assessment in a situation which has the potential to meet emergency conditions. Not all Authorities do this in all situations that have the potential to meet "Emergency Conditions" under NSSP MO @.03 A.(1), such as excessive rainfall events with higher rainfall totals that what's recorded in the Authority's database. Additionally, the current language for "Emergency Conditions" does not clearly define "pollution conditions" or "the database used to classify the area". The "database" could be referring to the most recent 12 year sanitary survey or to all of the data ever collected for a growing area or to the most recent 30 water quality samples – it is not clear. In some instances, this has led to disagreements between FDA and state Authorities as to when a growing area needs to be closed due to emergency conditions, such as in the event of a tropical storm with rainfall levels or river stage levels which may or may not exceed the levels in the state's database. Since emergency conditions have the potential to significantly impact the water quality of a growing area and could lead to human fecal contamination, petroleum contamination, or poisonous or deleterious substance contamination in the area and possible shellfish-borne illnesses, it is important to clarify the definition of "Emergency Conditions".
14. Cost Information	Minimal Cost