

## SUBCHAPTER 41D – METHAMPHETAMINE DECONTAMINATION

### SECTION .0100 – DECONTAMINATION OF METHAMPHETAMINE SITES

#### 10A NCAC 41D .0101 GENERAL

(a) The rules of this Subchapter implement the provisions of G.S.130A-284 by establishing decontamination standards for property that has been used for the manufacture of methamphetamine. The contaminated property shall not be occupied prior to decontamination of the property in accordance with these Rules.

(b) A responsible party shall, prior to habitation of the property:

- (1) perform a pre-decontamination assessment to determine the level of contamination and scope of remediation;
- (2) decontaminate the property; and
- (3) document the activities of this Paragraph. The Division shall develop a template that can be used for this purpose.

(c) As used in this Subchapter the term "responsible party" means an owner, lessee, operator, or other person in control of a residence or place of business or any structure appurtenant to a residence or place of business who has knowledge that the property has been used for the manufacture of methamphetamine.

(d) When law enforcement officials have posted a notice on property signifying that the property had been used as a clandestine methamphetamine laboratory, the law enforcement officials shall immediately notify the local health department of the presence of the laboratory. The local health department shall immediately inform the property owner of record or his agent that the property has been used as a methamphetamine laboratory, inform him that the property must be vacated, and inform him of the requirement placed upon a responsible party to remediate the property in accordance with these rules prior to the property being reoccupied.

*History Note: Authority G.S. 130A-284;  
Temporary Adoption Eff. January 1, 2005;  
Eff. April 1, 2005;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*

#### 10A NCAC 41D .0102 PRE-DECONTAMINATION ASSESSMENT

The responsible party shall conduct a pre-decontamination assessment in accordance with the following:

- (1) Contact hazardous materials (HAZMAT) team member(s) or law enforcement personnel to collect specific methamphetamine lab information including:
  - (a) the drugs manufactured;
  - (b) the chemicals found;
  - (c) the manufacture ("cook") recipes/methods used at the lab site;
  - (d) duration of lab operation;
  - (e) chemical equipment found; and
  - (f) the location of contaminated cooking and storage areas.
- (2) Determine whether the heating, ventilation, air conditioning (HVAC) system serves more than one unit or structure such as motels, apartments, row houses or multiple-family dwellings to determine whether contamination entered other residences or rooms.
- (3) Assess the plumbing system for visible contamination such as chemical etching or staining and for the presence of chemical odors coming from the drain.
- (4) Conduct a visual assessment of the severity of contamination inside and outside of the structure where the lab was located:
  - (a) document any visible chemical spills;
  - (b) assess adjacent rooms, units, apartments or structures for contamination, e.g. chemical odors, staining, chemical spills; and
  - (c) determine whether disposal methods used by the "cooks" at and near the lab site (e.g., dumping, burning, burial, venting, and drain disposal) caused contamination of soil, groundwater, on-site sewage disposal systems, or other environmental contamination.
- (5) Develop a plan for waste disposal in accordance with the rules and statutes administered by the North Carolina Department of Environment and Natural Resources, Division of Waste

- Management for materials removed from the structure and wastes produced during cleaning, including solid wastes, hazardous wastes, and household hazardous wastes.
- (6) Determine whether the severity and type of contamination creates a risk of explosion or fire and thereby requires disconnection of power sources to the structure until after decontamination is complete.
  - (7) Determine the necessary personal protective equipment needed for cleanup workers.
  - (8) Notify the local health director of potential contamination of septic systems, soil, or groundwater.
  - (9) Notify the lead law enforcement agency for the site if lab remnants or other evidence of methamphetamine manufacturing is discovered that may have been overlooked during bulk decontamination.
  - (10) Document and retain for three years findings of the pre-decontamination assessment and provide a copy to the local health department in accordance with Rule .0104 of this Section.

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#### **10A NCAC 41D .0103 DECONTAMINATION**

Decontamination shall be performed in accordance with the pre-decontamination assessment report prepared pursuant to .0102 of this Subchapter. The responsible party shall document all activities related to the cleanup and retain this documentation for three years. The cleanup shall include all of the items listed in this Rule.

- (1) Site ventilation shall include:
  - (A) not operating the HVAC system until cleanup is completed;
  - (B) venting the structure by opening doors and windows or using equipment such as fans, blowers and negative air machines for a minimum of two days prior to cleaning and throughout the cleanup process; and
  - (C) preventing vented contaminants from entering air intakes of adjacent structures.
- (2) Any syringes or other drug paraphernalia that may be contaminated with blood or other bodily fluids shall be disposed of in puncture proof containers.
- (3) Chemical remnants and spills shall be remediated as follows:
  - (A) determine pH of liquid spills with litmus (pH) paper;
  - (B) neutralize liquid acids and bases to a pH of 6 through 8;
  - (C) absorb liquids with a non-reactive material and package for waste disposal; and
  - (D) package solids for waste disposal.
- (4) Machine washable porous materials such as draperies, bed coverings, and clothing in rooms assessed as contaminated and rooms serviced by the same HVAC system as the room where methamphetamine was manufactured shall be washed two times with detergent and water or disposed of in accordance with the waste disposal plan. Non-machine washable porous materials, such as upholstered furniture and mattresses, in rooms assessed as contaminated and rooms serviced by the same HVAC system as the room where methamphetamine was manufactured shall be disposed of in accordance with the waste disposal plan. All carpeting in rooms serviced by the same HVAC system as the room where methamphetamine was manufactured and all carpet that is part of the same dwelling unit shall be disposed of in accordance with the waste disposal plan.
- (5) Plumbing and HVAC systems shall be remediated as follows:
  - (A) Plumbing fixtures that are visibly contaminated (chemical etching or staining or chemical odors present) beyond normal household wear and tear shall be removed and disposed, and the attached plumbing shall be flushed; plumbing fixtures that are not removed shall be cleaned; and
  - (2) HVAC systems shall have: all filters in the system replaced; supply diffusers and intake vents removed and cleaned; and the surfaces near system inlets and outlets cleaned. Any system that is constructed of non-porous material such as sheet metal or the equivalent shall be high efficiency particulate air (HEPA) vacuumed and washed two feet into the ductwork from the opening. Internally insulated ductwork shall be removed two feet from the opening and replaced.

- (6) All appliances (such as refrigerators, stoves, hot plates, microwaves, toaster ovens, and coffee makers) used in the manufacture of methamphetamine or storage of associated chemicals shall be disposed in accordance with the waste disposal plan. Appliances that are not used in the manufacture of methamphetamine shall be cleaned.
- (7) Ceilings, walls, floors and non-porous materials in rooms where methamphetamine was manufactured, rooms serviced by the same HVAC system as the room where methamphetamine was manufactured, and in other rooms assessed as contaminated shall be scrubbed using a household detergent solution and rinsed with clear water. Scrub and move non-porous materials to an area that is free of contamination. Then scrub the ceiling first, then the walls and then the floors. This procedure shall be repeated two additional times using fresh detergent solution and fresh rinse water with each cleaning of each surface (ceilings, walls, and floors). If a surface has visible contamination or staining, or if an odor emanates from a surface, that surface shall be rewashed, painted with a non-water based paint until the odor and visible contamination is no longer observable. If staining or odors persist the surface must be removed. After cleaning, room(s) used for the manufacture of methamphetamine shall have ceilings and walls painted with a non-water based paint. Resilient floor covering(s), such as sheet, laminate or tile vinyl, in the room(s) used for the manufacture of methamphetamine shall be removed and replaced or after cleaning, covered in place with new floor coverings. Ceramic or stone tiled surfaces, (floors, countertops, walls, or other ceramic or stone tiled surfaces) in the room(s) used for the manufacture of methamphetamine shall be removed after cleaning, re-glazed or have grout stained using an epoxy-based stain. Wooden materials (floors, walls, ceilings, cabinets, or other wooden materials) in the room(s) used for the manufacture of methamphetamine shall be removed or after cleaning, sealed with a non-water based coating.
- (8) After cleaning is complete, the property shall be aired out for at least three days to allow for remaining volatiles to disperse. Open all windows and use exhaust fans to exhaust air out of the house. During this time, the property shall remain off limits unless it is necessary to make visits to check on the site.
- (9) Outdoor cleanup shall be completed in accordance with applicable rules administered by the North Carolina Department of Environment and Natural Resources.

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#### **10A NCAC 41D .0104 POST-DECONTAMINATION**

The responsible party shall notify the local health department upon completion of the decontamination process. The responsible party shall provide a copy of the pre-decontamination assessment and the decontamination activity documentation to the local health department. The local health department shall review the documentation to determine if the responsible party has documented activities addressing all requirements of the rules. The health department shall immediately notify the responsible party in writing if it determines that the documentation is incomplete. The local health department shall retain this documentation for three years.

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#### **10A NCAC 41D .0105 ENFORCEMENT**

The local health department may inspect the property prior to, during or after decontamination to enforce the provisions of these Rules. The local health department may enforce the provisions of these Rules in accordance with G.S. 130A, Article 2.

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