

HOBBS
STRAUS
DEAN &
WALKER



INDIAN HOUSING & METH

Edmund Clay Goodman, Partner
HOBBS, STRAUS, DEAN & WALKER, LLP
806 S.W. Broadway, Suite 900
Portland, OR 97205
503.242.1745
egoodman@hobbsstrauss.com



AppleEnvironmental

Methamphetamine Decontamination

Taught by:
Mark Shepard

©2014, 2015, 2016,2017,2018,2019,2020 Apple Environmental Inc. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, scanning or otherwise, except as permitted under Sections 107 or 108 of the 1976 United States Copyright Act, without the prior written permission of the Publisher, or authorization through payment by purchase of the material through the publisher.

ISBN: 978-0-692-91010-8

Disclaimer

Apple Environmental Inc. and contributors prepared this manual for the methamphetamine decontamination technician. The views and information herein are those of Apple Environmental and contributors and their accumulated experience with methamphetamine testing and decontamination. Students attending the course understand that technology is constantly changing and that new information may render parts of a reference manual subjective in content.

Neither Apple Environmental, contributors, nor any other person affiliated with or acting on behalf of them:

Makes any warranty, expressed or implied, with respect to the use of any information, method, or process related to this publication and that such use may not infringe on any privately owned rights; or

Assumes any liability with respect to the use of, or for direct or consequential damages resulting from the use of any information, method or process related in this publication; or

Has any liability for damages that result from any negligent act or omission involved in the preparation of the materials contained in this publication. Any implied warranty of merchantability of fitness for a particular use is specifically excluded; or

Has any liability for damages that result from any misapplication or misunderstanding in regards to the manual or oral instruction; and

Shall not be liable for, any and all damages of any nature whatsoever, whether direct or indirect, arising from or relating to the publication or oral instruction, use of or reliance on the information contained in this book and/or oral instruction, including without limitation any and all special, indirect, incidental compensatory, consequential, punitive or other damages (including damages for personal injury and/or bodily injury, property damage, loss of business, loss of profits, or the like), whether based upon breach of contract, breach of warranty, tort (including but not limited to negligence and gross negligence), product damages is a fundamental element of the reader's use of the information contained in this workbook and this document would not be published without such limitations.



Eleven people arrested in Washington and California in connection with cartel connected drug trafficking schemes

- Seattle – Three significant drug trafficking groups responsible for trafficking more than 1,000 pounds of methamphetamine and hundreds of thousands of fentanyl pills are facing federal charges
- US Department of Justice Oct. 2022

100,000 fentanyl pills and meth seized in huge Eastern WA bust in Tri-Cities

- FBI agents and local police officers seized more than 100,000 fentanyl-laced pills and more than 50 pounds of methamphetamine

Tri-City Herald Dec. 2022



Eugene meth bust largest in Oregon's History

- The seizure of 384 pounds of methamphetamine in Eugene last month was the largest single methamphetamine bust in Oregon history. ABC 9, Oct 2021



Massive federal drug bust, likely the largest in the Bay Area, nets 1,000 pounds of meth, 44 suspects

- Special Agent in Charge Daniel Comeaux said equates to 80 million doses.
- Feb. 11, 2021 San Francisco Chonacle



16 people arrested in six separate weekend drug busts

- IDAHO FALLS – Between Friday, March 4, and Sunday, March 6, Idaho Falls Police Officers arrested 16 people for drug and other relevant offenses in six separate incidents.
- In that time, a total of 1,034 fentanyl pills, 1.85 pounds methamphetamine, 10.25 pounds marijuana, 30 ml heroin, 18 grams of amphetamines, 5 firearms, and \$21,241 in cash were seized and taken off Idaho Falls streets.
- East Idaho News Mar. 2022

Law enforcement says meth more accessible, cheaper as deaths in N. Nevada continue to rise

- by Melissa Matheney Tuesday, April 10th 2018 News 4
- Meth is probably one of the predominant narcotics that we come across," said Chad Lahrens with the Reno Police Department.
- Lahren says methamphetamine is cheaper than it was ten years ago, when it cost up to \$1200 an ounce. Now, he says the drug goes for about \$250 per ounce making it more affordable for addicts to continue to feed their habit.

- Most of it's being brought in from out of the country. In Mexico you have a lot of the 'super labs' where they can make mass quantities and it's cheap for them to do so," said Lahren. "It can come from other countries as well.

Trucker arrested in record-breaking drug bust at California-Mexico border

More than 17,500 pounds (7,930 kilograms) of meth and 389 pounds (176 kilograms) of fentanyl were discovered last Thursday hidden inside a tractor-trailer at the Otay Mesa Port of Entry in San Diego, according to a statement from the U.S. Attorney's Office.

The seizures are the largest of either drug in the U.S. for both 2020 and 2021, the statement said.

Nov 22, 2021 KTLA

Free Meth Samples to Children

Children in Fredonia, AZ were given samples of crystal meth disguised as strawberry rock candy in school yard.



Teaching Kids Early

- Alameda County Superior Court judge Gloria Rhynes confided that the California Department of Corrections and Rehabilitation monitors third grade truancy rates to determine how many prison beds it will need in the future. Indian Country Today 2012

METH

- Known as “chalk, crystal, ice, meth, or speed,” and is “an addictive stimulant that is closely related to amphetamine, but has longer lasting and more toxic effects on the central nervous system and a high potential for abuse and addiction.”
- A synthetic drug sold as capsules, pills, or powder and it can be injected, smoked, snorted, or swallowed.
- Associated with serious, sometimes permanent or deadly, health conditions, including aggression, psychotic behavior, potential cardiac and neurologic damage, and violence.
- Last year, 1,540 kilograms of meth were seized and 6,784 meth lab incidents occurred.
- Is “nondiscriminatory” and transcends “the socially constructed barriers of gender, race, ethnicity, and sexual orientation.”



METH



- Abuse among Native Americans is higher than for any other ethnic group in the U.S. According to the National Survey on Drug Use and Health, American Indians and Alaska Natives are more likely to report past year abuse of meth.
- Abuse among Native Americans affects all age groups. At the Navajo Nation, for instance, tribal police arrested an 81-year-old grandmother, her 63-year-old daughter and her 39-year-old granddaughter on suspicion of dealing meth. At Wyoming's Wind River Reservation, federal agents arrested 25 tribal members in connection with a drug ring where an estimated 100 illicit drug transactions occurred daily out of a single home on the reservation.
- Meth among Native Americans is not limited to lands held in trust for tribes and is on the rise in Indian housing.

BACKDROP OF LEGAL ISSUES

Three hazards are interrelated, but raise important and distinct concerns.

- **ENVIRONMENTAL HAZARDS:** Contamination by meth's component ingredients are toxic, corrosive, and deadly to the environment.
- **PUBLIC SAFETY AND PROPERTY DAMAGE:** The manufacture and use of meth creates various public safety issues and risks of damage to life and property.
- **HEALTH CONCERNS:** Meth poses significant health hazards not only to those who use it, but to those exposed to residue or to contamination.



BACKDROP OF LEGAL ISSUES

In the “Legal Issues” parts of this presentation, we will address:

- Preventative measures such as tenant screening, drug testing and eviction.
- Legal issues related to testing and removal of personal property.
- Legal resources available.



Community Involvement

Statements from people in areas where drug use is common place

“Getting high in your car in front of the store; that ain't a big deal,”

Kids are saying they're seeing it (meth) as young as third grade - because, 'Oh that's ok, I see that at home — my aunt does this, my mom does this, my dad does this, my grandpa does this.' So, they can't see the error in it. Or they don't see it as a risk,”

“Leaving your paraphernalia out in the open for someone to walk in, that's alright. Having and seeing needles everywhere, that's ok. Even talking about selling your needles — that's normal too,”

- Miranda Kirk and Charmayne Healy, NPR May 27, 2017

History of Meth

Page 10

What is Methamphetamine?

- Simple Answer: Meth is a powerfully addictive stimulant that affects the central nervous system.
- Other names are: Meth, Speed, Chalk, P, Crystal, Ice, Crank and Glass.
- Generally crystalline in any color.

Meth Lab vs. User Site?

- Meth Lab
 - Clandestine (illegal) drug manufacturing center utilizing mostly common household ingredients
 - The mixing and cooking of these ingredients create harmful chemicals and fumes that can remain on surfaces for years.
- User Site
 - Location of Meth use including: Houses, Apartments, Sheds, Storage Units, Public Buildings, Autos, RVs

Methods of Meth Production

- Red Phosphorous Method
- Birch Method (Ammonia, One Pot, Shake n Bake)
- Amalgam Method (Breaking Bad)

Types of Chemicals Used

- **Solvents** (Acetone, Toluene, White Gas, Coleman Fuel)
- **Corrosives/Irritants** (Ammonia, Hydriodic Acid, Hydrogen Chloride, Phosphine, Sodium Hydroxide)
- **Inorganic Substances** (Iodine, Red Phosphorous, Lithium)
- **Precursors** (Phenyl-2-propanone, Pseudoephedrine, Ephedrine)



539



Meth Production

- Grind tablets
- Mix with solvents (Acetone)
- Filter binder
- Add Red Phosphorous & Acid
- Filter Sludge
- Add Caustic Soda (Lye Drain Opener)
- Add Freon separate liquid meth
- Bubble Hydrogen Chloride (Muriatic Acid)
- Dry
- Cut & grind
- Ready for distribution



Effects of Meth Use

Dangers of Meth, Exposure & Usage

- Meth is the most addictive drug out there. Most users are addicted after the first try
- Chemical Contamination
- Explosions
- Abuse & Neglect
- Meth destroys the dopamine in your brain
- Meth harms important nerve pathways

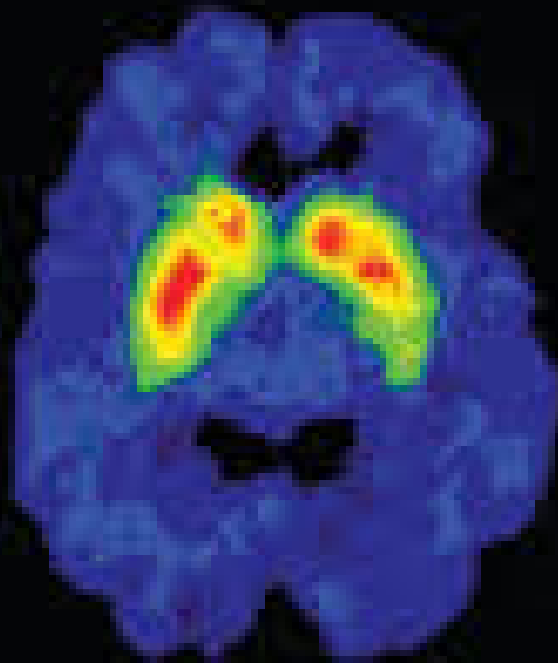
Symptoms in Humans

- Severe Depression
- Anorexia
- Psychotic Behavior
- Hallucinations (visual, auditory)
- Paranoia
- Delusions
- Suicidal Tendencies

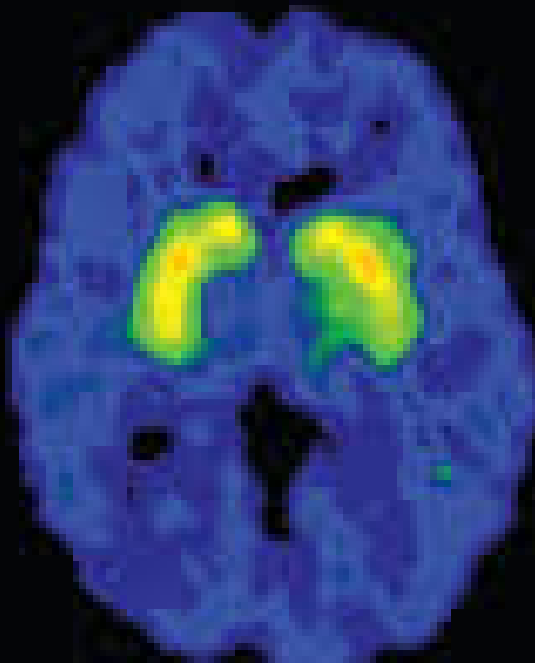
Effects of Using Meth



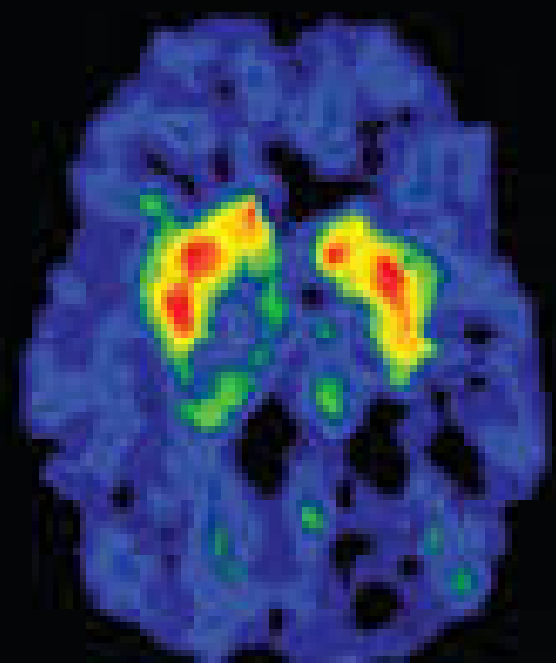
ADDICTION NEED NOT BE A LIFE SENTENCE



Normal control



METH abuser
1 month abstinence

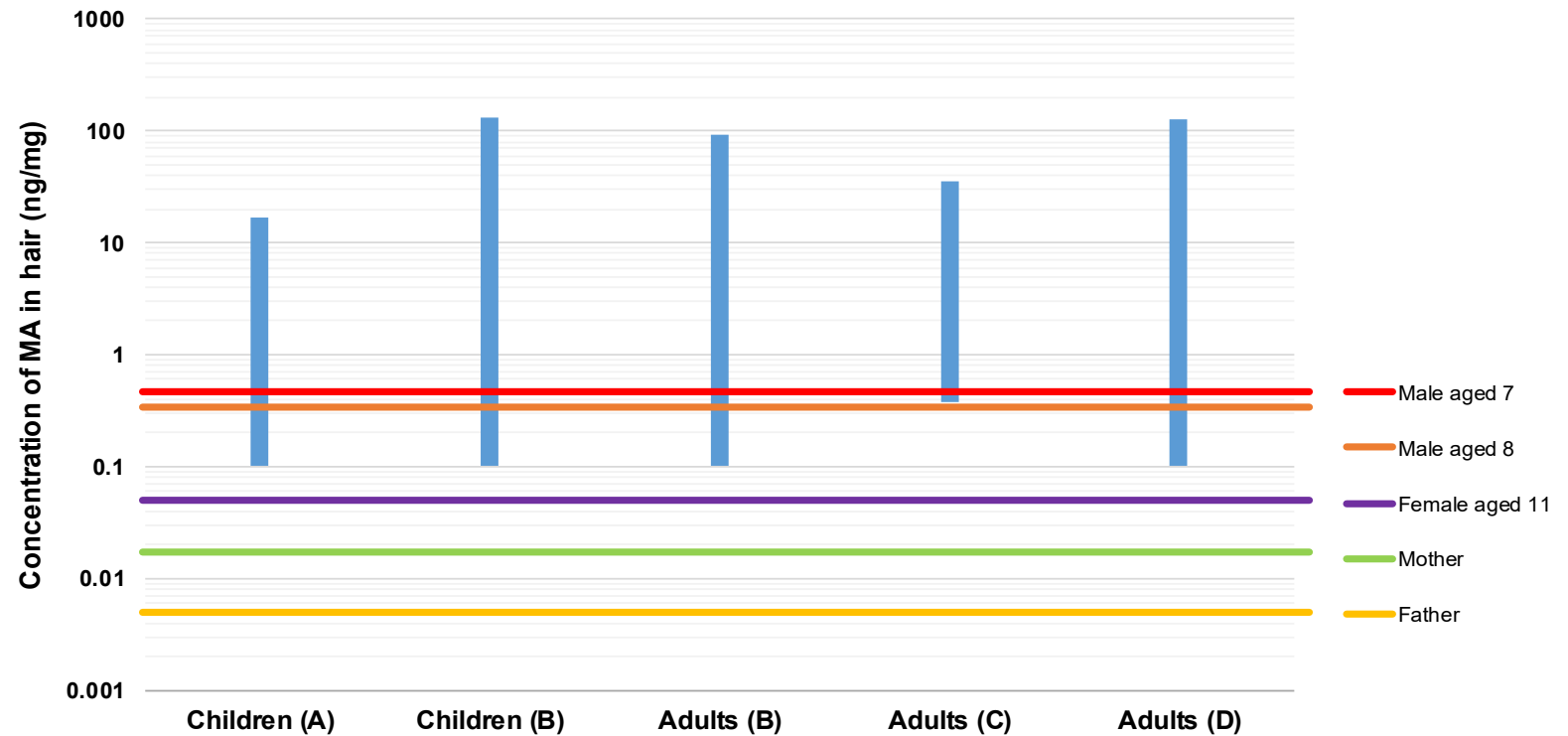


METH abuser
14 month abstinence



Why Do We Need To Decontaminate Meth Properties?

Case Study



Former Clandestine Drug Lab Hair Analysis

A – drug exposed children (methamphetamine drug laboratories and homes with users) from California (Castaneto et al 2013);

B – drug exposed children from clandestine drug laboratories and adult drug users in New Zealand (Bassindale 2012);

C – range reported in long-term adult drug users (based on doses of 0.25 to 4 g/day of MA) (Han et al 2011);

D – range reported in adult workplace drug use testing (Tsanaclis and wicks 2007).

It is noted that for the published studies included in this figure the reporting limit for MA in hair was 0.1 ng/mg.

Former Clandestine Drug Lab
Jackie Wright of Flinders University
Director of Environmental Risk Sciences

Page 20

How Do Children Ingest Meth?

80-97% of total exposure for a child results from dermal contact with “soft” surfaces such as carpet and hard surfaces such as linoleum.

Ingestion (hand-to-mouth activity), accounts for just 3% of total exposure.

The efficiency of dermal absorption of methamphetamine is 57%

Page 22

Acute Toxicity Associated with Meth in Toddlers and Children

Altered Mental State

- Agitation
- Hallucinations
- Confusion

Tachycardia

Hypertension

Vomiting

Uncontrolled Crying

Seizures

Rapid Eye Movements

According to Methamphetamine exposure in Children: the Price is High by Kerri Weeks, MD
University of Kansas School of Medicine

Chronic Effects of Meth Exposure in Children

These can be from lack of appropriate stimulation/interaction and toxic insult to specific areas of the brain.

Physical

- Failure to Thrive/Poor Growth

Developmental Delays

- Speech Delays
- Sensory Integration Issues
- Cognitive Delays (Learning Problems)

Behavioral Problems

- Tantrums/Aggression
- Attention Problems (ADHD)
- Social Maladjustment

According to Methamphetamine exposure in Children: the Price is High by Kerri Weeks, MD
University of Kansas School of Medicine

Hazardous Lifestyle



LIABILITY ISSUES

Addressing the use and manufacture of meth in Indian housing imposes substantial time and financial burden on Tribes/TDHEs.

- One key area is liability for damages – and sovereign immunity may not provide the legal barrier against such liability.
 - Tribal housing authorities, the majority of which have “sue and be sued” language in their charters, have been held to possess the same sovereign immunity as the tribe. There have been cases, however, holding to the contrary, including a Ninth Circuit case.
 - Inter-tribal consortiums have been held to possess the same sovereign immunity as their individual component entities. But, again, there is a case with a holding to the contrary.



LIABILITY ISSUES

If tribal sovereign immunity does not bar suit, Tribes/TDHEs may be held liable for harm, under tort law, if the Tribe/TDHE knew of the danger and failed to disclose it, or take proper precautions, and the tenant was harmed due to leasing premises contaminated with meth.

- The trend in case law evidences applying ordinary principles of negligence (i.e., Did the Tribe/TDHE act reasonably?)



LIABILITY ISSUES

Tribal/TDHE employees and meth exposure

Potential liability if Tribe/TDHE is aware of meth contamination in a unit and does not take reasonable steps to protect employees from exposure.

This could involve providing protective gear, limiting access, and/or complete decontamination.



LIABILITY ISSUES

Cost of Clean-Up & Decontamination

- Once a unit is determined to be contaminated, the Tribe/TDHE is responsible for making necessary repairs before renting or selling it. If repairs are not made, the Tribe/TDHE may be liable for harms incurred by subsequent tenants or homeowners. In some states, landlords cannot rent property if it is contaminated above a certain level.
- Depending on the Tribe's/TDHE's insurance policy, the insurance company may be required to pay for clean-up costs/decontamination.
- AMERIND has in the past discussed including meth clean up coverage with its membership but to date does not include meth decontamination in its coverage.
- The tenant responsible for the contamination may be held liable for clean-up costs; however, collecting from such individual(s) is often difficult.



LIABILITY ISSUES

Tribes/TDHEs can be liable for harm caused by fire, explosion, or contamination from a lab that it knew, or should have known about, or other harm from drug-related activity.

- The statues/case law evidence a negligence standard (i.e., if the landlord knew or should have know about potential harm and failed to take reasonable precautions = liable).
- Where criminal activity is the result of the tenant's actions, the landlord will be held liable if the landlord knew, or should have known, of such activity and failed to take precautionary measures.
- Landlords do not have a duty to protect tenants from co-tenants. The acts must be foreseeable and the landlord must have failed to take precautionary measures.
- These cases are very fact specific and turn on issues such as how much the landlord knew or should have know, what steps it could have taken, and if it had liability insurance. The same principles apply to public housing authorities.



LIABILITY ISSUES

Most states and most tribes lack comprehensive statutory or regulatory frameworks for dealing with meth liability.

- The result is a lack of standards for detection and decontamination, for disclosure, and for determining of liability.
- With a comprehensive statutory framework (like those in OR and WA, discussed below), responsibility for each phase is fixed and liability can be ascertained and avoided by following certain steps for decontamination or disclosure.



LIABILITY ISSUES

Where there is no statutory/regulatory framework, liability is an open question, and can depend on any number of factors that a court might consider in a particular case.

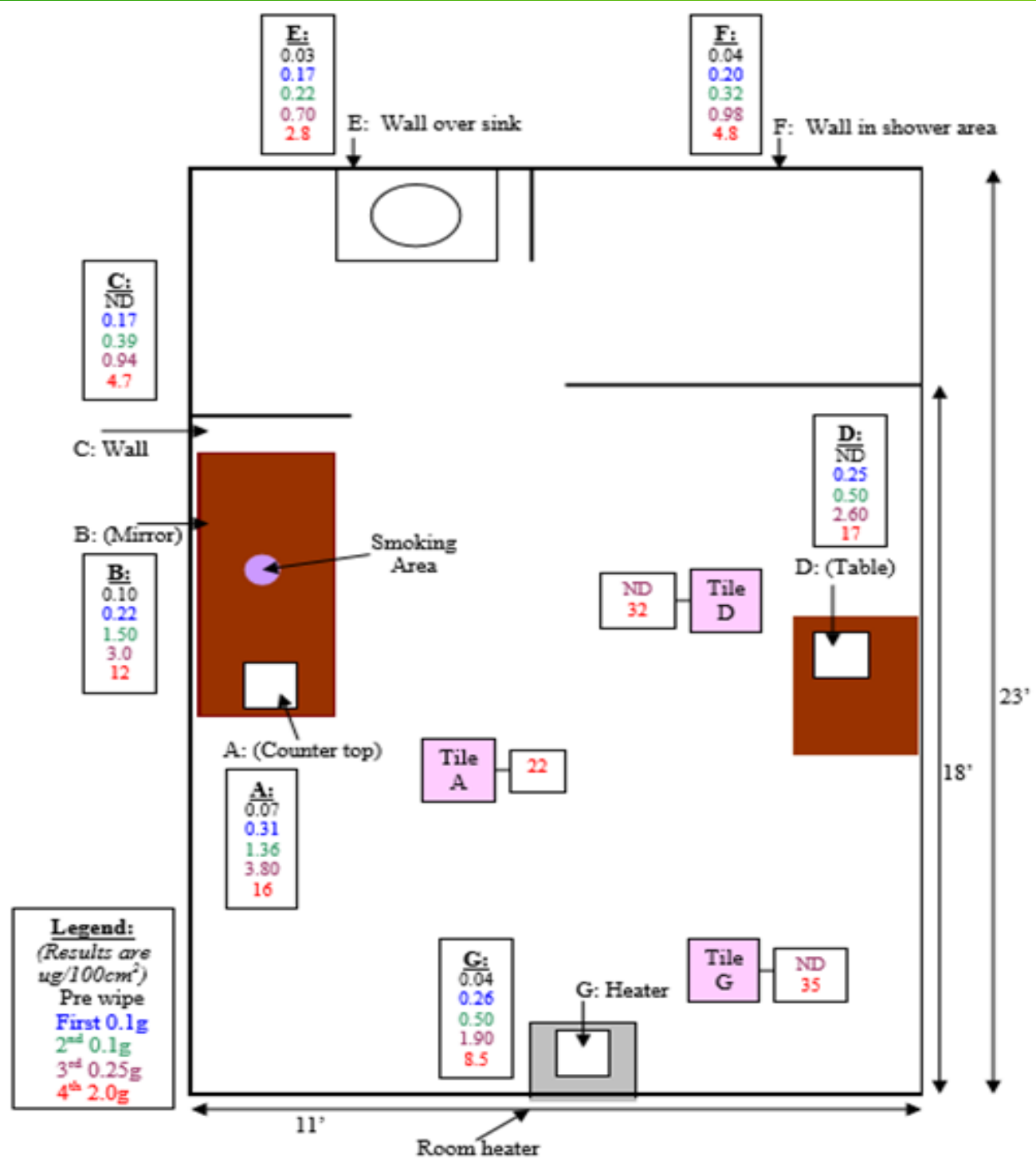
Without such framework, it is difficult for a property manager or owner to determine just what steps are necessary to avoid the legal consequences of a tenant's operation of a meth lab or use of meth.



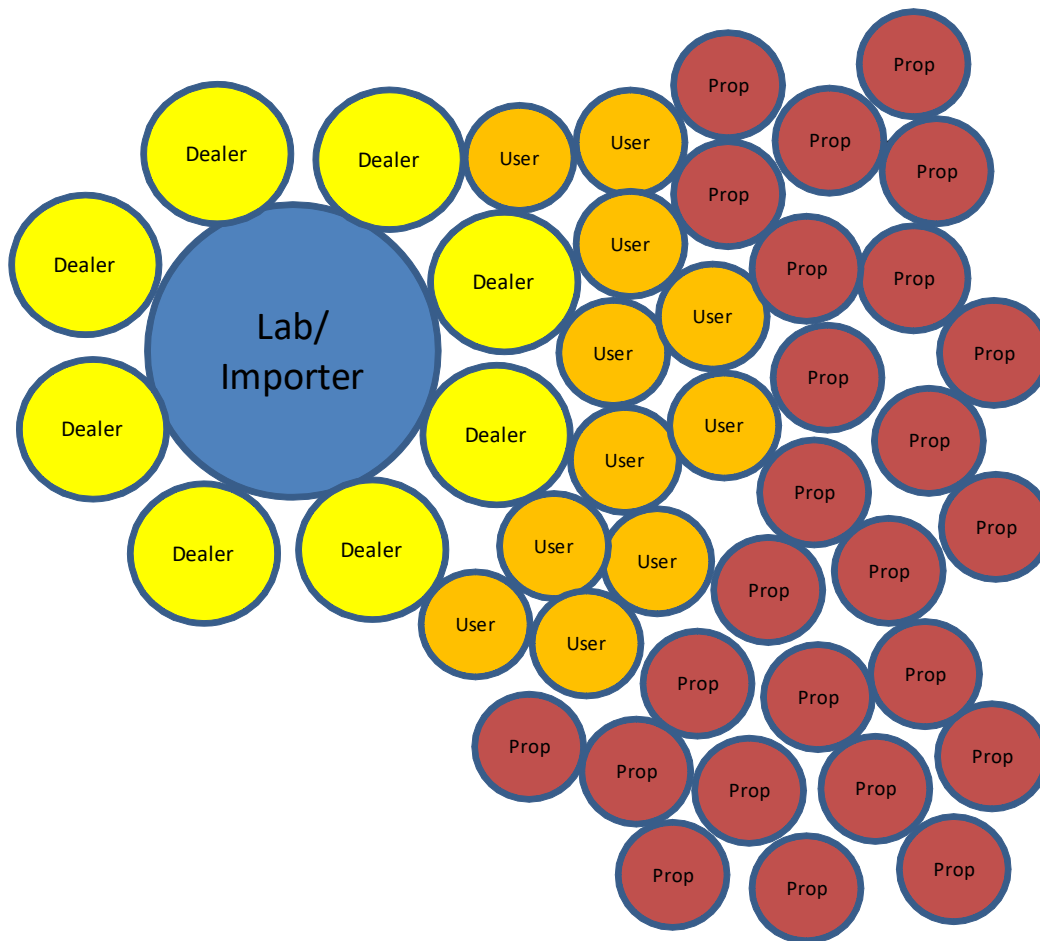
Meth in Housing

National Jewish Study





How Meth Travels



Meth Testing

Confirmation Sampling

And

Pre-Testing

How Do I Know if a Home is Contaminated?

- The only sure way to know if a home is contaminated is by doing wall swab lab tests.
- Most of the time meth is odorless.
- While it is being cooked, it has a smell almost like burning plastic.

Testing Types

- Lab Sample
Grab/Discrete
Composite



- Instant Test



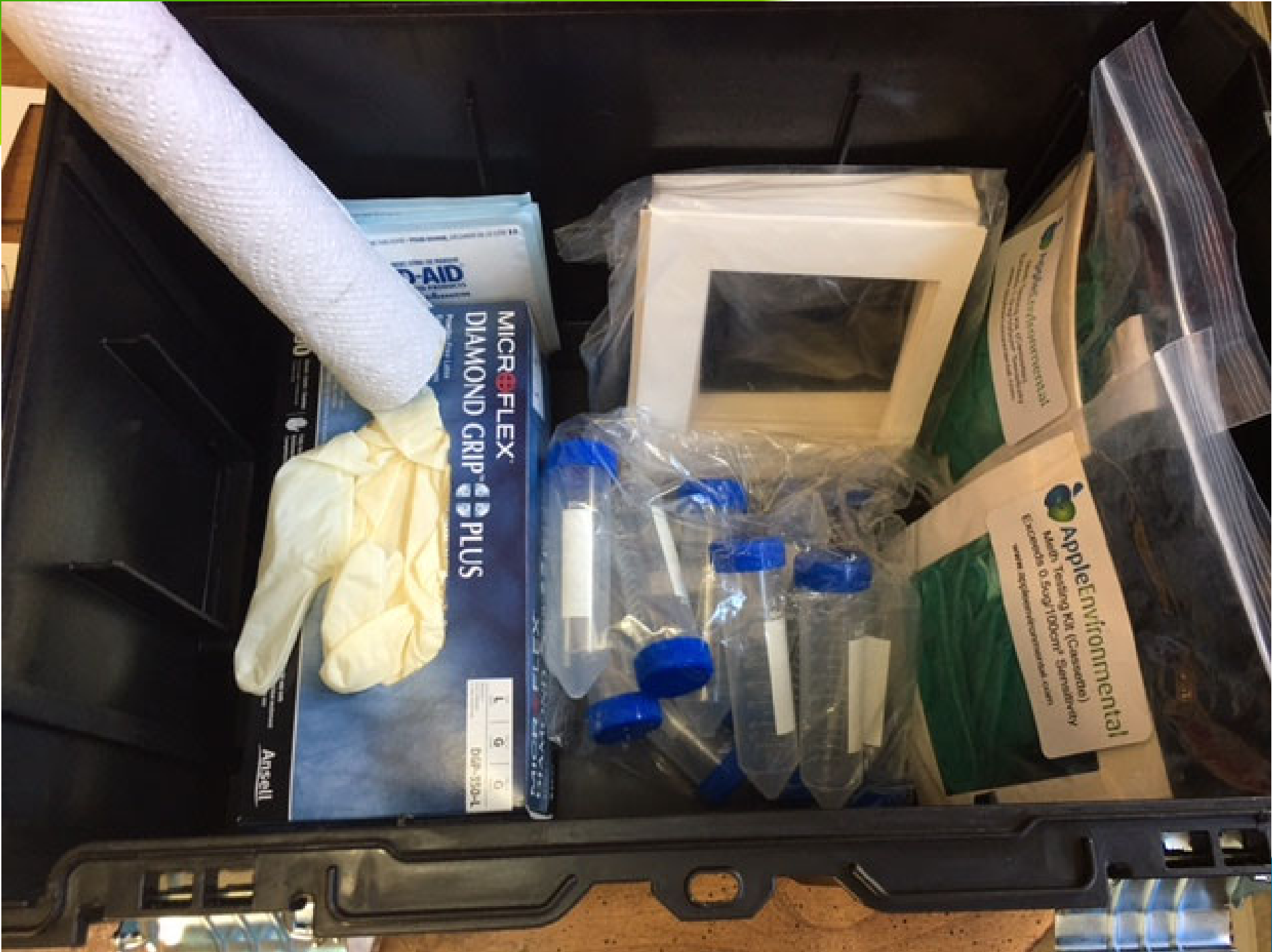
Supplies for Meth Testing

- 3"x3" Gauze Pad
- Wetting Agent (Isopropyl alcohol or methanol)
- Testing Square of 100cm² (check regulations)
- Rubber Gloves
- Centrifuge Tube
- Pen/Sharpie
- Lab work order/chain of custody form









BAND-AID
ADHESIVE BANDAGES

MICROFLEX
DIAMOND GRIP PLUS

1 6 0
049-5504

Ansell

Apple Environmental
Health Testing Kit (Canada)
Includes 0.5mg/100cm³ Sensitivity
www.appleenvironmental.com

Apple Environmental
Health Testing Kit (Canada)
Includes 0.5mg/100cm³ Sensitivity
www.appleenvironmental.com

Collecting a Sample

- Place a paper towel, aluminum foil, or sheet of paper down on flat surface as the work area.
- Place all meth sampling supplies on the clean work area.
- Put on rubber Gloves.
- Open gauze package and fold gauze into fourths.
- Apply enough wetting agent so gauze is moist, not dripping.
- Take the testing square to testing area. Apply moist gauze to top left of square. Applying even pressure, move gauze in a Z pattern five times moving down the square. Without lifting, move the gauze in an N pattern five times moving across the square.
- Fold gauze on itself to get a clean $\frac{1}{4}$ corner and repeat in additional areas for a composite sample.
- Place gauze in centrifuge tube.
- Label tube
- Place all trash from test in trash.
- Complete chain of custody
- Send sample to the lab.
- Based on NIOSH 9111

Pre-Testing

- Pre-Testing a property is used to determine if the property is contaminated above the state standards and requires decontamination.
- Multiple Samples Should Be Taken From Throughout the Property.
- Designate Testers or Use Third Party
- Document all Testing Locations
- Use New Gloves for Each Sample Collected

Why Test?

Before



After



Why Test?

Before



After



Why Test?

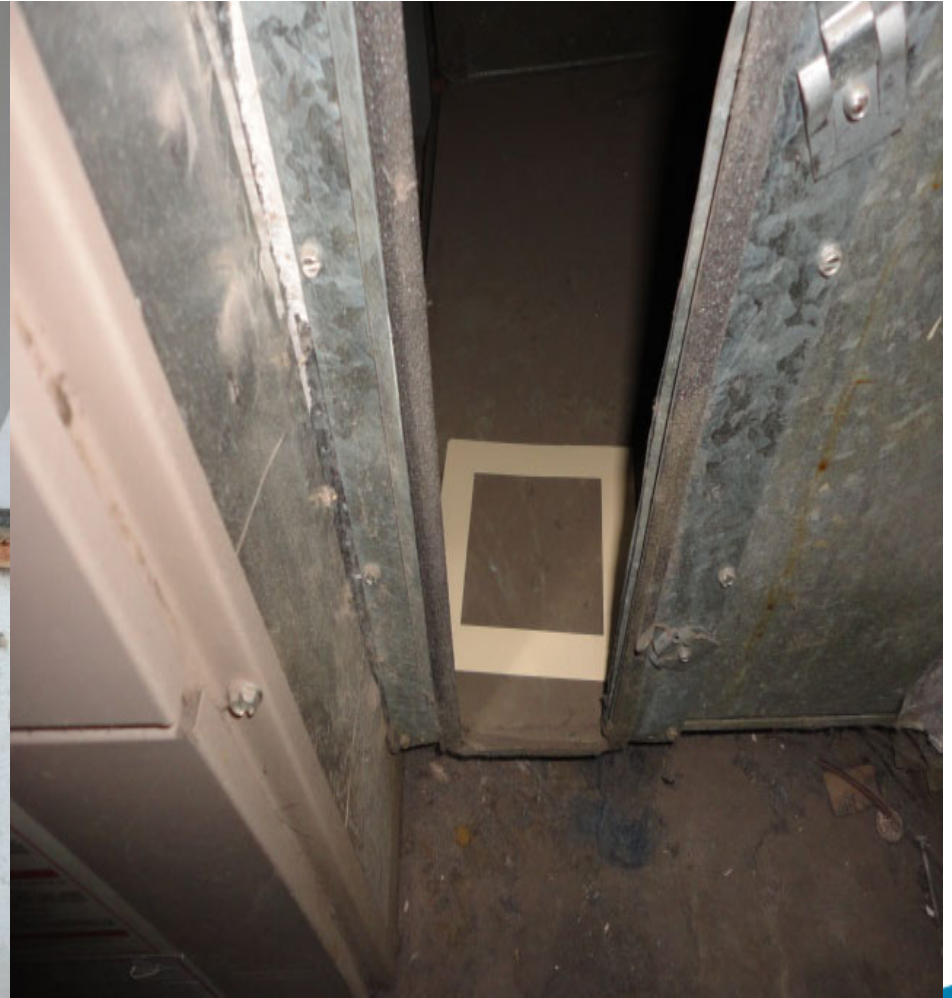
Before



After



Pre-Testing Where to Test



Pre-Testing Where to Test



Pre-Testing Where to Test



Pre-Testing

Where to Test



Pre-Testing Where to Test



Pre-Testing Where to Test



Confirmation Sampling

- Confirmation Sampling is used for Clearance of a Property after Decontamination
- Multiple Samples Should Be Taken From Throughout the Property.
- Designate Testers or Use Third Party
- Document all Testing Locations
- Use New Gloves for Each Sample Collected

Confirmation Sampling

- Check Local Regulation for Confirmation/Clearance Testing Locations, Number of Tests Required and who is allowed to do the testing





ANALYTICAL REPORT

Report Date: May 14, 2015

Mark Shepard
Apple Environmental
489 E Center St
Kaysville, UT 84037

E-mail: info@appleenvironmental.com

Workorder: XXXXXXXXXX
Client Project ID: XXXXXXXXXX
Purchase Order: XXXXXXXXXX
Project Manager: Paul Pope

Analytical Results

Sample ID: <u>1</u>		Collected: 05/11/2015	
Lab ID: 1513163001	Sampling Location: 735 E 4250 So		Received: 05/11/2015
Method: NIOSH 9111		Media: Wipe	Analyzed: 05/13/2015
Sampling Parameter: Area 300 cm ²			
Analyte	ug/sample	ug/100cm ²	RL (ug/sample)
Methamphetamine	10	3.5	0.10

Sample ID: <u>2</u>		Collected: 05/11/2015	
Lab ID: 1513163002	Sampling Location: 735 E 4250 So		Received: 05/11/2015
Method: NIOSH 9111		Media: Wipe	Analyzed: 05/13/2015
Sampling Parameter: Area 300 cm ²			
Analyte	ug/sample	ug/100cm ²	RL (ug/sample)
Methamphetamine	24	8.0	0.10

Sample ID: <u>3</u>		Collected: 05/11/2015	
Lab ID: 1513163003	Sampling Location: 735 E 4250 So		Received: 05/11/2015
Method: NIOSH 9111		Media: Wipe	Analyzed: 05/13/2015
Sampling Parameter: Area 300 cm ²			
Analyte	ug/sample	ug/100cm ²	RL (ug/sample)
Methamphetamine	0.48	0.16	0.10

Sample ID: <u>4</u>		Collected: 05/11/2015	
Lab ID: 1513163004	Sampling Location: 735 E 4250 So		Received: 05/11/2015
Method: NIOSH 9111		Media: Wipe	Analyzed: 05/13/2015
Sampling Parameter: Area 300 cm ²			
Analyte	ug/sample	ug/100cm ²	RL (ug/sample)
Methamphetamine	21	7.1	0.10

ADDRESS 960 West LeVoy Drive, Salt Lake City, Utah, 84123 USA | PHONE +1 801 266 7700 | FAX +1 801 268 9992

ALS GROUP USA, CORP. An ALS Limited Company

Environmental

www.alsglobal.com

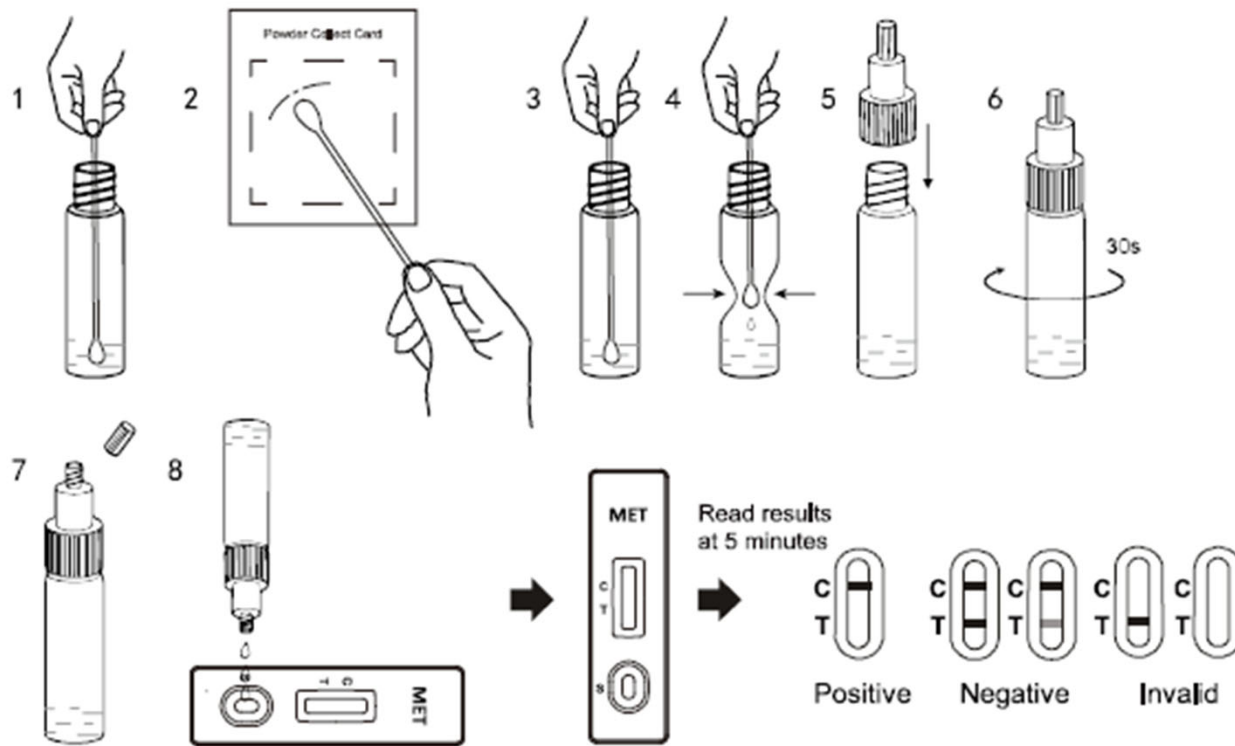
RIGHT SOLUTIONS RIGHT PARTNER

Interpreting Results

Instant Test Instructions

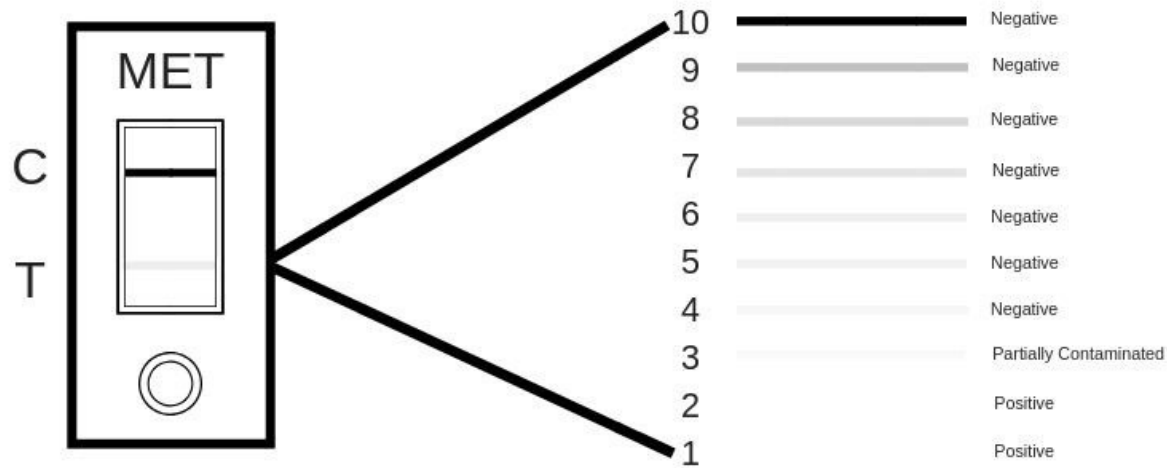
And When to Use Them

Instant Test Instructions



Intensity Line Interpretation

Intensity Line Interpretation – for partially contaminated results



Septic Tank Sampling and Testing

Testing Supplies

- **ALS Environmental Salt Lake City, Utah**
- **Address**
 - 960 W. LeVoy Drive
 - Salt Lake City Utah 84123
- **Phone**
 - 801-266-7700

- **Instant Tests**
 - Contact Mark Shepard at Apple Environmental
 - 801-870-3692
 - Or order online at appleenviornmental.com

PREVENTIVE MEASURES

It is preferable to develop effective preventive measures because once the damage is done, the cost of clean up is often prohibitive and the potential liability significant.

Tribes/THDEs can avoid or limit liability or reduce the harm resulting from the manufacture or use of meth by:

1. Evicting the tenant harboring a meth lab and cleaning up the premises immediately (failing to do so could result in landlord liability based on a negligence standard).



PREVENTIVE MEASURES

2. Establishing minimum safety standards for meth decontamination.
 - Some states set minimum safety levels at the level that will show up on a test of the area.
 - There is no federal or state uniform minimum safety level.
 - Such standards generally do not apply to Tribes/TDHEs.
 - Establishing a standard may reduce liability. WA and CO have reports that can provide tribes with guidance.
 - The standards should address: (1) minimum safe levels of meth, (2) testing measures, (3) clean up/decontamination procedures, (4) safety measures, and (5) notification requirements.
 - Tribal standards should be strictly enforced and reviewed periodically.



PREVENTIVE MEASURES

3. Testing or inspecting units.

- Make “routine inquires/inspections” into the condition of rental properties.
 - NAHASDA authorizes Tribes/TDHEs to undertake such inquiries; in fact, the Act requires that units built or maintained with federal funds be regularly inspected.
 - Inspections can include meth testing. There must be language in the rental agreement, however, and searches are subject to the Fourth Amendment’s prohibition against unreasonable searches and seizures. A similar analysis seems likely under ICRA, which applies to Indian tribes.
 - Local law enforcement are tempted to “piggyback” on NAHASDA inspections as it permits access to units without obtaining a search warrant. This violates a tenant’s Fourth Amendment and ICRA rights. However, evidence obtained in this manner is often inadmissible in court.



PREVENTIVE MEASURES

4. Using information from testing for eviction.

- NAHASDA requires that tribes/TDHES include lease/homebuyer language that authorizes eviction for engaging in drug-related criminal activity.
- This mirrors other HUD-funded public housing programs.
- The U.S. Supreme Court has held that HUD-funded public housing programs can evict tenants/homebuyers based on the drug activity of *anyone* in the unit, *even if* the tenant/homebuyer was unaware of the drug activity or the user was not under the tenant's/homebuyer's control.
- There are some proof and evidence issues in using meth test results in evictions.



PREVENTIVE MEASURES

4. Using information from testing for eviction.

- However, a positive meth test may not support eviction. The tenant may argue that the previous tenant contaminated the unit. The Tribe/TDHE bears the burden of proof.
- However, the Tribe/TDHE may rebut these arguments by:
 - (1) consulting an expert to assess the meth levels;
 - (2) establishing a baseline for tribal housing, i.e., test the unit pre/post move in/out for meth levels;
 - (3) testing air filters that are periodically replaced during the tenant's occupancy;
 - (4) testing the tenant's personal belongings *with* consent.



PREVENTIVE MEASURES

4. Using information from testing for eviction (continued).

- (1) Need to take steps to establish chain of custody for meth test materials and results;
- (2) Need to ensure that your testing methods and locations are consistent from baseline to inspection-based test;
- (3) Testing personal belongings raise several additional legal issues:
 - a. Obtain consent up front (at signing of lease) to test personal belonging.
 - b. Removing contaminated items that cannot be cleaned.
 - c. Ensure that contaminated items cannot simply be moved to another unit.



PREVENTIVE MEASURES

5. Pre-screening applicants.

- Establish criteria to prevent “high risk” individuals from entering tribal housing by: (1) performing criminal background checks, (2) soliciting information from past landlords, (3) establishing certain standards, i.e., no evictions/convictions for meth possession/manufacture.
- Such standards would likely be upheld because: (1) NAHASDA requires tenant selection standards that “are reasonably related to program eligibility and the ability of the applicant to perform the obligations of the lease,” and (2) Congress has implemented a lifetime ban on anyone ever convicted of meth manufacture in a federally-funded public housing unit.



PREVENTIVE MEASURES

6. Administering drug tests: Applicants.

- A Tribe/TDHE could require that **applicants** for tenants/homebuyers pass a drug test as part of their application for Indian housing. But drug testing has never been legally challenged in housing context.
- Closest analogy: drug testing in employment. Lots of case law on both sides of question of whether it is constitutional and in what context.
- It is seen as involving the 4th amendment protection against unlawful search and seizure, because drug tests involve submitting samples of their blood, hair, saliva, or urine to be analyzed for meth.
- Such testing on applicants would likely be upheld if there is consent, if it is applied consistently, across the board, if it is a part of your written policies, if the process and standards are clear, and it is not random.



PREVENTIVE MEASURES

6. Administering drug tests: Existing tenants/homebuyers.
- Drug testing on existing tenants presents a more difficult legal issue.
 - Again, consent would be necessary – build it into policies and lease/homebuyer agreements.
 - Testing based on reasonable suspicion or based on periodic, announced testing more likely to survive a legal challenge.
 - Random testing, however, more likely to be struck down – evidence may not be usable in an eviction action.
 - Such testing on existing tenants more likely be upheld if it is applied consistently, across the board, if it is a part of your written policies, if the process and standards are clear, and it is not random.



PREVENTIVE MEASURES

7. Increasing anti-meth legislation.

- Lobby Congress for additional funding specific to combating meth among American Indians and Alaska Natives.
- Engage in shared, cooperative inter-agency approaches:
 - Blend traditional criminal law enforcement with environmental criminal law enforcement.
 - Engage law enforcement, state legislatures, judicial agencies, and the community-at-large.



Cost Comparison

Outside Contractor

1300 sqft - Tests at 20ug

Are they removing the HVAC

Are they removing the duct work

Does the price include testing

Total \$10,000 to \$24000

as high as \$50000

Housing

1300sqft – Tests at 20ug

Consumables \$600 - \$1500

Labor onsite/office \$500 - \$2000

Debris Disposal \$300 - \$1200

Testing \$300 - \$800

Total \$1700 - \$5500

Meth Decontamination Safety and Site Assessment

Health & Safety Plan

- Regular Health & Safety Meetings
- Check supplies storage & transportation
- Know where your closest emergency center to job sites
- First Responder/Police Numbers

Health and Safety

- Medical Exam- Each person should be capable of physical work while wearing respirator
- Respirator Fit Test
- Tetanus Shot
- Hepatitis Vaccine
- 40 Hour HAZWOPER for each person on the job site

Safe Work Practices

- Make a list of Standing Orders.
 - This list is used on every job every time.
 - -No smoking or eating inside contaminated area
 - -Must wear Respirator, gloves and suit while performing any duties on work site etc.
 - "Lock Out Tag Out" any power source before performing work on the HVAC system or other electrical item
- Make a list of site-specific hazards and review them with the team prior to beginning work
 - Bad Floors, Bad Neighborhood, Needles etc.
- Know the signs and how to prevent heat stress and heat stroke
- **NEVER PUT YOUR HAND WHERE YOU CAN NOT SEE**
- Have a sharps container on site for needle disposal
- Have Narcan on hand for opioid overdose
- Know where the closest emergency center to the job site
- Know the address of the property they are working on if you need to call 911
- First Responder/Police Numbers

Minimum PPE for Site Assessment

- Nitrile gloves
- Shoe Covers
- Dust mask or respirator
- Disposable suit
- The lists in this section are not all-inclusive and should be adjusted for site specific conditions.

Site Assessment/Testing PPE



Minimum PPE for Technicians

- Nitrile gloves
- Leather gloves
- Full and Half face respirators
- Disposable coveralls
- Puncture resistant work shoe or boot

Site Safety

PPE for Technicians

- Gloves
- Full and Half Face Mask Respirators
- Disposable Coveralls
- Work Shoes/Boots



Puncture Resistant Gloves



Minimum PPE for Technicians



Site Assessment

- Information Gathering
- Pre-Testing or Third Party Report
- Visual Inspection
 - Securing Issues
 - Safety/Shoring Issues
 - Inspect all areas (i.e. garage, sheds, attic, crawl space, storage areas, etc.)
 - Septic System/Well
 - Burn Piles
 - Heating/Cooling System
 - Porous/Non-porous
 - Photo Documentation
 - Floor Plan

Signs to Look For

1. Colorations on walls, drains, sinks and showers.
2. Bluish discolorations of faucets, fire extinguishers, propane tank valves.
3. Fire Detectors are removed or have tape over them.
4. Burning in eyes, itchy throat, metallic taste in the mouth, breathing problems in the home.
5. Strong solvent odors, odors of cat urine or ammonia.
6. Bleach stains on carpet.
7. Dark stains in sinks (yellow, purple or red)
8. Burn piles in the yard
9. Appearance of not caring.
10. Graffiti
11. Missing Lightbulbs

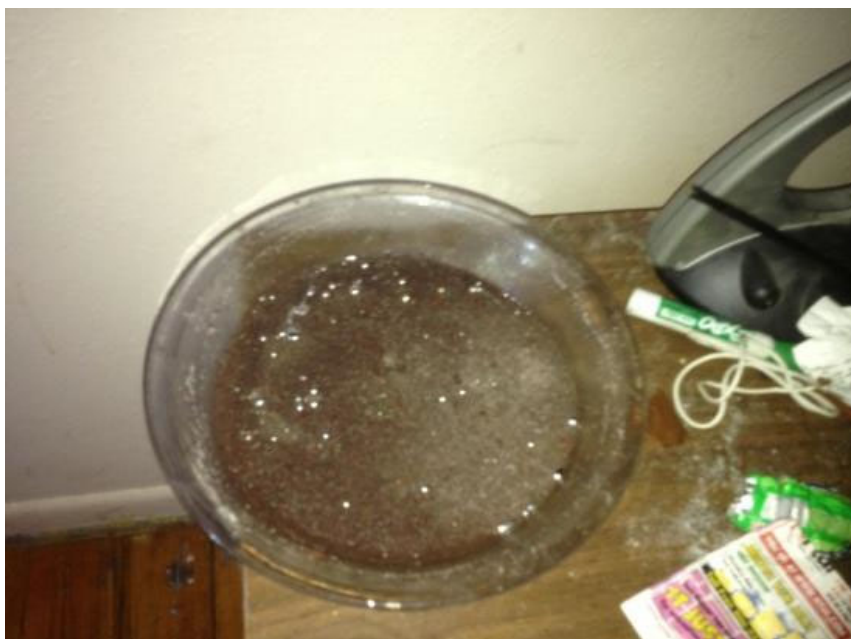
Meth Signs



Signs to Look For



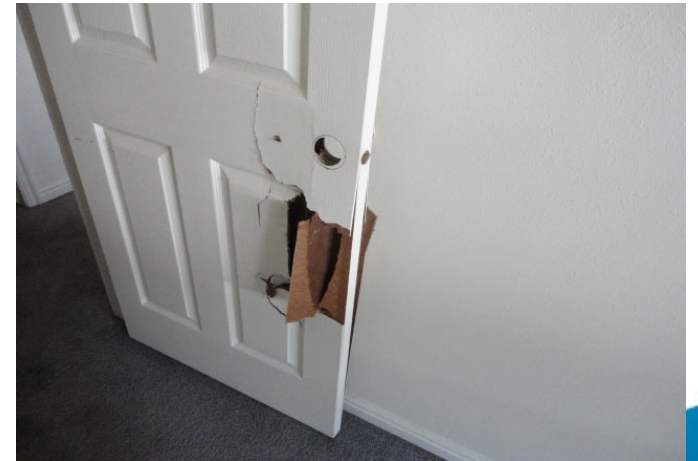
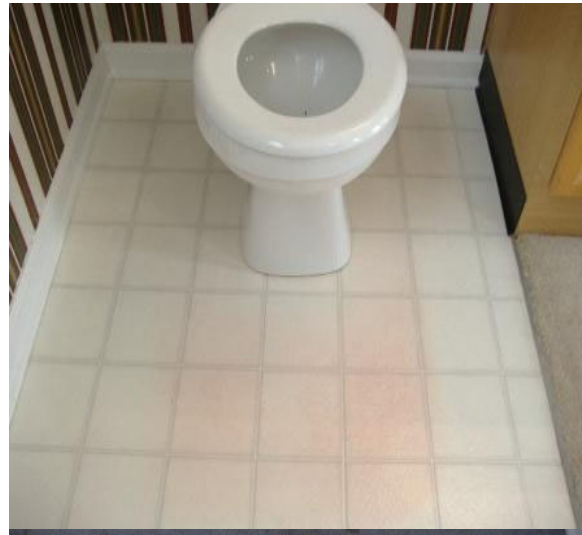
Signs of a Meth Lab



Signs of Meth Home



Signs of a Meth Lab



Signs of Meth Lab



Signs of a Meth Lab



Signs of a Meth Lab



Work Plan

Meth Decontamination and Methods of Decontamination

Work Plan

- Identifying Information of the Property
- Decontamination Contractor Information
- Property Description
- Contaminants of Interest
- Preliminary Testing
- Health & Safety
- Shoring Plan
- Decontamination Activities
- Confirmation Sampling Procedure (CIH)
- Quality Assurance
- Laboratory Information (CIH)
- Waste Disposal
- Schedule
- Figures & Attachments
- Photographs

Email me for a copy



ENVIRONMENTAL HEALTH DIVISION BUREAU OF SANITATION AND SAFETY

Decontamination Work Plan

Submission Date: October / 8 / 2014

Property Identification Information

Street Address:	123 W 10567 South				
City:	South Jordan	State:	Utah	Zip:	84095
Parcel ID Number:	27-12-345-678-0000				
VIN (if applicable):	NA				

Owner Identification Information

Owner of Record:	John Doe				
Owner of Record's Representative:	John Doe				
Physical Address:	1234 S 5678 West				
City:	Magna	State:	UT	Zip:	84123
Mailing Address:	1234 S 5678 West				
City:	Magna	State:	UT	Zip:	84123
Phone Number 1:	801-123-4567	Phone Number 2:			

List owners of record authorized to be present during any and all aspects of the decontamination process:

Decontamination Specialist Information

Company Name:	Apple Environmental of Greater Salt Lake, Inc.				
Address:	489 E Center St.				
City:	Kaysville	State:	Utah	Zip:	84037
Phone Number 1:	801-888-6698	Phone Number 2:	801-547-9076		
Business License Number:	3626	Issuing Agency:	Kaysville City		
Certification Number:	DS 0311-65				

Work Plan Photos



6-Mar-14 14:05
9662 s Main St, Salt Lake City UT 12345
Mark Shepard, Photographer
Front of House



6-Mar-14 14:05
9662 S Main St, Salt Lake City UT 12345
Mark Shepard, Photographer
Property Address



6-Mar-14 14:05
9662 S Main St, Salt Lake City UT 12345
Mark Shepard, Photographer
Before – Main Flr Living Room



6-Mar-14 14:05
9662 S Main St, Salt Lake City UT 12345
Mark Shepard, Photographer
Before – Main Flr Kitchen/Dining

Methods of Decontamination

1. Demolition
2. Detergent Method
3. Removal of All Contaminated Surfaces
4. Harsh Chemical Decontamination
5. Formulated Products

Demolition



Detergent Method/Triple Wash



Removal of All Surfaces



Harsh Chemicals

Hydrogen Peroxide 35% FOOD GRADE

Danger! STRONG OXIDIZER, Causes eye and skin burns. May cause permanent eye damage. Can react violently with water, acids and other materials.

FIRST AID: Skin-Flush area with water for 15 minutes and remove contaminated clothing and shoes. contact a physician immediately. **EYES:** Flush eyes for 15 minutes. Contact a physician immediately. **INGESTION:** Do not induce vomiting. Give large quantities of water. contact a physician immediately. **INHALATION:** Remove to fresh air. contact a physician immediately.

HAZARD STATEMENT: H272: May cause fire or explosion. H314: Causes severe skin burns and eye damage.

PREVENTION: P201: Read the label carefully before use. P202: Do not handle until you have read the label and label supplement. P231: Keep container tightly closed. P232: Keep from moisture. P233: Keep container closed when not in use. P240: Store in a cool, dry place. P241: Store away from heat, open flames, hot surfaces. P242: Store away from oxidizing materials. P243: Store in a well-ventilated area. P251: Do not breathe dust/fume/gas/aerosol/vapors/spray. P253: Wash hands thoroughly after handling. P261: Avoid breathing dust/fume/gas/aerosol/vapors/spray. P273: Do not release into the environment. P280: Wear protective gloves/protective clothing/eye protection/face protection.

REACTIVITY: R22: Irritant to skin. R23: Causes serious eye irritation. R26: Causes severe eye damage. R31: May cause an allergic reaction. R32: Causes very serious damage to aquatic life. R35: Causes irreversible damage to aquatic life.

PHYSICAL AND CHEMICAL PROPERTIES: Boiling point: 150°C (302°F). Melting point: 5°C (41°F). Density: 1.41 g/cm³. Vapor pressure: 0.012 kPa (0.09 mmHg) at 20°C. Flash point: Not applicable. Self-ignition temperature: 151°C (304°F). Decomposition temperature: 100°C (212°F). Solubility: Soluble in water. Stability: Stable in original closed container. Avoid contact with any metals, dust, wood or any combustibles.

DOT SHIPPING NAME/UN#: Hydrogen Peroxide 5.1, UN2014, PGII

CAS #: 7722-84-1, 7732-18-5

LOT No.: 662531

CODE No.: 041

NET WT.: 500LBS (145LBS CARBOY)

HAZARD PICTURE: CORROSIVE (GHS05) with hazard number 8.

HAZARD CLASSIFICATION: H272, H314, H317, H332, H334, H335, H373, H410, H411.

REGULATORY INFORMATION: OSHA 1910.1201, 1910.1202, 1910.1203, 1910.1204, 1910.1205, 1910.1206, 1910.1207, 1910.1208, 1910.1209, 1910.1210, 1910.1211, 1910.1212, 1910.1213, 1910.1214, 1910.1215, 1910.1216, 1910.1217, 1910.1218, 1910.1219, 1910.1220, 1910.1221, 1910.1222, 1910.1223, 1910.1224, 1910.1225, 1910.1226, 1910.1227, 1910.1228, 1910.1229, 1910.1230, 1910.1231, 1910.1232, 1910.1233, 1910.1234, 1910.1235, 1910.1236, 1910.1237, 1910.1238, 1910.1239, 1910.1240, 1910.1241, 1910.1242, 1910.1243, 1910.1244, 1910.1245, 1910.1246, 1910.1247, 1910.1248, 1910.1249, 1910.1250, 1910.1251, 1910.1252, 1910.1253, 1910.1254, 1910.1255, 1910.1256, 1910.1257, 1910.1258, 1910.1259, 1910.1260, 1910.1261, 1910.1262, 1910.1263, 1910.1264, 1910.1265, 1910.1266, 1910.1267, 1910.1268, 1910.1269, 1910.1270, 1910.1271, 1910.1272, 1910.1273, 1910.1274, 1910.1275, 1910.1276, 1910.1277, 1910.1278, 1910.1279, 1910.1280, 1910.1281, 1910.1282, 1910.1283, 1910.1284, 1910.1285, 1910.1286, 1910.1287, 1910.1288, 1910.1289, 1910.1290, 1910.1291, 1910.1292, 1910.1293, 1910.1294, 1910.1295, 1910.1296, 1910.1297, 1910.1298, 1910.1299, 1910.1300.

MANUFACTURER: CHEMTEC CORPORATION, 1000 West 10th Street, Decatur, GA 30030, (770) 854-0700

REFER TO MATERIAL DATA SAFETY SHEET FOR SAFE HANDLING PROCEDURES

FOR CHEMICAL EMERGENCY SPILL, LEAK, FIRE, EXPOSURE OR ACCIDENT ONLY
Call: CHEMTREC - DAY OR NIGHT - 1-800-424-9300



Formulated Products

- All walls, ceilings, hard flooring, counter tops, cabinets, appliances, fixtures, and other materials not removed are to be scrubbed and rinsed
- We recommend using a formulated product for decontamination such as Apple Environmental Meth Remover

Product Safety Testing

Conclusions:

(a) These results show that the product (Apple Environmental Meth Remover) quickly destroys methamphetamine in solution.

(b) Benzoic acid, a natural product found in fruit & used in preserving food (E211, E212 & E213), is identified as a methamphetamine degradation product when using Apple Environmental Meth Remover.

(c) P2P is listed in the Misuse of Drugs Act 1975 under Schedule 4 - Precursor Substances. P2P Hazard Alert Code is moderate. P2P is restricted because it is used as a precursor to methamphetamine and not because it is harmful. Note that citric acid (5-6% of lemon juice) has also a high Hazard Alert Code.

(d) When users of Apple Environmental Meth Remover apply the product as directed, wearing the recommended personal protection equipment (PPE) as set out in the Standard, there appears to be no risk to their well-being as required in the Standard (sec 1.1).

(e) When Apple Environmental Meth Remover is used as directed, the resulting wash solutions are expected to meet New Zealand trade waste requirements and disposed via the sewage system as set out in the NZ 8510:2017 Standard (sec 4.3.7.2)

(f) The MSDS provided for the product shows that the product complies with the NZ8510:2017 standard in that strong ammonia & oxidizers are not used (section 4.3.7.2 (e))

Decontamination Process

Decontamination Procedures

- **Property Preparation:**
 - Remove all debris and porous materials
- **Vacuum:**
 - Vacuum all surfaces including the heating system
- **Scrub product on to all surfaces allowing product to remain moist for 4 hrs.**
- **Repeat if needed**
- **Rinse with warm water. Collect all rinse water with shop vac.**

Gross Cleanup First Responders



Property Preparation Debris Removal



Remove Porous Material



Remove Porous Debris



Remove Porous Materials



Dry Clean/Vacuum



Ventilation System Cleaning

- Shut off unit/Lock Out Tag Out
- Remove Blower from furnace
- Seal openings to avoid cross contamination
- Remove and clean all registers
- Connect HEPA filtration collection machine
- Clean ventilation system using agitators
- Inspect and clean air handler unit
- Clean the supply ductwork
- Dispose of porous linings/filters

HVAC Decontamination



HVAC Decontamination



Before/After

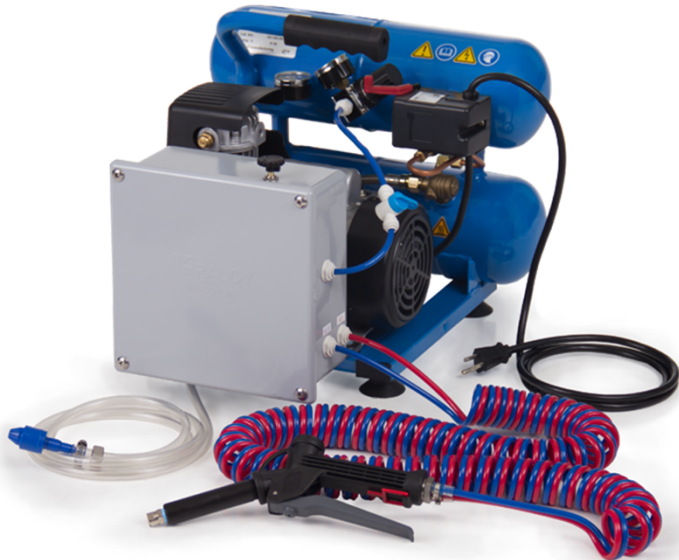


Before



After

Foamer/Fogger/Sprayer



Product Application

Foaming and Scrubbing



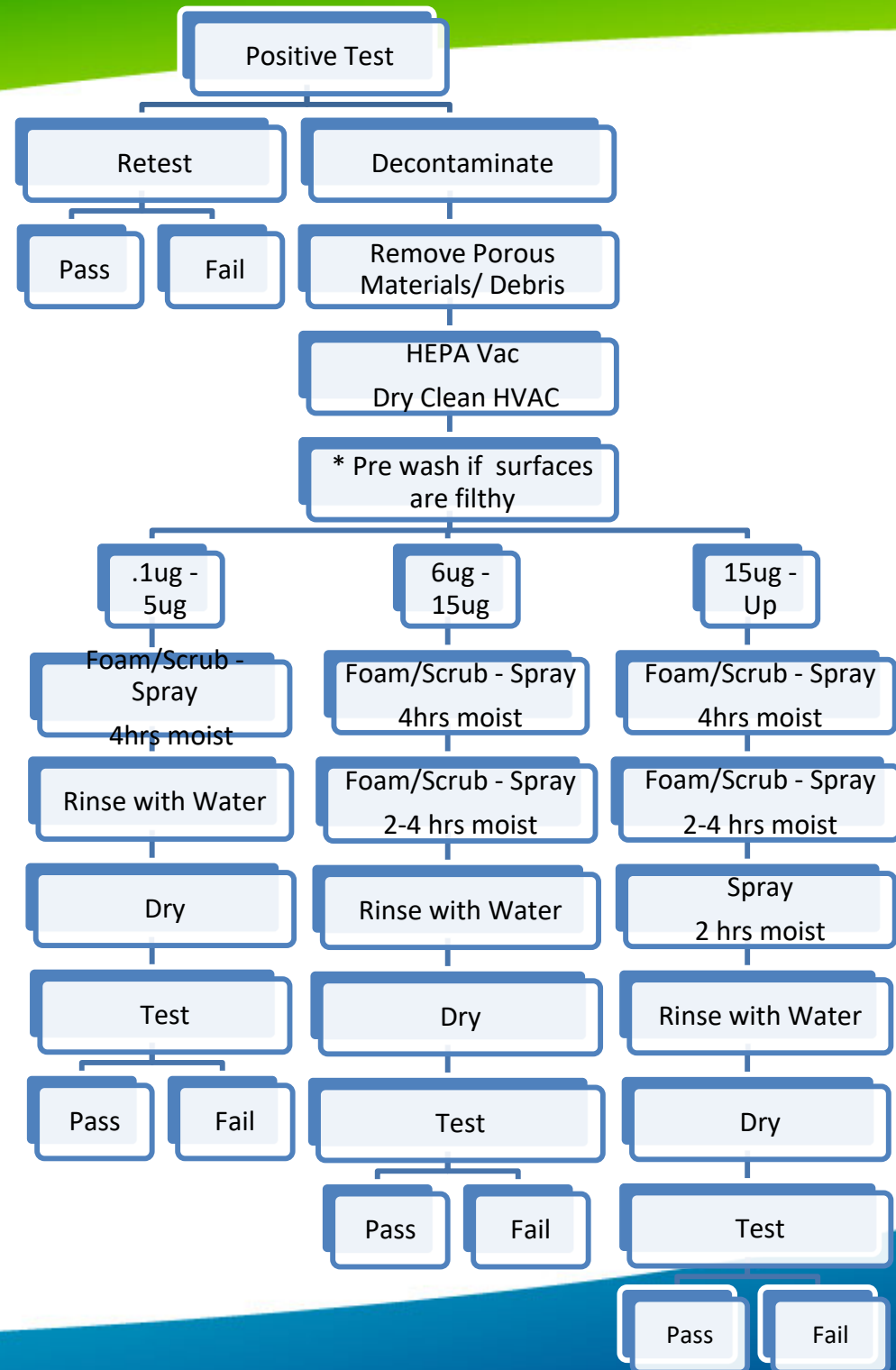
Scrubbing



Spraying



Repeat Process as Needed



Dwell Time

- Dwell time 4-8 Hours
- Close windows and Doors to Keep Humidity
- Reapply Product with Sprayer or Fogger

Remember:

- Warm and Wet Decontaminates Faster
- Do NOT Cause Damage by Soaking the Property

Rinse with Water



Plumbing & Septic

- If lab, review decontamination standards for field screening and decontamination
- Plumbing traps may need to be removed and decontaminated or disposed of depending on assessment
- If property is a meth lab, samples of septic tank liquids may be required – consult local regulations

Waste Disposal

- Hazardous Materials
- Infectious Waste
- Asbestos/Lead Based Paint
- Follow all federal, state, and local regulations
- Manifests/Chain of Custody
- Do not recycle or reuse waste



Final Report and Creating Standards

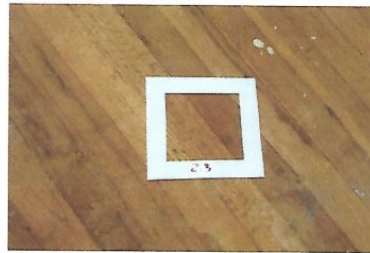
Final Report

- Location of Property
- Decontamination Contractor/Crew Information
- Property Description (if no work plan)
- Contaminants (if no work plan)
- Decontamination Activities
- Confirmation Sampling
- Waste Disposal
- Deviations from Work Plan
- Testing Results
- Tables
- Affidavit

Final Results

Sample Results XX-XXXXXXX			
Number	Location	Areas	Result
1	Attic Area	3	ND ug/300 cm2
2	Main Flr Living Room	3	0.13 ug/300 cm2
3	Main Flr Northwest Bedroom	3	ND ug/300 cm2
4	Main Flr Bathroom	3	ND ug/300 cm2
5	Main Flr Northeast Bedroom	3	ND ug/300 cm2
6	Main Flr Kitchen	3	ND ug/300 cm2
7	Basement Family Room	3	ND ug/300 cm2
8	Basement Kitchen	3	ND ug/300 cm2
9	Basement Bathroom	3	ND ug/300 cm2
10	Basement Northeast Bedroom	3	ND ug/300 cm2
11	Basement Office	3	ND ug/300 cm2
12	Furnace/HVAC System	3	0.31 ug/300 cm2
13	Furnace/HVAC System	3	ND ug/300 cm2
14	Control	blank	No detection

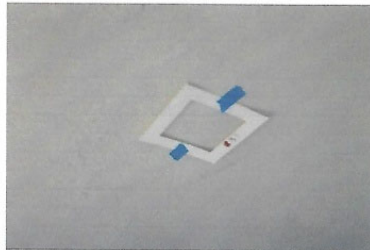
Final Report Photos



16-May-14 10:15
1234 E Main St, Anywhere ST 11111
Mark Shepard, photographer
Test 2.3 - Main Flr Living Rm Floor



16-May-14 10:15
1234 E Main St, Anywhere ST 11111
Mark Shepard, photographer
Test 2.3 - Main Flr Living Rm Floor



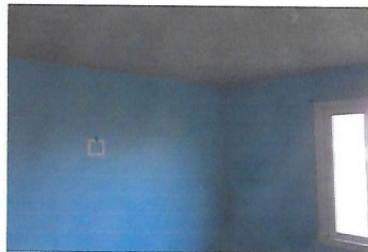
16-May-14 10:15
1234 E Main St, Anywhere ST 11111
Mark Shepard, photographer
Test 3.1 - Main Flr NW Bedroom Ceiling



16-May-14 10:15
1234 E Main St, Anywhere ST 11111
Mark Shepard, photographer
Test 3.1 - Main Flr NW Bedroom Ceiling



16-May-14 10:15
1234 E Main St, Anywhere ST 11111
Mark Shepard, photographer
Test 3.2 - Main Flr NW Bedroom Wall



16-May-14 10:15
1234 E Main St, Anywhere ST 11111
Mark Shepard, photographer
Test 3.2 - Main Flr NW Bedroom Wall

Analytical Report



ANALYTICAL REPORT

Report Date: May 21, 2014

Mark Shepard
Apple Environmental
489 E Center St
Kaysville, UT 84037

E-mail: info@appleenvironmental.com

Workorder: **34-1413682**
Client Project ID: 830 N 200 W
Purchase Order: NA
Project Manager: Paul Pope

Analytical Results

Sample ID: <u>1</u>		Collected: 05/16/2014	
Lab ID: 1413682001	Sampling Location: 830 N 200 W		Received: 05/16/2014
Method: NIOSH 9111	Media: Wipe	Analyzed: 05/19/2014	
		Sampling Parameter: Area 300 cm ²	
Analyte	ug/sample	ug/100cm ²	RL (ug/sample)
Methamphetamine	ND	<0.033	0.10

Sample ID: <u>2</u>		Collected: 05/16/2014	
Lab ID: 1413682002	Sampling Location: 830 N 200 W		Received: 05/16/2014
Method: NIOSH 9111	Media: Wipe	Analyzed: 05/19/2014	
		Sampling Parameter: Area 300 cm ²	
Analyte	ug/sample	ug/100cm ²	RL (ug/sample)
Methamphetamine	0.13	0.043	0.10

Sample ID: <u>3</u>		Collected: 05/16/2014	
Lab ID: 1413682003	Sampling Location: 830 N 200 W		Received: 05/16/2014
Method: NIOSH 9111	Media: Wipe	Analyzed: 05/19/2014	
		Sampling Parameter: Area 300 cm ²	
Analyte	ug/sample	ug/100cm ²	RL (ug/sample)
Methamphetamine	ND	<0.033	0.10

Sample ID: <u>4</u>		Collected: 05/16/2014	
Lab ID: 1413682004	Sampling Location: 830 N 200 W		Received: 05/16/2014
Method: NIOSH 9111	Media: Wipe	Analyzed: 05/19/2014	
		Sampling Parameter: Area 300 cm ²	
Analyte	ug/sample	ug/100cm ²	RL (ug/sample)
Methamphetamine	ND	<0.033	0.10

ADDRESS 960 West LeVoy Drive, Salt Lake City, Utah, 84123 USA | PHONE +1 801 266 7700 | FAX +1 801 268 9992
ALS GROUP USA, CORP. An ALS Limited Company

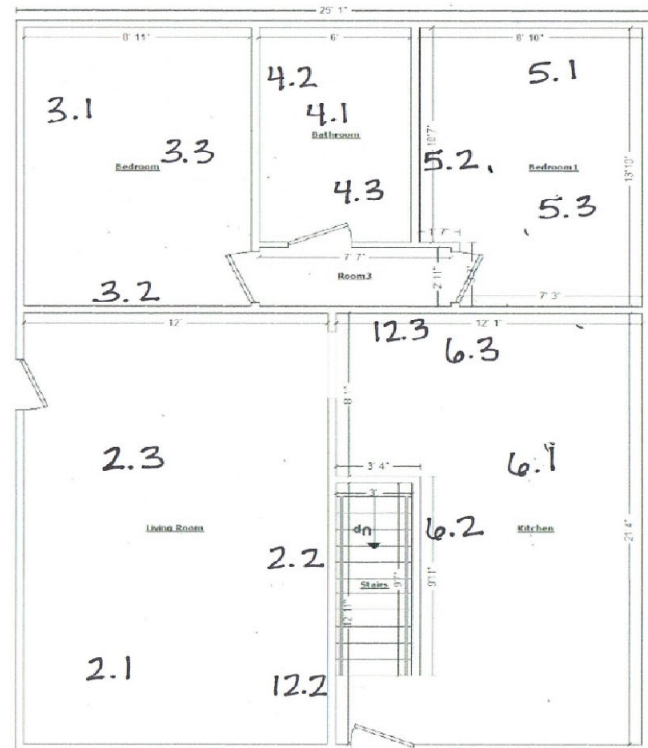
Environmental

www.alsglobal.com

RIGHT SOLUTIONS BUDGET PARTNER

Figures

main level
830 N. 200 West, Bountiful UT
Post Testing Plan



Washington

- WASHINGTON REQUIRES TRAINING AND CERTIFICATION FOR ITS CONTRACTORS THROUGH A STATE APPROVED TRAINER.
- GUIDELINES ARE LISTED FOR SAMPLING PROCEDURES, WASTE DISPOSAL, SOIL CLEANUP, ASBESTOS, AND WORK PLAN TEMPLATES.
- THE DECONTAMINATION PROCEDURE ITSELF SEEMS TO BE VAGUE BUT EXTENSIVE OVERSIGHT IS PROVIDED BY THE HEALTH DEPARTMENT INCLUDING TESTING.
- THE DECONTAMINATION STANDARDS FOR METHAMPHETAMINE ARE LISTED AS
- $\leq 1.5 \text{UG}/100\text{CM}^2$ ACCORDING TO WAC 246-205-541 WHICH WAS CHANGED FROM $\leq 0.1 \text{UG}/100\text{CM}^2$ IN 2015.
- WASHINGTON STATE DEPARTMENT OF HEALTH
- 800-525-0127

Idaho

- Senate Bill 1122 gave Idaho Department of Health and Welfare the authority and responsibility to develop and maintain a program that lists properties and put together guidance to assist local agencies.
- Guidelines are specific to meth labs and do not address user sites. The property owner may choose to hire a cleanup contractor (contractors are not licensed by the state) or clean it up himself.
- Porous materials must be removed and disposed of properly. Otherwise check with local health departments for any additional requirements.
- Clearance sampling must be conducted by a qualified independent Industrial Hygienist and meet the state standard of $0.1 \text{ ug}/100\text{cm}^2$.

Oregon

- The regulations established division supervised training for contractors and certification.
- Sampling personnel must be certified industrial hygienists or have other notable credentials.
- A level of $0.5\mu\text{g}/100\text{cm}^2$ must be achieved for clearance.

EXISTING LEGIS. APPROACHES

TRIBAL



- Cherokee Nation: Regulated sales of ephedrine, created a tip hotline, developed a treatment program, and conducted anti-drug rallies.
- San Juan Pueblo & Lummi Nation: Revived traditional practices of banishment by revoking tribal membership from people who deal meth.
- Confederated Tribes of Colville Indian Reservation & Cherokee Nation: Tribal Codes outlaw sale, manufacture, possession of meth.
- Other approaches in Indian country: anti-meth education campaigns; oversee talking circles; interdisciplinary task forces.
- NCAI: Created the NCAI Tribal Meth Task Force.

EXISTING LEGIS. APPROACHES

STATE

Developing statutory and regulatory frameworks for dealing with meth. OR and WA are paving the way.

- Both authorize state and local health officials to deem property “unfit for use” and establish decontamination standards that must be met before the property can be reoccupied.
- Both require that prospective tenants/buyers receive actual knowledge about meth-contaminated property.
- Both have established decontamination standards, which provide that the property is to be removed from the states’ list of contaminated property once it is cleaned up.
- Oregon regulates chemicals and equipment used to manufacture meth.



EXISTING LEGIS. APPROACHES

FEDERAL

BIA - Office of Justice Services

- “Strengthening collaborative relationships” with other BIA programs and with federal and tribal agencies.
- Hiring more law enforcement officers and increasing services for neglected and abused children.



EXISTING LEGIS. APPROACHES

FEDERAL

The USA Patriot Act (2002, reauthorized 2006)

- Banning the sales of over-the-counter cold medicines (i.e., Sudafed); these medicines can only be sold from locked cabinets/behind the counter.
- Restricting the amount of pseudoephedrine than a individual can purchase daily to 3.6 grams, up to 9 grams per month.
- Requiring individuals to show a photo ID to buy certain cold medications.
- Requiring the seller be certified to dispense medication, with the Department of Justice approving Internet sales.
- Requiring sellers to keep personal information of buyers for at least 2 years following the purchase of such medication.



EXISTING LEGIS. APPROACHES

FEDERAL

The USA Patriot Act (2002, reauthorized 2006)

- Funding for the Meth Hot Spots Program, which trains state/local law enforcement to investigate and incarcerate meth offenders, as well as provides personnel and equipment for enforcement, prosecution, an environmental clean up. There is no special mention of tribal eligibility.
- Grant to programs that assist children living in a home where meth or other controlled substances were manufactured, administered, or distributed. There is no special mention of tribal eligibility.
- Funding for competitive grants at such sums as are necessary to address the use of meth by pregnant and parenting women. Tribes are specifically mentioned as eligible for these grants.



EXISTING LEGIS. APPROACHES

FEDERAL

Combat Methamphetamine Epidemic Act (2006)

Restrictions on Retail Sales of Precursor Chemicals:

Repeals the federal "blister pack exemption" that currently allows unlimited sales of pseudoephedrine pills;

Classifies pseudoephedrine, ephedrine, and phenylpropanolamine, the major meth precursor chemicals, as "Scheduled Listed Chemicals" (SLCs);

Imposes a daily purchase limit of 3.6 grams, and a monthly limit of 9.0 grams, for SLCs;

Requires all SLC products to be sold from behind the counter, or kept in a locked cabinet;

Requires purchasers of SLC products to show I.D. and sign a log book; and

Imposes new restrictions on mail order, Internet, and "flea market" sales of SLCs.



EXISTING LEGIS. APPROACHES

FEDERAL

Combat Methamphetamine Epidemic Act (2006) (continued)

Toughens federal penalties against meth traffickers and smugglers;
Toughens penalties against persons who cook or deal meth in the presence of children;

Requires updates from the Department of Transportation and the EPA about whether meth lab chemical byproducts are covered by appropriate environmental regulations;

Makes improvements to the drug courts program to ensure greater accountability, and authorizes new funding for the program;

Authorizes the Meth "Hot Spots" grant program that provides assistance to state and local agencies in dealing with meth labs and trafficking; and

Authorizes new grants to help states assist drug-endangered children, as well as addicted women with children.



ANTI-METH RESOURCES

ENVIRONMENTAL PROTECTION AGENCY (EPA)

- EPA has a handbook on meth (and fentanyl) clean-up. Available here:
https://www.epa.gov/sites/default/files/documents/meth_lab_guidelines.pdf
- The EPA has a program to reimburse tribal, state, and local governments for the clean up of small, toxic labs (as opposed to the super-labs which make large amount of meth, and are primarily located in Mexico but also found in California).
- Clean-up involves removing equipment and large scale contaminates.
- Remediation, on the other hand, involves removing residues in furniture, carpets, etc., in order for the building to be habitable. As mentioned above, there are no federal funds for remediation efforts.



ANTI-METH RESOURCES

HOUSING & URBAN DEVELOPMENT (HUD)

- An eligible use of HUD's Brownfields Economic Development Initiative is for the redevelopment of former meth sites, although there is no breakdown of how much money has been used for this purpose.



ANTI-METH RESOURCES

COMMUNITY ORIENTED POLICING SERVICES PROGRAM (COPS)

- Under the COPS program is an initiative called "Meth Hot Spots," which is geared specifically to helping law enforcement agencies deal with meth problems.
- Funding for FY 2022 is already gone. Need to see what happens with the program for FY 2023 and beyond.



Conclusion

Approaches discussed

- Preventive (keeping meth out, removing those who use meth).
- Legislative (stronger laws, more clarity regarding standards and enforcement).
- Anti-Meth resources (help for enforcement and clean-up).
- Importance of collaboration and interdisciplinary approaches.

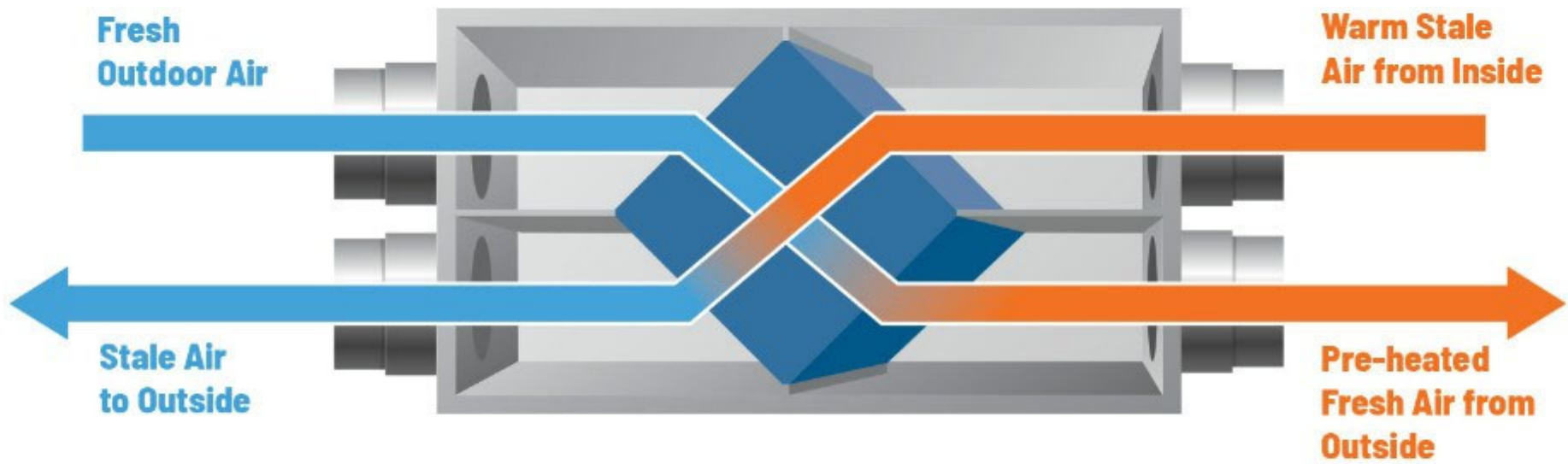


Creating Housing Standards

- Access for testing
- Pretesting Properties
- Tenant Consequences
- Dealing With the Problem on a Big Scale

Decontamination Procedures

- Property Preparation
- Dry Clean
- Mixing Product
- (Optional) Pretreat Property
- Wet Clean
- Product Application
- Rinse Property
- Test

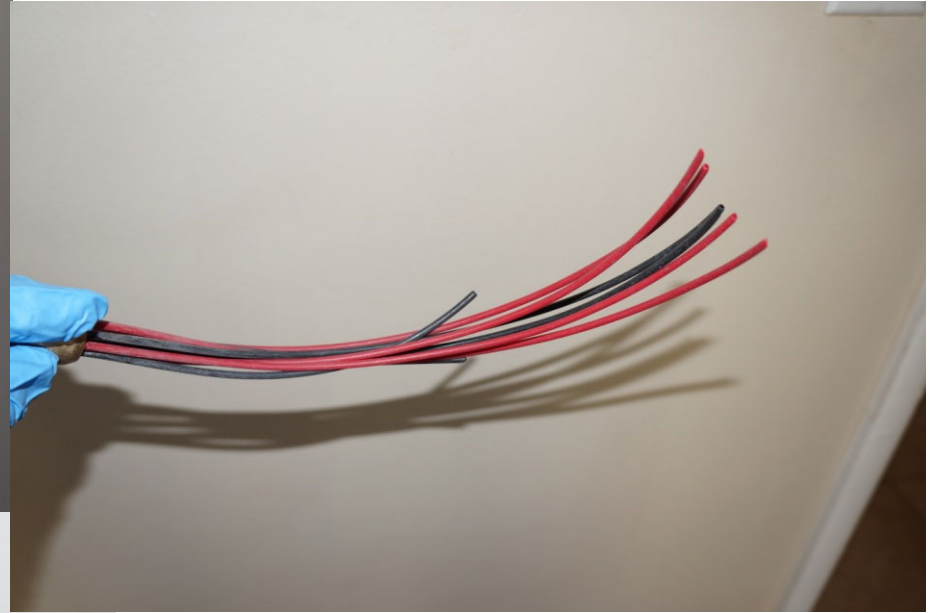




Duct Cleaning Equipment



Duct Cleaning Equipment



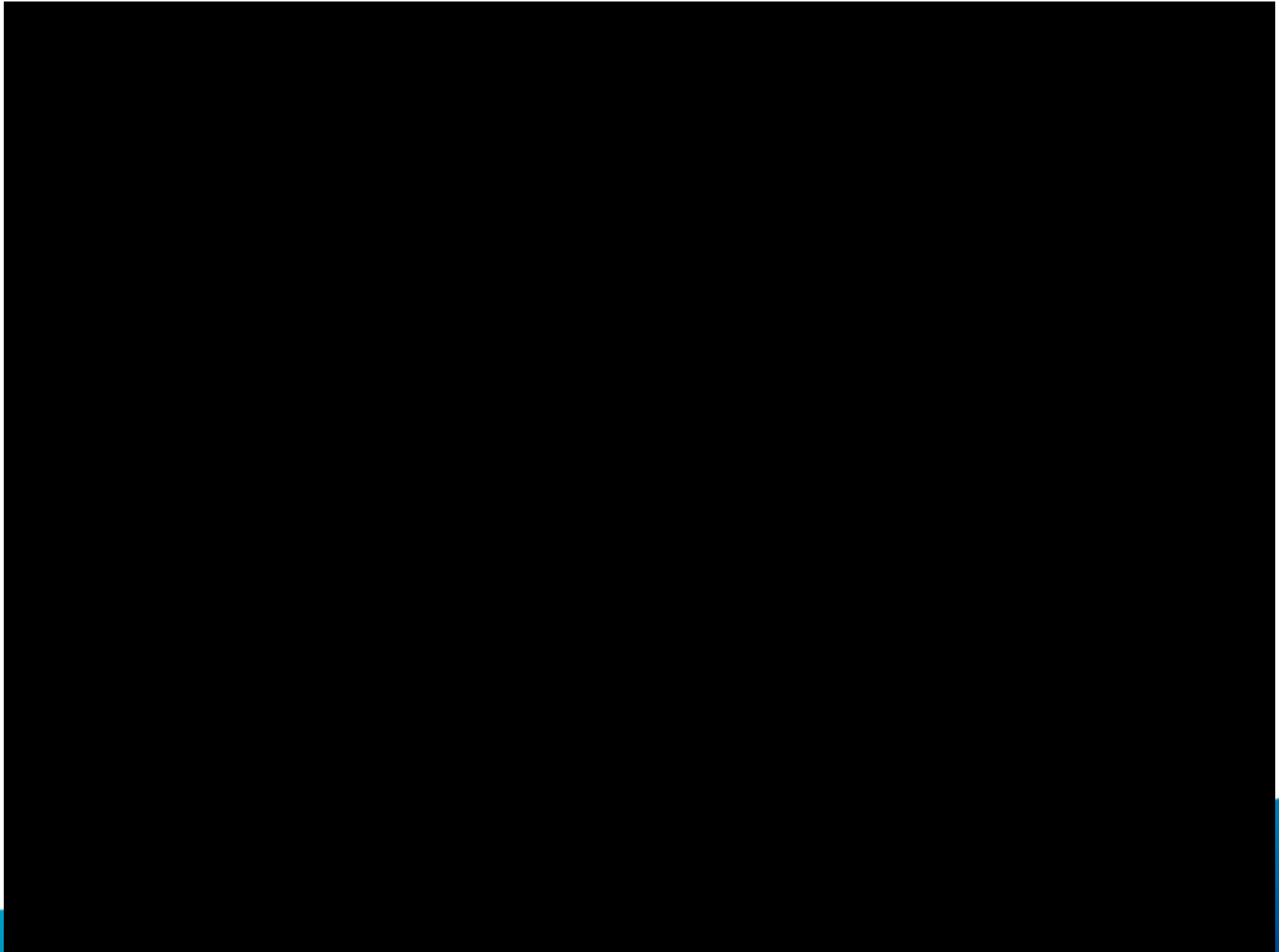
Removing Flex Ducting



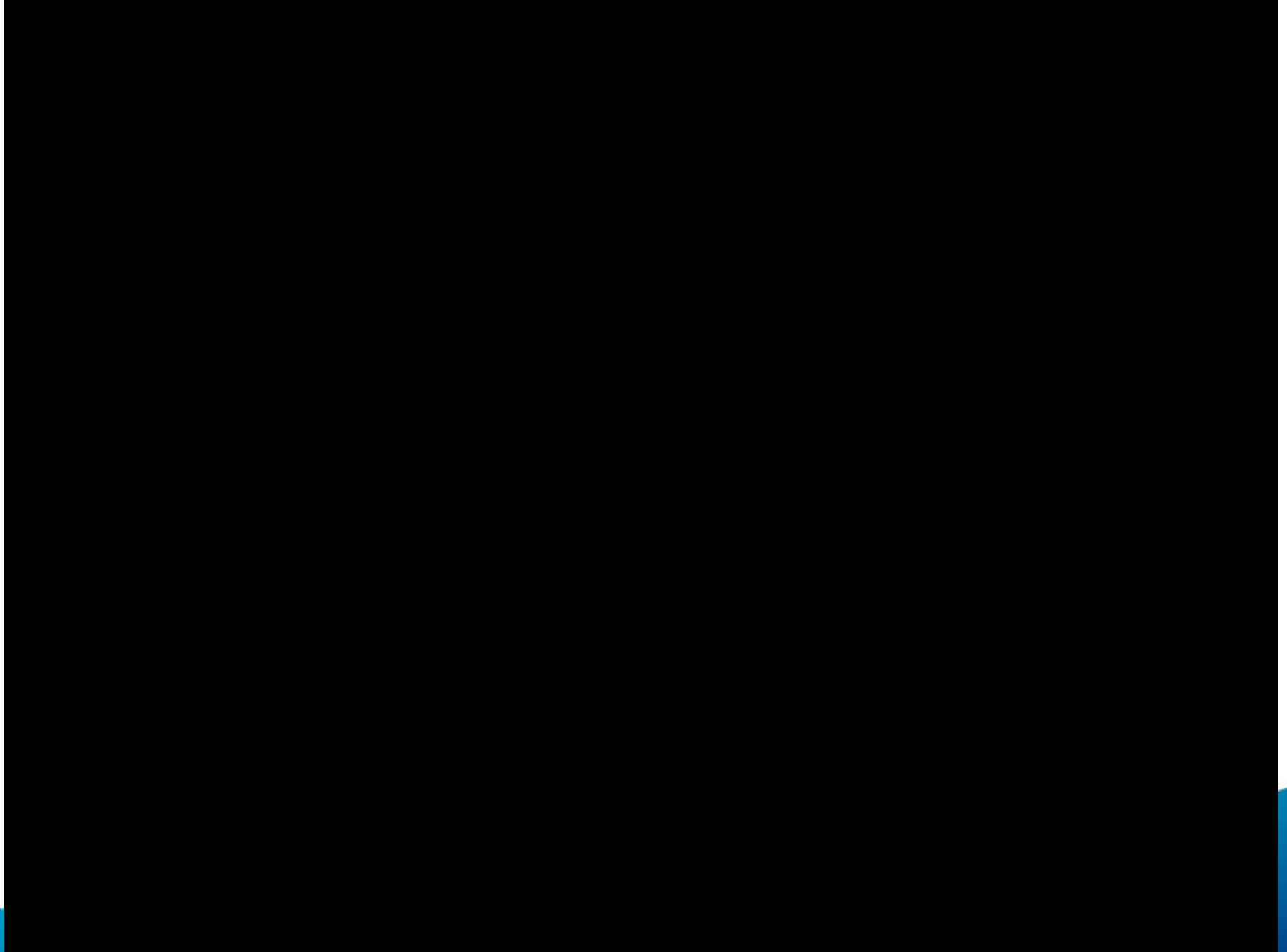
Blower Removal



Blower Disassembly



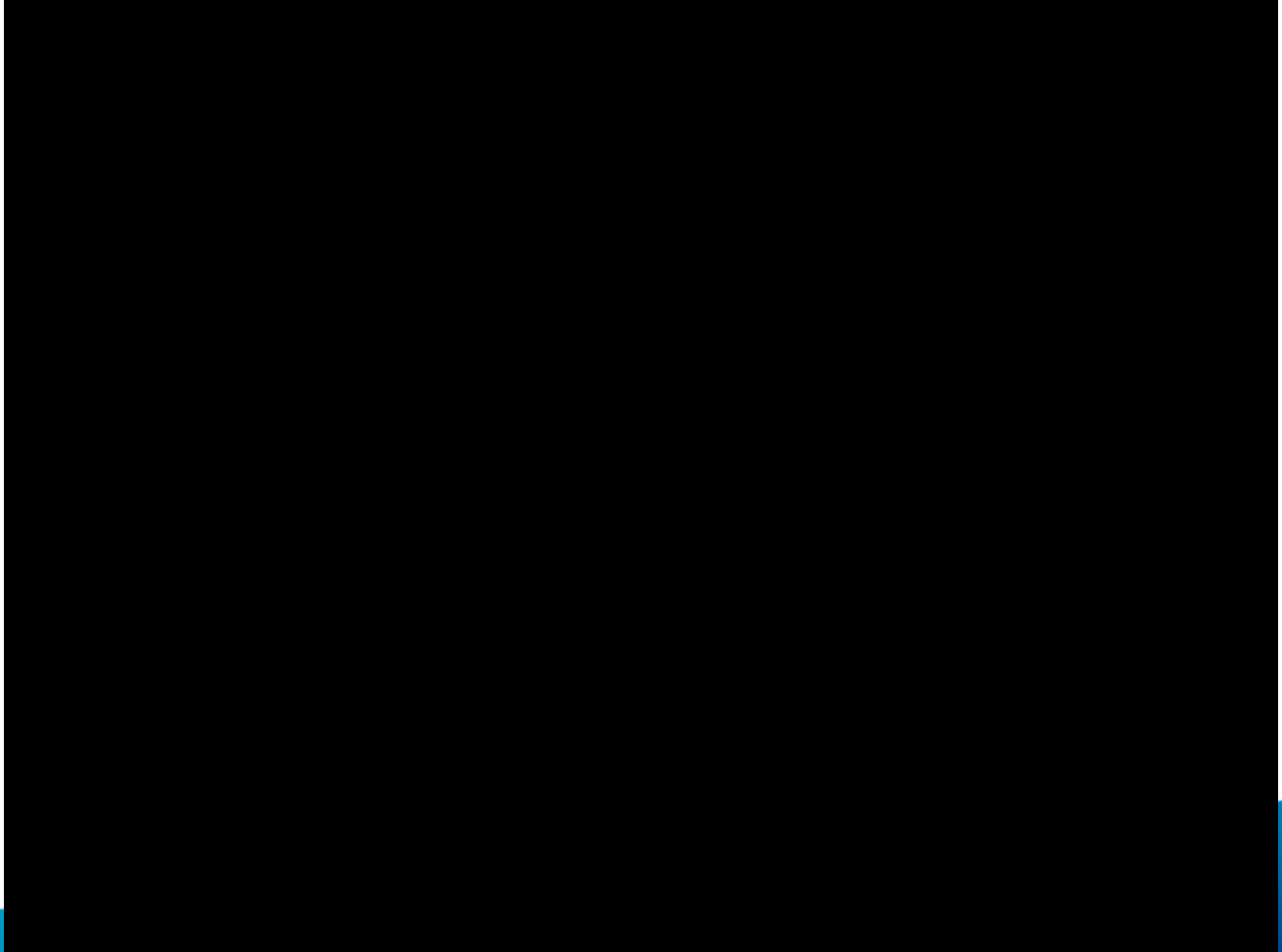
Cold Air Duct Cutting



Cold Air Set Up Dry Clean



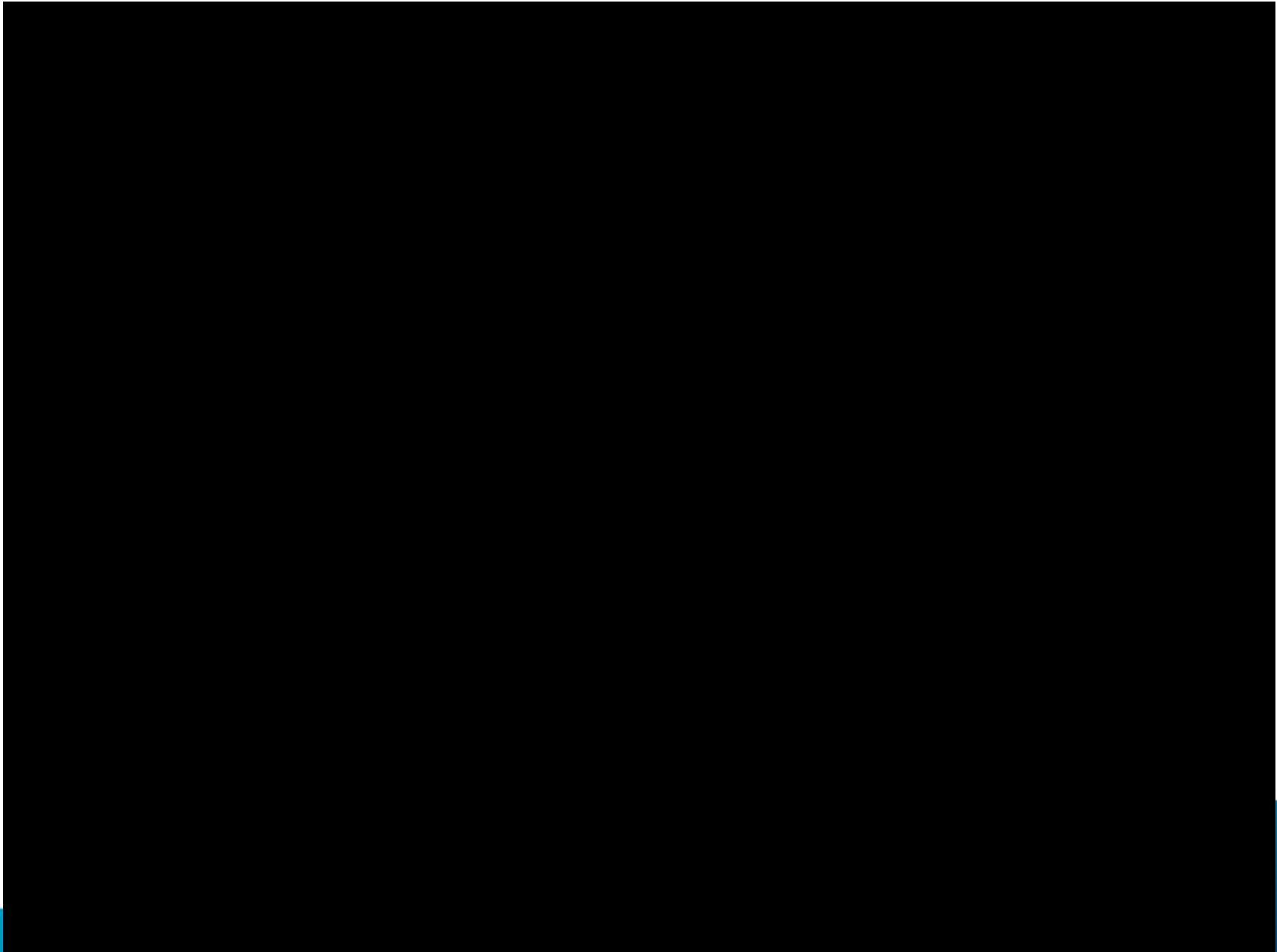
Cold Air Vents Dry Clean



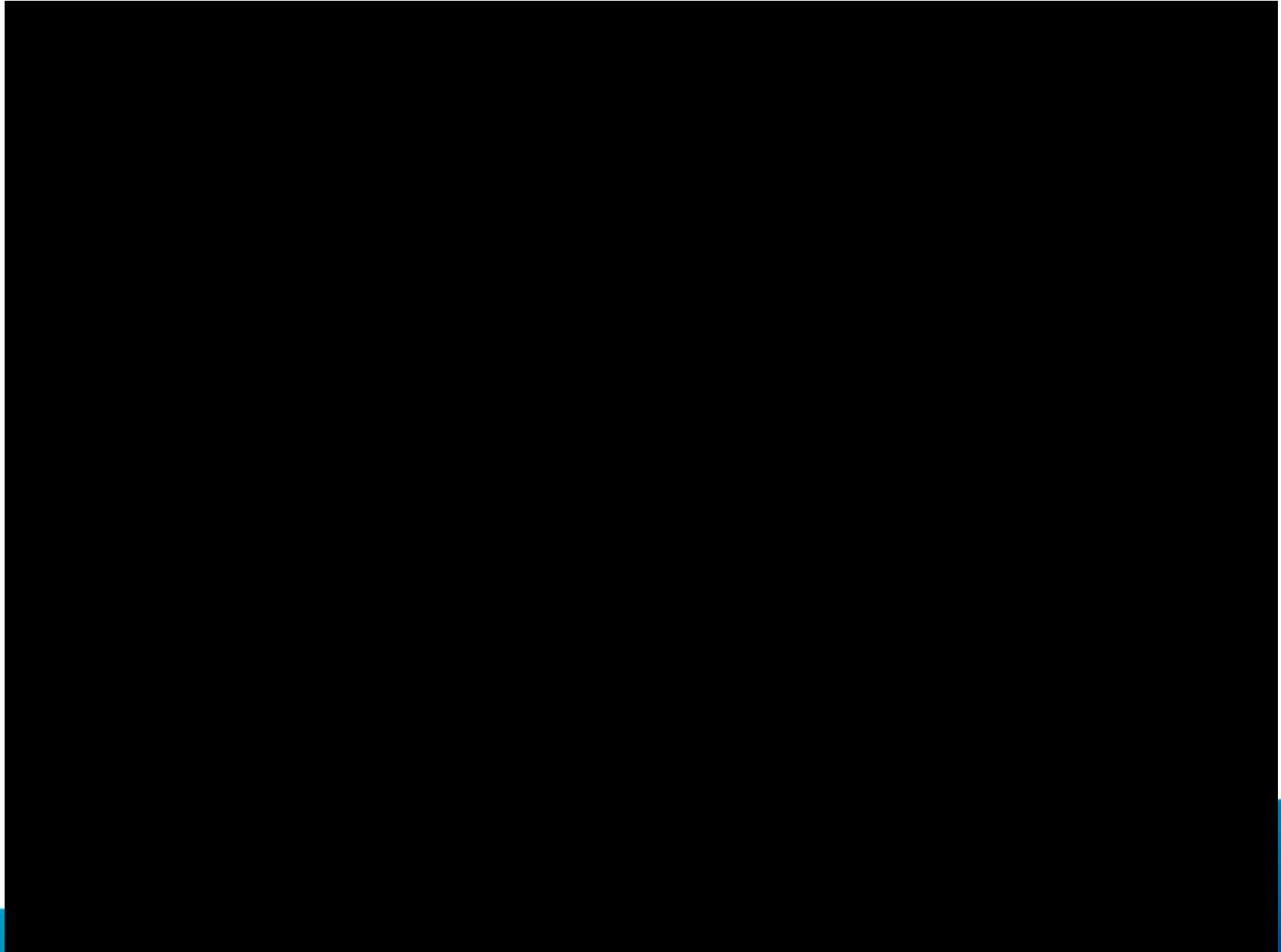
Cold Air Return



Cold Air Trunk Line Cut



Cold Air Trunk Line Dry Clean



Hot Air Set Up Dry Clean



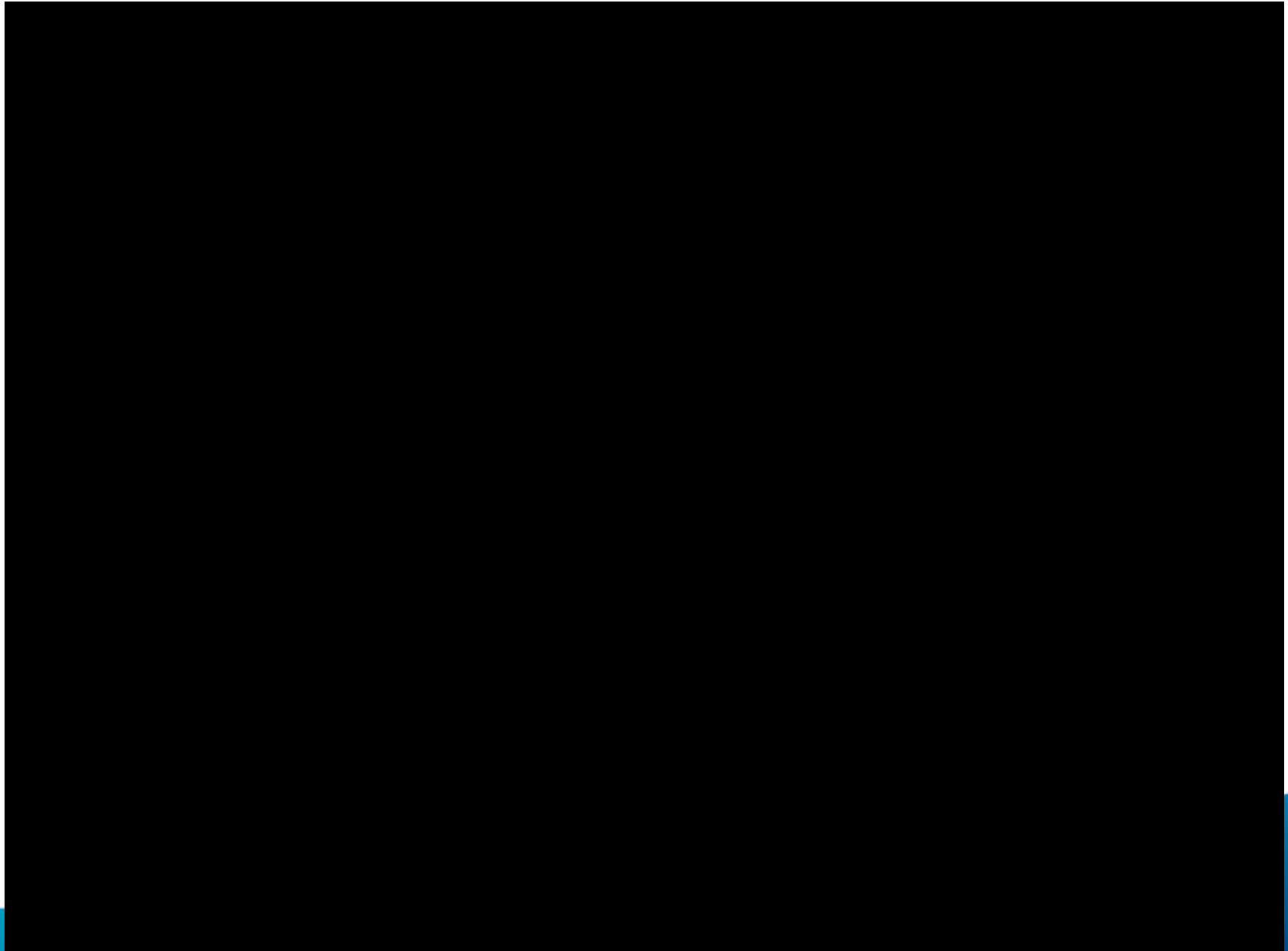
AC unit Set Up



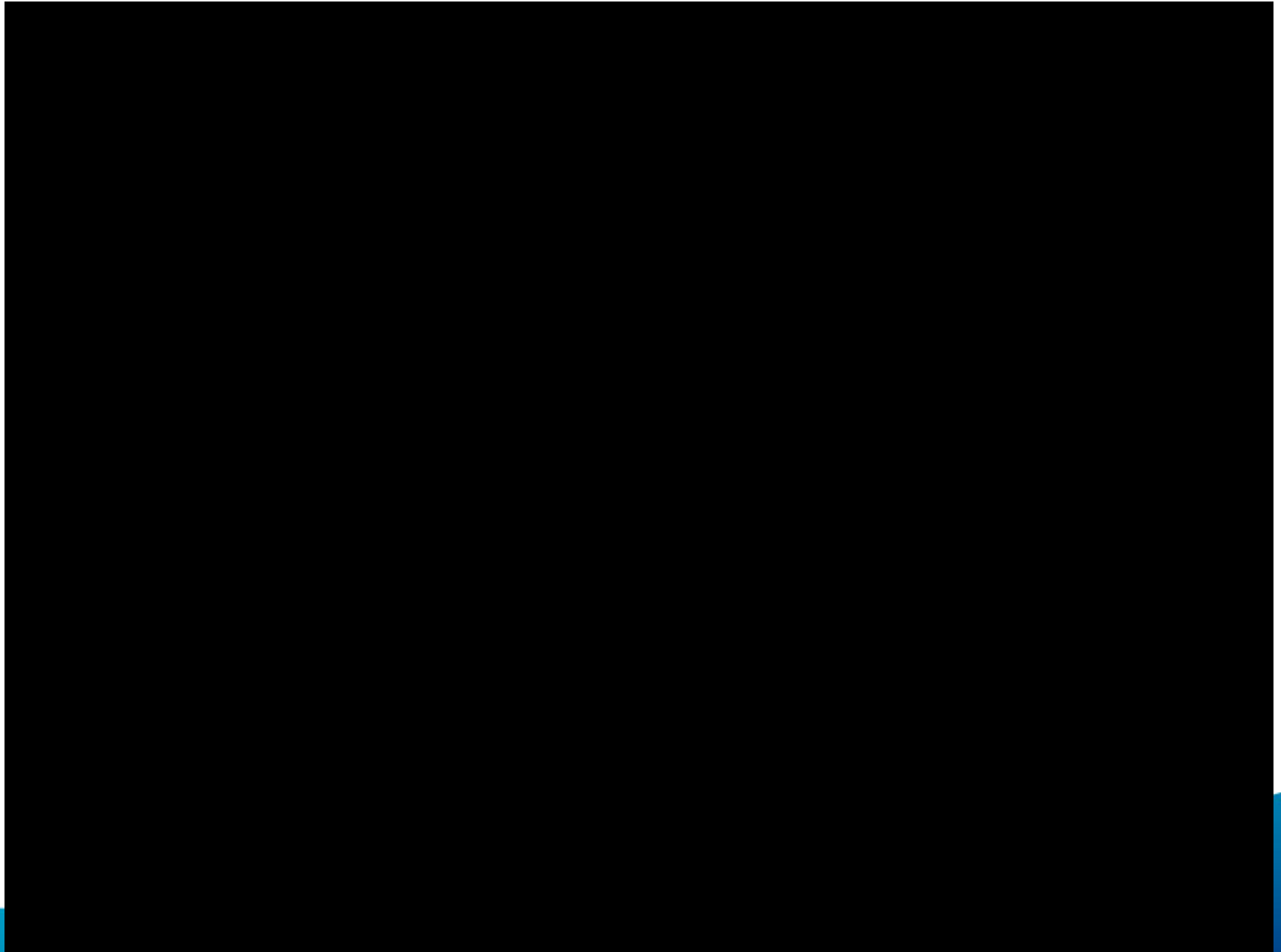
Non-AC unit Set Up



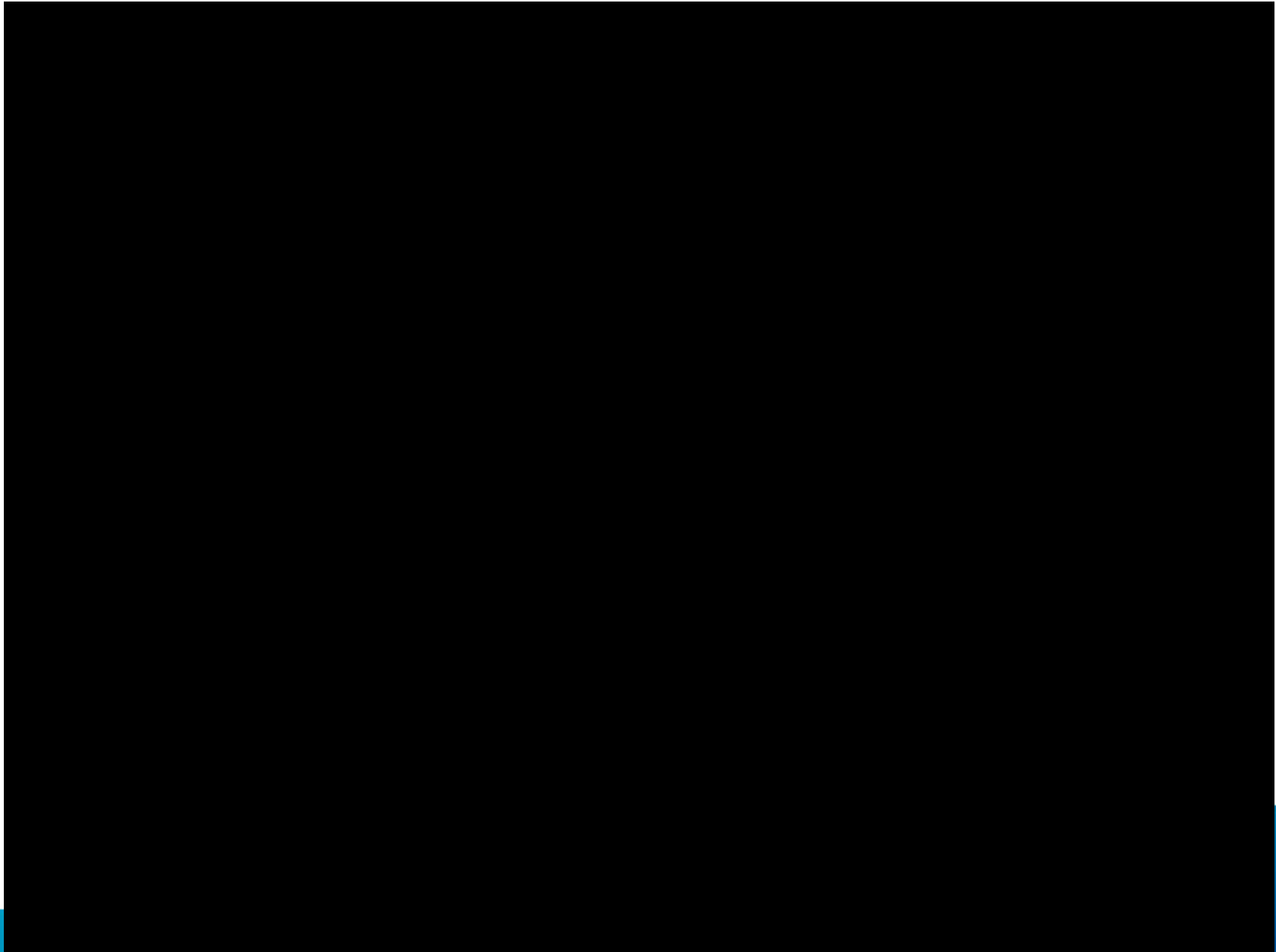
Hot Air Vents Dry Clean



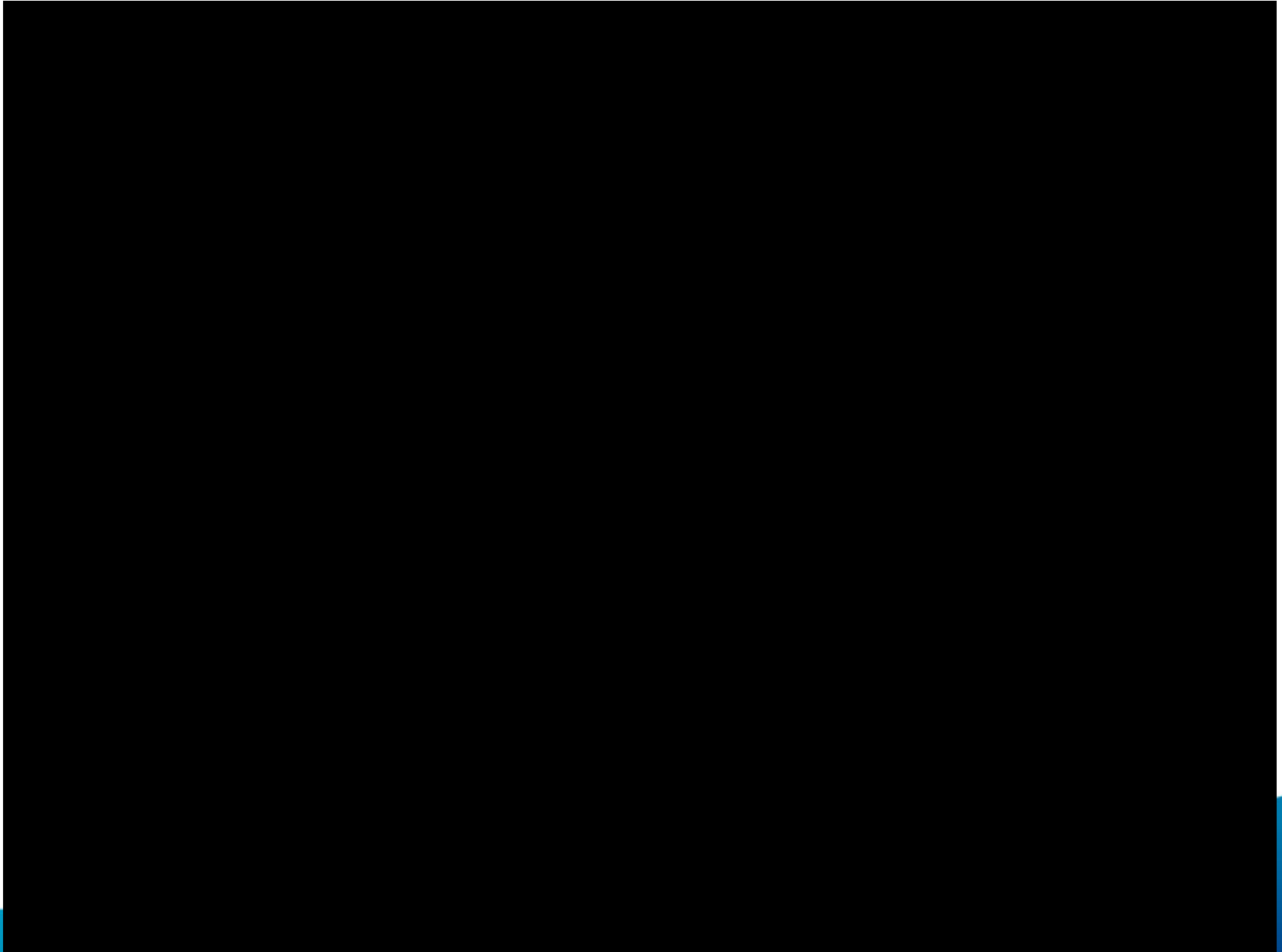
Hot Air Truck Line Dry Clean



Hot Air Truck Line Dry Clean



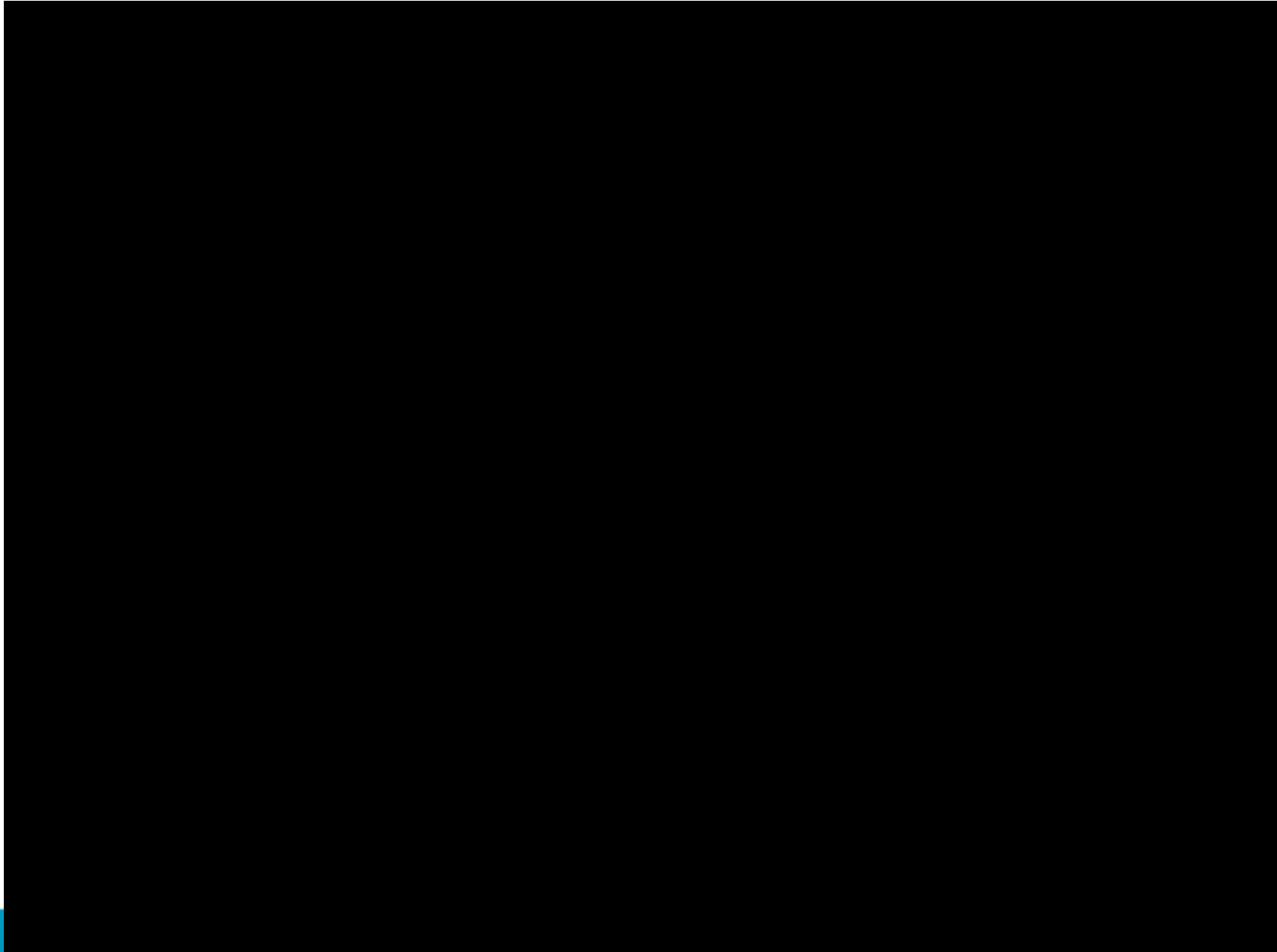
HVAC Dry Clean



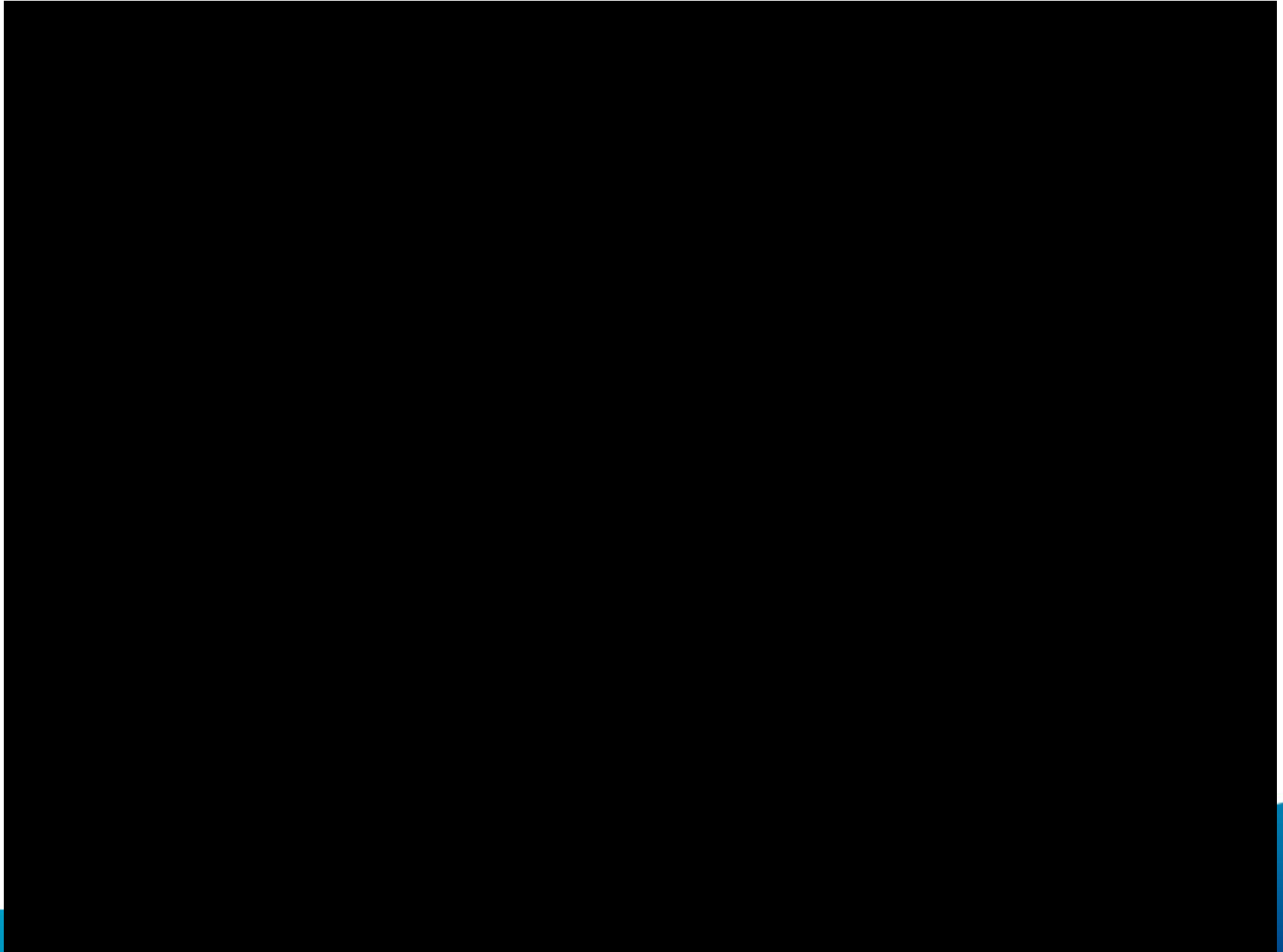
Decontamination



Foam, Scrub, Extract



Spraying



Last Steps

Dwell Time

Rinse

Let Dry

Test

Review and Discussion

Cleaning Challenges

- Meth residue levels
- Painted over contamination
- Crawl spaces
- Ducts
- Property Owners
- Squatters
- Weather
- Temperature in PPE
- Humidity/Lack of humidity
- Staff
- Lack of Utilities
- Equipment
- Inspectors/CIH



- Like heroin, morphine, and other opioid drugs, Fentanyl works by binding to the body's opioid receptors, which are found in areas of the brain that control pain and emotions. When opioid drugs bind to these receptors, they can drive up dopamine levels in the brain's reward areas, producing a state of euphoria and relaxation.(DEA)

- Fentanyl is 10 times stronger than heroin and 100 times stronger than morphine. Three milligrams is enough to kill an average-sized adult male.
- Carfentanil, is estimated to be about 10,000 times more potent than morphine. It is intended only for veterinary use on large animals, and not approved for medical use in humans



Comparing the size of lethal doses of heroin, fentanyl, and carfentanil. The vials here contain an artificial sweetener for illustration. (New Hampshire State Police Forensic Laboratory)



Prosecutors: NYC drug bust had enough Fentanyl to kill 32 million people



- **Some of the known analogs and where they were first reported**

COMMON NAME	REPORTED IN
3-fluoroFentanyl	Europe
4-fluorobutyFentanyl	Europe
4-methoxybutyrFentanyl	Europe
acetylFentanyl	Asia, Europe, North America
acrylFentanyl	Asia, Europe
beta-hydroxy-thioFentanyl	North America
butyrFentanyl	Asia, Europe, North America
despropionylFentanyl	Latin America, North America
despropionyl-2-fluoroFentanyl	Europe
furanylFentanyl	Asia, Europe, North America
isobutyFentanyl	Africa, Europe
(iso)butyr-F-Fentanyl N-benzyl analogue	Europe
methoxyacetylFentanyl	Europe
ocfentanil	Europe
para-fluoroisobutyFentanyl	North America
tetrahydrofuranylFentanyl	Europe
valerylFentanyl	Asia, Europe, North America
(UNODC vol 17 March)	

The Ad Council

Real Deal on Fentanyl / Youth Fentanyl Awareness

[Video](#)

Ad Council

Youth Fentanyl Awareness – Bottom of the page

Visit Campaign Site – Link in the header

Lessons – at the bottom of the page

Questions?

Mark Shepard

801-870-3692

mshepard@appleenvironmental.com

www.appleenvironmental.com

Ed Clay Goodman, Hobbs Straus Dean & Walker LLP

503-242-1745

egoodman@hobbsstraus.com

www.hobbsstraus.com

Questions?

