

## Union Calendar No. 3

110TH CONGRESS  
1ST SESSION

# H. R. 365

[Report No. 110-8]

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

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

FEBRUARY 7, 2007

Additional sponsors: Ms. HOOLEY, Mr. MATHESON, Ms. JACKSON-LEE of Texas, Mr. LARSEN of Washington, Mr. LEWIS of Kentucky, Mr. UDALL of Colorado, Ms. GIFFORDS, Mr. REICHERT, Mr. MCINTYRE, Ms. BERKLEY, Mr. EHLERS, Mr. LATHAM, Ms. WOOLSEY, Mr. BOSWELL, Mr. MCCAUL of Texas, Mr. UPTON, Mr. COSTELLO, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HINOJOSA, Mr. MCHUGH, Ms. ZOE LOFGREN of California, Mrs. MYRICK, Mr. CHANDLER, Mr. WALDEN of Oregon, Mr. SMITH of Nebraska, Mr. ROTHMAN, Mr. CARNAHAN, Mr. BAIRD, Mr. HILL, Mr. LOEBSACK, Mr. HARE, Mr. ARCURI, Mr. SPACE, Mr. COHEN, Mr. TIAHRT, Ms. MATSUI, Mr. ENGLISH of Pennsylvania, Mr. ABERCROMBIE, Mr. ELLSWORTH, Mr. BRALEY of Iowa, Mr. MOORE of Kansas, Mr. MARKEY, Mr. TERRY, Mr. DONNELLY, Mr. MCNERNEY, Mr. ROSS, Ms. HERSETH, Ms. HIRONO, Mr. BERRY, Mr. MELANCON, Mr. MICHAUD, Mr. CRAMER, Mr. HALL of New York, Mrs. TAUSCHER, Ms. SUTTON, Mr. BOREN, Mr. DEFAZIO, Mr. BERMAN, Mr. JOHNSON of Georgia, Mr. LIPINSKI, Mr. FILNER, Mr. MCDERMOTT, Mr. DOGGETT, Mr. OBERSTAR, Mr. CARNEY, Mr. SESTAK, Mr. SALAZAR, Mr. STUPAK, Mr. CUELLAR, Mr. MEEHAN, Mr. LANTOS, Mr. GEORGE MILLER of California, Ms. CLARKE, Mr. COSTA, Mr. ENGEL, Mr. GRIJALVA, Mr. ETHERIDGE, Mr. VAN HOLLEN, Mr. BOUCHER, Ms. CORRINE BROWN of Florida, Mr. ORTIZ, Mr. LINCOLN DAVIS of Tennessee, Mr. COOPER, Mr. AL GREEN of Texas, Mr. SHULER, Mr. WALZ of Minnesota, Mr. INSLEE, Mr. KIND, Mr. DOYLE, Mr. RODRIGUEZ, Mr. HOLT, Mr. UDALL of New

Mexico, Mr. WELCH of Vermont, Ms. SHEA-PORTER, Mr. BLUMENAUER, Mr. CUMMINGS, Mr. BARROW, Mr. BACA, Mr. CAPUANO, Mr. CLEAVER, Mr. MITCHELL, Mr. GONZALEZ, Ms. BORDALLO, Ms. LORETTA SANCHEZ of California, Mr. KAGEN, Mr. SHERMAN, Ms. WATSON, Mr. YARMUTH, Mr. BRADY of Pennsylvania, Mr. WILSON of Ohio, Mrs. MALONEY of New York, Mrs. CHRISTENSEN, Mr. PETERSON of Minnesota, Mrs. BOYDA of Kansas, Mr. BOOZMAN, Mr. OBEY, Mr. HOLDEN, Ms. KILPATRICK of Michigan, and Ms. MCCOLLUM of Minnesota

FEBRUARY 7, 2007

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

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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 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.

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

1           (3) There has been little standardization of  
2 measures for determining when the site of a closed  
3 methamphetamine laboratory has been successfully  
4 remediated.

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

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

19           (6) Many States are struggling with estab-  
20 lishing remediation guidelines and programs to ad-  
21 dress the rapidly expanding number of methamphet-  
22 amine laboratories being closed each year.

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

24           (a) ESTABLISHMENT OF VOLUNTARY GUIDELINES.—  
25 Not later than one year after the date of enactment of

1 this Act, the Administrator of the Environmental Protec-  
2 tion Agency (in this Act referred to as the “Adminis-  
3 trator”), in consultation with the National Institute of  
4 Standards and Technology, shall establish voluntary  
5 guidelines, based on the best currently available scientific  
6 knowledge, for the remediation of former methamphet-  
7 amine laboratories, including guidelines regarding prelimi-  
8 nary site assessment and the remediation of residual con-  
9 taminants.

10 (b) CONSIDERATIONS.—In developing the voluntary  
11 guidelines under subsection (a), the Administrator shall  
12 consider, at a minimum—

13 (1) relevant standards, guidelines, and require-  
14 ments found in Federal, State, and local laws and  
15 regulations;

16 (2) the varying types and locations of former  
17 methamphetamine laboratories; and

18 (3) the expected cost of carrying out any pro-  
19 posed guidelines.

20 (c) STATES.—The voluntary guidelines should be de-  
21 signed to assist State and local governments in the devel-  
22 opment and the implementation of legislation and other  
23 policies to apply state-of-the-art knowledge and research  
24 results to the remediation of former methamphetamine  
25 laboratories. The Administrator shall work with State and

1 local governments and other relevant non-Federal agencies  
2 and organizations, including through the conference de-  
3 scribed in section 5, to promote and encourage the appro-  
4 priate adoption of the voluntary guidelines.

5 (d) UPDATING THE GUIDELINES.—The Adminis-  
6 trator shall periodically update the voluntary guidelines as  
7 the Administrator, in consultation with States and other  
8 interested parties, determines to be necessary and appro-  
9 priate to incorporate research findings and other new  
10 knowledge.

11 **SEC. 4. RESEARCH PROGRAM.**

12 The Administrator shall establish a program of re-  
13 search to support the development and revision of the vol-  
14 untary guidelines described in section 3. Such research  
15 shall—

16 (1) identify methamphetamine laboratory-re-  
17 lated chemicals of concern;

18 (2) assess the types and levels of exposure to  
19 chemicals of concern identified under paragraph (1),  
20 including routine and accidental exposures, that may  
21 present a significant risk of adverse biological ef-  
22 fects, and the research necessary to better address  
23 biological effects and to minimize adverse human ex-  
24 posures;

1           (3) evaluate the performance of various meth-  
2           amphetamine laboratory cleanup and remediation  
3           techniques; and

4           (4) support other research priorities identified  
5           by the Administrator in consultation with States and  
6           other interested parties.

7 **SEC. 5. TECHNOLOGY TRANSFER CONFERENCE.**

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

22          (b) REPORT.—Not later than 3 months after each  
23          conference, the Administrator shall submit a report to the  
24          Congress that summarizes the proceedings of the con-  
25          ference, including a summary of any recommendations or

1 concerns raised by the non-Federal participants and how  
2 the Administrator intends to respond to them. The report  
3 shall also be made widely available to the general public.

4 **SEC. 6. RESIDUAL EFFECTS STUDY.**

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

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

18 (2) first responders.

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

1 **SEC. 7. METHAMPHETAMINE DETECTION RESEARCH AND**  
2 **DEVELOPMENT PROGRAM.**

3 The Director of National Institute of Standards and  
4 Technology, in consultation with the Administrator, shall  
5 support a research program to develop—

6 (1) new methamphetamine detection tech-  
7 nologies, with emphasis on field test kits and site de-  
8 tection; and

9 (2) appropriate standard reference materials  
10 and validation procedures for methamphetamine de-  
11 tection testing.

12 **SEC. 8. SAVINGS CLAUSE.**

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

20 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

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

25 (b) NATIONAL INSTITUTE OF STANDARDS AND  
26 TECHNOLOGY.—There are authorized to be appropriated

1 to the National Institute of Standards and Technology to  
2 carry out this Act \$750,000 for each of the fiscal years  
3 2007 and 2008.

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110<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

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