

ANALYSIS OF HB 1163

House Agriculture & Ecology Committee

February 2, 1999

- Local health officers may determine when a certified contractor must be used to decontaminate property that has been contaminated by hazardous chemicals associated with the manufacture of illegal drugs.

BACKGROUND:

In 1990 the Legislature enacted provisions to ensure that properties, that are contaminated with toxic residues left by chemicals used to manufacture illegal drugs, are decontaminated before they can 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.

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 has been 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 to perform decontamination is necessary. A city or county may

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use a certified contractor if contaminated property is demolished, decontaminated, or removed.

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. Definitions are provided for an order— and for a warning—. Other technical changes are made.