
A BILL FOR AN ACT

RELATING TO DECONTAMINATION OF ILLEGAL DRUG MANUFACTURING SITES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the contamination of
2 properties used to illegally manufacture methamphetamines poses
3 a threat to public health and welfare. The legislature also
4 finds that there is no established protocol for the protection
5 of first responders and for the subsequent decontamination and
6 cleanup of these illegal manufacturing sites.

7 The purpose of this Act is to direct the department of
8 health to establish interim procedures and guidelines for
9 emergency and long-term decontamination and cleanup of illegal
10 methamphetamine manufacturing sites.

11 SECTION 2. Notwithstanding the requirements of chapter 91,
12 Hawaii Revised Statutes, within ninety days of the effective
13 date of this Act, the department of health shall adopt interim
14 rules for procedures and guidelines for emergency and long-term
15 decontamination and cleanup of illegal methamphetamine
16 manufacturing sites. These procedures and guidelines shall
17 apply to properties that have been used to manufacture or store
18 methamphetamine and its precursor hazardous materials, until the



1 department of health develops permanent rules for a
2 comprehensive program for emergency and long-term
3 decontamination and cleanup of illegal methamphetamine
4 manufacturing sites. The department shall oversee and implement
5 the procedures and guidelines using current state statutes and
6 rules to the extent feasible.

7 The interim and permanent rules for procedures and
8 guidelines shall include but not be limited to the following
9 areas:

- 10 (1) Emergency response and inspection;
- 11 (2) Decontamination;
- 12 (3) Environmental cleanup; and
- 13 (4) Disposal of hazardous materials and wastes associated
14 with the unauthorized manufacturing or storage of
15 methamphetamine.

16 The interim rules shall remain effective until the department
17 adopts permanent rules, pursuant to chapter 91, Hawaii Revised
18 Statutes, which shall be on or before December 31, 2007.

19 SECTION 3. (a) The department shall also identify and
20 evaluate the requirements necessary to establish a statewide
21 program for decontamination and cleanup of illegal
22 methamphetamine sites to ensure that program procedures provide



1 for decontamination, remediation, and safe reoccupancy and reuse
2 that is prompt and efficient.

3 (b) The evaluation shall include:

4 (1) An assessment of soil and groundwater impacts as a
5 result of the illegal manufacturing of methamphetamine
6 at selected residential and other buildings in Hawaii;

7 (2) A review of cleanup procedures at actual locations
8 where methamphetamine was illegally manufactured in
9 Hawaii;

10 (3) Recommended protocols for the first responder
11 community that include the methods to be used in
12 assessing the potential dangers of chemical
13 contamination and protecting first responders;

14 (4) A review of relevant department of health and Hawaii
15 law enforcement records;

16 (5) A review of standards and protocols used by other
17 states and federal agencies or recommended by other
18 organizations; and

19 (6) Additional legislation necessary to permit the
20 department to ensure that contaminated sites are
21 promptly and efficiently cleaned up and made ready for



1 safe reoccupancy and reuse, particularly in terms of
2 the department's ability to enforce its rules.

3 The department shall submit its interim procedures and
4 guidelines and a report of its evaluation of the requirements of
5 a statewide program to decontaminate illegal methamphetamine
6 manufacturing sites, together with any necessary legislation, to
7 the legislature not later than twenty days prior to the
8 convening of the regular session of 2007, and its permanent
9 rules and evaluation no later than twenty days prior to the
10 convening of the regular session of 2008.

11 SECTION 4. This Act shall take effect upon its approval.

HB 2039 HD2
SD2
CD1

Report Title:

Hazardous Chemicals; Illegal Drug Laboratories

Description:

Requires the Department of Health (DOH) to adopt interim and permanent rules establishing procedures for emergency and long-term decontamination of illegal methamphetamine labs. Requires DOH to evaluate and report on soil and groundwater impacts, cleanup procedures, first responder protocol, standards and protocol used by other state and federal agencies, and any additional legislation necessary to permit DOH to ensure contaminated sites are cleaned up and made safe for reuse.

(HB2039 CD1)

