

SENATE BILL REPORT

SB 5106

As Passed Senate, March 10, 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: Senators Eide, Morton, Jacobsen, Goings, Winsley, Oke and Costa; by request of Department of Health.

Brief History:

Committee Activity: Environmental Quality & Water Resources: 2/18/99, 2/23/99 [DP]. Passed Senate, 3/10/99, 45-0.

SENATE COMMITTEE ON ENVIRONMENTAL QUALITY & WATER RESOURCES

Majority Report: Do pass.

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

Staff: Richard Rodger (786-7461)

Background: Properties contaminated with toxic residues left by chemicals used to manufacture illegal drugs must be 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, 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 officer must immediately post a notice on the premises.

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

Summary of 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 certified contractor to perform decontamination is necessary. A city or county

may 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.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This bill will allow local health officials to determine when a certified contractor is necessary for cleanup or to demolish a site contaminated by toxic residues left by illegal drug manufacturers. This flexibility is needed because different sites require different levels of cleanup. This bill will reduce the cost of cleanups and reduce the time it takes to complete the process.

Testimony Against: None.

Testified: PRO: Rafael Ojeda, HISPAC; Jim Chromey, WSP; Linda Oestereich, RHA of PC; Betti Bloom, Lewis County Rental Owners Association; Mary Seleckey, Secretary, DOH.