

FINAL BILL REPORT

SHB 1163

C 292 L 99

Synopsis as Enacted

Brief Description: Providing for the safe decontamination or destruction of residential property used for illegal drug manufacturing or storage.

Sponsors: By House Committee on Agriculture & Ecology (Originally sponsored by Representatives Cooper, Schoesler, Linville, G. Chandler, Keiser, Rockefeller and Conway; by request of Department of Health).

House Committee on Agriculture & Ecology
Senate Committee on Environmental Quality & Water Resources

Background:

In 1990, the Legislature enacted provisions to ensure that properties contaminated with toxic residues left by chemicals used to manufacture illegal drugs are decontaminated before they may be used or re-occupied. An owner of contaminated property who wishes to have the property decontaminated must use the services of a contractor who is certified by the Department of Health to perform decontamination. If the decontamination is completed and the property is retested according to a work plan approved by the local health officer, a notice is recorded in the real property records indicating that the property has been decontaminated. The department is required to develop guidelines for the decontamination of property.

A city or county may condemn or demolish contaminated property, or require the contaminated property to be vacated or the contents removed from the property. The city or county must use a contractor certified by the Department of Health to demolish or remove contaminated property.

If a local health officer is notified that property is contaminated by hazardous chemicals, the local health officer must post a notice on the premises immediately upon being notified of the contamination.

The services of a certified contractor may not always be necessary to decontaminate, demolish, or remove contaminated property.

Summary:

When property becomes contaminated by hazardous chemicals associated with the manufacture of illegal drugs, the local health officer may determine when the services

of a contractor certified by the Department of Health are necessary to perform decontamination. A city or county may use a certified contractor if contaminated property is demolished, decontaminated, or removed.

The Department of Health must adopt rules for the decontamination of property. The rules must establish standards for hazardous chemicals, including methamphetamine, lead, mercury, and total volatile organic compounds.

A local health officer must post a warning on the premises within one working day of receiving notice that property is contaminated by hazardous chemicals. The warning must inform potential occupants that hazardous chemicals may exist on, or have been removed from, the premises and that entry is unsafe. If after an inspection of the property the local health officer finds that the property is contaminated, the local health officer must post an order prohibiting the use of the property as long as it is contaminated. Once the property is decontaminated and retested, and the local health officer allows reuse of the property, a release for reuse document is recorded in the real property records. Various technical changes are made.

Votes on Final Passage:

House 94 0

Senate 42 0 (Senate amended)

House 97 0 (House concurred)

Effective: July 25, 1999