



Clandestine Drug Lab Program Guidance for Report Preparation and Submittal

Purpose

This document is intended to provide Licensed Clandestine Drug Lab (CDL) Contractors with guidance in the preparation of reports for the CDL Program.

Adhering to these guidelines will assist you in providing the information and documentation required in Oregon Revised Statutes (ORS) 453.855 to 995 and Oregon Administrative Rules (OAR) 333-040-0010 to 0230. However, differences of interpretation or conflicts may arise and these will be resolved based on the applicable ORSs and OARs. Some OHA policies may be changed without notice.

Relationship Between OHA and Licensed Contractors

OHA licenses Clandestine Drug Lab Firms, and provides training and certification of CDL Workers and Supervisors. CDL contractors are not agents of the State or OHA, but are independent businesses that must maintain appropriate licenses, bonds, insurance, records, etc. Each contractor must establish appropriate relationships with its clients and abide by ethical and professional standards. OHA conducts periodic field visits to verify work by contractors, and investigates and documents contractor files when there are complaints.

Licensed contractors are professionals who are expected to be thorough and consistent in their evaluation and documentation of activities related to drug lab properties.

Using this Document

This document contains the review checklists OHA uses in evaluating Site Assessments, Work Plans, and Applications for Certificates of Fitness. These are intended for internal use by OHA, and contractors are welcome to use them internally as well. **Contractors should not submit these checklists to OHA.** However, we recommend that the topics, data, and information in the various reports be ordered and

presented consistently with the topics and items on the checklists. The review process is simplified when contractors use a format, order, and content consistent with the review process for their reports, and there should be much less need to request additional information and addendums to the reports.

In this document the checklist for each report is followed by a brief discussion of the topics we recommend including in that report. The content of these reports vary slightly from the content discussed in the rules at OAR 333-040-0070, but are consistent with the intent to provide a complete and well-documented assessment of properties, a comprehensive Work Plan for cleaning up drug lab-related contamination, and thorough final documentation that the cleanup was completed.

There are three forms that are required along with the detailed reports. The forms are available at www.healthoregon.org/druglab. Click on "Contractor Forms" on the left side menu. The forms include:

1. **Decontamination Contractor's Site Assessment** form
2. **Decontamination Work Plan Review Request** form
3. **Application for Certificate and Affidavit of Completion and Compliance** form

Forms must be submitted with the associated OHA fee to the OHA Cashier's Office; a copy of the form and the check included at the front of the report must be submitted to the OHA Clandestine Drug Lab Program. Please use only the current forms, as they contain the correct fund codes to process the payments.

SITE ASSESSMENT REVIEW CHECKLIST

Drug Lab Address: _____

Contractor Performing Site Assessment: _____

Date of Initial Review: _____

- Admin**
 - Site Assessment Form in
 - Fee (\$300) in

- Site Information**
 - Property owner name and full address
 - Property Legal Description: Township N/S, Range E/W, Section, Tax Lot # **OR** Lot, Block, Addition
 - Summary of police information Lab location within property _____
 - Directions or Excellent maps

- All Structures**

<ul style="list-style-type: none"> <input type="checkbox"/> Number, type, and description <input type="checkbox"/> Floor/wall/ceiling construction & surface described <p>Type of HVAC _____</p>	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center;"><u>Y</u></td> <td style="text-align: center;"><u>N</u></td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Special Ceilings – Acoustic/popcorn</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Attic?</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Crawl space/partial basement?</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Connections between adjacent units (apartment/motel/duplex)?</td> </tr> </table>	<u>Y</u>	<u>N</u>		<input type="checkbox"/>	<input type="checkbox"/>	Special Ceilings – Acoustic/popcorn	<input type="checkbox"/>	<input type="checkbox"/>	Attic?	<input type="checkbox"/>	<input type="checkbox"/>	Crawl space/partial basement?	<input type="checkbox"/>	<input type="checkbox"/>	Connections between adjacent units (apartment/motel/duplex)?
<u>Y</u>	<u>N</u>															
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<input type="checkbox"/>	<input type="checkbox"/>	Connections between adjacent units (apartment/motel/duplex)?														

- Contents of Structures**

<ul style="list-style-type: none"> <input type="checkbox"/> All appliances listed <input type="checkbox"/> Furniture 	<ul style="list-style-type: none"> <input type="checkbox"/> Personal belongings <input type="checkbox"/> Misc. equipment/tools
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- Grounds Inspection and Evaluation**

<p>Water Supply: <input type="checkbox"/> city <input type="checkbox"/> well <input type="checkbox"/> wellhead checked</p> <p>Sewer System: <input type="checkbox"/> city <input type="checkbox"/> septic/cesspool</p> <ul style="list-style-type: none"> <input type="checkbox"/> Checked soil & vegetation for evidence of disposal _____ # of Vehicles, trailers, campers present <input type="checkbox"/> Vehicles fully described? <input type="checkbox"/> Any posted? 	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center;"><u>Y</u></td> <td style="text-align: center;"><u>N</u></td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Barrels/cylinders/containers</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Household garbage/trash?</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Chemicals or cylinders?</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Burn pile, barrel, or ashes?</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Spring or surface water on property?</td> </tr> </table>	<u>Y</u>	<u>N</u>		<input type="checkbox"/>	<input type="checkbox"/>	Barrels/cylinders/containers	<input type="checkbox"/>	<input type="checkbox"/>	Household garbage/trash?	<input type="checkbox"/>	<input type="checkbox"/>	Chemicals or cylinders?	<input type="checkbox"/>	<input type="checkbox"/>	Burn pile, barrel, or ashes?	<input type="checkbox"/>	<input type="checkbox"/>	Spring or surface water on property?
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- Diagrams**

<ul style="list-style-type: none"> <input type="checkbox"/> Site plot – scale or distances, with North indicator <input type="checkbox"/> Floor plans for each structure with scale (or dimensions of each room/area) and North indicator <input type="checkbox"/> All sample locations on floor plans 	<ul style="list-style-type: none"> <input type="checkbox"/> All structures, well, septic, vehicles, etc. on site plot <input type="checkbox"/> Spills, stains, damage (fire, etc.) indicated
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- Sampling Results**

<ul style="list-style-type: none"> <input type="checkbox"/> Copy of laboratory test pages <input type="checkbox"/> Discussion of results and significance 	<ul style="list-style-type: none"> <input type="checkbox"/> Protocols for each type of sample taken <input type="checkbox"/> Chain of custody records
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- Findings**

	<u>Y</u>	<u>N</u>	
	<input type="checkbox"/>	<input type="checkbox"/>	Odors?
	<input type="checkbox"/>	<input type="checkbox"/>	Air monitoring?
	<input type="checkbox"/>	<input type="checkbox"/>	Fire?
	<input type="checkbox"/>	<input type="checkbox"/>	Hazards?
	<input type="checkbox"/>	<input type="checkbox"/>	High or low pH?

	<u>Y</u>	<u>N</u>	
	<input type="checkbox"/>	<input type="checkbox"/>	Lived in since bust?
	<input type="checkbox"/>	<input type="checkbox"/>	Evidence of cleaning?
	<input type="checkbox"/>	<input type="checkbox"/>	Observable contamination, staining, damage
	<input type="checkbox"/>	<input type="checkbox"/>	Photos of property, all structures, rooms, conditions, pre-sampling locations, vehicles, etc

Comments

Site Assessment and Topic Areas

The Site Assessment for a drug lab property is intended to fully evaluate the current conditions of the property and provide information about drug lab contamination prior to any cleanup activities. The property is determined to be unfit for use by a law enforcement agency, which generally means that all of the land, structures, and contents are considered contaminated until assessed and decontaminated. The Site Assessment is the basis for the developing a Work Plan to decontaminate the property and ensure it is safe for use.

The assessment must be thorough and address all likely concerns associated with the drug lab activity and the spread of contamination. The checklist cannot cover every issue that may arise for a property, so contractors must use their professional skills and experience to thoroughly evaluate and describe the conditions and potential contamination at properties under these or any additional topics. The evaluation must include all areas and structures on the property, unless the law enforcement agency has specifically limited the scope of the determination.

Admin

This typically includes the Site Assessment form and OHA fee.

Site Information

This section provides details of property ownership, legal description (used for the Certificate of Fitness), and how to locate the site (OHA may visit at any time during the process). The summary of police information is usually obtained from OHA. It is important for contractors to have this background material in order to understand where on the property drug lab-related activity occurred; contractors can then ensure that the assessment is especially thorough in those areas.

All Structures

All of the structures at a property must be evaluated and documented, including type of construction and any special conditions that may influence cleanup methods. All areas, including attics, crawl spaces, outbuildings, etc., must be fully investigated as suspects typically try to place materials and wastes where they are less likely to be discovered. The type of heating system is particularly important because air circulation between rooms spreads contamination. It is especially important to identify any air connections or contamination pathways between separate living areas, such as neighboring apartments, where neighbors could have been exposed to contamination.

Contents of Structures

After the structures are described, their contents must be described and evaluated, both inside buildings as well as around the grounds. Make particular note of items such as appliances, tools, or furniture that may need special consideration in the Work Plan.

Grounds Inspection and Evaluation

The contractor must evaluate all utility and environmental issues for risk of contamination or damage. If there is a well on the property check the wellhead for tampering or signs of waste disposal. Check the soils and grounds or acreage for evidence of dumping or improper disposal. Evaluate any ponds or streams. Common problems include burn piles or barrels, containers, gas cylinders, and garbage likely associated with the drug lab, and all must be evaluated. Check vehicles and other mobile items for lab-related hazards such as chemicals or needles.

Diagrams

It is important to include a series of maps, site plots, floor plans, and sketches with your Assessment to describe and document the layout of the property, accurately identify mobile items, clarify the locations of staining, sampling, and address other details important to understanding a property and the work necessary to decontaminate it.

Sampling Results

Sampling data and documentation for lab properties must be complete and logical. If there are unusual circumstances or changes from normal procedures, identify and explain them.

Findings

The findings for a property should consist of a brief discussion explaining that the contractor has evaluated and understands the listed items and other similar issues possibly pertinent to contamination and the Work Plan. Photos should always be in color, and are very important in documenting existing conditions and any special items or areas. These will be compared after the cleanup has been completed. A good picture really is worth 1,000 words.

Comments

Please describe, discuss, or explain any other special conditions, circumstances, or issues pertinent to the Site Assessment and preparing a Work Plan for the property. Share understanding, not just facts.

WORK PLAN REVIEW CHECKLIST

Drug Lab Address: _____

Contractor Performing Site Assessment: _____

Date of Initial Review: _____

Admin

- Site Assessment in, information complete
- Review Request Form in

- \$900 fee in
- Summary of test results, significance

Yes **No** **Items for Property Transfer**

- Items listed and approved

Additional sampling required? Yes No

Decontamination Procedures Proposed

- Number of washes/rinses, detergents, tools
- What removed (justified)
- Ceilings (if special handling– popcorn, acoustical)
- Attics,
- Crawl spaces, dirt floors, partial basement
- Encapsulation needs justification, product information, application information, MSDSs
- Adjacent rooms/apartments (cross-contamination via ducting, etc.)
- Address all structures on site or supply *justification* for not sampling/removing

Y N

- Major appliances – saved or disposed
- Furnishings, effects to be salvaged/tested
- HVAC – ducting, filter/filter area
- Sinks/basins cleaned or removed
- Demolition Asbestos evaluation

Disposal

- Contents of debris

Secure debris if held overnight

Post-Cleanup Sampling **Box checked?** **Yes** **No**

- List of sampling sites (if *different* from initial contaminated sites)

Environmental Concerns

Soil contamination to be removed Yes No

Septic to be pumped Yes No

Owner-Assisted Cleanup **OAR 333-040-0065 (2) criteria**

- Methamphetamine was the only drug manufactured
- Ephedrine-red P or ephedrine-sodium/lithium methods only
- Manufacturing occurred after 1994
- No apparent drug contamination, filth, debris, or biohazards present
- No drug-lab-related fire occurred
- OAR 3330404-0065(4) Owner not involved in unauthorized cleaning/removal
- ORS 164.255 (2) (c) – Owner not involved in illegal activity / lived in property

- Yes No
- Yes No
- Yes No
- Yes No
- Yes No
- Yes No
- Yes No

Owner Cleanup Proposed Yes No

Approved

Yes

No (explain if No)

Comments

Approved by:

Date:

Special conditions for approval: _____

Work Plan and Topic Areas

The Work Plan for a drug lab property is a description of the specific actions that a contractor will take to remove all debris and household items, decontaminate structures, and arrange confirmatory samples that will show that contamination has been remediated to below established state standards. It is important to remember that all items and surfaces within a property determined to be “unfit for use” are considered contaminated until either being tested or undergoing the decontamination process.

Accordingly, the Work Plan must be thorough and detailed to cover all structures, items, and surfaces on a property. It must also address any vehicles, burn piles, soil contamination, and other possible lab-related issues that must be addressed before the site can be considered fit for use.

Admin

The Site Assessment must be available and is normally reviewed along with the Work Plan. The form, the work plan document, and the fee must be included. We recommend a brief summary of the scope of contamination at the property that the work plan is addressing.

Items for Property Transfer

Any items to be cleaned and kept by tenants or property owners must be listed and approved for property transfer. This can be a separate action from the work plan and we try to provide quick turn-around for property transfers. It takes some discretion and evaluation to decide what items can be and/or are appropriate for decontamination. At times it will be necessary to sample specialty items or a composite from multiple items to increase confidence that the decontamination is effective.

Decontamination Procedures Proposed

This is where the basics of the decontamination process are summarized. Some contractors reference a standard procedure that is included as an attachment, and then discuss any specific variations based on the specifics of the property. Clarify what steps will be used to handle unusual items or conditions. It is acceptable to describe an alternative approach of the first fails – for example to seal a stained area if it cannot be removed by cleaning. Be sure that all contamination concerns and identified risks from the Site Assessment are addressed.

Disposal

Describe the general contents of what is being disposed, and specific details about anything unusual. If debris is left unattended or overnight, it must be secured in a

dumpster with a locking lid – a tarp is not adequate security. Be sure to disable any items that may otherwise be a temptation for someone to salvage and become exposed to contamination.

Post-Cleanup Sampling

The check box on the Work Plan document indicates that all locations that were above cleanup standards in the per-sampling will be post-sampled to assure adequate decontamination was achieved. If there are variations from this approach, describe the proposed post-sampling in detail.

Environmental Concerns

In addition to the actions within the structures, be sure to describe activities to reduce environmental risks – such as removing any contaminated soils or ashes from burn piles, pumping the septic tank, removing threats from next to creeks or ponds, etc.

Owner-Assisted Cleanup

The rules provide for the property owner to assist with cleanup of the property under certain circumstances. This must be requested and specifically approved by OHA. The “Owner-Assisted Cleanup of Drug Lab Properties” form is to be completed by the property owner as part of that request. The checklist references criteria that must be considered, but OHA has the choice whether to approve owner-assistance based on the facts of the case. If owner assistance is approved, the licensed contractor takes on the supervisory responsibilities during the cleanup and must provide effective training, supervision, and control of the site to maintain safety. Additionally, the contractor, not the owner, must certify in the affidavit that the work plan was followed and the property is adequately cleaned. The contractor must maintain adequate oversight and presence to ascertain complete cleanup.

Comments

Be sure to discuss any details or issues that are pertinent to the successful decontamination of the property. Handling of vehicles, demolition of structures, etc. must all be clearly spelled out in the Work Plan.

FINAL REPORT CHECKLIST

Admin

Application and affidavit form

Fee (\$200)

Documentation Submitted

Summary of work completed, conclusions

Disposal receipts for all materials, debris, vehicles

Final sample locations, results, data, chain of custody

Water/sewer bills or septic pumping receipt

Photos of property, all structures, rooms, special conditions, post-sampling locations, etc.

Final Report

The final report provides the documentation that the Work Plan was completed as approved. Any variations from the approved plan should have been coordinated with OHA during the decontamination work and documented in the final report. Any issues pertinent to the cleanup and use of the property must be discussed and documented so a Certificate of Fitness can be issued.

Admin

The affidavit form must be signed by the licensed supervisor who was at the property and in control of the site. The fee also must be included.

Documentation Submitted

There should be a brief summary of the work completed, including any unexpected issues and how they were resolved. The post-sampling results and documentation need to be presented, as well as good photo documentation of the final conditions at the whole property. Highlight any areas of concern. Receipts must be included for all items and wastes disposed. Finally, a receipt for the pumping of the septic tank must be attached, or water/sewer bills for the property to ascertain it is on city water/sewer. This documentation is what will be referred to in the future if questions should arise related to the cleanup of the property, so be sure it is thorough and complete.

Vehicles

The same process, forms, and issues apply to vehicles being decontaminated, although the Work plan Review fee is less. The concerns are more limited, but the goal of assuring a final condition with no contamination above the cleanup levels must still be achieved.