



Department of  
**Environment &  
Conservation**

**METH LAB CLEANUP**  
Rule Changes and Other Updates  
Division of Remediation

2018

# PUBLIC CHAPTER 855 of the ACTS of 2004

## The Curtiss / Burks CML Quarantine Act

- PASSED: May 20, 2004
- APPROVED: June 8, 2004
- EFFECTIVE: July 1, 2004



# “Clandestine Meth Lab Quarantine Law”

## T.C.A. § 68-212- Part 5

- Title 68 – Health, Safety, and Environmental Protection
- Chapter 212 – Hazardous Waste Management
- Part 5 – Property Where Methamphetamine Manufactured
- <http://www.lexisnexis.com/hottopics/tncode/>

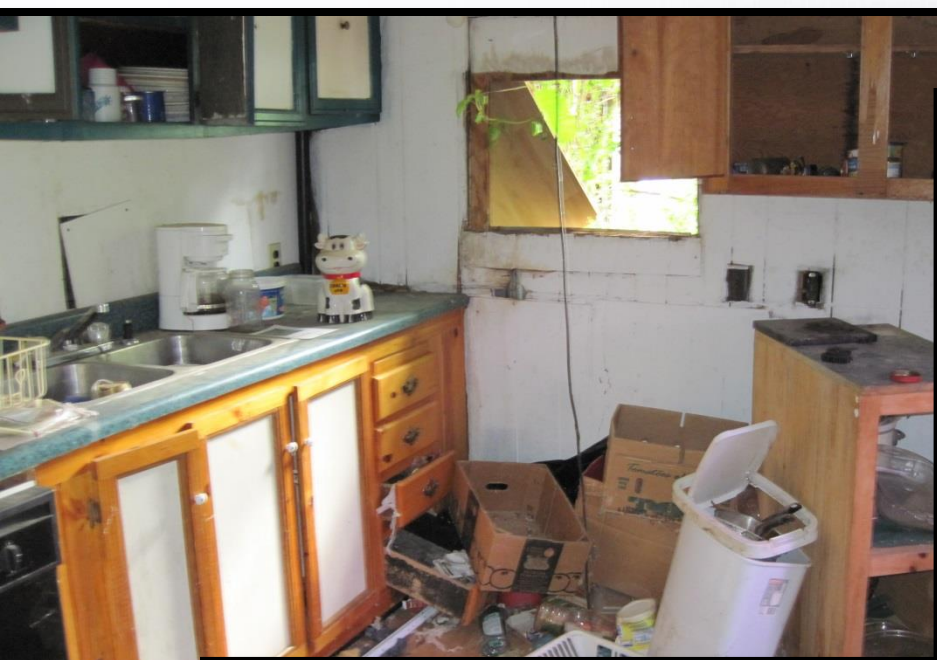










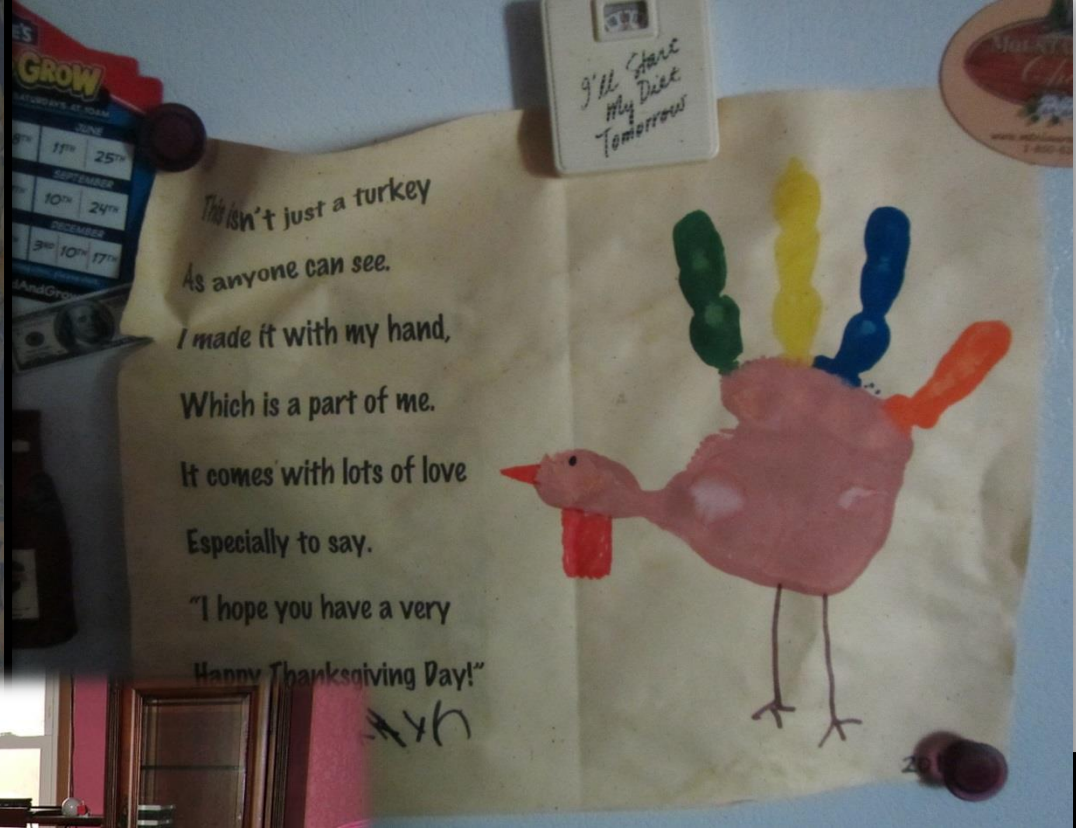


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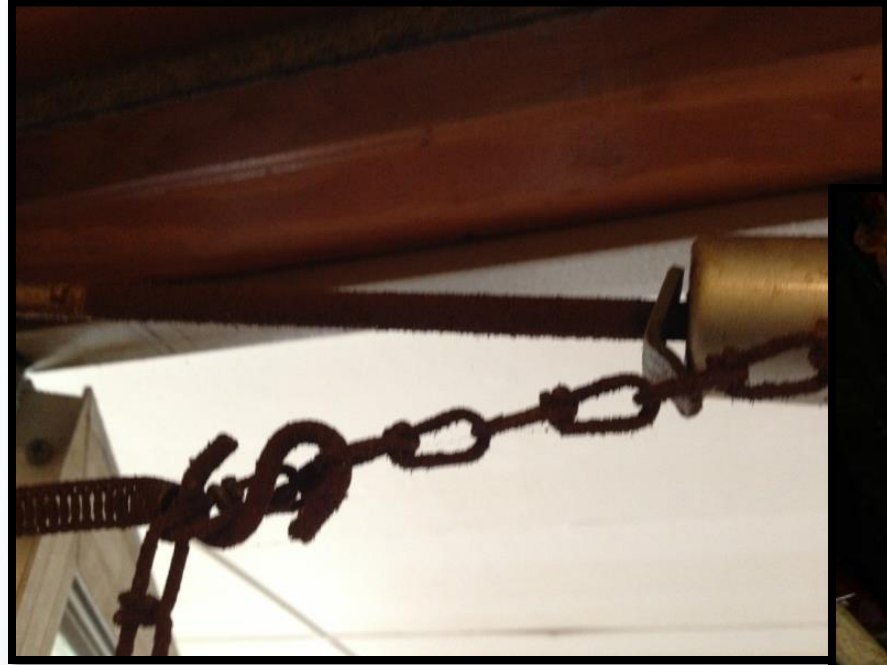














## 68-212-504. RULES

The commissioner is authorized to promulgate rules concerning the inspection, testing, and quarantine of property affected by this part.



RULES  
OF  
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
DIVISION OF SUPERFUND

CHAPTER 1200-1-19  
STANDARDS FOR TESTING AND CLEANING QUARANTINED CLANDESTINE  
DRUG MANUFACTURING SITES

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**1200-1-19-.01 STANDARDS FOR DETERMINING LIVING SPACE SAFE FOR HUMAN USE.**

- (1) Methamphetamine shall not exceed .1 microgram /100cm<sup>2</sup> on any hard surfaces.
- (2) Volatile Organic Compounds shall not exceed 1ppm in air as measured under normal inhabitable ventilation conditions.
- (3) If it is determined that lead or mercury were used in the lab process, the standard for cleanup of lead on any surface shall not exceed 40ug/ft<sup>2</sup>, and mercury shall not exceed 50 nanograms/m<sup>3</sup> for indoor air. Lead acetate and mercuric chloride are used in the Amalgam process that uses phenylpropanone (P2P). This process is not commonly used, but may occasionally be encountered.

*Authority: T.C.A. §§4-5-201 et seq. and 68-212-501 et seq. Administrative History: Original rule filed November 5, 2004; effective January 19, 2005.*

**1200-1-19-.02 USE OF QUALIFIED PROFESSIONALS FOR SAMPLING AND CLEANUP.**

- (1) Samples shall be collected and interpreted by a professional certified by the Commissioner as being able to perform the services of an industrial hygienist. Any person holding a certification from the American Board of Industrial Hygienists as a Certified Industrial Hygienist is deemed certified by this rule as being able to perform these services. Other persons who have the qualifications as industrial hygienists under TCA § 62-40-101 may make a written request to the Commissioner to be included on the list of persons or entities entitled to perform the services of industrial hygienists for the purposes of these rules.
- (2) Clean up of properties shall be performed by a professional or company certified by the Commissioner as being able to perform the services of cleaning up sites used to manufacture methamphetamines. Any person holding a certification from the American Board of Industrial Hygienist as a Certified Industrial Hygienist is deemed certified by this rule as being able to perform clean up services at these sites. Other persons may make a written request to the Commissioner seeking certification to perform these services.

*Authority: T.C.A. §§68-212-501 et seq.; T.C.A. §§4-5-201 et seq. Administrative History: Original rule filed November 5, 2004; effective January 19, 2005.*





The cleanup standard for methamphetamine on “any hard surface” was set at  $0.1 \mu\text{g}/100 \text{ cm}^2$

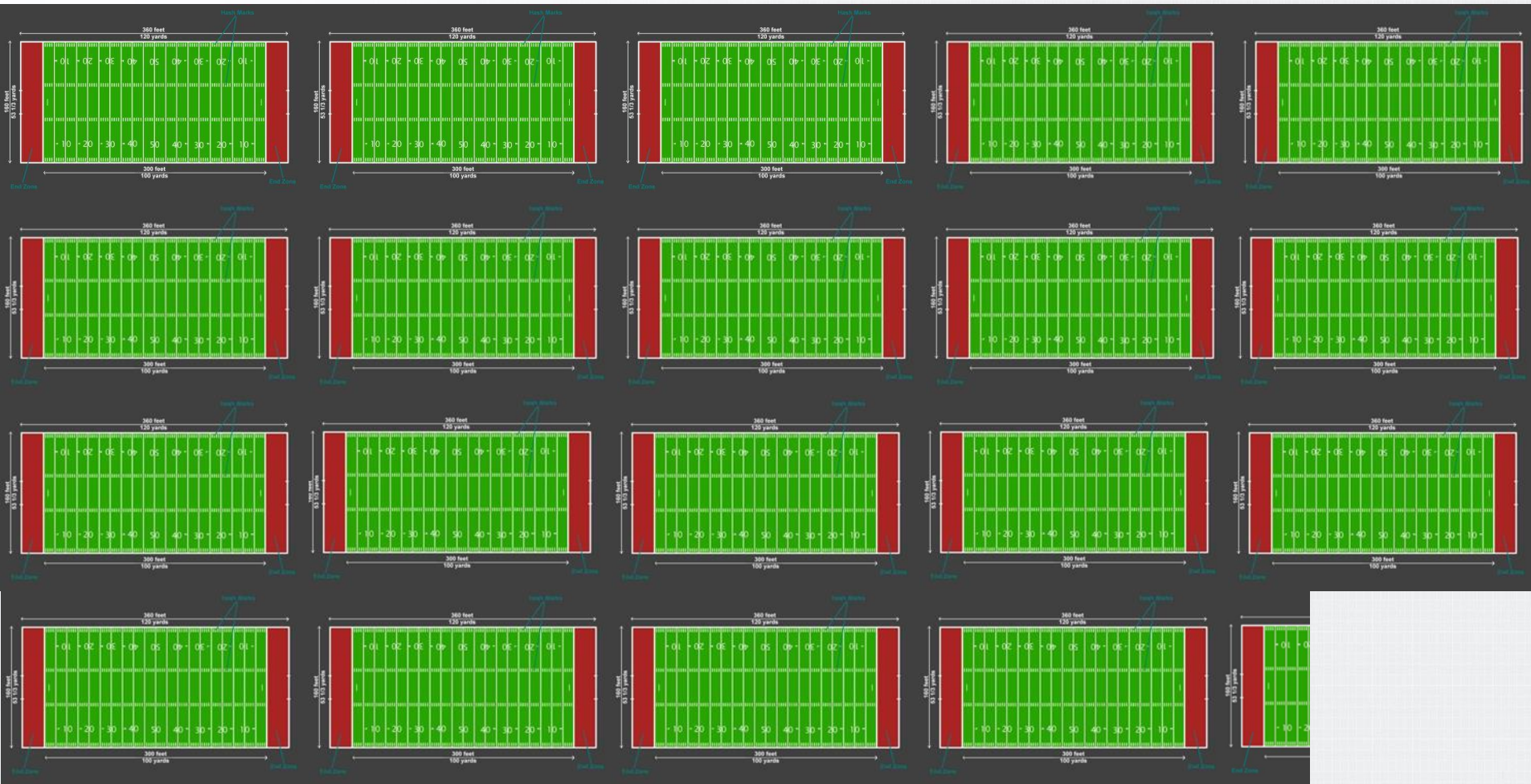
One Sweet'N Low packet is equal to 1 gram

$0.1 \mu\text{g}/100 \text{ cm}^2$  is equivalent to spreading that one gram packet over an area 25 acres in size



OR.....





## 19 ¼ Football Fields

In 2009, the State of California developed a risk-based standard of  $1.5 \mu\text{g}/100 \text{ cm}^2$  considering *post-abatement* residential exposure to a 6-24 month old infant/toddler



Tennessee is moving away from the 0.1  $\mu\text{g}$  as a cleanup standard for methamphetamine in favor of the 1.5  $\mu\text{g}$  health based standard

- The standard is 1.5  $\mu\text{g}/100\text{ cm}^2$  for structures not meant for continuous human habitation
- The standards for Volatile Organic Compounds, Lead, and Mercury will remain the same

We are keeping the 0.10  $\mu\text{g}/100\text{ cm}^2$  as a screening concentration. If no pre-abatement samples are collected, the property is presumed contaminated

# Other Changes and Highlights

- Definitions Section
- Provision for salvaging and releasing “surfaces, items, articles, and materials” on a site specific basis





- Instituting Fees and Insurance
- Disciplinary Process detailed for Revocation or Suspension of Certification or Authorization for Specialists and Contractors

# Variance for Property Owner to Perform Remediation

- Owner can petition the State for authorization to clean up their property
  - Only under very specific circumstances
  - Must undergo training
  - Must hire a CIH or Specialist first
  - Certificate of Fitness is still required from a CIH or Specialist



# Certificate of Demolition for Disposal of Construction and Demolition Debris

- Issued by CIH or Specialist for properties scheduled for demolition
  - Will allow disposal of C&D debris (brick, sheetrock, wood, etc) in a Class IV landfill instead of a Class I
  - Must have representative samples  $<1.5 \mu\text{g}/100 \text{ cm}^2$  (pre- or post-abatement)
  - No staining, chemical contamination
  - Home contents removed and disposed of in Class I LF as appropriate

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