

109TH CONGRESS
1ST SESSION

H. R. 798

IN THE SENATE OF THE UNITED STATES

DECEMBER 14, 2005

Received; read twice and referred to the Committee on Environment and
Public Works

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. FINDINGS.**

5 The Congress finds the following:

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

8 (2) Some materials and chemical residues re-
9 maining from the production of methamphetamine
10 pose novel environmental problems in locations
11 where methamphetamine laboratories have been
12 closed.

13 (3) There has been little standardization of
14 measures for determining when the site of a former
15 methamphetamine laboratory has been successfully
16 remediated.

17 (4) Initial cleanup actions are generally limited
18 to removal of hazardous substances and contami-
19 nated materials that pose an immediate threat to
20 public health or the environment. It is not uncom-
21 mon for significant levels of contamination to be
22 found throughout residential structures where meth-
23 amphetamine has been manufactured, partially be-
24 cause of a lack of knowledge of how to achieve an
25 effective cleanup.

1 (5) Data on methamphetamine laboratory-re-
2 lated contaminants of concern are very limited, and
3 uniform cleanup standards do not currently exist. In
4 addition, procedures for sampling and analysis of
5 contaminants need to be researched and developed.

6 (6) Many States are struggling with estab-
7 lishing assessment and remediation guidelines and
8 programs to address the rapidly expanding number
9 of methamphetamine laboratories being closed each
10 year.

11 SEC. 3. VOLUNTARY GUIDELINES.

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

23 (b) CONSIDERATIONS.—In developing the voluntary
24 guidelines under subsection (a), the Assistant Adminis-
25 trator shall consider, at a minimum—

1 (1) relevant standards, guidelines, and require-
2 ments found in Federal, State, and local laws and
3 regulations;

4 (2) the varying types and locations of former
5 methamphetamine laboratories; and

6 (3) the expected cost of carrying out any pro-
7 posed guidelines.

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

18 (d) UPDATING THE GUIDELINES.—The Assistant
19 Administrator shall periodically update the voluntary
20 guidelines as the Assistant Administrator, in consultation
21 with States and other interested parties, determines to be
22 necessary and appropriate to incorporate research findings
23 and other new knowledge.

1 **SEC. 4. RESEARCH PROGRAM.**

2 The Assistant Administrator shall establish a program of research to support the development and revision 3 of the voluntary guidelines described in section 3. Such 4 research shall—

5 (1) identify methamphetamine laboratory-related 6 chemicals of concern;

7 (2) assess the types and levels of exposure to 8 chemicals of concern identified under paragraph (1), 9 including routine and accidental exposures, that may 10 present a significant risk of adverse biological effects;

11 (3) identify the research efforts necessary to 12 better address biological effects and to minimize adverse 13 human exposures;

14 (4) evaluate the performance of various methamphetamine 15 laboratory cleanup and remediation techniques; and

16 (5) support other research priorities identified 17 by the Assistant Administrator in consultation with 18 States and other interested parties.

19 **SEC. 5. TECHNOLOGY TRANSFER CONFERENCE.**

20 (a) CONFERENCE.—Not later than 180 days after the 21 date of enactment of this Act, and at least every third 22 year thereafter, the Assistant Administrator shall convene 23 a conference of appropriate State agencies, as well as indi-

1 1 viduals or organizations involved in research and other ac-
2 2 tivities directly related to the environmental, or biological
3 3 impacts of former methamphetamine laboratories. The
4 4 conference should be a forum for the Assistant Adminis-
5 5 trator to provide information on the guidelines developed
6 6 under section 3 and on the latest findings from the re-
7 7 search program described in section 4, and for the non-
8 8 Federal participants to provide information on the prob-
9 9 lems and needs of States and localities and their experi-
10 10 ence with guidelines developed under section 3.

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

19 **SEC. 6. RESIDUAL EFFECTS STUDY.**

20 (a) STUDY.—Not later than 6 months after the date
21 of enactment of this Act, the Assistant Administrator shall
22 enter into an arrangement with the National Academy of
23 Sciences for a study of the status and quality of research
24 on the residual effects of methamphetamine laboratories.
25 The study shall identify research gaps and recommend an

1 agenda for the research program described in section 4.
2 The study shall pay particular attention to the need for
3 research on the impacts of methamphetamine laboratories
4 on—

5 (1) the residents of buildings where such lab-
6 oratories are, or were, located, with particular em-
7 phasis given to biological impacts on children; and
8 (2) first responders.

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

14 **SEC. 7. METHAMPHETAMINE DETECTION RESEARCH AND**
15 **DEVELOPMENT PROGRAM.**

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

19 (1) new methamphetamine detection tech-
20 nologies, with emphasis on field test kits and site de-
21 tection; and

22 (2) appropriate standard reference materials
23 and validation procedures for methamphetamine de-
24 tection testing.

1 **SEC. 8. SAVINGS CLAUSE.**

2 Nothing in this Act shall be construed to add to or
3 limit the regulatory authority of the Environmental Pro-
4 tection Agency.

5 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

6 (a) ENVIRONMENTAL PROTECTION AGENCY.—There
7 are authorized to be appropriated to the Environmental
8 Protection Agency to carry out this Act \$3,000,000 for
9 each of the fiscal years 2006 through 2009.

10 (b) NATIONAL INSTITUTE OF STANDARDS AND
11 TECHNOLOGY.—There are authorized to be appropriated
12 to the National Institute of Standards and Technology to
13 carry out this Act \$1,500,000 for each of the fiscal years
14 2006 through 2009.

Passed the House of Representatives December 13,
2005.

Attest:

KAREN L. HAAS,

Clerk.