



IREDELL COUNTY HEALTH DEPARTMENT

JANE HINSON, MS, BSN, RN
HEALTH DIRECTOR

Public Health
Prevent. Promote. Protect.

Iredell County Health Department

Decontamination Standards for Methamphetamine Sites

By action of the Iredell County Board of Health, the following rules governing the Decontamination Standards for confirmed Methamphetamine Sites, for the express purpose of protecting the public health, are hereby adopted pursuant to Chapter 130A-39 (a) of the General Statutes of North Carolina¹. These rules shall apply throughout Iredell County, including, but not limited to, all cities and towns, whether incorporated or unincorporated.

SECTION 1: PURPOSE

It is the intent of these rules to establish decontamination standards for methamphetamine sites to ensure that certain property is reasonably safe for habitation. Based on the quantity of hazardous chemicals involved in the manufacture of methamphetamine, the residual health hazards posed by this activity, and the need for these hazards to be accurately identified and safely abated, the Board of Health has determined that the proper decontamination of a methamphetamine site shall be conducted by a qualified professional. An owner, lessee, operator, or other person in control of a residence or place of business or any structure appurtenant to a residence or place of business, and who has knowledge that the property has been used for the manufacture of methamphetamine, shall comply with these rules^{1,2}.

SECTION 2: DEFINITIONS

- "Abatement" means that methamphetamine shall not exceed 0.1 microgram/100 cm² (μ /100 cm²) on any surfaces.
- "Board of Health" means the Iredell County Board of Health.
- "Director" means the Health Director for Iredell County. The term also means the authorized representative of the Director.
- "Occupant" means the person who has the use of or occupies any building or any part thereof or who has the use or possession, actual or constructive, of the premises where the owner or the tenant. In the case of vacant buildings or vacant portions of a building, or in the case of occupancy in whole or part by the owner, the owner of the building shall be deemed to be, and shall have the responsibility of an occupant of such building.
- "Owner" means the person owning the building or premises.
- "Person" means an individual, firm, partnership, association, public or private institution, municipality, political subdivision of the State of North Carolina, governmental agency or public or private corporation.
- "Place of Business" means a store, warehouse, manufacturing establishment, place of amusement or recreation, service station, office building or any other place where people work.³
- "Premises" means a parcel of real property, including all buildings and structures located thereon.
- "Qualified Professional" means a person, company or business that is on the list provided by the Occupational and Environmental Epidemiology Branch of the N.C. Division of Public Health.
<http://epi.publichealth.nc.gov/oee/contact.html>
- "Residence" means a private home, dwelling unit in a multiple family structure, hotel, motel, summer camp, labor work camp, manufactured home, institution, or any other place where people reside.³

SECTION 3: GENERAL PROVISIONS

All premises within Iredell County that are identified by law enforcement as a site that has been used to manufacture methamphetamine, and the presence of methamphetamine has been confirmed by the Director, shall not be occupied until the site has been properly decontaminated as required by General Statute 130A-284. Proper decontamination includes, but is not limited to, the process listed below.

SECTION 4: DECONTAMINATION PROCESS

Methamphetamine sites in Iredell County shall be decontaminated using the process outlined below prior to being re-occupied.

- Select a qualified professional contractor from those listed with the Occupational and Environmental Epidemiology Branch of the N.C. Division of Public Health.
 - If a contractor is selected that is not on this list, you may contact the OEE Branch and determine what will be required to have the contractor listed with them. Evidence of their listing will be required prior to decontamination plan approval.
 - Being on this list does not negate other laws and requirements and it is the qualified professional's responsibility to ensure compliance with all applicable laws, regulations, and requirements. This includes, but is not limited to, worker safety, environmental guidelines, and proper disposal of all waste generated during the assessment, decontamination, and clearance processes.
- Submit a completed pre-contamination assessment that addresses all identified hazards and is in accordance with N.C. Administrative Rule 10A NCAC 41D.0101-.0102 – Methamphetamine Decontamination² to the Iredell County Health Department. Guidelines provided in the EPA's Voluntary Guidelines for Methamphetamine Laboratory Cleanup⁴ or the State of N.C. Illegal Methamphetamine Laboratory Decontamination and Re-Occupancy Guidelines⁵ may also be used to aid in the creation of the pre-decontamination assessment.
- The Pre-decontamination assessment must be approved by the Health Department prior to commencement of any decontamination activities on the premises.
- The decontamination of the site shall be conducted following the approved plan. There shall be before and after photos provided of all areas that are being decontaminated and of all sampling sites.
- After decontamination is completed, clearance testing shall be conducted. The site will be considered abated when the levels of methamphetamine shall not exceed **0.1 µg/100 cm²** on any surfaces.
- A visual inspection by the Health Department may be conducted to ensure that all portions of the submitted decontamination plan have been completed.
- When clearance testing shows methamphetamine levels to be at or below **0.1 µg/100 cm²** and,
- If required, the site passes a visual inspection, the notice of Re-Occupancy may be issued by the Iredell County Health Department. Notice of re-occupancy shall deem the property cleared for habitation.

SECTION 5: RIGHT OF ENTRY-INSPECTION

The Director shall have the right of entry upon any premises where entry is necessary to carry out the provisions of these Rules. If consent for entry is not given or obtained, an administrative search and inspection warrant shall be obtained pursuant to G.S. 15-27. However, if an imminent hazard exists, no warrant is required for entry upon the premises.

SECTION 6: PENALTIES AND REMEDIES

- Any person who violates any provision of these Rules shall be guilty of a misdemeanor in accordance with NCGS 130A-25 and punished as by law allowed.

- The Director may bring a civil proceeding in the Iredell County Superior Court to enforce the provisions of these Rules in accordance with Article 1 Part 2 of Chapter 130A of the General Statutes of the State of North Carolina.

SECTION 7: SEVERABILITY

If any provision of clause of these Rules shall be declared invalid, such declaration shall not invalidate any other provision or clause of these Rules.

SECTION 8: EFFECTIVE DATE

These rules shall be in full force and effective from and after April 12, 2018.

SECTION 9: REFERENCES

1. N.C. General Statutes: [G.S. §130A-284 - Decontamination Standards for Methamphetamine Sites](https://www.ncga.state.nc.us/EnactedLegislation/Statutes/HTML/BySection/Chapter_130A/GS_130A-284.html)
https://www.ncga.state.nc.us/EnactedLegislation/Statutes/HTML/BySection/Chapter_130A/GS_130A-284.html
2. N.C. Administrative Rules: [10A NCAC 41D.0101-.0105 - Methamphetamine Decontamination](http://reports.oah.state.nc.us/ncac/title%2010a%20-%20health%20and%20human%20services/chapter%2041%20-%20epidemiology%20health/subchapter%20d/subchapter%20d%20rules.html)
<http://reports.oah.state.nc.us/ncac/title%2010a%20-%20health%20and%20human%20services/chapter%2041%20-%20epidemiology%20health/subchapter%20d/subchapter%20d%20rules.html>
3. N.C. General Statutes: G.S. §130A-334 – Definitions
https://www.ncga.state.nc.us/enactedlegislation/statutes/pdf/bysection/chapter_130a/gs_130a-334.pdf
4. U.S. Environmental Protection Agency (EPA): [Voluntary Guidelines for Methamphetamine Laboratory Cleanup](https://www.epa.gov/sites/production/files/documents/meth_lab_guidelines.pdf) https://www.epa.gov/sites/production/files/documents/meth_lab_guidelines.pdf
5. State of North Carolina Illegal Methamphetamine Laboratory: Decontamination and Re-occupancy Guidelines.
<http://epi.publichealth.nc.gov/oii/pdf/methguidelines.pdf>