

Testimony Presented Before the US House of Representatives Committee on Government Reform, Subcommittee on Criminal Justice, Drug Policy and Human Resources, June 28, 2004, Bentonville, Arkansas.

Testimony presented by: Shirley Louie, M.S., CIH, Chief Environmental Epidemiologist, Arkansas Department of Health, Little Rock, Arkansas.

Thank you for the opportunity to discuss the potential dangers to human health associated with exposure to the hazards found on properties that have been used as clandestine methamphetamine laboratories as well as the complexities involved in proper cleanup of these properties.

In Arkansas as in other parts of the United States, the number of clandestine methamphetamine laboratories, commonly referred to as "meth labs", is growing and their locations are shifting from isolated, rural facilities to houses, trailers and apartments in more densely populated urban areas. These illegal facilities are not "laboratories" as we might envision a laboratory. They are usually operated with little or no attention to safety, resulting in immediate dangers such as fires or explosions as well as exposures to hazardous chemicals.

After law enforcement personnel have secured a methamphetamine lab site, they assess the site. Then the site is processed. Part of the assessment and processing procedures include identifying and disposing of drug manufacturing equipment and chemicals. This process is often referred to as "Primary Cleanup" and is usually performed by a certified hazardous waste contractor. As part of the primary cleanup process, most of the hazardous waste materials including glassware, chemicals and other items not determined to be evidence as identified by law enforcement personnel are disposed of or destroyed by the hazardous waste contractor. After the primary cleanup process had been completed and law enforcement officials release the property, any subsequent cleanup becomes the responsibility of the property owner. These properties are almost always contaminated with the chemicals used to manufacture the illicit drugs.

In many cases, property owners will allow reoccupation of building without any consideration of potential contamination resulting from the illegal drug manufacturing activities that had occurred previously. In buildings where residual contamination is present, new occupants could unwittingly be exposed to hazardous materials. Depending upon the method or methods used to produce the methamphetamine, the hazardous contaminants can include solvents, heavy metals, acids and/or bases as well as unidentified

chemicals. Persons can be exposed to these chemicals by coming into contact with contaminated surfaces or eating food that has been stored or prepared in contaminated containers or appliances. Exposure can also result from inhalation of contaminated dust or dirt. Deleterious effects include skin rashes; irritation of the skin, eyes, nose and mouth; headache; dizziness; fatigue as well as a variety of respiratory and central nervous system problems.

Children are particularly vulnerable to the deleterious effects of these chemicals. In general, children are more likely to be exposed to the residuals of contamination from previous methamphetamine laboratory activities because of behaviors such as crawling on floors and putting foreign materials in their mouths. Children have sensitive skin and rapidly developing nervous systems that make them more sensitive and vulnerable to many of these chemicals. Even children who live in apartments adjacent to methamphetamine laboratories that have not been properly decontaminated can be exposed to potentially harmful chemical residues.

At this time, there are no state statutes in Arkansas that specifically authorize state or local entities to require the cleanup of the interior of privately owned properties contaminated by clandestine methamphetamine manufacturing activities. The Arkansas Department of Health has developed guidelines to provide information about proper cleanup of a clandestine methamphetamine laboratory site prior to reoccupation. These guidelines address cleanup of these laboratory sites after they have been processed and released by law enforcement. This final stage of cleanup is commonly referred to as "Secondary Cleanup". These guidelines have been developed for use by homeowners, landlords, tenants, hotel/motel owners, remediation contractors, law enforcement, and public health officials to aid in cleaning up of former methamphetamine production sites. Although some of these properties are owned by those persons who were actually involved in the methamphetamine production activities, many others are unwitting property owners who were unfortunate enough to rent to tenants who used the property for illicit purposes or who were taken advantage of by unscrupulous friends or relatives. Often times the failure to properly address cleanup of contamination is due to lack of knowledge and resources.

This guidance is intended to provide advice in cleaning up contamination most frequently associated with clandestine methamphetamine production and does not address every possible situation. The information contained in the Arkansas Department of Health Guidance document contains recommended methods for contamination evaluation and cleanup. These are not regulations or rules subject to enforcement.

The Arkansas Department of Health understands that enforceable regulations may be required to ensure the quality and uniformity of secondary cleanup efforts. Effective enforcement must include proper oversight. The enforcement agency must address issues such as: 1) defining the acceptable levels of cleanup; 2) defining and certifying the qualifications of those who should perform the cleanup; 3) establishing procedures and protocols for ensuring that cleanup is performed properly; 4) verifying that all contaminated materials are disposed of in accordance with local, state and federal regulations; and 5) ensuring the health and safety of workers and the public in general.

Adequate and continued funding must be allocated to such a program in order for it to be effective and viable. Relying on existing personnel and resources from already overburdened law enforcement, environmental protection and public health infrastructures will not be enough to address the growing problems associated with cleanup of contamination from clandestine methamphetamine laboratories for the protection of the public and our environment.