

In the Senate of the United States,

December 9 (legislative day, December 8), 2006.

Resolved, That the bill from the House of Representatives (H.R. 798) entitled “An Act to provide for a research program for remediation of closed methamphetamine production laboratories, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Methamphetamine Re-*

3 *mediation Research Act of 2006”.*

1 **SEC. 2. FINDINGS.**

2 *Congress finds that—*

3 *(1) methamphetamine use and production is*
4 *growing rapidly throughout the United States;*

5 *(2) some materials and chemical residues re-*
6 *maining from the production of methamphetamine*
7 *pose novel environmental problems in locations in*
8 *which methamphetamine laboratories have been*
9 *closed;*

10 *(3) there has been little standardization of meas-*
11 *ures for determining when the site of a former meth-*
12 *amphetamine laboratory has been successfully remedi-*
13 *ated;*

14 *(4)(A) initial cleanup actions are generally lim-*
15 *ited to removal of hazardous substances and contami-*
16 *nated materials that pose an immediate threat to*
17 *public health or the environment; and*

18 *(B) it is not uncommon for significant levels of*
19 *contamination to be found throughout residential*
20 *structures in which methamphetamine has been man-*
21 *ufactured, partially because of a lack of knowledge of*
22 *how to achieve an effective cleanup;*

23 *(5)(A) data on methamphetamine laboratory-re-*
24 *lated contaminants of concern are very limited;*

25 *(B) uniform cleanup standards do not exist; and*

1 (C) procedures for sampling and analysis of con-
2 taminants need to be researched and developed; and

3 (6) many States are struggling with establishing
4 assessment and remediation guidelines and programs
5 to address the rapidly expanding number of meth-
6 amphetamine laboratories being closed each year.

7 **SEC. 3. VOLUNTARY GUIDELINES.**

8 (a) *ESTABLISHMENT OF VOLUNTARY GUIDELINES.*—
9 Not later than 1 year after the date of enactment of this
10 Act, the Administrator of the Environmental Protection
11 Agency (referred to in this Act as the “Administrator”), in
12 consultation with the National Institute of Standards and
13 Technology, shall establish voluntary guidelines, based on
14 the best available scientific knowledge, for the remediation
15 of former methamphetamine laboratories, including guide-
16 lines regarding preliminary site assessment and the remedi-
17 ation of residual contaminants.

18 (b) *CONSIDERATIONS.*—In developing the voluntary
19 guidelines under subsection (a), the Administrator shall
20 consider, at a minimum—

21 (1) relevant standards, guidelines, and require-
22 ments found in Federal, State, and local laws (in-
23 cluding regulations);

24 (2) the varying types and locations of former
25 methamphetamine laboratories; and

1 (3) *the expected cost of carrying out any pro-*
2 *posed guidelines.*

3 (c) *STATES.—*

4 (1) *IN GENERAL.—The voluntary guidelines*
5 *should be designed to assist State and local govern-*
6 *ments in the development and the implementation of*
7 *legislation and other policies to apply state-of-the-art*
8 *knowledge and research results to the remediation of*
9 *former methamphetamine laboratories.*

10 (2) *ADOPTION.—The Administrator shall work*
11 *with State and local governments and other relevant*
12 *non-Federal agencies and organizations, including*
13 *through the conference described in section 5, to pro-*
14 *mote and encourage the appropriate adoption of the*
15 *voluntary guidelines.*

16 (d) *UPDATING THE GUIDELINES.—The Administrator*
17 *shall periodically update the voluntary guidelines as the*
18 *Administrator, in consultation with States and other inter-*
19 *ested parties, determines to be appropriate to incorporate*
20 *research findings and other new knowledge.*

21 **SEC. 4. RESEARCH PROGRAM.**

22 (a) *IN GENERAL.—The Administrator shall establish*
23 *a program of research to support the development and revi-*
24 *sion of the voluntary guidelines described in section 3.*

25 (b) *RESEARCH.—The research shall—*

1 (1) *identify methamphetamine laboratory-related*
2 *chemicals of concern;*

3 (2) *assess the types and levels of exposure to*
4 *chemicals of concern identified under paragraph (1),*
5 *including routine and accidental exposures, that may*
6 *present a significant risk of adverse biological effects;*

7 (3) *identify the research efforts necessary to bet-*
8 *ter address biological effects and to minimize adverse*
9 *human exposures;*

10 (4) *evaluate the performance of various meth-*
11 *amphetamine laboratory cleanup and remediation*
12 *techniques; and*

13 (5) *support other research priorities identified by*
14 *the Administrator, in consultation with States and*
15 *other interested parties.*

16 **SEC. 5. TECHNOLOGY TRANSFER CONFERENCE.**

17 (a) *CONFERENCE.—*

18 (1) *IN GENERAL.—Not later than 180 days after*
19 *the date of enactment of this Act and at least every*
20 *third year thereafter, the Administrator shall convene*
21 *a conference of appropriate State agencies, individ-*
22 *uals, and organizations involved in research and*
23 *other activities directly relating to the environmental*
24 *or biological impacts of former methamphetamine lab-*
25 *oratories.*

1 (2) *FORUM.*—*The conference should be a forum*
2 *for—*

3 (A) *the Administrator to provide informa-*
4 *tion on the guidelines developed under section 3*
5 *and on the latest findings from the research pro-*
6 *gram described in section 4; and*

7 (B) *non-Federal participants to provide in-*
8 *formation on the problems and needs of States*
9 *and localities and their experience with guide-*
10 *lines developed under section 3.*

11 (b) *REPORT.*—

12 (1) *IN GENERAL.*—*Not later than 90 days after*
13 *the date of each conference, the Administrator shall*
14 *submit to Congress a report that summarizes the pro-*
15 *ceedings of the conference, including a summary of*
16 *any recommendations or concerns raised by the non-*
17 *Federal participants in that conference and how the*
18 *Administrator intends to respond to the recommenda-*
19 *tions or concerns.*

20 (2) *PUBLIC AVAILABILITY.*—*The Administrator*
21 *shall make each report widely available to the general*
22 *public.*

23 **SEC. 6. RESIDUAL EFFECTS STUDY.**

24 (a) *STUDY.*—*Not later than 180 days after the date*
25 *of enactment of this Act, the Administrator shall offer to*

1 *enter into an arrangement with the National Academy of*
2 *Sciences under which the National Academy of Sciences*
3 *shall conduct a study of the status and quality of research*
4 *on the residual effects of methamphetamine laboratories.*

5 (b) *CONTENT.*—*The study shall identify research gaps*
6 *and recommend an agenda for the research program de-*
7 *scribed in section 4, with particular attention to the need*
8 *for research on the impacts of methamphetamine labora-*
9 *tories on—*

10 (1) *the residents of buildings in which such labo-*
11 *ratories are, or were, located, with particular em-*
12 *phasis given to biological impacts on children; and*

13 (2) *first responders.*

14 (c) *REPORT.*—*Not later than 90 days after the date*
15 *of completion of the study, the Administrator shall submit*
16 *to Congress a report describing the manner in which the*
17 *Administrator will use the results of the study to carry out*
18 *the activities described in sections 3 and 4.*

19 **SEC. 7. METHAMPHETAMINE DETECTION RESEARCH AND**
20 **DEVELOPMENT PROGRAM.**

21 *The Director of National Institute of Standards and*
22 *Technology, in consultation with the Administrator, shall*
23 *support a research program to develop—*

1 (1) *new methamphetamine detection technologies,*
2 *with emphasis on field test kits and site detection;*
3 *and*

4 (2) *appropriate standard reference materials and*
5 *validation procedures for methamphetamine detection*
6 *testing.*

7 **SEC. 8. SAVINGS CLAUSE.**

8 *Nothing in this Act modifies or otherwise affects the*
9 *regulatory authority of the Environmental Protection Agen-*
10 *cy.*

11 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) *ENVIRONMENTAL PROTECTION AGENCY.—There is*
13 *authorized to be appropriated to the Administrator to carry*
14 *out this Act \$1,750,000 for each of fiscal years 2007 and*
15 *2008.*

16 (b) *NATIONAL INSTITUTE OF STANDARDS AND TECH-*
17 *NOLOGY.—There is authorized to be appropriated to the Di-*
18 *rector of the National Institute of Standards and Tech-*
19 *nology to carry out this Act \$750,000 for each of fiscal years*
20 *2007 and 2008.*

Attest:

Secretary.

109TH CONGRESS
2^D SESSION

H. R. 798

AMENDMENT