

# **Methamphetamine-Affected Property Cleanup Regulations (6 CCR 1014-3)**

**Colorado Department of Public Health And Environment  
Hazardous Materials and Waste Management Division**



**COLORADO**  
Department of Public  
Health & Environment

# Controlling Statutes

- Section 25-18.5-101 through 109, C.R.S.
  - meth lab cleanup requirements
  - training and certification requirements
- Section 38-35.7-103, C.R.S.
  - real estate disclosure requirements
  - testing conducted by an industrial hygienist
  - testing in accordance with Board rules





# Cleanup Statute

- Owners of meth contaminated property must:
  - decontaminate to meet cleanup standards, or
  - demolish the contaminated property
- Cleanup standards established by Board of Health
  - the meth cleanup regulations (6 CCR 1014-3)
- Owners are required to restrict access to properties
- Contaminated properties are public health nuisances
- Governing bodies may establish cleanup oversight programs



# Illegal Drug Laboratory

“the areas where controlled substances...have been manufactured, process, cooked, disposed of, used, or stored and all proximate areas that are likely to be contaminated as a result of the manufacturing, processing, cooking, disposal, use or storage.”

**Note:** Section 25-18.5-102, C.R.S directs the Board of Health to promulgate requirements for “*illegal drug laboratories involving methamphetamine*”





# Assessments

- Must be conducted by a Consultant
- Screening Level Assessment – real estate transactions
  - if contamination above 0.2 ug/100 cm<sup>2</sup> must conduct PA
  - **cannot be used as the basis for decontamination**
- Preliminary Assessment
  - Provides information needed for cleanup decisions
  - **cannot conduct decontamination until completed**
- Post-Decontamination
  - Contractors can pre-sample to determine cleanup status
  - Final samples must be collected by Consultant



# Sampling

- Must be conducted by a Consultant
- Wipe samples collected from 100 cm<sup>2</sup> surface area
  - 400 cm<sup>2</sup> per room , attic, crawl space and ventilation system
  - composite samples allowed within room, attic or crawl space
- Personal property
  - composite sample by type of material in a room
    - porous, non-porous, textiles/fabrics
  - discrete samples from interior of major appliances
    - ranges, cooktops, ovens, microwaves, refrigerators



# Limited Exposure Area

- Area that is not used, or intended to be used, as a living space or part of a ventilation system:
  - attics
  - crawl spaces
  - wall cavities not used as duct runs
- Applies to areas that area LEAs prior to demo and will be re-established as an LEA after clearance:
  - ceiling/attic floor removal
  - wall removal
    - ⇒ interior of room still needs to meet living space standard



# Painted-Over Surfaces

- Surface that was painted:
  - after contamination-causing activities have stopped
  - prior to the discovery of a meth-affected property
- Consultant – determine concentration below paint by:
  - sampling representative unpainted surfaces
  - sampling POS with methanol
- If concentration meets painted-over surface standard:
  - clean room to remove contamination on all surfaces
  - encapsulate POSs with oil based paint using spraying on method
  - no clearance sampling required for POSs after encapsulation
    - clearance sampling may be required for other surfaces in room





# Decontamination

- Must be overseen by a Decontamination Supervisor
- Must involve physical removal of contamination
  - detergent water wash or bulk removal
  - no chemical treatment
  - no use of corrosives or caustic agents
- Disposal:
  - debris as solid waste
  - wash water as solid waste or discharge to sanitary sewer
    - after pH test and approval from POTW
  - other liquids and chemicals require a HW determination

# Decontamination

- Personal property:
  - Must be decontaminated or disposed of
  - After decontamination, no clearance sampling required for visually clean:
    - hard, non-porous household goods
      - excludes ranges, cooktops, ovens, microwaves, refrigerators
    - clothing and linens
    - Must document decontamination conducted as required
  - Clearance sampling is required for porous & semi-porous items not included above





# Decontamination

- Encapsulation is not allowed, except:
  - after clearance standard has been met
  - for painted-over surfaces that meet standard
- Variances may be granted to allow encapsulation in limited circumstances, such as:
  - structural components that can't be removed
    - must make reasonable attempts to decontaminate
  - ACM that can't be removed and can't be decontaminated without disturbance

# Variance Procedure

- Contractors and Consultants may request variance
  - Contractor for decontamination procedures
  - Consultant for sampling and assessment
- Process outlined in Section 10:
  - cite section from which variance is sought
  - explain basis for request
  - provide supporting documentation
  - describe how intent of requirement will be met
- Department response in 10 days or less





# Asbestos and Meth

Meth contaminated asbestos containing material:

- Removal, disturbance or abatement must be conducted by workers that are:
  - certified to conduct asbestos abatement, and
  - certified to conduct meth decontamination
- Clearance of containment by AMS as usual
  - no meth certification required for AMS
- Dispose of meth contaminated ACM as asbestos waste

# Reporting

- Screening Assessment Report - Consultant
  - no certification statement
  - submit within 30 days of assessment
- Preliminary Assessment Report - Consultant
  - Consultant certification statement
  - submit within 30 days of completion
- Post-Decontamination Report - joint
  - Contractor - Decontamination Summary Report
    - Supervisor certification statement
  - Consultant - sampling results, certification statement
  - submit within 30 days of completion





# Certification Requirements

- Individuals must:
  - attend an approved training course
  - have current HAZWOPER training
  - pass a test with 70% or higher
- Consultant must:
  - be an industrial hygienist (IH) as defined by Colorado Statute (24-30-1402, C.R.S.)
- Companies must:
  - use only certified workers
  - ensure regulation is followed



# Training Requirements

- Course categories and length
  - Consultant - 24 hours
  - Contractor
    - Supervisor – 24 hours
    - Worker – 16 hours
  - 8 hr refresher every 2 years
- Ventilation Contractor - 4 hours
  - certificates valid indefinitely
    - must comply with HAZWOPER
  - no refresher required





# Testing

- Must score 70% or higher to pass
- Consultant Test – 70 questions
  - 99% pass rate
- Supervisor Test – 70 questions
  - 75 % pass rate (1<sup>st</sup> try)
    - Retest - 82% pass rate
      - If fail, may qualify for worker certification
- Worker Test – 50 questions
  - 60% pass rate (1<sup>st</sup> try)
    - Retest – 60% pass rate

# Fees

- Consultant - \$600 for 2 years
- Decontamination Worker – \$300 for 2 years
- Decontamination Supervisor - \$600 for 2 years
- Firms (all categories) - \$1,000 for 2 years
- Training Provider (per class) - \$750 for 3 years
- Instructor - \$200 for 2 years
- Retesting (all disciplines) - \$100
- ID replacement - \$25





# Additional Information

Department Web Site:

<https://www.colorado.gov/pacific/cdphe/methlabcleanup>

Report submittal:

[cdphe\\_methlabdocuments@state.co.us](mailto:cdphe_methlabdocuments@state.co.us)



# Contacts

Colleen Brisnehan

(303) 692-3357

[colleen.brisnehan@state.co.us](mailto:colleen.brisnehan@state.co.us)

Rick Mruz

(303) 692-3332

[richard.mruz@state.co.us](mailto:richard.mruz@state.co.us)

