

Calendar No. 451

110TH CONGRESS
1ST SESSION**S. 635****[Report No. 110-207]**

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 15, 2007

Mr. BAUCUS (for himself, Mr. SMITH, and Mr. HARKIN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

OCTOBER 26, 2007

Reported by Mrs. BOXER, without amendment

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”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds the following:

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

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

9 (3) There has been little standardization of
10 measures for determining when the site of a closed
11 methamphetamine laboratory has been successfully
12 remediated.

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

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

1 (6) Many States are struggling with estab-
2 lishing remediation guidelines and programs to ad-
3 dress the rapidly expanding number of methamphet-
4 amine laboratories being closed each year.

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

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

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

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

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

1 (3) the expected cost of carrying out any pro-
2 posed guidelines.

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

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

19 **SEC. 4. RESEARCH PROGRAM.**

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

24 (1) identify methamphetamine laboratory-re-
25 lated chemicals of concern;

1 (2) assess the types and levels of exposure to
2 chemicals of concern identified under paragraph (1),
3 including routine and accidental exposures, that may
4 present a significant risk of adverse biological ef-
5 fects, and the research necessary to better address
6 biological effects and to minimize adverse human ex-
7 posures;

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

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

14 **SEC. 5. TECHNOLOGY TRANSFER CONFERENCE.**

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

1 to provide information on the problems and needs of
2 States and localities and their experience with guidelines
3 developed under section 3.

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

11 **SEC. 6. RESIDUAL EFFECTS STUDY.**

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

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

25 (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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