

DHS Drug Lab Cleanup Program

Guidance for Report Preparation and Submittal

Updated June 7, 2005

PURPOSE: This document is intended to provide licensed cleanup contractors the current guidance and recommendations for content and organization of the reports and information to be submitted for projects in the Drug Lab Cleanup Program with the Oregon Department of Human Services (DHS).

Adherence to these guidelines will assist you in providing the information and documentation required in Oregon Law at Oregon Revised Statutes (ORS) 453.855 to .995 and Oregon Administrative Rules (OAR) 333-040-0010 to -0230. However, any differences of interpretation or conflicts that may arise will be resolved based on the applicable ORS and OAR citations. Some DHS policy issues may be changed without notice.

RELATIONSHIP BETWEEN DHS AND LICENSED CONTRACTORS: DHS provides training and coordinates the licensing process for drug lab cleanup and sampling contractors. However, contractors are not agents of the State or DHS, but are independent businesses that must maintain appropriate licenses, bonds, insurance, records, etc. Each contractor must establish appropriate relationships with their clients and abide by ethical and professional standards. DHS conducts periodic field visits and verification of work by contractors, and investigates and documents contractor files when there are complaints.

Licensed contractors are professionals who are expected to be thorough and consistent in their evaluations and documentation of activities related to drug lab properties. Contractors must present the facts related to a site, as well as their professional recommendations and opinions.

USE OF THIS DOCUMENT: This document contains the review checklists DHS uses in evaluating the adequacy of Site Assessments, Work Plans, and Final Reports. These are intended for internal use by DHS, and contractors are welcome to use them internally as well. **Contractors should not submit these checklists to DHS.** However, we recommend that the topics, data, and information in the various reports be ordered and presented consistently with the topics and items on the checklists. By using a format, order, and content of reports that is consistent with the review process, the review can be simplified and there should be much less need to request additional information and addendums to the reports.

The checklist for each report will be presented, followed by a brief discussion of the topics we recommended to be included in that report. The content of these reports vary slightly from the content discussed in the rules at OAR 333-040-0070, but are consistent with the intent to provide a complete and well-documented assessment of the property, a comprehensive work plan for cleanup of drug lab related contamination, and thorough final documentation that the cleanup was completed.

There are four forms that are required to be submitted along with the detailed reports. They are being posted by June 30, 2005, at <http://oregon.gov/DHS/ph/druglab/docs.shtml>, on the 'Publications' page of the DHS Drug Lab Cleanup Program website. Other forms and documents may be added in the future. The forms are:

1. DECONTAMINATION CONTRACTOR'S SITE ASSESSMENT form
2. DECONTAMINATION WORK PLAN REVIEW REQUEST form
3. DECONTAMINATION CONTRACTOR'S WORK PLAN document (Revised in June 2005)
4. APPLICATION FOR CERTIFICATE AND AFFIDAVIT OF COMPLETION AND COMPLIANCE form

Items 1, 2, and 4 must be submitted with the DHS fee payments to the DHS Cashier's Office, and a copy of the form and the check included at the front of the report submitted to the DHS Drug Lab Cleanup Program. Please use only the current forms, as they contain the correct fund codes to process the payments. Item 3 should be completed and inserted at the front of the detailed work plan report.

SITE ASSESSMENT REVIEW CHECKLIST

Drug Lab Address: _____

Contractor Performing Site Assessment: _____

Date of Initial Review: _____

- Admin**
 - Site Assessment Form in
 - Fee (\$300) in

- Site Information**
 - Property owner name and full address
 - Property Legal Description: Township N/S, Range E/W, Section, Tax Lot # **OR** Lot, Block, Addition
 - Summary of police information Lab location within property _____
 - Directions or Excellent maps

- All Structures**
 - Number, type, and description
 - Floor/wall/ceiling construction & surface described
 - Type of HVAC _____

<u>Y</u>	<u>N</u>	
<input type="checkbox"/>	<input type="checkbox"/>	Special Ceilings – Acoustic/popcorn
<input type="checkbox"/>	<input type="checkbox"/>	Attic?
<input type="checkbox"/>	<input type="checkbox"/>	Crawl space/partial basement?
<input type="checkbox"/>	<input type="checkbox"/>	Connections between adjacent units (apartment/motel/duplex)?

- Contents of Structures**
 - All appliances listed
 - Furniture
 - Personal belongings
 - Misc. equipment/tools

- Grounds Inspection and Evaluation**
 - Water Supply: city well wellhead checked
 - Sewer System: city septic/cesspool
 - Checked soil & vegetation for evidence of disposal
 - Vehicles, trailers, campers listed and described
 - Vehicles posted _____

<u>Y</u>	<u>N</u>	
<input type="checkbox"/>	<input type="checkbox"/>	Barrels/cylinders/containers
<input type="checkbox"/>	<input type="checkbox"/>	Household garbage/trash?
<input type="checkbox"/>	<input type="checkbox"/>	Chemicals or cylinders?
<input type="checkbox"/>	<input type="checkbox"/>	Burn pile, barrel, or ashes?
<input type="checkbox"/>	<input type="checkbox"/>	Spring or surface water on property?

- Diagrams**
 - Site plot – scale or distances, with North indicator
 - Floor plans for each structure with scale (or dimensions of each room/area) and North indicator
 - All sample locations on floor plans
 - All structures, well, septic, vehicles, etc. on site plot
 - Spills, stains, damage (fire, etc.) indicated

- Sampling Results**
 - Copy of laboratory test pages
 - Discussion of results and significance
 - Protocols for each type of sample taken
 - Chain of custody records

- Findings**

<u>Y</u>	<u>N</u>	
<input type="checkbox"/>	<input type="checkbox"/>	Odors?
<input type="checkbox"/>	<input type="checkbox"/>	Air monitoring?
<input type="checkbox"/>	<input type="checkbox"/>	Fire?
<input type="checkbox"/>	<input type="checkbox"/>	Hazards?
<input type="checkbox"/>	<input type="checkbox"/>	High or low pH?

<u>Y</u>	<u>N</u>	
<input type="checkbox"/>	<input type="checkbox"/>	Lived in since bust?
<input type="checkbox"/>	<input type="checkbox"/>	Evidence of cleaning?
<input type="checkbox"/>	<input type="checkbox"/>	Observable contamination, staining, damage
<input type="checkbox"/>	<input type="checkbox"/>	Photos of property, all structures, rooms, conditions, pre-sampling locations, vehicles, etc

Comments

SITE ASSESSMENT AND TOPIC AREAS

The Site Assessment for a drug lab property is intended to fully evaluate the current conditions and information about the property and drug lab contamination prior to any cleanup activities. The property is determined to be unfit for use by the police agency, and that determination normally means that all of the land, structures, and contents are considered contaminated until assessed and decontaminated. The Site Assessment is the basis for the development of the work plan to decontaminate the property and assure it is safe for use.

The assessment must be thorough and address all likely concerns associated with the drug lab activity and the spread of contamination. The checklist cannot cover every issue that may arise for a property, so contractors must use their professional skills and experience to thoroughly evaluate and describe the conditions and apparent contamination at the property under these or any additional topics. The evaluation must include all areas and structures on the property, unless the police agency specifically limited the scope of the determination.

Admin: This typically includes the Site Assessment form and the DHS fee.

Site Information: This gives the details of property ownership, legal description (used for the Certificate of Fitness), and how to locate the site (DHS may visit at any time during the process). The summary of police information is usually obtained from DHS and is important to understand where on the property the activity occurred so the assessment can be especially thorough in those areas.

All Structures: All of the structures at a property must be evaluated and documented, including type of construction and any special conditions that may influence cleanup methods. All areas such as attics, crawl spaces, outbuildings, etc. must be fully investigated as the suspects typically try to place materials and wastes where they are less likely to be discovered. The type of heating system is [particularly important as contamination is spread by the movement of air to other rooms. It is especially important to identify any air connections or contamination pathways to other living areas where people could be exposed to contamination.

Contents of Structures: After the structures are described, the contents must be described and evaluated, both inside buildings as well as areas around the grounds. Particular note should be made of items such as appliances, tools, or furniture items that may need special consideration in the work plan.

Grounds Inspection and Evaluation: All utility and environmental issues must be evaluated for risk of contamination or damage. If there is a well, the wellhead must be checked for tampering or signs of waste disposal. The soils and grounds or acreage must be checked for evidence of dumping or improper disposal. Ponds or streams must be checked. Common problems such as burn piles or barrels, containers, gas cylinders, and garbage likely associated with the drug lab must be evaluated. Vehicles or other mobile items must also be evaluated for storage of chemicals or other lab-related hazards such as needles.

Diagrams: A series of maps, site plots, floor plans, and sketches are important to describe and document the layout of the property, to accurately identify mobile items, and to clarify the locations of staining, sampling, and other details important to the understanding of the property and necessary work to be accomplished.

Sampling Results: The sampling data and documentation must be complete and logical. If there are unusual circumstances or changes from normal procedures, they must be identified and explained.

Findings: The findings for the property are basically a brief discussion that the listed items and other similar issues that may be pertinent to the contamination and work plan have been evaluated and understood. Photos should always be in color, and are very important in documenting existing conditions and any special items or areas that will be compared after the cleanup has been completed. A good picture really is worth 1000 words.

Comments: Please describe, discuss, or explain any other special conditions, circumstances, or issues pertinent to the Site Assessment and the preparation of a Work Plan for the property. Share understanding, not just facts.

WORK PLAN REVIEW CHECKLIST

Drug Lab Address: _____

Contractor Performing Site Assessment: _____

Date of Initial Review: _____

Admin

- Site Assessment in, information complete
- Review Request Form in

- \$900 fee in
- Summary of test results, significance

Yes **No** **Items for Property Transfer**

- Items listed and approved

Additional sampling required? Yes No

Decontamination Procedures Proposed

- Number of washes/rinses, detergents, tools
- What removed (justified)
- Ceilings (if special handling– popcorn, acoustical)
- Attics,
- Crawl spaces, dirt floors, partial basement
- Encapsulation needs justification, product information, application information, MSDSs
- Adjacent rooms/apartments (cross-contamination via ducting, etc.)
- Address all structures on site or supply *justification* for not sampling/removing
- Major appliances – saved or disposed
- Furnishings, effects to be salvaged/tested
- HVAC – ducting, filter/filter area
- Sinks/basins cleaned or removed
- Demolition Asbestos survey

Disposal

- Contents of debris
- Secure debris if held overnight

Post-Cleanup Sampling **Box checked?** **Yes** **No**

- List of sampling sites (if *different* from initial contaminated sites)

Environmental Concerns

Soil contamination to be removed Yes No Septic to be pumped Yes No

Owner-Assisted Cleanup **OAR 333-040-0065 (2) criteria**

- Methamphetamine was the only drug manufactured Yes No
- Ephedrine-red P or ephedrine-sodium/lithium methods only Yes No
- Manufacturing occurred after 1994 Yes No
- No apparent drug contamination, filth, debris, or biohazards present Yes No
- No drug-lab-related fire occurred Yes No
- OAR 3330404-0065(4) Owner not involved in unauthorized cleaning/removal Yes No
- ORS 164.255 (2) (c) – Owner not involved in illegal activity / lived in property Yes No
- Owner Cleanup Proposed Yes No Approved Yes No (explain if No)

Approved by: _____

Date: _____

Comments

Special conditions for approval: _____

WORK PLAN AND TOPIC AREAS

The Work Plan is a description of the specific actions that will be taken to remove all debris and household items, decontaminate the structures, and take confirmatory samples that will show the contamination has been removed to below the established cleanup levels. It is important to remember that all items and surfaces within a property determined to be “unfit for use” are considered contaminated until either being tested or going through a decontamination procedure.

Accordingly, the Work Plan must be thorough and detailed to cover all structures, items, and surfaces at the property. It must also address any vehicles, burn piles, soil contamination, and other issues necessary to render the site safe to again be used.

Admin: The Site Assessment must be available and is normally reviewed along with the Work Plan. The form, the work plan document, and the fee must be included. We recommend a brief summary of the scope of contamination at the property that the work plan is addressing.

Items for Property Transfer: Any items to be cleaned and kept by tenants or property owners must be listed and approved for property transfer. This can be a separate action from the work plan and we try to provide quick turn-around for property transfers. It takes some discretion and evaluation to decide what items can be and/or are appropriate for decontamination. At times it will be necessary to sample specialty items or a composite from multiple items to increase confidence that the decontamination is effective.

Decontamination Procedures Proposed: This where the basics of the decontamination process are summarized. Some contractors reference a standard procedure that is included as an attachment, then discuss any specific variations based on the specifics of the property. Clarify what steps will be used to handle unusual items or conditions. It is acceptable to describe an alternative approach of the first fails – for example to seal a stained area if it cannot be removed by cleaning. Be sure that all contamination concerns and identified risks from the Site Assessment are addressed.

Disposal: Describe the general contents of what is being disposed, and specific details about anything unusual. If debris is left unattended or overnight, it must be secured in a dumpster with a locking lid – a tarp is not adequate security. Be sure to disable any items that may otherwise be a temptation for someone to salvage and become exposed to contamination.

Post-Cleanup Sampling: The check box on the Work Plan document indicates that all locations that were above cleanup standards in the per-sampling will be post-sampled to assure adequate decontamination was achieved. If there are variations from this approach, describe the proposed post-sampling in detail.

Environmental Concerns: In addition to the actions within the structures, be sure to describe activities to reduce environmental risks – such as removing any contaminated soils or ashes from burn piles, pumping the septic tank, removing threats from next to creeks or ponds, etc.

Owner-Assisted Cleanup: The rules provide for the property owner to assist with cleanup of the property under certain circumstances. This must be requested and specifically approved by DHS. A one-page form is expected by June 30 to be completed by the property owner as part of that request. The checklist references criteria that must be considered, but DHS has the choice whether to approve owner-assistance based on the facts of the case. If owner assistance is approved, the licensed contractor takes on the responsibility for the safety of the owner during the cleanup and must provide effective training, supervision, and control of the site to maintain safety. Additionally, the contractor, not the owner, must certify in the affidavit that the work plan was followed and the property is adequately cleaned. The contractor must maintain adequate oversight and presence to ascertain complete cleanup.

Comments: Be sure to discuss any details or issues that are pertinent to the successful decontamination of the property. Handling of vehicles, demolition of structures, etc. must all be clearly spelled out in the Work Plan.

FINAL REPORT CHECKLIST

- Admin**
 - Application and affidavit form
 - Fee (\$200)
- Documentation Submitted**
 - Summary of work completed, conclusions
 - Disposal receipts for all materials, debris, vehicles
 - Final sample locations, results, data, chain of custody
 - Water/sewer bills or septic pumping receipt
 - Photos of property, all structures, rooms, special conditions, post-sampling locations, etc.

FINAL REPORT

The final report provides the documentation that the Work Plan was completed as approved. Any variations from the approved plan should have been coordinated with DHS during the decontamination work and documented in the final report. Any issues pertinent to the cleanup and use of the property must be discussed and documented so a Certificate of Fitness can be issued.

Admin: The affidavit form must be signed by the licensed supervisor who was at the property and in control of the site. The fee also must be included.

Documentation Submitted: There should be a brief summary of the work completed, including any unexpected issues and how they were resolved. The post-sampling results and documentation need to be presented, as well as good photo documentation of the final conditions at the property. Highlight any areas of concern. Receipts must be included for all items and wastes disposed. Finally, a receipt for the pumping of the septic tank must be attached, or water/sewer bills for the property to ascertain it is on city water/sewer. This documentation is what will be referred to in the future if questions should arise related to the cleanup of the property, so be sure it is thorough and complete.

VEHICLES

The same process, forms, and issues apply to vehicles being decontaminated, although the Work plan Review fee is less. The concerns are more limited, but the goal of assuring a final condition with no contamination above the cleanup levels must still be achieved.

DHS is examining options to simplify and reduce the costs associated with cleaning and reusing or streamlining the salvage/disposal/recycling options for vehicles not intended to be reused.

DHS CONTACTS

The DHS Drug Lab Cleanup Program may be contacted in several ways. The program receptionist can be reached at 971-673-0429 for administrative questions or to be connected to an available technical specialist. Technical specialists can be reached through the receptionist, at their direct numbers, or via email. There tends to be a heavy volume of telephone calls, so please leave detailed questions and site information so we can respond more effectively.

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