CITY COUNCIL REPORT

Meeting Date: September 10, 2013
General Plan Element: ***Public Services & Facilities***
General Plan Goal: ***Partner with other jurisdictions and agencies***

ACTION

Compliance Agreement with the United States Department of Agriculture. Adopt Resolution No. 9504 authorizing Compliance Agreement 2013-136-COS with the U.S. Department of Agriculture for regulated garbage services at Scottsdale Airport.

BACKGROUND

The City of Scottsdale established U.S. Customs and Border Protection (CBP) User Fee Service at Scottsdale Airport in 1999. Currently CBP at Scottsdale Airport is open Thursday-Monday from 9 am until 5 pm. US Customs service is also available to users on Tuesday, Wednesday and after 5pm Thursday-Monday for an additional fee charged to the user when the agent is available to accommodate the request.

Currently CBP handles regulated garbage collection at Scottsdale Airport. The User Fee Memorandum of Agreement already in place for CBP User Fee Service requires the airport to handle collection and removal of regulated garbage from aircraft arriving from out of the country to Scottsdale Airport.

The Airport has complied with all of the necessary steps to obtain approval, budgeted funding for regulated garbage disposal, and obtained an approved regulated garbage handling company (Stericycle).

The Airport is required to handle regulated garbage originating from flights arriving from outside the Country in order to continue as a CBP User Fee Airport. This is standard practice for all CBP User Fee Airports in the United States.

ANALYSIS & ASSESSMENT

Community Involvement

The public was provided with an opportunity to comment on the Compliance Agreement at the Airport Advisory Commission on August 14, 2013. No negative comments were received and the

Airport Advisory Commission approved a motion to recommend that City Council authorize the Compliance Agreement with a 7-0 vote.

RESOURCE IMPACTS

Available funding
The Aviation Department has an operating budget of $22,000 for fiscal year 2013/14 to cover the costs associated with regulated garbage handling. There is no impact to the General Fund as the Airport is an Enterprise Fund.

Staffing, Workload Impact
There is no additional City Staff workload impact if the Compliance Agreement is approved.

Maintenance Requirements
There are no additional maintenance requirements if the Compliance Agreement is approved.

Future Budget Implications
The Aviation Department will require funding from the Aviation Enterprise Fund each year to pay for the on-going costs.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach
Adopt Resolution No. 9504 approving the Compliance Agreement with the United States Department of Agriculture 2013-136-COS for the Airport to handle regulated garbage collection and disposal at Scottsdale Airport.

Description of Option B
Do not Adopt Resolution No. 9504 approving the Compliance Agreement with the United States Department of Agriculture 2013-136-COS for the Airport to handle regulated garbage collection and disposal at Scottsdale and not continue as a CBP User Fee Airport.

Proposed Next Steps
If City Council approves the Compliance Agreement, the Airport will begin handling regulated garbage as soon as the agreement is fully executed.

RESPONSIBLE DEPARTMENT(S)

Community & Economic Development Division, Aviation Department

STAFF CONTACTS (S)

Shannon Johnson, Management Analyst, shjohnson@scottsdaleaz.gov

11379298v1

APPROVED BY

Gary P. Mascaro, C.M., C.A.E., Aviation Director — Date: 8/26/13

(480) 312-7735, gmascaro@scottsdaleaz.gov

Paul T. Katsenes, — Date: 8-26-13

Executive Director, Community & Economic Development

(480) 312-2311, pkatsenes@scottsdaleaz.gov

ATTACHMENTS

1. Resolution No. 9504
2. MOA 2013-136-COS

11379298v1

RESOLUTION NO. 9504

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE CITY TO ENTER INTO COMPLIANCE AGREEMENT NO. 2013-136-COS WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE.

The Scottsdale Airport receives numerous international flights terminating in the Airport; and

The United States Department of Agriculture requires that the Airport dispose garbage from vegetable and animal matter in a safe and closely controlled manner; and

The City is prepared to enter into this Compliance Agreement to assure that such waste materials will be disposed of in compliance with the Rules and Regulations of the U.S. Department of Agriculture.

BE IT RESOLVED by the Council of the City of Scottsdale as follows:

Section 1. The Mayor is authorized and directed to execute Compliance Agreement No. 2013-136-COS between the City and the United States Department of Agriculture.

PASSED AND ADOPTED by the Council of the City of Scottsdale this 10th day of September, 2013.

ATTEST:

CITY OF SCOTTSDALE,
An Arizona municipal corporation

By: _____
Carolyn Jagger, City Clerk

By: _____
W.J. "Jim" Lane, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

Bruce Washburn, City Attorney
By: Clifford J. Frey
Senior Assistant City Attorney

Attachment to PPQ Form 519, Uniform Standards for Compliance Agreements for Regulated Garbage – Airport Operator

The United States Department of Agriculture, Animal and Plant Health Inspection Service, Plant Protection and Quarantine (USDA APHIS) provides oversight for agricultural issues including APHIS regulated garbage. USDA is granted authority to take such action in the Plant Protection Act (PPA) (7 U.S.C. §§ 7701 et. seq.) and the Animal Health Protection Act (AHPA) (7 U.S.C. §§ 8301 et. seq.).

Any person who knowingly violates the PPA (7 U.S.C. §§ 7701 et. seq.) and/or the AHPA (7 U.S.C. §§ 8301 et. seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in monetary penalties, a one-year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to $250,000 per violation or twice the gross gain or gross loss for any violation that results in the person deriving pecuniary gain or causing pecuniary loss to another, whichever is greater.

Any individual, corporation, company, association, firm, partnership, society, or joint stock company, hereafter known as the establishment, engaged in the business of handling or disposing of garbage in accordance with the regulations (Title 7 Code of Federal Regulations §330.400-§330.403 and Title 9 Code of Federal Regulations §94.5) must first enter into a Compliance Agreement with APHIS. A Compliance Agreement authorizing the handling of regulated garbage is a legally binding contract between the United States Government and an establishment which has been approved by APHIS to handle regulated garbage. The establishment, City of Scottsdale, Scottsdale Airport, by entering into this Compliance Agreement (which includes all addenda), agrees to operate in accordance with APHIS regulations and policies when handling regulated garbage. USDA animal health and plant health regulations are enforced by APHIS and the Department of Homeland Security, United States Customs and Border Protection (CBP).

All employees or agents of City of Scottsdale, Scottsdale Airport must comply with the regulations pertaining to regulated garbage and all conditions and addenda included in this Compliance Agreement, as deemed by the Administrator to be necessary to prevent the introduction and dissemination into or within the United States of plant pests and livestock or poultry diseases.

Trash is refuse that neither contains nor is visually contaminated with regulated garbage. Trash is not regulated by APHIS and is therefore **unrestricted**. For example, trash that solely contains empty soda cans would be unrestricted. Newspapers and magazines in the passenger cabin would also be unrestricted. An empty cardboard milk carton, sandwich, or fruit found in the passenger cabin, however, would be considered as regulated garbage as opposed to trash and would be restricted.

Garbage is all waste material that is derived in whole or in part from fruits, vegetables, meats, or other plant or animal (including poultry) material, and other refuse of any character whatsoever that has been associated with any such material. Garbage is regulated by APHIS when the garbage is on or removed from a means of conveyance, if the means of conveyance has been in any port outside the United States and Canada within the previous two-year period or to any port in Hawaii or any United States territory

or possession in the last one-year period. Garbage regulated by APHIS is hereafter known as regulated garbage.

Garbage, trash or other material not regulated by APHIS that is or has been commingled with regulated garbage is also regulated garbage.

Regulated garbage includes but is not limited to food scraps, table refuse, galley refuse, food wrappers or packaging materials and other waste material from stores, food preparation areas, passengers' or crews' quarters, dining rooms or any other areas on means of conveyance. Regulated garbage also means meals and other foods that were available for consumption by passengers or crew on an aircraft but were not consumed.

Other materials that may be handled as regulated garbage include but are not limited to rejected cargo (consisting of plant or animal origin materials), illegally imported agriculture commodities found in commerce, and quarantine materials seized during inspection.

The establishment covered by this Compliance Agreement, and all areas where regulated garbage handling occurs, are subject to unannounced inspections by APHIS or CBP personnel. APHIS/CBP officials must be allowed access to all areas where regulated garbage handling occurs. APHIS/CBP officials must be allowed to observe, without restriction, all regulated garbage handling activities performed by all employees and subcontractors. All records required by this Agreement must be made available to APHIS/CBP officials upon request. Any problems in conducting regulated garbage handling procedures as outlined in this Compliance Agreement must be immediately reported to the APHIS/CBP office at (602) 392-4440 EXT 4 (*insert phone number*).

Compliance Agreements are valid from the date of agreement (PPQ Form 519, Block 10), and must be reviewed at least annually by APHIS/CBP officials with the establishment. That review must be documented per current APHIS policy.

Regulated garbage handling activities covered by this Compliance Agreement may be suspended and/or this Compliance Agreement may be immediately canceled for noncompliance. **This Compliance Agreement is non-transferable.**

The establishment under this Compliance Agreement must immediately notify the local APHIS/CBP office at _(602) 392-4440 EXT 4 (*insert phone number*) of any management changes, including but not limited to name, ownership, location, equipment, and procedures. The establishment may also be required to notify APHIS Headquarters at (301) 851-2295 or by email at **PPQ VRS.Regulated.Garbage@aphis.usda.gov** of the above changes. Such changes may invalidate this Compliance Agreement and require a new approval.

Revisions to this Compliance Agreement must be made if there are any changes that would invalidate this Agreement but do not require a new approval, including but not limited to changes in procedures (minor), local management or USDA regulations and requirements. The required revisions must be made as soon as the changes occur if they do not invalidate the Compliance Agreement in a manner that requires a new approval to be granted.

By signing this Compliance Agreement, the signatory acknowledges that information concerning his/her establishment, including but not limited to the name of the establishment, location of establishment, and contact information with phone numbers, will be included on lists of APHIS approved regulated garbage handlers that are available to the public. In addition, the signatory acknowledges that if the establishment Compliance Agreement is cancelled or the establishment and/or its personnel are prohibited from handling regulated garbage the information will be listed on the APHIS website. Finally, the signatory acknowledges that if the regulated garbage handling activities authorized by the Compliance Agreement have been suspended, information regarding the suspension will also be listed on the APHIS website.

This Compliance Agreement only covers compliance with APHIS regulations and requirements. Therefore, this Compliance Agreement does not reduce or eliminate the Compliance Agreement holder of his/her legal duty and responsibility to comply with all other applicable Federal, State, and local regulatory requirements. By signing this Agreement, the signatory certifies that his/her establishment has met or will meet the requirements of all applicable environmental protection laws prior to handling garbage regulated by APHIS under the authority of USDA.

The establishment is responsible for all regulated garbage including food waste, loose trays of food, and unused meals, and will **not** allow its unauthorized diversion, removal, use, or consumption.

Once received by the establishment, regulated garbage must not remain in the establishment's possession for more than 72 hours (i.e., regulated garbage must be processed or hauled within this timeframe) without prior approval in writing from the APHIS Administrator.

I. Regulated Garbage Handling Procedures

A. Airport Operators provide many services. Attach the appropriate addendum(s) for service(s) not covered by this Compliance Agreement

1. Regulated Garbage Handling Activity (*check all that apply*)

☐X Off-load regulated garbage

☐ Decater and/or cater food

☐ Remove and wash reusable dishware, glassware, utensils and/or trays

☐ Clean aircraft

☐ Other _____

2. Location of processing equipment:

Stericycle, Inc,

1251 S. Nelson Drive, Chandler, AZ 85226,
602-437-5624

3. APHIS Approved Regulated Garbage Hauler to be used if regulated garbage is transported off establishment's premises for processing:

Stericycle, Inc, 1251 S. Nelson Drive, Chandler, AZ 85226, 602-437-5624

B. Segregation of regulated garbage (*check one*):

☐XAt the facility, regulated garbage will be separated from all garbage not regulated by APHIS, as specified in the attached Standard Operating Procedures (SOP).

☐ All garbage in facility will be handled as APHIS regulated garbage.

Recycling is authorized only after incineration or if the separation of recyclable material takes place onboard the conveyance (i.e. maritime vessel, aircraft, etc.) and the recyclable material is kept separate from food waste or other regulated garbage.

C. Operating procedures

1. The establishment must have an APHIS-approved written SOP for regulated garbage handling. The SOP must cover all aspects of regulated garbage handling procedures used by the establishment, and must include all requirements covered in this CA. The SOP must be written in English and other appropriate languages. The English version of the SOP must be attached to this Compliance Agreement and the procedures described therein are considered as stipulations of the Compliance Agreement and must be followed.

2. The establishment must conspicuously post the SOP or make the SOP available to employees in all work areas.

3. Garbage on aircraft arriving from foreign countries other than Canada, from non-predeparture locations in Hawaii or Puerto Rico, and from all other U.S. territories and possessions is regulated by APHIS. Establishment personnel will meet aircraft originating from these locations to meet the aircraft to off-load regulated garbage according to their contractual agreements with the private aircraft or airlines. Establishment personnel must be planeside within _____ (*insert time*) minutes of arrival.

4. The establishment is responsible for ensuring appropriate communications with the private aircraft or airlines for which it provides services so that establishment personnel are kept up to date on an aircraft's estimated time of arrival in order to meet the aircraft.

5. The establishment will immediately notify the local CBP office at (602) 392-4440 EXT 4 if unable to meet the flight within the required time frame in which

case the establishment will provide control over regulated garbage through assigned Airport Operator personnel in a manner acceptable to CBP as described in the approved SOP. If Airport Operator personnel cannot meet the aircraft, the Airport Operator will initiate the services of the back-up entity as described in the Emergency Backup System section of this Compliance Agreement.

6. All regulated garbage must be contained in tight, covered, leak-proof containers or bagged during transportation.

7. Regulated garbage must be uniquely identifiable from other garbage and trash unless all garbage is handled as APHIS regulated garbage. If the Airport Operator handles both APHIS regulated garbage and non-regulated garbage unless all garbage is handled as APHIS regulated garbage, the following conditions must be met:

   a) The Airport Operator must segregate garbage on foreign flights and on flights from other locations from which the garbage is regulated, immediately upon removal from the aircraft, to prevent its association with domestic on regulated garbage in the transport vehicle and at the Airport Operator facility.
   b) The method of unique identification and segregation of regulated garbage on foreign flights and on flights from other locations from which the garbage is regulated from domestic non regulated garbage must be described in the attached establishment SOP.

8. All rigid containers must be identified with the words "REGULATED GARBAGE" or a similar acceptable phrase in English and any appropriate foreign language. Lettering on containers should be large enough so that they could be legible from a distance of at least 10 feet.

9. Containers used for regulated garbage shall **not** be used for any material not regulated by APHIS, unless the container's markings have been removed and the container is cleaned and disinfected under the direct supervision of APHIS or CBP personnel. The container to be used for a purpose other than storage or hauling regulated garbage must have markings obliterated and be disinfected with APHIS-approved disinfectant under the direct supervision of APHIS or CBP personnel prior to such use. Containers moved off the establishment's property to be repaired must first be cleaned and disinfected prior to movement. Containers that are removed from service (i.e. decommissioned) must be cleaned and disinfected under direct APHIS or CBP supervision.

10. Any plastic bags used in the handling, transportation or storage of regulated garbage must be at least three (3) mil (0.003-inch) thick and must be intact. Plastic bags used by the establishment for regulated garbage handling, transportation or storage must be uniquely identified by color, tag (attached to the bag or label (printed on the bag) as indicated in the attached SOP.

11. Plastic bags used for storage of regulated garbage must be securely closed and leak-proof and the bags must be stored inside a closed building or in a tight, covered, leak-proof, rigid container. The container or other confined area where regulated garbage is to be stored must be secured to prevent tampering and must be capable of being cleaned and disinfected. The regulated garbage must be inaccessible to birds, rodents, and other vermin.

12. If the establishment will be storing garbage, describe the area in the facility where regulated garbage will be stored. Storage sheds should be properly marked with the words "Regulated Garbage" or other appropriate terms. Lettering on containers should be large enough so that they could be legible from a distance of at least 10 feet.

_____

_____

13. If washing reusable dishware, glassware, silverware and/or trays, the Airport Operator must use an automatic dishwasher.

14. Scraped residue and runoff may be ground into an approved sewage system as defined in 7CFR 330.400-330.403 or 9CFR 94.5 or collected and treated as regulated garbage. All materials associated or in contact with regulated garbage must be treated as regulated garbage.

15. The establishment must maintain records of receipt and processing of regulated garbage that include at a minimum:

    - Date regulated garbage was received
    - Entity from whom the regulated garbage was received (cleaning company, flight #, etc.)
    - The amount (weight, volume) of the regulated garbage that is received
    - Date garbage was picked up from the establishment for transport by hauler (if applicable)
    - The amount of regulated garbage that was picked up for transport by hauler (if applicable)
    - All other records required by this Compliance Agreement

    These records must be maintained for one (1) year from the end of the month the regulated garbage was received. If applicable, the establishment must assure that these records can be used to validate the inventory control system at the point of origin and/or destination.

D. Equipment

1. Equipment (including but not limited to vehicles, containers, dumpsters and compacters) used to transport/store unprocessed regulated garbage must:

    - be completely enclosed, rigid, and leak-proof.

- not have a canvas top, tarp covering or any other non-rigid covering.
- be capable of being secured by a seal, lock, or similar device.
- be capable of being cleaned and disinfected
- be identified with the words "REGULATED GARBAGE" or a similar acceptable phrase in English and any appropriate foreign language. Lettering on containers should be large enough so that they could be legible from a distance of at least 10 feet.
- be maintained to ensure that all of the requirements listed above.

Leaking vehicles, compactors, containers or dumpsters must be removed from service until they are repaired. Areas where leaks occur must be cleaned and disinfected.

II. Cleaning and Disinfection

The dock area and the area around grinders, sterilizers, incinerators, compactors, and/or dumpsters must be kept clean and free of loose garbage at all times.

All wooden surfaces in garbage handling areas (including storage areas and inside transport vehicles) must be treated so that surfaces are impervious to water and can be cleaned and disinfected.

A. Articles Requiring Cleaning and Disinfection

Any article, means of conveyance, or other surface, including but not limited to carts, pallets, machinery, handling containers, trucks, or railroad cars, dock or warehouse surface contaminated with regulated garbage, must be cleaned and disinfected with one of the APHIS authorized disinfectants to meet regulatory requirements as outlined in the attached SOP before the items are reused.

Cleaning of portable articles must be performed over a drain leading to an approved sewage system or directly into a containment tank for proper disposal.

B. Materials and Equipment

The following items must be immediately available for cleaning and disinfection in all work areas and on each conveyance during the handling of regulated garbage:

1. One of the following APHIS-authorized disinfectants:

   a) **Virkon®S** (EPA Reg. No. 71654-6) must be mixed according to the label for a 1% solution. Once mixed, Virkon® S may only be used for seven (7) days from the date of mixing. The name "Virkon-S" and the date the solution was mixed must be written on the container holding the solution.

   b) **Clorox® Bleach (sodium hypochlorite) 5.25%** (EPA Reg. No. 5813-1) commercially labeled for use as a disinfectant.
      - Use as a solution with a concentration of 5000 ppm available chlorine.
      - **Mix** 13 ounces Clorox® Bleach 5.25% bleach to 1 gallon of water **or** 1 part Clorox® Bleach 5.25% to 9 parts water.

- This solution will disinfect hard non-porous surfaces and decontaminate porous surfaces and materials.
- The Clorox® Bleach 5.25% bleach (original bottle) may only be used for a maximum of two months. Write the date of purchase on the original bottle. Bleach is best stored out of heat and sun.
- When bleach is diluted, it may only be used for a 24-hour period post dilution. The words "Bleach Solution", the date and time of dilution must be written on the container holding the diluted bleach.

2. A sanitizer approved by the Environmental Protection Agency (EPA) for use on and around food contact surfaces (as applicable)
3. A source of clean water adequate to achieve proper cleaning and disinfection
4. A detergent
5. A scrub brush
6. Equipment to pick up solid material (such as a shovel or broom and dustpan)
7. Materials to contain and or absorb liquids
8. Plastic leak-proof bags to hold collected materials
9. Copy of all applicable Material Safety Data Sheets (MSDS) and disinfectant labels, if the original containers are not available
10. Appropriate personal protective equipment (such as rubber or latex gloves and safety goggles) and/or other equipment as required by the MSDS and the establishment

C. Cleaning and Disinfection Procedures outlined in the SOP must meet the following conditions:

1. Non Food Handling Areas:

- Prior to applying detergent or disinfectant, regulated garbage (liquid and solid) must be removed from contaminated surfaces. Apply an absorbent material if needed. All collected regulated garbage and materials used in cleaning and disinfection must be disposed of as regulated garbage.
- Clean/scrub the affected area with detergent.
- Flush the affected area with clean water.
- Apply the disinfectant solution generously; wet the entire affected area. Read disinfectant label to determine how long the disinfectant should remain on the surfaces. (Note: bleach solution must remain on surface for 10 minutes.)
- Flush area with clean water and air dry per disinfectant label.

2. Food Handling Areas:

Use only EPA approved sanitizers in food handling areas.

- Prior to applying sanitizer, all regulated garbage (liquid and solid) must be removed from contaminated surfaces. Apply an absorbent material if needed. All collected regulated garbage and materials used in cleaning and disinfection must be disposed of as regulated garbage.
- Follow the instructions on sanitizer label.

APHIS/CBP will be immediately notified of any spillage outside of the facility at (602) 392-4440 EXT 4. Cleaning and disinfecting of the area affected by the spill must be accomplished immediately. The establishment must provide trained personnel and equipment for immediate clean up of such spills and the procedures for this cleaning must be specified in the SOP.

The establishment must maintain records of disinfectant and sanitizer used in association with the handling of regulated garbage. This includes disinfectant used for both routine cleaning and disinfection and spills. Records must include at a minimum:

- Date of disinfectant or sanitizer use.
- Specific location of disinfectant or sanitizer use.
- Volume and concentration of disinfectant or sanitizer used.

These records must be kept for three (3) years from the date of disinfectant or sanitizer usage.

III. Emergency Backup System

In the event the establishment is unable to conduct the regulated garbage handling activities as outlined in this Compliance Agreement or the establishment is ordered to suspend its regulated garbage handling activities, the emergency backup system listed below must be implemented. Additionally, if the establishment's primary regulated garbage hauler is unavailable or the establishment's primary processor is inoperable, the emergency backup system listed below must be implemented, to ensure that regulated garbage is not stored at the establishment's facility for longer than 72 hours. The establishment will immediately notify all of its regulated garbage customers affected by the implementation of the emergency backup system. Details of the emergency back-up system must be included in the SOP. The local APHIS/CBP office will be immediately advised of the implementation of the approved emergency backup system listed below: *(Must complete processor and hauler information.)*

□ APHIS-approved entity to remove regulated garbage from aircraft:
CBP 15041 N. Airport Dr.,
Suite 105 Scottsdale, AZ 852

X□ APHIS-approved Processor *(Circle one – sterilizer, incinerator, grinder.)* located at:
Stericycle, Inc.
2775 E. 26th St
Vernon, CA 90058
323-362-3001

□ APHIS-approved Hauler or cartage firm to transport regulated garbage at this establishment to back-up processor:

Stericycle, Inc.
2775 E. 26th St
Vernon, CA 90058
323-362-3001

- ☐ Aircraft will not be authorized to land

If the establishment has initiated the emergency back-up plan, no regulated garbage will be accepted or processed by the establishment until authorized in writing by APHS. Any processing equipment that has been repaired will be reevaluated and certified in writing by an employee of APHIS.

IV. Training

The establishment must present a training program on regulated garbage handling to employees before they are permitted to handle or supervise the handling of regulated garbage. All previously trained employees shall be provided review training annually; this training may be given in more than one session.

The training program must be approved in writing by the local APHIS State Plant Health Director/CBP Port Director or his/her designee. The English version of the approved training program must be attached to the Compliance Agreement.

The training program must be written in English and any other appropriate languages, and must be presented in all appropriate languages. The training program should be of sufficient duration to provide the required information on regulated garbage handling and may include both formal classroom training and on-the-job training.

At a minimum, the training must include:

- Definition of regulated garbage.
- Film, slides, or other training aids on foreign animal and plant diseases and pests.
- Explanation and purpose of the regulations.
- Review of the establishment's approved SOP including proper regulated garbage handling procedures covering all procedures conducted by the establishment. The SOP must also include protocols for reporting and handling emergency spills, maintaining control of regulated materials and the cleaning and disinfecting of affected areas and equipment.
- Review of the Compliance Agreement.

Training record keeping requirements:

The establishment must maintain a record of regulated garbage training provided to employees and any subcontractors if applicable. The training records must include:

- The date of the training

- The name (s) of the trainees
- The specific topics covered during the training
- The name of the trainer

These records must be retained for a minimum of one (1) year from the end of the month in which the training occurred.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control numbers for this information collection are 0579-0054, 0066, 0128, 0198, 0238, 0257, 0308, 0310. The time required to complete this information collection is estimated to average 1.25 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM APPROVED OMB NUMBER 0579-

UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE PLANT PROTECTION AND QUARANTINE	COMPLIANCE AGREEMENT
1. NAME AND MAILING ADDRESS OF PERSON OR FIRM City of Scottsdale, Scottsdale Airport 15000 N. Airport Drive, Suite 200 Scottsdale, AZ. 85260 Phone (480)312-2321; (480)312-8475; Fax (480)312-8480 GARY P. MASCARO, AVIATION DIRECTOR	2. LOCATION Same

3. REGULATED ARTICLE(S)
REGULATED GARBAGE (AS DEFINED IN 7CFR 330.400 - 330.403 AND 9CFR 94.5

4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS
7 CFR 330.400 AND 9 CFR 94.5 AND THE PLANT PROTECTION ACT.

5. I / WE AGREE TO THE FOLLOWING:
This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.
Any person who knowingly violates the Plant Protection Act (PPA) (7 U.S.C. §§ 7701 et. seq.) and/or the Animal Health Protection Act (AHPA) (7 U.S.C. §§ 8301 et. seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, a one-year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to $250,000 per violation or twice the gross gain or gross loss for any violation that results in the person deriving pecuniary gain or causing pecuniary loss to another, whichever is greater.

The establishment under this Compliance Agreement shall immediately notify the local DHS, CBP office at (602) 392-4440 Ext. 4 of any management changes which may void this Compliance Agreement.

By signing this agreement, the signer certifies that his/her facility has met or will meet the requirements of all applicable environmental authorities prior to handling garbage regulated by the Department of Homeland Security, Customs and Border Protection under the authority of the Animal and Plant Health Inspection Service.

The company, its employees and subcontractors, and procedures covered by this compliance agreement are subject to unannounced inspections by CBP or APHIS personnel.

All records required by this agreement must be made available to CBP/APHIS officials upon request.
SEE ADDITIONAL PAGES (7)

6. SIGNATURE	7. TITLE	8. DATE SIGNED

The affixing of the signatures below will validate this agreement which shall remain in effect until canceled, but may be revised as necessary or revoked for noncompliance.

9. AGREEMENT NO.
PHX CA0012

10. DATE OF AGREEMENT

11. PPQ/CBP OFFICIAL (NAME AND TITLE)	12. ADDRESS CBP-PHOENIX INTERNATIONAL AIRPORT 3002 E OLD TOWER ROAD, SUITE 400 PHOENIX, AZ 85034 (602) 392-4440 EXT 4
13. SIGNATURE	
14. U.S. GOVERNMENT/STATE AGENCY OFFICIAL (NAME AND TITLE)	15. ADDRESS

16. SIGNATURE

PPG FORM 515 (MAY 2007) Previous editions are obsolete

APPROVED AS TO FORM
OFFICE OF THE CITY ATTORNEY

Bruce Washburn, City Attorney
By: Clifford J. Frey
Senior Assistant City Attorney