

CT Agricultural Experiment Station - Summary of changes to proposed regulations as issued with Notice of Intent published on October 2, 2012.

The following summarizes the changes made to the regulation in response to comments received and further legal review:

Section 1 – New definitions were added to this section which amends § 22-84-5d. The new definitions include, Specialized Permit, Treatment Certificate or label, and Waybill.

Section 2 – This section, which amends § 22-84-5e, was changed to remove the reference to compliance agreements and replace them with the term “specialized permit”. This change provides consistency with the term used in the current quarantine order issued by the Director for New Haven County. The term compliance agreement is currently reserved for articles moved interstate under federal requirements.

Section 3 – This section, which adds § 22-84-5g deals with the movement of firewood.

§ 22-84-5g(a)(1)(A) –It was clarified that firewood moved under a limited permit in accordance with a compliance agreement may be treated in the manners listed. Compliance agreements in the future may or may not incorporate these treatment methods or may provide additional treatment methods not currently identified. The references to applicable federal standards were made consistent the specific treatment identification numbers were removed in recognition that these numbers can be amended or changed.

§22-84-5g(a)(2) – The subdivision was reformatted to comply with regulation drafting manuals. State and Canadian authorities were identified with more specificity and the ambiguous term “analogous” was deleted.

§ 22-84-5g(a)(3) – The subparagraphs (A) through (D) were removed and replaced by the regulatory reference. This language repeated what is currently in the regulatory reference and it was determined to be unnecessary to repeat it. Department fact sheets can explain the steps necessary to comply with the federal regulation.

§22-84-5g(a)(4) – The subparagraphs (A) through (C) were removed and replaced by the regulatory reference. This language repeated what is currently in the regulatory reference and it was determined to be unnecessary to repeat it. Department fact sheets can explain the steps necessary to comply with the federal regulation.

§ 22-84-5g(d) – Grammatical changes were made and additional forms of acceptable documentation for out of state firewood were listed. The separate list of documentation was eliminated to avoid inconsistency. Transporters were added to this subsection to recognize not all transporting firewood are retail sellers.

§22-84-5g(e) - Those in possession of firewood were added to the requirement to document origin and compliance with handling requirements.