

110TH CONGRESS
1ST SESSION

H. R. 365

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 10, 2007

Mr. GORDON of Tennessee (for himself, Mr. HALL of Texas, Mr. WU, and Mr. CALVERT) introduced the following bill; which was referred to the Committee on Science and Technology

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 2007”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

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

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

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

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

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

23 (6) Many States are struggling with estab-
24 lishing remediation guidelines and programs to ad-

1 dress the rapidly expanding number of methamphet-
2 amine laboratories being closed each year.

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

4 (a) ESTABLISHMENT OF VOLUNTARY GUIDELINES.—
5 Not later than one year after the date of enactment of
6 this Act, the Administrator of the Environmental Protec-
7 tion Agency (in this Act referred to as the “Adminis-
8 trator”), in consultation with the National Institute of
9 Standards and Technology, shall establish voluntary
10 guidelines, based on the best currently available scientific
11 knowledge, for the remediation of former methamphet-
12 amine laboratories, including guidelines regarding prelimi-
13 nary site assessment and the remediation of residual con-
14 taminants.

15 (b) CONSIDERATIONS.—In developing the voluntary
16 guidelines under subsection (a), the Administrator shall
17 consider, at a minimum—

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

21 (2) the varying types and locations of former
22 methamphetamine laboratories; and

23 (3) the expected cost of carrying out any pro-
24 posed guidelines.

1 (c) STATES.—The voluntary guidelines should be de-
2 signed to assist State and local governments in the devel-
3 opment and the implementation of legislation and other
4 policies to apply state-of-the-art knowledge and research
5 results to the remediation of former methamphetamine
6 laboratories. The Administrator shall work with State and
7 local governments and other relevant non-Federal agencies
8 and organizations, including through the conference de-
9 scribed in section 5, to promote and encourage the appro-
10 priate adoption of the voluntary guidelines.

11 (d) UPDATING THE GUIDELINES.—The Adminis-
12 trator shall periodically update the voluntary guidelines as
13 the Administrator, in consultation with States and other
14 interested parties, determines to be necessary and appro-
15 priate to incorporate research findings and other new
16 knowledge.

17 **SEC. 4. RESEARCH PROGRAM.**

18 The Administrator shall establish a program of re-
19 search to support the development and revision of the vol-
20 untary guidelines described in section 3. Such research
21 shall—

22 (1) identify methamphetamine laboratory-re-
23 lated chemicals of concern;

24 (2) assess the types and levels of exposure to
25 chemicals of concern identified under paragraph (1),

1 including routine and accidental exposures, that may
2 present a significant risk of adverse biological ef-
3 fects, and the research necessary to better address
4 biological effects and to minimize adverse human ex-
5 posures;

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

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

12 **SEC. 5. TECHNOLOGY TRANSFER CONFERENCE.**

13 (a) CONFERENCE.—Not later than 90 days after the
14 date of enactment of this Act, and at least every third
15 year thereafter, the Administrator shall convene a con-
16 ference of appropriate State agencies, as well as individ-
17 uals or organizations involved in research and other activi-
18 ties directly related to the environmental, or biological im-
19 pacts of former methamphetamine laboratories. The con-
20 ference should be a forum for the Administrator to provide
21 information on the guidelines developed under section 3
22 and on the latest findings from the research program de-
23 scribed in section 4, and for the non-Federal participants
24 to provide information on the problems and needs of

1 States and localities and their experience with guidelines
2 developed under section 3.

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

10 **SEC. 6. RESIDUAL EFFECTS STUDY.**

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

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

24 (2) first responders.

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

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

8 The Director of National Institute of Standards and
9 Technology, in consultation with the Administrator, shall
10 support a research program to develop—

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

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

17 **SEC. 8. SAVINGS CLAUSE.**

18 Nothing in this Act shall be construed to affect or
19 limit the application of, or any obligation to comply with,
20 any State or Federal environmental law or regulation, in-
21 cluding the Comprehensive Environmental Response,
22 Compensation, and Liability Act of 1980 (42 U.S.C. 9601
23 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901
24 et seq.).

1 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) ENVIRONMENTAL PROTECTION AGENCY.—There
3 are authorized to be appropriated to the Environmental
4 Protection Agency to carry out this Act \$1,750,000 for
5 each of the fiscal years 2007 and 2008.

6 (b) NATIONAL INSTITUTE OF STANDARDS AND
7 TECHNOLOGY.—There are authorized to be appropriated
8 to the National Institute of Standards and Technology to
9 carry out this Act \$750,000 for each of the fiscal years
10 2007 and 2008.

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