

# SENATE BILL REPORT

## SHB 1163

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As Reported By Senate Committee On:  
Environmental Quality & Water Resources, March 30, 1999

**Title:** An act relating to the authority of local health jurisdictions regarding properties contaminated by toxic chemicals used in the manufacture of illegal drugs.

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

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

**Brief History:**

**Committee Activity:** Environmental Quality & Water Resources: 3/19/99, 3/30/99 [DPA].

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### SENATE COMMITTEE ON ENVIRONMENTAL QUALITY & WATER RESOURCES

**Majority Report:** Do pass as amended.

Signed by Senators Fraser, Chair; Eide, Vice Chair; Honeyford, Jacobsen, McAuliffe, Morton and Swecker.

**Staff:** Richard Rodger (786-7461)

**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. 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 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 of Amended Bill:** 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 use a certified contractor if contaminated property is demolished, decontaminated, or removed.

The Department of Health must adopt rules establishing decontamination 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.

**Amended Bill Compared to Substitute Bill:** The Department of Health is required to adopt rules instead of guidelines for a limited number of hazardous chemicals. Technical and clarifying changes are made.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This bill will help local governments by giving them more flexibility when dealing with meth lab cleanups. The house amendment raises some fiscal and procedural issues which we are willing to work on with the Senate.

**Testimony Against:** None.

**Testified:** PRO: Representative Cooper, prime sponsor; Bryan Peyton, Department of Health.