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Methamphetamine Clean-Up Regulation

Definitions:

Certified Industrial Hygienist – an individual who is certified in comprehensive practice by the American Board of Industrial Hygiene for assessing and preventing unhealthy workplace exposures.

Clandestine Laboratory (clan labs, meth labs) - a property or area used to manufacture or 'cook' meth or other illicit drugs. These can generate high levels of persistent, invisible drug and chemical residues throughout a house and pose a substantial health risk, but are far less common than properties where drugs are smoked.

Meth smoke houses – a smoke house is typically a home used to smoke meth or other illicit drugs, but not manufacture them. The resulting house contamination may still be significant where heavy usage has occurred, but current evidence suggests the levels will be significantly lower than from a meth lab.

Qualified contractor – professional with hazardous waste expertise who has completed the minimum 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training.

Residential units - any residential dwelling where tenants rent space from the City of Boise.

Suspected units – units with unusual odors, covered windows, excessive or unusual trash, high volumes of visitors, etc. See: [Recognizing a Meth House or Structure \(nv.gov\)](https://www.nv.gov)

$\mu\text{g}/\text{cm}^2$ - microgram per square centimeter; this is a surface density measurement unit. The microgram per square centimeter surface density measurement unit is used to measure area in square centimeters in order to estimate weight or mass in micrograms. The surface density is used to measure the thickness of paper, fabric and other thin materials.

Background

The City of Boise is committed to complying with all applicable federal and state laws and regulations pertaining to the hazards of smoked methamphetamine residue contamination and contamination of residential properties used as clandestine drug laboratories.

Currently no federal legislation or regulations govern required clean-up standards for properties contaminated by residue from smoked, or use-based methamphetamine. The Environmental Protection Agency (EPA) has published voluntary cleanup guidelines for meth lab contamination which does include reference to use-based contamination. States vary in their application of these guidelines and several have conducted research studies to establish updated regulatory standards. Many states, tribes, and other government entities utilize existing laws regulating lab contamination to regulate use or smoke-related contamination. This has resulted in inconsistencies across the United States.

Two primary research-based studies out of California and Colorado support a residential methamphetamine clean-up limit of $1.5 \mu\text{g}/100\text{cm}^2$. Many states follow this standard including Washington, Kansas, Montana, Virginia, and Wisconsin.

Idaho has a standard for cleanup of residential properties used as clandestine drug laboratories, but not for residential properties used as a smoke house. Properties must meet this standard in order to be removed from Idaho Department of Health and Welfare's (IDHW) Clandestine Drug Laboratory Site Property List. The Idaho meth lab cleanup level is point one microgram per one hundred square centimeters ($0.1 \mu\text{g}/100\text{cm}^2$).

California's $1.5 \mu\text{g}/100 \text{cm}^2$ standard limit is health-based, meaning it is supported by toxicological data and scientific research. Supportive research shows contamination levels at or below $1.5 \mu\text{g}/100 \text{cm}^2$ effectively limit both the risk of harmful reaction and the detrimental health effects associated with meth exposure.

Colorado's $1.5 \mu\text{g}/100 \text{cm}^2$ standard limit is a technology-based standard supported by EPA processes and exposure models. Supportive research showed this limit to be sufficiently conservative, accounting for scientific uncertainty while remaining health-protective. Requiring contamination level to remain at or below $1.5 \mu\text{g}/100 \text{cm}^2$ was determined to effectively limit public and environmental harm.

Children under six are the most susceptible to the effects of methamphetamine residue, but regular, healthy adults can also be affected.

Regulation Purpose

In an effort to protect the public health, safety, and welfare of current tenants and maintenance employees, industrial hygiene sampling for methamphetamine

contamination levels is to be conducted as necessary at suspect units owned by City of Boise.

For safety and health, staff guidance, and to minimize continued risk and liability, the City has adopted research-based safety guidelines and clean-up standards for all city-owned and managed properties found to be contaminated with methamphetamine.

This regulation covers city-owned and managed properties. The purpose of this regulation is to prevent exposure to methamphetamine-related hazards and to ensure compliance with existing state law and federal guidelines. Requirements for compliance with methamphetamine clean-up regulations in city-owned properties are based on hazardous contamination levels detected through methamphetamine contamination sampling.

Contamination Tiers

Requirements for performing work in city facilities are broken down into three main tiers defining contamination levels, who can perform the work in those tiers, and other requirements, including clearance sampling.

Tier I: City property identified as being used as a clandestine drug laboratory.

When a meth lab is discovered on City property employees shall immediately leave the premises, contact Boise Police, and cooperate fully with the police investigation.

When the police have released the property back to the department for additional mitigation, the department shall ensure the property is secured until any remaining hazards are mitigated. The City will follow the IDHW's "Guidelines for Cleaning Up Former Methamphetamine Labs" and use the meth lab cleanup standard of $0.1\mu\text{g}/100\text{cm}^2$. Idaho Department of Health and Welfare Guidelines can be found at this website: <https://healthandwelfare.idaho.gov/health-wellness/environmental-health/ clandestine-labs>

The City will contract with a qualified contractor for any remaining hazard mitigation work. Clearance sampling must then be conducted by a qualified industrial hygienist to ensure that the property has been cleaned according to the standard. The city department will provide IDHW with an original or certified copy of the qualified industrial hygienist's final report verifying that the property has been cleaned up according to the established standard, or documentation that the property has been demolished.

When properties are identified with contamination above the health and safety standard the department will notify the occupants/tenants of the potential hazard. The department will follow all required federal, state, and local rules, along with

department procedures, leases, and agreements where necessary to facilitate the relocation of occupants/tenants while contamination is mitigated. A careful assessment of multiple dwelling units, such as apartments and motels, must be done to determine how much of the structure should be evacuated or cleaned. Adjacent rooms and common areas of multiple dwelling are presumed contaminated and must be cleaned or sampled to rule out the need for cleaning.

Until the contamination is mitigated, the department will place hazard warning signs throughout the building and units and secure the property.

Tier II: City property with methamphetamine contamination testing above 1.5µg/100cm².

Properties testing above 1.5µg/100cm² are considered above the health and safety standard of 1.5µg/100cm² adopted by the City, Contamination will be mitigated to acceptable levels by qualified contractors. Clearance testing will then be completed to verify the property has been cleaned according to the established standard.

When properties are identified with contamination above the City's health and safety standard the department will notify the occupants/tenants of the potential hazard. The department will follow required federal, state, and local rules, along with department procedures, leases, and agreements where necessary to facilitate the relocation of occupants/tenants while contamination is mitigated. A careful assessment of multiple dwelling units, such as apartments and motels, must be done to determine how much of the structure should be evacuated or cleaned. Adjacent rooms and common areas of multiple dwelling are presumed contaminated and must be cleaned or sampled to rule out the need for cleaning.

Until the contamination is mitigated, the department will place hazard warning signs throughout the building and units and secure the property.

Note: City staff without the required qualification shall not perform work in city owned or managed property contaminated with methamphetamine above 1.5µg/100cm².

Tier III: City properties with methamphetamine contamination levels testing 1.5µg/100cm² or less.

Properties testing at or below 1.5µg/100cm² are considered within the health and safety standard of 1.5µg/100cm². City staff can continue to work and complete maintenance and cleaning activities in these locations.

General Requirements

Employees who perform repair and maintenance operations in residential units shall be trained prior to performing duties with potential exposure to methamphetamine. This training shall include:

- A. Employees shall read the city methamphetamine regulation.
- B. Supervisors shall provide general meth lab awareness training applicable to the work environment.
- C. Supervisors shall explain expectations and requirements for reporting suspicious activity and advise when to call Boise Police.
- D. Supervisors shall explain work procedures required in the department to reduce potential exposures to methamphetamine.
- E. Employees shall complete all assigned city hazard communications training(s).
- F. Employees shall complete all assigned PPE training(s).
- G. Employees shall complete all assigned Bloodborne Pathogen training(s)

If employees suspect a unit or facility may contain methamphetamine contamination:

- A. Employees shall notify their supervisor(s) prior to entering a suspected unit.
- B. Supervisors or their designee shall notify Risk and Safety Services and document the findings in sufficient detail.
- C. The department shall coordinate industrial hygiene sampling as necessary to determine the level of contamination of a suspect unit.
- D. Employees must not perform cleaning or maintenance activities in suspect units until industrial hygiene sampling results are confirmed at or below $1.5\mu\text{g}/100\text{cm}^2$.

Personal Protective Equipment and Required Work Procedures

All employees shall wear appropriate personal protective equipment (PPE) when entering any unit for any reason, including:

- A. Disposable shoe covers;
- B. Nitrile or rubber gloves (depending on the work being conducted); and
- C. Disposable overalls are provided and recommended for use anytime work tasks require bodily contact with surfaces. Alternatively, and when appropriate, employees shall remove and thoroughly launder all potentially exposed clothing and/or footwear prior to leaving the department. Note: workplace utilities are provided and recommended for use.