

109TH CONGRESS  
1ST SESSION

# H. R. 798

To provide for a research program for remediation of closed methamphetamine production laboratories, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2005

Mr. GORDON (for himself, Mr. CALVERT, Mr. BOEHLERT, Mr. DAVIS of Tennessee, Mr. JENKINS, Ms. WOOLSEY, Mr. COOPER, Mr. CASE, Mr. ETHERIDGE, Mr. BAIRD, Mr. WU, Mr. LARSEN of Washington, Mr. MATHESON, Mr. BOSWELL, Mr. LATHAM, Mr. COSTELLO, Mr. MCINTYRE, Mr. UDALL of Colorado, Mr. CRAMER, Ms. BORDALLO, Mr. MELANCON, Mr. AL GREEN of Texas, Mr. CARNAHAN, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. SOUDER) introduced the following bill; which was referred to the Committee on Science

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## A BILL

To provide for a research program for remediation of closed methamphetamine production laboratories, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

### 3   **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Methamphetamine Re-  
5       mediation Research Act of 2005”.

### 6   **SEC. 2. FINDINGS.**

7       The Congress finds the following:

1           (1) Methamphetamine use and production is  
2           growing rapidly throughout the United States.

3           (2) Materials and residues remaining from the  
4           production of methamphetamine pose novel environ-  
5           mental problems in locations where methamphet-  
6           amine laboratories have been closed.

7           (3) There has been little standardization of  
8           measures for determining when the site of a closed  
9           methamphetamine laboratory has been successfully  
10          remediated.

11          (4) Initial cleanup actions are generally limited  
12          to removal of hazardous substances and contami-  
13          nated materials that pose an immediate threat to  
14          public health or the environment. It is not uncom-  
15          mon for significant levels of contamination to be  
16          found throughout residential structures after a  
17          methamphetamine laboratory has closed, partially  
18          because of a lack of knowledge of how to achieve an  
19          effective cleanup.

20          (5) Data on methamphetamine laboratory-re-  
21          lated contaminants of concern are very limited, and  
22          cleanup standards do not currently exist. In addi-  
23          tion, procedures for sampling and analysis of con-  
24          taminants need to be researched and developed.

1           (6) Many States are struggling with estab-  
2       lishing remediation guidelines and programs to ad-  
3       dress the rapidly expanding number of methamphet-  
4       amine laboratories being closed each year.

5   **SEC. 3. VOLUNTARY GUIDELINES.**

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

17       (b) CONSIDERATIONS.—In developing the voluntary  
18   guidelines under subsection (a), the Assistant Adminis-  
19   trator shall consider, at a minimum—

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

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

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

3       (c) STATES.—The voluntary guidelines should be de-  
4       signed to assist State and local governments in the devel-  
5       opment and the implementation of legislation and other  
6       policies to apply state-of-the-art knowledge and research  
7       results to the remediation of former methamphetamine  
8       laboratories. The Assistant Administrator shall work with  
9       State and local governments and other relevant non-Fed-  
10      eral agencies and organizations, including through the  
11      conference described in section 5, to promote and encour-  
12      age the appropriate adoption of the voluntary guidelines.

13      (d) UPDATING THE GUIDELINES.—The Assistant  
14      Administrator shall periodically update the voluntary  
15      guidelines as the Assistant Administrator, in consultation  
16      with States and other interested parties, determines to be  
17      necessary and appropriate to incorporate research findings  
18      and other new knowledge.

19      **SEC. 4. RESEARCH PROGRAM.**

20      The Assistant Administrator shall establish a pro-  
21      gram of research to support the development and revision  
22      of the voluntary guidelines described in section 3. Such  
23      research shall—

24           (1) identify methamphetamine laboratory-re-  
25      lated chemicals of concern;

1           (2) assess the types and levels of exposure to  
2           chemicals of concern identified under paragraph (1),  
3           including routine and accidental exposures, that may  
4           present a significant risk of adverse biological ef-  
5           fects, and the research necessary to better address  
6           biological effects and to minimize adverse human ex-  
7           posures;

8           (3) evaluate the performance of various meth-  
9           amphetamine laboratory cleanup and remediation  
10          techniques; and

11          (4) support other research priorities identified  
12          by the Assistant Administrator in consultation with  
13          States and other interested parties.

14 **SEC. 5. TECHNOLOGY TRANSFER CONFERENCE.**

15          (a) CONFERENCE.—Not later than 90 days after the  
16          date of enactment of this Act, and at least every third  
17          year thereafter, the Assistant Administrator shall convene  
18          a conference of appropriate State agencies, as well as indi-  
19          viduals or organizations involved in research and other ac-  
20          tivities directly related to the environmental, or biological  
21          impacts of former methamphetamine laboratories. The  
22          conference should be a forum for the Assistant Adminis-  
23          trator to provide information on the guidelines developed  
24          under section 3 and on the latest findings from the re-  
25          search program described in section 4, and for the non-

1 Federal participants to provide information on the prob-  
2 lems and needs of States and localities and their experi-  
3 ence with guidelines developed under section 3.

4 (b) REPORT.—Not later than 3 months after each  
5 conference, the Assistant Administrator shall submit a re-  
6 port to the Congress that summarizes the proceedings of  
7 the conference, including a summary of any recommenda-  
8 tions or concerns raised by the non-Federal participants  
9 and how the Assistant Administrator intends to respond  
10 to them. The report shall also be made widely available  
11 to the general public.

12 **SEC. 6. RESIDUAL EFFECTS STUDY.**

13 (a) STUDY.—Not later than 6 months after the date  
14 of enactment of this Act, the Assistant Administrator shall  
15 enter into an arrangement with the National Academy of  
16 Sciences for a study of the status and quality of research  
17 on the residual effects of methamphetamine laboratories.  
18 The study shall identify research gaps and recommend an  
19 agenda for the research program described in section 4.  
20 The study shall pay particular attention to the need for  
21 research on the impacts of methamphetamine laboratories  
22 on—

23 (1) the residents of buildings where such lab-  
24 oratories are, or were, located, with particular em-  
25 phasis given to biological impacts on children; and

1 (2) first responders.

2 (b) REPORT.—Not later than 3 months after the  
3 completion of the study, the Assistant Administrator shall  
4 transmit to Congress a report on how the Assistant Ad-  
5 ministrator will use the results of the study to carry out  
6 the activities described in sections 3 and 4.

7 **SEC. 7. METHAMPHETAMINE DETECTION RESEARCH AND**  
8 **DEVELOPMENT PROGRAM.**

9 The Director of National Institute of Standards and  
10 Technology, in consultation with the Assistant Adminis-  
11 trator, shall support a research program to develop—

12 (1) new methamphetamine detection tech-  
13 nologies, with emphasis on field test kits and site de-  
14 tection; and

15 (2) appropriate standard reference materials  
16 and validation procedures for methamphetamine de-  
17 tection testing.

18 **SEC. 8. SAVINGS CLAUSE.**

19 Nothing in this Act shall be construed to add to or  
20 limit the regulatory authority of the Environmental Pro-  
21 tection Agency.

22 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

23 (a) ENVIRONMENTAL PROTECTION AGENCY.—There  
24 are authorized to be appropriated to the Environmental

1 Protection Agency to carry out this Act \$3,000,000 for  
2 each of the fiscal years 2006 through 2009.

3 (b) NATIONAL INSTITUTE OF STANDARDS AND  
4 TECHNOLOGY.—There are authorized to be appropriated  
5 to the National Institute of Standards and Technology to  
6 carry out this Act \$1,500,000 for each of the fiscal years  
7 2006 through 2009.

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