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DTSC Policy for Removal of Hazardous Materials From Illegal Drug Labs

ILLEGAL DRUG LABORATORY REMOVAL PROGRAM

In 1995 Senate Bill 47x added California Health & Safety Code Section 25354.5 to require the California Department of Toxic Substances Control (DTSC) to remove and dispose of hazardous materials from illegal drug manufacturing sites. DTSC provides State or local law enforcement agencies with assistance in removal actions at sites where these operations occur. **This is accomplished by contacting the DTSC Emergency Response Duty Officer.**

TO REQUEST DTSC ASSISTANCE

DTSC assistance for removal of suspected hazardous substances from illegal drug labs may be requested by State or local law enforcement agencies, or by other local government agencies working with law enforcement agencies on a drug lab. DTSC assistance for removal of abandoned drug lab wastes may be requested by local agencies not affiliated with law enforcement.

Such an agency wanting to request DTSC assistance during normal work hours (Monday-Friday, 8:00 AM – 5:00 PM), should call the State Department of Toxic Substances Control (DTSC) at (800) 260-3972 or (916) 255-6504, and request to speak to the **DTSC Emergency Response Duty Officer**. Between 5:00 PM and 8:00 AM, weekends, or on holidays, call the Governor's Office of Emergency Services' (OES) Warning Control Center at (800) 852-7550. Notify OES of the incident and of the fact that you are requesting DTSC assistance for the removal. OES will contact the DTSC Emergency Response Duty Officer who will then contact you.

INFORMATION REQUIRED

Before requesting assistance, you should:

- 1) Identify the materials to be removed, and separate them from materials to be left behind. Materials eligible for removal include:
 - Precursors and chemicals used in the manufacture of illegal drugs.
 - Associated hazardous materials and/or hazardous wastes that pose a threat to human health or the environment.

Note: The hazardous waste contractor sent by the DTSC Duty Officer will only perform those actions and remove those materials authorized by the DTSC Duty Officer. Do not expect them to take any other actions or to remove anything else unless you are willing to pay for it. Do not ask or expect the Duty Officer or the contractor to remove solid waste (trash, garbage, etc).

- 2) Determine the approximate quantity released, if any.
- 3) If you have the necessary training and equipment, HAZCAT (perform hazard categorization tests) to identify or categorize the hazards presented by the substances, such as pH and flammability.
- 4) Prepare an inventory, which includes the quantity of each type of material requiring removal, and the approximate quantity of contaminated soil, if any.
- 5) Gather all available information regarding the responsible party (RP), i.e., the drug lab operator.

THE DTSC EMERGENCY RESPONSE DUTY OFFICER

The DTSC Emergency Response Duty Officer (Emergency Response Duty Officer) will evaluate the above information to determine if the incident is eligible for a removal action.

- 1) The Emergency Response Duty Officer will contact and dispatch a contractor to perform the removal and disposal. **This is not a reimbursement program.** Do not contact a local contractor and dispatch them on your own. **If you do contact a contractor and request their services, your agency will be responsible for any costs incurred.**
- 2) The Emergency Response Duty Officer will establish the scope of work for the contractor. Any changes to the scope of work must be approved by the Emergency Response Duty Officer. **DTSC will not pay for work that was not authorized by the Emergency Response Duty Officer.**
- 3) The Emergency Response Duty Officer will provide you with a Clandestine Laboratory Unit Expenditure (CLUE) number, which must appear on all documentation submitted to DTSC.

DOCUMENTATION

As a condition of receiving DTSC assistance, the requesting agency is required to provide on-scene oversight, site security by law enforcement personnel, and written documentation of removal actions. This includes filling out and signing the Clan Lab Removal Incident Report, and the Clan Lab Removal Work Log. The requesting agency must also sign the Hazardous Waste Manifest on the "Generator" line (line 16).

The Clan Lab Removal Incident Report, Clan Lab Removal Work Log, and any other documentation should be mailed to DTSC within 10 working days of the initial funding request. All such information should be mailed to:

**DTSC, Emergency Response Unit
8800 Cal Center Drive
Sacramento, CA 95826**

For drug labs where the name of the drug lab operator is known, the primary suspect or drug lab operator (who has usually been arrested) will be designated as the generator, and that person's name should be written or typed on line 3 or the Manifest. The mailing address for that person should be entered on line 3 as: c/o DTSC Emergency Response Unit, 8800 Cal Center Drive, Sacramento, CA 95826. For abandoned drug lab wastes or when the operator is not known, the generator's name will be "Unknown Drug Lab Operator", and the mailing address will also be: c/o DTSC Emergency Response Unit, 8800 Cal Center Drive, Sacramento, CA 95826. The phone number for line 4 of the Manifest should be: (800) 260-3972.

SPECIAL POLICIES

EPA IDENTIFICATION NUMBERS

The agency requesting assistance for removal of drug lab wastes must include an EPA Identification (EPA ID) number on the manifest. Normally, the requesting agency will use the county Clandestine Drug Lab EPA ID number, which has the format: CLU 111 111 0XX, where XX is the County Number, between 1 and 58. The Emergency Response Duty Officer can provide this number to on-scene personnel.

If the responsible party is conducting a removal and needs an EPA ID number to manifest Non-RCRA waste, they may obtain a California EPA ID number by calling DTSC at (800) 618-6942 or (916) 255-1136, Monday – Friday, 8:00 AM to 5:00 PM. From 5:00 PM to 8:00 AM or on weekends or holidays etc, they can obtain a Temporary California EPA ID Number from the Emergency Response Duty Officer.

If a responsible party needs an EPA ID Number for RCRA waste, or for a combination of RCRA waste and Non-RCRA waste, they should call (800) 300-2193. Upon calling that number, the caller will hear a message which will direct them to press “1” to contact the National Response Center (NRC) if they have not yet reported the spill. If they have already made the spill notification, they should press “3” to contact the USEPA Region 9 Duty Officer who will provide the caller with an EPA ID Number for the RCRA waste.

EXCLUDED MATERIALS

The following materials at, or associated with a drug lab will not be removed unless special circumstances exist which are determined by the DTSC Emergency Response Duty Officer to represent a significant threat to human health or the environment:

- Used motor oil (waste oil).
- Gasoline in a regular gasoline container.
- Diesel fuel.
- Radioactive waste.
- Infectious waste, except that needles and syringes found at drug labs will be removed.
- Household hazardous materials.
- Freon containers or flammable liquid containers which are empty and dry, unless there is some residue/contamination on them which constitutes a direct contact hazard.
- Propane cylinders that are empty or contain propane.
- Oxygen cylinders that are empty or contain oxygen.
- Nitrous Oxide (N₂O) cylinders that are empty or contain nitrous oxide.
- DOT specification cylinders containing other non-drug lab related gases
- Solid waste/garbage or other non-hazardous items.
- Marijuana and/or associated fertilizers, nutrient chemicals, pesticides, or other items or debris associated with marijuana growing operations.

RADIOACTIVE WASTE

DTSC does not handle radioactive materials. Radioactive wastes are handled by the State Department of Health Services Radiologic Health Branch. They should be contacted for assistance on an incident involving radioactive materials. They can be contacted Monday - Friday from 8:00 AM – 5:00 PM at (916) 445-0931 and after hours through OES.

INFECTIOUS WASTE

DTSC will not provide removal of infectious wastes, except that, at drug labs, and at abandoned drug lab waste sites, removal and disposal of needles and syringes will be provided.

CYLINDERS

In situations where it is necessary to move cylinders to a nearby safe location for emergency treatment (venting, sparging, neutralization, etc) the DTSC contractor will only do so when escorted by representatives of a law enforcement agency. The DTSC contractor must transport cylinders in a manner that will ensure that all workers involved with the transport are not exposed to health and/or safety hazards enroute.

INDIAN LAND

Incidents involving drug labs or abandoned drug lab wastes located on Indian reservation land may not be eligible for funding and will be handled on a case by case basis.

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