AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

IB

Union Calendar No. 23

109TH CONGRESS
1ST SESSION

H. R. 798

[Report No. 109–42]

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

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2005

Mr. GORDON (for himself, Mr. CALVERT, Mr. BOEHLERT, Mr. DAVIS of Tennessee, Mr. JENKINS, Ms. WOOLSEY, Mr. COOPER, Mr. CASE, Mr. ETHERIDGE, Mr. BAIRD, Mr. WU, Mr. LARSEN of Washington, Mr. MATHESON, Mr. BOSWELL, Mr. LATHAM, Mr. COSTELLO, Mr. MCINTYRE, Mr. UDALL of Colorado, Mr. CRAMER, Ms. BORDALLO, Mr. MELANCON, Mr. AL GREEN of Texas, Mr. CARNAHAN, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. SOUDER) introduced the following bill; which was referred to the Committee on Science

APRIL 13, 2005

Additional sponsors: Mr. LATOURETTE, Mr. SCHWARZ of Michigan, Mr. TANNER, Mr. FORD, Mr. LIPINSKI, Ms. HOOLEY, Mr. COSTA, Mr. HONDA, Ms. JACKSON-LEE of Texas, Mr. GENE GREEN of Texas, Mr. BOREN, Mr. MILLER of North Carolina, Mr. COLE of Oklahoma, Mr. EHLERS, Mr. ENGLISH of Pennsylvania, Mr. WELDON of Pennsylvania, Mr. REICHERT, Mr. SODREL, Mr. SMITH of Washington, Mr. HINCHEY, Mr. BURTON of Indiana, Mr. GREEN of Wisconsin, Mr. SMITH of New Jersey, Mr. WALDEN of Oregon, Mrs. EMERSON, Mr. BERRY, Mr. REHBERG, Mrs. BLACKBURN, Mr. KENNEDY of Minnesota, Mr. MICHAUD, and Mr. LEWIS of Kentucky

APRIL 13, 2005

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on February 15, 2005]

A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Methamphetamine Remediation Research Act of 2005".

SEC. 2. FINDINGS.

The Congress finds the following:

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

(2) Some materials and chemical residues remaining from the production of methamphetamine pose novel environmental problems in locations where methamphetamine laboratories have been closed.

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

(4) Initial cleanup actions are generally limited to removal of hazardous substances and contaminated materials that pose an immediate threat to public health or the environment. It is not uncommon for significant levels of contamination to be found throughout residential structures where methamphetamine has been manufactured, partially because of a lack of knowledge of how to achieve an effective cleanup.

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

(6) Many States are struggling with establishing assessment and remediation guidelines and programs to address the rapidly expanding number of methamphetamine laboratories being closed each year.

SEC. 3. VOLUNTARY GUIDELINES.

(a) ESTABLISHMENT OF VOLUNTARY GUIDELINES.—Not later than one year after the date of enactment of this Act, the Assistant Administrator for Research and Development of the Environmental Protection Agency (in this Act referred to as the "Assistant Administrator"), in consultation with the National Institute of Standards and Tech-

nology, shall establish voluntary guidelines, based on the best currently available scientific knowledge, for the remediation of former methamphetamine laboratories, including guidelines regarding preliminary site assessment and the remediation of residual contaminants.

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

(1) relevant standards, guidelines, and requirements found in Federal, State, and local laws and regulations;

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

(3) the expected cost of carrying out any proposed guidelines.

(c) STATES.—The voluntary guidelines should be designed to assist State and local governments in the development and the implementation of legislation and other policies to apply state-of-the-art knowledge and research results to the remediation of former methamphetamine laboratories. The Assistant Administrator shall work with State and local governments and other relevant non-Federal agencies and organizations, including through the conference described in section 5, to promote and encourage the appropriate adoption of the voluntary guidelines.

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

SEC. 4. RESEARCH PROGRAM.

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

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

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

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

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

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

SEC. 5. TECHNOLOGY TRANSFER CONFERENCE.

(a) CONFERENCE.—Not later than 180 days after the date of enactment of this Act, and at least every third year thereafter, the Assistant Administrator shall convene a conference of appropriate State agencies, as well as individuals or organizations involved in research and other activities directly related to the environmental, or biological impacts of former methamphetamine laboratories. The conference should be a forum for the Assistant Administrator to provide information on the guidelines developed under section 3 and on the latest findings from the research program described in section 4, and for the non-Federal participants to provide information on the problems and needs of States and localities and their experience with guidelines developed under section 3.

(b) REPORT.—Not later than 3 months after each conference, the Assistant Administrator shall submit a report to the Congress that summarizes the proceedings of the conference, including a summary of any recommendations or concerns raised by the non-Federal participants and how the Assistant Administrator intends to respond to them. The

report shall also be made widely available to the general public.

SEC. 6. RESIDUAL EFFECTS STUDY.

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

(1) the residents of buildings where such laboratories are, or were, located, with particular emphasis given to biological impacts on children; and

(2) first responders.

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

SEC. 7. METHAMPHETAMINE DETECTION RESEARCH AND DEVELOPMENT PROGRAM.

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

(1) new methamphetamine detection technologies, with emphasis on field test kits and site detection; and

(2) appropriate standard reference materials and validation procedures for methamphetamine detection testing.

SEC. 8. SAVINGS CLAUSE.

Nothing in this Act shall be construed to add to or limit the regulatory authority of the Environmental Protection Agency.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

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

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

Union Calendar No. 23

109TH CONGRESS
1ST SESSION

H. R. 798

[Report No. 109–42]

A BILL

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

APRIL 13, 2005

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed