

Drug Enforcement Administration



Guidelines for Law Enforcement for the Cleanup of Clandestine Drug Laboratories



2005 Edition

These Guidelines are intended to offer assistance to those responsible for administering and implementing clandestine drug laboratory clean up programs. While these Guidelines summarize applicable laws, regulations, and DEA procedures, they do not prescribe all applicable federal, state and local requirements. The reader should also be aware that interpretations and policy guidance may change over time.

This document is not intended to create or confer any rights, privileges, or benefits, nor is it intended to have the force of law or of a directive of the United States Department of Justice or that of any Department or agency. See *United States v. Caceres*, 440 U.S. 741 (1979).

Message from the Administrators

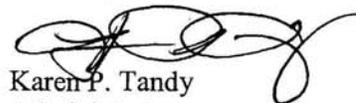
In 1990, the Drug Enforcement Administration (DEA), in cooperation with the Environmental Protection Agency (EPA) and the U.S. Coast Guard (collaborately known as the Joint Federal Task Force), published the *Guidelines for the Cleanup of Clandestine Drug Laboratories*, known by those in the industry as "*The Redbook*." It was developed following the enactment of Section 2405 of the 1988 Anti-Drug Abuse Act. Now with more than a decade of experience, DEA, along with the assistance of the EPA, has updated the book to reflect the vast base of knowledge obtained since the first publication.

State and local law enforcement officials, environmental protection groups, and public health agencies are the primary users of the guidelines and have utilized them as a resource for safe standards of cleaning up illegal drug laboratories. The revised guidelines remain fluid to allow entities involved in these cleanup efforts to adapt to a variety of local scenarios. They also reemphasize the recommended procedures for enforcement and the safe disposal of hazardous materials.

While there is still much we can learn, the *Guidelines for Law Enforcement for the Cleanup of Clandestine Drug Laboratories - 2005 Edition*, represents a quantum leap forward. It characterizes much of the progress made in achieving the goals of protecting public health and the environment. The program is flexible, and provides for specific local requirements, while meeting the needs of law enforcement and ensuring safe disposal. In developing the DEA Clandestine Drug Laboratory Cleanup Program, the EPA and DEA acknowledged that residual cleanup of contaminated sites was beyond the expertise of law enforcement. DEA, however, is committed to working with state and local agencies, as well as other experts in the field of public health, to ensure that the contamination found at illegal drug laboratories is properly handled. The use of these guidelines will accomplish that goal.

As we all work together to eradicate the illegal drug trade and diversion of legitimate controlled substances, we are confident that the *Guidelines for Law Enforcement for the Cleanup of Clandestine Drug Laboratories - 2005 Edition* will answer many of the questions raised through lessons learned during the last decade. It also will serve as a benchmark as we move forward to ensure drug laboratories do not pose a threat to first responders, children, property owners, or the communities in which they are located.

Sincerely,



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Administrator
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Sincerely,



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Acknowledgments

The Drug Enforcement Administration acknowledges the assistance of the following organizations and individuals whose expertise, dedication, professionalism and hard work were instrumental in developing the *Guidelines – 2005*. Without their support, this effort would not have been possible.

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I. Preface

In 1980, the U.S. Environmental Protection Agency (EPA) promulgated the Standards for Generators of Hazardous Waste as part of the regulations required by the Resource Conservation and Recovery Act (RCRA). Those regulations defined a generator¹ as a person, by site, who produced or **who first caused a hazardous waste to be subject to regulation** (emphasis added). The act of seizing a clandestine drug laboratory causes any hazardous chemical to be subject to regulation, and therefore, makes law enforcement the “generator” of the chemicals seized at the site.

In 1988, Congress passed the Anti-Drug Abuse Act (P.L. 100-690) and established the Joint Federal Task Force (JFTF) on illegal drug laboratories. The JFTF consisted of the United States Drug Enforcement Administration (DEA), EPA and the United States Coast Guard (USCG). The JFTF was directed to formulate a program for cleaning up and disposing of hazardous waste produced by clandestine drug laboratories and to assist federal, state, and local law enforcement agencies with implementing programs. The JFTF published the *Guidelines for the Cleanup of Clandestine Drug Laboratories* in March 1990.

In 1988, DEA established the Hazardous Waste Disposal Unit (SFSH) in the Office of Forensic Sciences to assist DEA Special Agents in the management of the chemicals, waste and contaminated equipment seized at clandestine drug laboratories. In 1998, DEA began receiving funding to support the cleanup of clandestine drug laboratories seized by state and local law enforcement. The first generation of DEA Hazardous Waste Cleanup and Disposal Contracts (HWCDCs) was awarded in 1991.

The Guidelines for Law Enforcement for the Cleanup of Clandestine Drug Laboratories – 2005 Edition encompasses more than a decade of experience, and provides improved guidance and recommendations to state and local agencies which want to participate in the DEA Clandestine Drug Laboratory Cleanup Program (the Program) or which want to establish their own clandestine drug laboratory cleanup program.

¹ Title 40, Code of Federal Regulations, Part 260.10, “Generator”

II. List of Acronyms

ACS	Authorized Central Storage Area (Container Storage)
AFF	Asset Forfeiture Fund
CATS	Consolidated Asset Tracking System
CFR	Code of Federal Regulations
CERCLA	Comprehensive Environmental Response, Compensation and Liability (Superfund)
CESQG	Conditionally Exempt Small Quantity Generator
COPS	Community Oriented Policing Service
DEA	United States Drug Enforcement Administration
DOJ	United States Department of Justice
DOT	United States Department of Transportation
EPA	United States Environmental Protection Agency
EPIC	El Paso Intelligence Center
HAZWOPER	Hazardous Waste Operations
HWCDC	Hazardous Waste Cleanup and Disposal Contract
JFTF	Joint Federal Task Force
LEL	Lower explosive limit
LOA	Letter of Agreement
LQG	Large Quantity Generator
MOU	Memorandum of Understanding
NCLCP	National Clandestine Laboratory Clean-up Program
NIOSH	National Institute of Occupational Safety and Health
NFPA	National Fire Protection Association
NMCI	National Methamphetamine Chemical Initiative
NRC	National Response Center
OSHA	Occupational Safety and Health Administration
PEL	Permissible exposure limit
PPE	Personal Protective Equipment
RCRA	Resource Conservation and Recovery Act
SARA	Superfund Amendments and Reauthorization Act
SCBA	Self-contained breathing apparatus
SQG	Small Quantity Generator
TLV	Threshold limit value
USCG	United States Coast Guard
USEPA	United States Environmental Protection Agency

III. Introduction

A. Program Beginnings

The purpose of this guidance is to provide information to a variety of audiences that have an interest in addressing the clean up of illegal drug laboratories in the United States. In 1990, the Drug Enforcement Administration (DEA), the Environmental Protection Agency (EPA), and the United States Coast Guard (USCG) published the *Guidelines for the Cleanup of Clandestine Drug Laboratories* (the *Guidelines*). DEA's Clandestine Drug Laboratory Cleanup Program has been in place since 1989, although cleanups were occurring through a less structured process prior to that time. Since that time, the number of clandestine drug laboratories has increased significantly. In addition, the complexity of the issues related to these sites has changed, as the manufacturing processes have changed and the laboratories have become more ubiquitous. This guidance is intended to replace the previous *Guidelines* and address new issues that have emerged since the original publication.

B. DEA Program Components

DEA's Clandestine Drug Laboratory Cleanup Program focuses on the removal and disposal of the chemicals and contaminated apparatus, and equipment that can be used to manufacture illegal drugs. The Program provides critical training and waste removal services for DEA's field offices, and for state and local law enforcement officials. The Program is coordinated with other bureaus in the Department of Justice, EPA and DOT, as well as numerous state and local law enforcement entities. DEA has also partnered with the Community Oriented Policing Services (COPS) Office and a number of states to pilot a Container Storage program.²

Contractors with specialized training and equipment perform the removals on behalf of the DEA and state/local law enforcement. These contractors must also meet specific personnel and physical security requirements. At the conclusion of the removal, the site is posted with a warning notice ([Appendix A](#)) and the property owner, health department, and environmental agency are notified of potential residual contamination. Information regarding the costs of the removal is provided to the courts to support the collection of restitution.

DEA's program has been effective at reducing the impacts of air, water, and soil contamination when the chemicals that provide the point source for the contamination are removed. The removals also help to reduce ongoing exposures to children and other members of the public that are in the vicinity of a clandestine drug laboratory.

DEA provides training to DEA Special Agents assigned to a Clandestine Drug Laboratory Group, as well as to state/local officials. The 40-hour course meets the Occupational Safety and Health Administration (OSHA) requirements for Hazardous Waste Operations (HAZWOPER)

² The container storage program was included in the FY 2003 HWCDC as the "Authorized Central Storage" (ACS) provision, and Letters of Agreement (LOAs) were developed with states that wanted to participate.

activities [29 CFR 1910.120(a)(6)(iii)]. The training includes elements specifically designed to address the law enforcement concerns likely to be encountered at a clandestine drug laboratory (e.g., specific chemical hazards, seizure precautions, and program administrative requirements). The training informs personnel how to safely dismantle a clandestine drug laboratory through the use of proper equipment and techniques. A curriculum for state/local law enforcement agencies has also been developed.

C. Contracts

In 1991, DEA was the first law enforcement agency to implement a nation-wide clandestine drug laboratory cleanup contract. Since that time, a progression of contracts have been awarded, each an improvement over its predecessor. Over the past decade, a number of revisions and improvements have been made that have reduced cost and increased protection of human health and the environment. [Appendix B](#) is a summary of those contracts, the lessons learned, and the cost/funding associated with their success.

D. Program Policy

Two major policies have guided and driven the development of the DEA Clandestine Drug Laboratory Cleanup Program. The first was a 1989 Department of Justice (DOJ) memorandum from the Acting Associate Attorney General to all United States Attorneys ([Appendix C](#)). This policy memorandum establishes the inherent danger associated with the clandestine drug laboratory chemicals, and directs that evidentiary samples, photographs and videos be taken, but the remainder of the chemicals should be destroyed.

The second enduring policy was established in a joint letter by the Administrators of DEA and EPA to the President ([Appendix D](#)) in 1989, as the result of the effort of the Joint Federal Task Force established by the Anti-Drug Abuse Act of 1988. The two agencies agreed that law enforcement's job was complete with respect to the cleanup of a clandestine drug laboratory with: 1) the removal of the evidence, chemicals and contaminated apparatus; 2) posting of a notice at the site; and 3) written notification to the property owner, health department and environmental agency. (Remediation of the property, although a potentially significant health and environmental concern, was not within the purview of the law enforcement agency seizing an illegal drug laboratory.)

Other policies have also been an integral part of the DEA Clandestine Drug Laboratory Cleanup Program. These policies have improved environmental compliance, reduced cost, enhanced contractor performance, and minimized DEA's liability.

E. Cleanup, Removal, Remediation

EPA established two basic efforts that must occur to ensure contaminated real estate is made safe: **removal** of the gross contamination (i.e., containers of chemicals), and **remediation** of the earth, surface waters, and groundwater. (Remediation must also occur in the interiors of structures to ensure that surfaces and the atmosphere are safe for occupancy.)

As a result of the DOJ policy memorandum ([Appendix C](#)), and the joint letter signed by the DEA and EPA Administrators ([Appendix D](#)), DEA established its clandestine drug laboratory cleanup program to remove the chemicals and contaminated apparatus. Law enforcement personnel should become familiar with the requirement of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 USC 9607 as it applies to clandestine laboratory clean up operations. The contracts developed by DEA are awarded to qualified contractors who can perform the “duties of a generator” of hazardous waste on behalf of law enforcement agencies, and can properly manage the hazardous waste seized by those law enforcement agencies at clandestine drug laboratories. The procedures to notify the property owner, health department, and environmental agency were also incorporated into the DEA Agents Manual. The notification procedure completes law enforcement’s responsibility for environmental cleanup.

DEA’s Clandestine Drug Laboratory Cleanup Program encompasses the removal of gross contamination and notification of the property owner(s), and local health and environmental officials. However, the remediation of property is the responsibility of the property owner. Several states have established programs to address the removal of residual contamination from dwellings where clandestine laboratories have been seized.

Several states have also established their own clandestine drug laboratory cleanup programs (*e.g.*, California and Washington). Limited DEA program funds are used for cleanups in those states.

IV. Defining the Problem

Each year large quantities of illegal drugs are produced in the United States. Clandestine drug laboratory operators violate the Controlled Substances Act (PL 91-513) by manufacturing stimulants, depressants, hallucinogens and narcotics. The number of clandestine drug laboratories has increased from 446 to over 10,100 cleanups per year since the beginning of DEA's Clandestine Drug Laboratory Cleanup Program in 1991. Clandestine drug laboratories present significant safety and health risks to law enforcement, and to the public. Furthermore, these laboratories present significant environmental concerns due to the types of chemicals used to produce the drugs and the waste that is generated.

A. Clandestine Drug Laboratories

Clandestine drug laboratories range from crude makeshift operations to highly sophisticated and technologically advanced facilities, some of which are mobile. They can be set up anywhere: in private residences, motel and hotel rooms, apartments, house trailers, mobile homes, campgrounds, and commercial establishments. These laboratories often are hidden in remote areas, may contain sophisticated surveillance equipment, and may be booby-trapped to prevent intruders and law enforcement personnel from entering as well as to destroy any evidence should the facility be discovered.

Operators of clandestine laboratories range from novices with little or no chemistry background to chemists with advanced degrees. These operations also vary in degrees of sophistication from individual operators to organized gangs (*e.g.*, motorcycle, street, *etc.*).

A primary source of methamphetamine in the United States has been the "super labs" (more than 10 pounds of methamphetamine per batch) operating in the United States and Mexico. However, the smaller, independent production laboratories now account for the majority of the clandestine drug laboratories seized in the United States. These small toxic laboratories produce hazardous waste, and have a profound impact on the quality of life in the communities in which they operate. Wastes that are generated at these laboratories would likely be abandoned or disposed of improperly, if not for the DEA Clandestine Drug Laboratory Cleanup Program.

B. Drugs Produced and Laboratory Seizures

The "recipes" for most of the illegal drugs are relatively simple, and are available through both legal and illegal sources. Many of the drugs produced by these illegal laboratories can be made with easily obtainable chemicals and equipment that are not much more sophisticated than household items found in a kitchen. Special training or facilities are not required to produce the vast majority of illegal drugs seized today in the United States.

More clandestine drug laboratories are being seized in the United States than ever before. This increase is attributed to the availability of chemicals and information about manufacturing processes, as well as the ease of the manufacturing processes, low production costs, and high profits from the drugs. [Figure 5](#), in Appendix B, documents the dramatic increases over the last

14 years of clandestine drug laboratory seizures by DEA and state/local law enforcement agencies whose cleanup was funded through the DEA Program. Since the beginning of the Program, DEA has funded the cleanup of over 46,000 sites.

In 2004, 98% of the laboratories seized were producing methamphetamine, in contrast to 82 % in 1989. While most clandestine laboratories today produce methamphetamine, other illegal substances are being produced, and the health and environmental concerns will vary with the type of drug being manufactured and production method being used. The number of substances that are manufactured is constantly growing as new controlled substance analogs (“designer drugs”) are developed in an attempt to circumvent controlled substance laws.

C. Clandestine Drug Laboratory Cleanups

After a clandestine drug laboratory has been seized and processed for evidence, law enforcement is responsible for the removal and disposal of the hazardous waste seized at the illegal laboratory. As noted in the introduction, DEA funds the removal of chemicals, drugs, and the apparatus used to manufacture the drugs, but does not remediate residual contamination at these sites. Since the beginning of DEA’s Cleanup Program, the number of laboratories cleaned up has increased from 446 in FY1991 to 10,100 in FY2004. The most significant increases have occurred since 1995.

In FY 1998, DEA began funding state and local cleanups. The distribution, by state, of the clandestine drug laboratory removals funded by DEA (both DEA and state/local cleanups) in FY 2004 is shown on the map in [Figure 1](#). The number of removals shown in [Figure 1](#) does not reflect removals that were funded through state and local agency resources. In particular, the states of California, Washington, Missouri and Kentucky report high numbers of removals that are not reflected in [Figure 1](#).

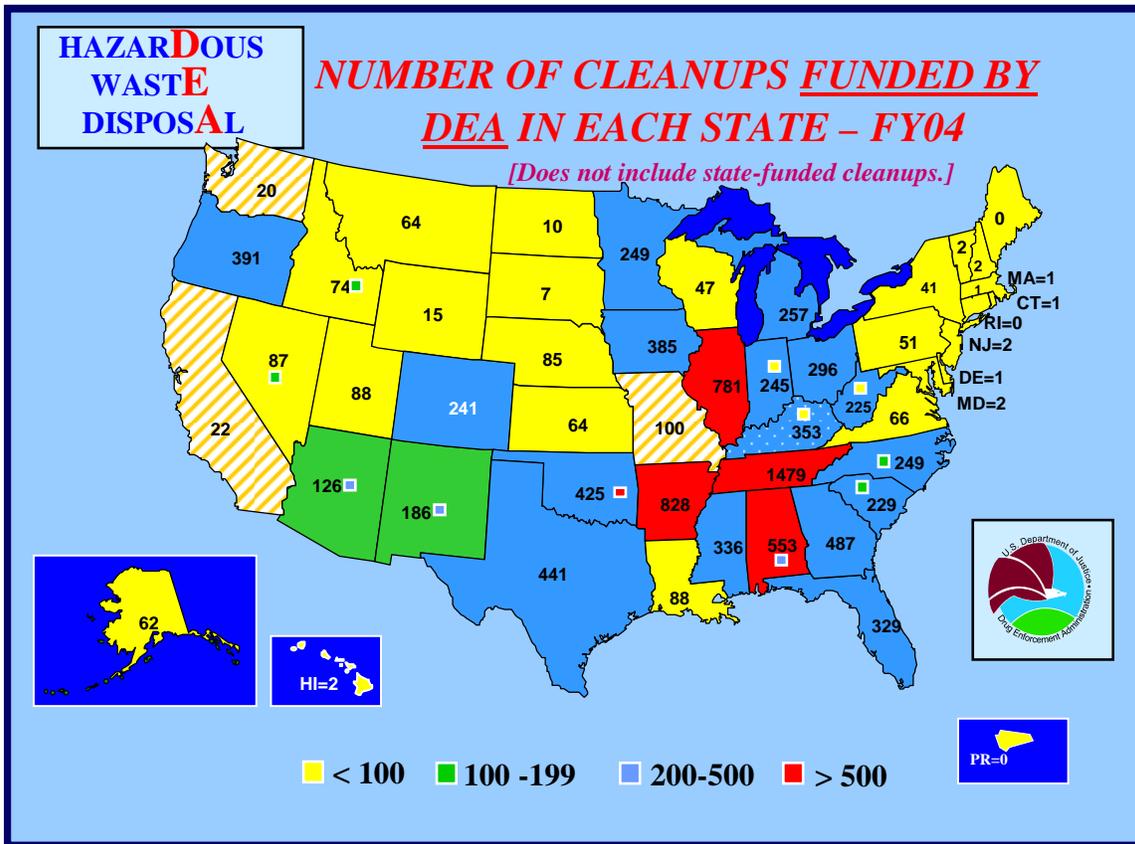


Figure 1- Number of Cleanups Funded by DEA in Each State (FY05)

In FY 2004, DEA funded over 500 cleanups in each of four states (Alabama, Arkansas, Illinois, and Tennessee) that are shown in red on the map in [Figure 1](#).

D. Types of Hazardous Wastes Produced

When a clandestine drug laboratory is seized, hazardous waste/materials, such as chemicals, contaminated glassware, and equipment must be disposed of properly. The disposal of any wastes from a clandestine drug laboratory is governed by federal and state safety, and environmental regulations (discussed further in [Section VI.E](#)). It is vital that individuals have the proper equipment, and are properly trained and knowledgeable of these regulations before removing the waste.

The wastes found at a laboratory site may weigh from a few pounds to several tons. Chemicals and waste include solvents, reagents, precursors, by-products, and the drug products themselves. Many of these wastes are reactive, explosive, flammable, corrosive, and/or toxic. On rare occasions, low level radioactive material has been seized at a clandestine drug laboratory. [Table 1](#) provides examples of chemicals associated with clandestine drug laboratories, and lists some of their hazardous properties. Acutely toxic chemicals occasionally found at clandestine laboratories require a greater level of attention to ensure protection of human health and the

environment, and compliance with more stringent regulatory requirements. Additional listings of the health effects from exposure to the most commonly encountered chemicals associated with clandestine drug laboratory types are presented in [Appendix E](#). The listings in [Appendix E](#) provide the broad spectrum of chemical hazards.

Table 1: Typical Chemicals Found in Clandestine Drug Laboratories

Table 1: Typical Chemicals Found in Clandestine Drug Laboratories			
Acetic anhydride	Moderate	Moderate	Irritant, Corrosive
Anhydrous Ammonia	High	N/A	Rapid asphyxia
Benzene	Moderate-High	High	Blood Disorders; Carcinogen
Chloroform	Moderate	Low	Disorientation, unconsciousness; Probable Carcinogen
Cyclohexane	Low	High	Irritant
Ethyl Ether	N/A	High	May form peroxides
Ethanol	Low	High	Disorientation
Hydrogen Cyanide	Extreme	Low	Rapid asphyxia
Hydrochloric Acid	High	Low	Irritant; Corrosive
Hydriodic Acid	High	Low	Irritant; Corrosive
Hypophosphorus Acid	N/A	Mod	Corrosive
Iodine	N/A	Mod	Oxidizer; Corrosive
Lead Acetate	High	Low	Blood Disorders
Lithium Aluminum Hydride	Moderate	High	Water reactive, Explosive
Mercury Chloride	High	Low	Irritant; Corrosive
Methylamine	High	Extreme	Corrosive
Petroleum Ether	Low	Extreme	Disorientation, unconsciousness
Phenylacetic Acid	Low	Low	Irritant
Piperidine	Moderate	High	Corrosive
Red Phosphorus	Low	Low	Reactive & Explosive
Safrole	High	Low	May cause cancer
Sodium (metal)	High	Low	Water reactive, Corrosive
Sodium hydroxide	N/A	N/A	Corrosive
Thionyl Chloride	High	Low	Water reactive; Corrosive
* Based primarily on National Fire Protection Association Standards			

E. Health and Environmental Risks

Although the quantities of hazardous materials found at a typical clandestine drug laboratory are often small, the substances to which law enforcement personnel and others may be exposed present very real public health and safety concerns. Clandestine drug laboratories may present both acute and chronic health risks to individuals involved in the seizure and cleanup of the facility, to those who reside in the building, live or work nearby, and to the violator operating the laboratory.

[Table 2](#) shows the hazards associated with common production methods for methamphetamine.

Table 2: Common Methods for Methamphetamine and the Associated Hazards

<p>Table 2: Common Production Methods for Methamphetamine and the Associated Hazards</p> <p>P2P</p> <ul style="list-style-type: none">• Central Nervous System Toxicant• Flammable Solvents <p>Nazi/Birch</p> <ul style="list-style-type: none">• Inhalation• Cryogenic Liquids• Water Reactive Metals• Flammable Solvents <p>Red Phosphorus</p> <ul style="list-style-type: none">• Phosphine Gas• Iodine• Flammable Solvents
--

The initial health and safety concerns at a clandestine drug laboratory site are the acute hazards to law enforcement officers who carry out the tactical operations. During a tactical operation, law enforcement personnel may be exposed to irritants, corrosives, and chemicals that are explosive or flammable. Law enforcement as well as the public may also face exposure from chemicals stored at off-site locations such as rental lockers. The lack of proper ventilation and temperature controls at these off-site locations adds to the potential for fire, explosion, and human exposure.

Children that come into contact with raw materials and discarded clandestine drug laboratory chemicals or waste from these laboratories risk serious injury. In the *Associated Children Report* for FY 2001, DEA's El Paso Intelligence Center (EPIC) reported 1,564 children were present during the seizure of clandestine drug laboratories nationwide. Four hundred twenty-nine were reported to be exposed to toxic chemicals, and nine were injured. In FY 2003, EPIC reported 3,293 children were present during the seizure of clandestine laboratories nationwide. Of those, 48 were injured, and 1 died. The impact of clandestine laboratories on children is a serious

concern that needs to be assessed whenever a seizure occurs. Several states have developed Drug Endangered Children's (DEC) programs that are helping to ensure that the needed resources and agencies are available when children are found or are known to have been present at seized clandestine drug laboratories.

With regard to environmental concerns, the raw materials and the by-products of the drug manufacturing process are often disposed of indiscriminately by the laboratory operator to avoid detection. For every pound of methamphetamine produced, five to six pounds of toxic waste are produced. This can pose not only a significant human health, but also an environmental hazard. The operators of these laboratories have little or no regard for safety or environmental regulations. Spilling chemicals on the floor; dumping waste into bathtubs, sinks, toilets; or disposing on the grounds surrounding the laboratories, as well as along roads and creeks, are common practices. As a result, clandestine drug laboratories may contaminate the inside of a dwelling as well as water sources and/or soil around the site. In some cases, contamination may spread off-site. Surface and groundwater drinking supplies could be contaminated, potentially affecting large numbers of people.

Careless or intentional dumping by the illegal laboratory operator is not the only source of contamination; toxic vapors may permeate into a building's plaster and wood or may be vented outside. Perhaps the greatest risk of long-term exposure is assumed by unsuspecting inhabitants of buildings formerly used by clandestine drug laboratory operators, where residual contamination may exist inside and outside the structure. Residual contamination, particularly inside a multi-unit dwelling is a concern.

F. Procedures for Handling Clandestine Drug Laboratories

DEA and its predecessor agencies have been involved in seizing and cleaning up clandestine drug laboratories for several decades. While each laboratory seizure is unique and presents many types of hazards, there are standard procedures that DEA agents follow during the investigation and seizure of a clandestine drug laboratory. Law enforcement personnel engaged in clandestine drug laboratory investigations and seizures should have specialized training in the investigation of clandestine drug laboratories, appropriate health and safety procedures, and use of personal protective equipment (PPE). See [Section V](#) for more information.

The DEA Program has utilized qualified contractors to provide cleanup services after the clandestine drug laboratory has been processed for evidence. These contractors also have specialized training and equipment needed to safely perform a cleanup, and to properly transport and store the waste prior to disposal at a permitted facility. While this approach has worked well for DEA, new approaches for providing cleanup services are being evaluated. For example, the use of centralized storage containers may work in some states and result in lower overall costs. [DEA's Authorized Central Storage (ACS or container storage) pilot program and DEA's Clandestine Drug Cleanup Program are further discussed in [Section VI.C.](#)]

V. DEA's Clandestine Drug Laboratory Seizure Protocol

The investigation of clandestine drug laboratories presents unique challenges to law enforcement personnel, and requires specialized training (*e.g.*, Basic Certification, Site Safety Officer, and Clandestine Laboratory Tactical Training Course). This training prepares the personnel to seize a clandestine laboratory, but does not provide additional training needed to cleanup the laboratories. Thus, specialized contractors are used.

When the DEA begins an investigation, routine investigative techniques are employed to gather sufficient probable cause to substantiate that a drug laboratory is or has been operating on the premises. The DEA Special Agents then request a search warrant. Due to the complexities of some clandestine drug laboratories, a DEA forensic chemist is consulted, if practical, prior to and during the seizure. A chemist should also be at the site if at all possible. If not feasible to have one on site, DEA will consult with one by telephone.

A DEA clandestine drug laboratory seizure usually proceeds in seven steps: planning, entry, assessment, deactivation, processing, exit, and follow-up. These phases are further discussed below.

A. *Planning the Tactical Operation*

In planning the tactical operation, the case agent first makes an assessment of the hazards likely to be encountered and determines who needs to be notified before the tactical operation begins (*i.e.*, local police, fire department, emergency rooms and hazardous waste contractor). Clandestine laboratories by the very nature of their activities present a unique series of hazards and risks to law enforcement personnel. The degree of hazard depends on the specific site, chemicals present, their concentrations, conditions of storage (sealed, open, or leaking containers), and their proximity to each other (which may lead to various chemical reactions). Hazards to be expected include:

- Exposure to hazardous materials ([Table 1](#)) such as explosive and reactive chemicals, flammable agents, acutely toxic substances, irritant and corrosive agents, and possibly radioactive materials (*e.g.*, thorium nitrate);
- Physical injury resulting from close quarters (confined spaces); and
- Injury or death due to booby-traps.

Abandoned clandestine drug laboratory sites and chemical storage areas present hazards similar to those at active laboratories, thus similar precautions should be taken to ensure personnel safety.

The following safety procedures should be considered when planning the tactical operation:

- Notify fire department, hazardous materials response team, and/or bomb squad, depending on the size of the laboratory and the degree of hazard (if known);

- Call the contractor and arrange a meeting time and place (if warranted, due to remote location of a particular laboratory);
- Ensure fire extinguishers and first-aid kits are available;
- Avoid the use of weapons or diversionary devices such as flash bangs, smoke, or tear gas canisters – these weapons can ignite fumes;
- Do not turn switches on or off; unplug “cookers,” heating elements, or cooling equipment; open refrigerators or freezers; or move containers that are in the way, as they could be booby-trapped or cause sparks;
- Do not use matches or flames of any kind. Use an explosion-proof flashlight to look in dark areas;
- Do not taste, smell, or touch any substance;
- Do not use flashbulbs on cameras as they can cause flammable solvents or fumes to ignite; use only electronic strobes;
- Do not smoke, eat, or drink at the site;
- Do not touch your mouth, eyes, or other mucous membranes with your hands; and
- Decontaminate clothing, equipment and personnel (including prisoners) before leaving the laboratory site.

Once the potential hazards have been considered, the case agent assigns certified personnel to the tactical operation team to conduct the tactical operation. These teams should include a forensic chemist, if practical, and must include a site safety agent who is trained and equipped with requisite safety equipment.

A preliminary site safety meeting should be held prior to the Initial Entry phase with the tactical operation team to address preliminary site safety issues (*e.g.*, What should be done in the event of a release of toxic material/fumes during the Initial Entry Phase?).

B. Initial Entry

The purpose of the initial entry is to apprehend and remove the operators, and to secure the laboratory. The initial entry teams should be specially trained law enforcement officers who arrest the illegal laboratory operators and secure the site. DEA protocol calls for the initial entry team to employ ballistic protection equipment and fire retardant clothing. The amount of time without the proper protective equipment should be minimal. Any potential for chemical exposure needs to be minimized by exiting the area around the chemicals after any persons cooking are located in the laboratory site and are removed, and the process is secured. DEA recommends the use of self contained breathing apparatus (SCBA) or air-purifying respirators (APR), depending on the hazards present at the site. Training is required and practice with the equipment is necessary for officers to understand how to adapt to the equipment’s potential limitations in a laboratory setting. During the Initial Entry Phase, backup personnel in Level B personal protective equipment should be ready and on standby. If officers have not received proper training, they are advised not to enter into a hazardous environment, and to contact an agency such as DEA to assist with the seizure of the laboratory.

C. Assessment

After securing the premises, everyone is evacuated and the Assessment Phase begins. Prior to re-entry, the tactical operation team should meet to discuss specific site conditions (*e.g.*, wind direction, emergency evacuation procedures, notification of down-wind neighbors, *etc.*). Specially trained and certified agents and forensic chemists in the appropriate level of personal protective equipment (PPE), conduct a thorough assessment to determine what, if any, immediate health and safety risks (*i.e.*, potential for fire and explosion, toxic vapors, booby-traps, *etc.*) exist. Only the laboratory assessment team enters the laboratory; the laboratory is off-limits to all other personnel, particularly those that are not clandestine drug laboratory safety certified. For purposes of safety, DEA and OSHA require that a backup team be ready to enter a clandestine laboratory site in the level of PPE as the original team should assistance be needed in an emergency during this phase.

The appropriate level of protection must be determined before laboratory assessment can be made. The team must take appropriate steps to reduce imminent risks (*i.e.*, properly shutting down active “cooking” processes, ventilating the premises, *etc.*). The site safety officer should make decisions regarding the application of appropriate health and safety protocols. Information related to the different levels of protective equipment can be found in [Appendix F](#).

The team must have, and be trained in the usage of, appropriate monitoring instrumentation such as air-sampling pumps, explosimeters, oxygen meters, organic-vapor analyzers, or other air-monitoring instruments that are used to determine the lower explosive limit (LEL) oxygen level and the concentration of organic vapors in the laboratory atmosphere. (See text box, [Conditions Requiring Ventilation During Seizure](#), below.) All monitoring devices must be intrinsically safe (*i.e.*, designed to suppress sparks that may ignite explosive atmospheres).

After appropriate air measurements are taken, the next step is to identify the chemicals and equipment present in the laboratory and the potential hazards that may exist. If required, opening doors and windows can accomplish ventilation, provided that a natural draft exists. Before windows and doors are opened for ventilation, determine whether they are booby-trapped. Unless they are intrinsically safe (*i.e.*, explosion proof), fans should not be used because sparks from the fan motor can cause flammable solvents or fumes to ignite.

Conditions Requiring Ventilation During Seizure:

The laboratory must be ventilated if:

- The concentration of oxygen is less than 19.5 or greater than 25 percent.
- The concentration of any combustible gas is greater than 10 percent of the lower explosive limit (LEL).
- The concentration of any organic vapors and gases is greater than the permissible exposure limit (PEL), or the threshold limit value (TLV) of their respective components, or generally greater than 5 parts per million if the compounds are not known.

Caution: It is important to note that some laboratories (*e.g.*, those producing LSD, fentanyl, alphaprodine, and MPPP), *should not be ventilated* because of the potential for human exposure to the extremely toxic dusts or vapors if they are released into the atmosphere.

D. Laboratory Deactivation

The following are some examples of procedures generally used in laboratory deactivation. Since clandestine drug laboratory deactivation is complex and potentially dangerous, a qualified chemist should assist law enforcement personnel in carrying out the process:

- Examine the setup to determine whether processing is occurring; if so, determine the type of process (heating, cooling, *etc.*).
- Some reactions involve a vessel that is heated on the bottom and has a tap-water cooler on top. For this type of arrangement, remove the heat and wait until the glassware is cool to the touch before stopping the water or turning off any stirrers or shakers.
- If vacuum or gravity filtration is occurring, allow the process to conclude before shutting it down.
- If fingerprints are desired, keep this in mind when the apparatus is dismantled. If required, a fingerprint technician who has received clandestine drug laboratory safety training may lift prints when the area is safe and prior to moving any equipment.
- If compressed gas is being fed into a reactor, it should be shut off first by turning the main valve at the top of the cylinder and then shutting off the regulator valve at the side of the tank.
- If a vacuum system is in use, it should be brought to atmospheric pressure by slowly allowing air into the system before turning off the vacuum pump.
- If there is an exothermic (heat-producing) reaction in process, allow it to continue to completion and then cool to room temperature.

Once the laboratory has been deactivated, another set of atmospheric measurements should be taken to determine if the established safety criteria have been met. If the atmospheric safety criteria are not met, begin or continue ventilating and monitoring every half-hour. Ventilation should continue until the safety criteria are met. If this is impractical, the next phase, processing, can be accomplished with Level B protection. If appropriate, a certified agent or chemist may

downgrade the level of protection to Level C. [Appendix F](#) describes the Occupational Safety and Health Administration (OSHA) Levels of Protection.

Before processing the laboratory, the case agent or site safety officer needs to determine if there has been a release of a reportable quantity (RQ) of a hazardous substance (40 CFR Part 302.4). The lead law enforcement agency involved in the clandestine laboratory seizure investigation shall notify the National Response Center (NRC), if the RQ has been released. ***Please note notification is only required in the event of an actual or threatened release of hazardous substances; notification is not required in the event that chemicals are seized and secured.*** Law enforcement officials are encouraged to contact the National Response Center in the event of any release of hazardous substances. The contact number is **1-800-424-8802**. The notification must occur as soon as possible (suggested timeframe is no more than 24 hours) considering the urgency of the situation. The watchstanders at the NRC need concise and accurate information. (See [Table 3](#) and [Appendix G](#) for more specific information.) In addition to NRC notification, there may be additional state and local notification requirements. After notification, the cognizant agency initiates appropriate response actions to protect the public health and the environment. (See [Table 5](#) in **Section VI** for more information about the types of chemicals that have been found at clandestine laboratories and their associated RQ.)

Table 3: Information to be Provided During Notification of NRC

Table 3: Information to be Provided During Notification of the NRC at 1-800-424-8802

Be prepared to provide the following information, to the extent known, when contacting the NRC:

- Your name, address and telephone number;
- Name of the party or individual responsible for the incident;
- Mailing address of the site and/or responsible party;
- Telephone number of the responsible party;
- Nature of the incident (*i.e.*, clandestine drug laboratory seizure);
- Date and time the incident occurred or was discovered;
- Cause of the release;
- Total quantity discharged;
- Whether material was released to air, ground water, or subsurface;
- Amount spilled into waterway (*i.e.*, stream or sewer);
- Weather conditions;
- Number and type of injuries or fatalities;
- Whether evacuations have occurred;
- Estimated dollar amount of property damage;
- Description of cleanup action taken and future plans;
- Other agencies that you have notified or plan to notify immediately; and
- Type of assistance you require, if any (*e.g.*, air monitoring, emergency response).

E. Processing

Processing of the clandestine drug laboratory includes taking photographs with identifying labels, making a complete inventory, taking evidentiary samples, and preparing chemicals and apparatus for disposal (see [Table 4](#)). No materials or apparatus are moved until the agent has inspected and inventoried each piece of evidence. The certified chemist or agent takes samples as needed for evidence. All samples are labeled, initialed, packaged and sealed for transportation to an analytical laboratory. The recommended one-ounce sample size is typically sufficient for drug analysis, and if necessary, a reanalysis. Except for evidence, absolutely no waste, glassware, or equipment should be moved from the site or retained by law enforcement personnel.

Table 4: Information to be Collected During Laboratory Processing

**Table 4: Information to be Collected During Laboratory Processing
Drawings, Photographs, Inventory and Samples**

- **Drawing of clandestine drug laboratory site**
- **Photographs**
 - Photograph everything in place
 - General overviews
 - Close-ups
 - Specific items during inventory
 - Evidentiary samples and original containers
 - Visible contamination
 - Photograph site after removal of bulk materials
- **Inventory**
 - Inventory all equipment and paraphernalia present in terms of quantity, size, manufacturer's serial number, condition, and location
 - Inventory all chemicals present for type, concentration, and quantity
 - Describe unknown or unlabeled materials in terms of phase (solid, liquid, or gas), color, volume/mass and appearance
 - Describe the type, size, condition, and labeling of all containers
 - Plastic, glass, metal
 - Five-gallon, 2-ounce, *etc.*
 - Punctured, rusty, leaking, corroded, damaged, uncapped, bulging
 - Label, markings, *etc.*
 - Identify the location of leaking or broken containers
 - Describe spilled solids or liquids, specifying odor, color, appearance, location, size of spill, *etc.*
 - Identify the leaking compressed-gas cylinders
 - Identify unstable container storage
 - Identify other concerns
- **Samples**
 - Take samples of appropriate items for evidence
 - One-ounce sample size usually sufficient
 - Photograph samples and original containers with identifying labels
 - Maintain chain of custody

After evidentiary samples are removed from the clandestine drug laboratory, the disposal contractor should be allowed access to the laboratory for characterizing, packaging, marking, labeling, transporting wastes, and contaminated apparatus used to manufacture illegal drugs. This is usually accomplished at a central area where all seized items have been staged. Unless there has been a safety issue and the staging area is inside, the disposal contractor should not have a need to enter the clandestine drug laboratory. Law enforcement does not take possession of, or transport any chemicals, glassware, or apparatus used in the laboratory other than the samples taken for evidence. A hazardous waste contractor is used to remove the chemicals, waste, laboratory glassware, and equipment. (See [Section VI.G](#) for more information.) All law enforcement personnel and reusable equipment should be decontaminated before leaving the site, and the contractor should remove any “decon water,” contaminated, or disposable equipment/supplies.

When the processing has been completed, the case agent authorizes the disposal contractor to remove and dispose of all hazardous waste and contaminated apparatus. Any apparatus not being seized as evidence should be destroyed (*e.g.*, broken, dismantled, *etc.*) prior to packaging by the contractor. The case agent verifies and accounts for all hazardous wastes to be removed and remains at the site until the disposal contractor has completely removed the hazardous waste. Any contaminated protective clothing and equipment that cannot be decontaminated and reused is removed by the disposal contractor.

A law enforcement officer trained in site safety must be present to direct the entire processing operation. The contractor characterizes and packs the waste, prepares manifests, and adheres to all applicable federal, state and local laws, and regulations. Unless the contractor has been authorized to sign the manifest “on-behalf-of” the law enforcement agency, the law enforcement officer must sign the appropriate manifest forms for the transport of any hazardous waste. The law enforcement representative must sign for receipt of goods and services. The manifest must indicate the seizing agency as the generator of the waste. (See [Section VI.E](#) for more information on the regulatory requirements for waste generation.) The information on the manifest and receipt for goods and services should be carefully reviewed to ensure accuracy, and that the container count on those documents agrees with the number of containers being removed from the site.

F. Exit

Before exiting, the site must be secured and posted. When the removal of hazardous wastes has been completed, the case agent conducts a final inspection of the premises and posts a prominent warning on the premises ([Appendix A](#)). The posting consists of a “hazardous materials” warning sign that indicates that a clandestine laboratory was seized at the location. The date of seizure should also be included on the warning sign.

G. Follow-Up

For DEA-only seizures (see [Section VI.A](#)), notification letters are sent by the Special Agent in Charge (SAC) of the DEA Division to the property owner, with copies to appropriate health and regulatory agencies. All of these letters are sent by certified mail, return receipt requested. Additionally, DEA keeps a copy of the manifest ([Appendix H](#)) prepared at the site (state agencies must also keep a copy as the generator of the waste at sites they seize). In order to expedite the notification process, oral notification procedures may be implemented by the seizing law enforcement agency prior to written notification to appropriate authorities. Because residual contamination will likely exist at a clandestine drug site even after the chemicals, apparatus, and equipment have been removed, the notification of the state and local health and environmental agencies is absolutely necessary.

The law enforcement agency's responsibilities regarding the clandestine drug laboratory site end with the notification process. The cleanup of residual contamination is the responsibility of the property owner, or the local or state health or environmental agency with jurisdiction.

VI. DEA's Clandestine Drug Laboratory Cleanup Program

The mandate to address the clandestine drug laboratory problem is based on the recognition that the hazardous materials at, and waste generated from these laboratories, pose a significant health threat to law enforcement personnel, as well as to the general public and the environment. DEA's Cleanup Program addresses the protection of the public health and safety, and the environment by employing a qualified hazardous waste disposal firm to properly manage and dispose of hazardous wastes from clandestine drug laboratories.

A. DEA-Only

DEA's Clandestine Drug Laboratory Cleanup Program began as a DEA-only effort in 1989. Agents requiring a cleanup contractor's service called DEA Headquarters to obtain funding authorization for the cleanup service. Funding authorization now is provided 24 hours per day with support from the DEA Duty Agent after-hours, on weekends, and holidays. Likewise, contract services are provided 24 hours a day, 365 days a year. Funding for the DEA-only portion of the Program comes from the Asset Forfeiture Fund (AFF). DEA-only cleanups require the DEA Special Agent to confirm the seizure as DEA-only by linking the cleanup request to the AFF through the Consolidated Asset Tracking System (CATS) database, and issuing a CATS Number for the seized "assets" (*i.e.*, waste chemicals and apparatus turned-over to the DEA contractor).

B. DEA-State/Local

The DEA Clandestine Drug Laboratory Cleanup Program expanded to include funding support for state/local law enforcement in 1998 with \$5 million in funds from the Community Oriented Policing Services (COPS) Office. In 1999, DEA began receiving Appropriated Funds (See [Figure 7](#) in **Appendix B**). State or local law enforcement agencies must call the local DEA office to coordinate their effort. DEA will decide whether to seek funding authorization from DEA Headquarters as a state/local cleanup or to adopt the case as a DEA case. (This decision will be based on many factors, including whether the seizure is part of an on-going DEA investigation, type/size of laboratory, agent workload, or other factors.)

State/local agencies must agree to adhere to OSHA requirements for officer safety during their time at the site. They must also sign a Receipt For Services provided by the DEA contractor to acknowledge the number of contract employees, their time on site, and the number of containers removed from the site. The law enforcement officers must also provide security for the DEA contract employees for the entire period of time the contractor is on site. (DEA authorizes the contractor to leave the site, and to leave all waste behind, if proper site security is not provided while they are there.)

Occasionally, illegal drug manufacturers will dump wastes or materials used for manufacturing along the roadside, in ravines, lakes, streams, *etc.* These dumpsites, while not an active laboratory, can pose risks to the public, and law enforcement officer. Because the cleanup will result in the expenditure of resources, law enforcement must determine when it is appropriate to

call a contractor to a dumpsite for a cleanup, or notify state or local environmental agencies. Although such a site may not pose a law enforcement issue, these sites may present a significant risk to the public, and a cleanup may be needed.

C. Authorized Central Storage (ACS) (Container Storage) Program

In 1999, DEA restricted the hazardous waste contractor from responding directly to sites other than the clandestine drug laboratory site ([Appendix I](#)). Some state/local law enforcement agencies were transporting seized chemicals to their own storage areas that did not have adequate site security. Officers were not properly trained or equipped to satisfactorily perform these activities. DEA suspended this activity until the law enforcement agency agreed to the basic requirements of a safe program by executing a Letter of Agreement with DEA ([Appendix J](#)) to participate in the DEA Container Program. The basic elements require proper training, equipment, safety, and security.

In 2004, the States of Kentucky, Oklahoma, Nebraska and Alabama became the first states to enter into Letters of Agreement with DEA to establish various requirements for participants including training, equipment, security, as well as other requirements. Other states have expressed an interest in the program that allows state/local agencies to perform the removal of chemicals, and the temporary, safe and secure storage of those chemicals pending a pick-up by the DEA contractor and proper disposal at DEA expense.

Procedurally, waste must be properly characterized, packaged, marked and labeled according to EPA and DOT requirements, and then transported in accordance with DOT requirements to a secure storage area. The storage area must allow for proper storage of different and potentially incompatible chemicals. Procedures must be in place to separate incompatible waste while in storage, yet be able to identify the chemicals according to individual cases.

D. Contingency for Emergencies

The DEA Clandestine Drug Laboratory Cleanup Program is designed to provide 24/7/365 service even during extreme circumstances as a result of the lessons learned on September 11, 2001. In the most extreme situations, when DEA Headquarters must be evacuated, the Program has contingency plans in place to ensure the continued operation of the Program and issuance of funding authorization. As a result, DEA-only as well as DEA-State/Local programs will continue uninterrupted.

E. Hazardous Waste Statutes and Regulations

When law enforcement officials seize a clandestine drug laboratory site, that agency seizing the laboratory becomes the hazardous waste generator under federal law, and will need to comply with applicable regulations:

- The Resource Conservation and Recovery Act (RCRA) (RCRA is a statute implemented by the regulations in 40 Code of Federal Regulations (CFR) Part 260 *et seq.*), which governs the generation, transportation, storage, treatment, and disposal of hazardous wastes.

- The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (40 CFR Part 300), which governs emergency response for releases of hazardous substances into the environment.
- The Hazardous Materials Transportation Act (49 CFR Parts 170, 171, 172, 173, 178 and 179), which regulates packaging, marking, labeling, and transportation of hazardous materials, including hazardous wastes.
- The Occupational Safety and Health Act (OSHA)(29 CFR 1910.120 and Part 1200), which regulates safety conditions in the workplace, and establishes employee right-to-know provisions, respectively.

The materials seized at a clandestine drug laboratory become waste when law enforcement decides what to keep as evidence and what to dispose. (As noted in [Table 4](#), one ounce samples are usually sufficient for analysis as evidence.) Those items not required as evidence or for analysis are managed as hazardous waste due to their hazardous and toxic nature.

When DEA seizes a clandestine laboratory, DEA becomes the generator of hazardous waste because DEA has determined what will be needed as evidence and what will be managed as waste. It is DEA's action that "first caused the waste to be subject to regulation" per 40 CFR 260.10. When state and local agencies seize clandestine drug laboratories and request DEA's assistance in performing the removals, the state/local agency that performed the seizure becomes the generator of hazardous waste since it was their action that "first caused the waste to be subject to regulation."

If the DEA Program did not exist, many states would find it difficult to establish and fund an equivalent program. The result would be that waste from and chemicals used in the illegal operation would either remain at the site or would be improperly disposed, potentially creating a significant health and environmental problem.

While most clandestine laboratories meet the conditionally exempt small quantity generator (CESQG) requirements, which could exempt the waste from most hazardous waste regulations, DEA's policy is to manage the hazardous waste from all clandestine laboratories as exceeding CESQG because doing so:

- Allows for the tracking of the wastes, thereby reducing the potential for diversion of the material;
- Ensures the health and safety of personnel onsite and those transporting the waste to storage or a treatment, storage, or disposal facility (TSDF);
- Ensures safe disposal of unknown materials at the laboratories that cannot be readily identified, but can be characterized;
- Provides the wastes is identified as hazardous waste in case of an emergency during transport;
- Ensures containers at the site that may be contaminated from the drug production process are managed properly;
- Requires disposal facilities to provide certificates of disposal for all items removed from the site;

- Reduces DEA’s long-term liability from the mismanagement or improper disposal of these wastes; and
- Minimizes the amount of exempted hazardous waste from being placed in landfills that do not have the degree of environmental protection required of a permitted hazardous waste facility.

F. Emergency Notification

If an emergency situation exists that indicates that there is an imminent and substantial threat, or if there is a release of a Reportable Quantity (RQ) of a hazardous substance (as listed in 40 CFR 302.4) the law enforcement agency involved in the clandestine laboratory investigation must notify the National Response Center (NRC). ***Please note notification is only required in the event of an actual or threatened release of hazardous substances; notification is not required in the event that chemicals are seized and secured.*** Because law enforcement is typically first on the site, it is the responsibility of the lead law enforcement agency to determine whether a RQ of listed chemicals is present onsite and whether a release has occurred. (See [Table 3](#), **Section V** for more information on what needs to be reported to the NRC.) The NRC shall be notified if an RQ of a listed chemical is released.³ Law enforcement officials are encouraged to contact the National Response Center in the event of any release of hazardous substances. The contact number is **1-800-424-8802**. The notification must occur as soon as possible (suggested timeframe is no more than 24 hours) considering the urgency of the situation. The watchstanders at the NRC need concise and accurate information. (See [Table 3](#) and [Appendix G](#) for more specific information.) The list of chemicals that have been seized at a clandestine drug laboratory and their applicable reportable quantities are shown in [Table 5](#), below. The NRC notifies appropriate agencies (*e.g.*, the USEPA/USCG, state and local government), in accordance with established procedures. In addition to NRC notification, the lead law enforcement agency is to notify the State Emergency Response Commission and the Local Emergency Planning Committee as soon as practicable. After notification, the state/locals may initiate appropriate response actions to protect the public health and the environment.

³ A release is defined by EPA (40 CFR 302.6 and 355.40) in part as “dumping,” “spilling” or “abandonment” of certain, specific quantities.

Table 5: Chemicals and Their Corresponding Reportable Quantity

Table 5: Chemicals that have been Found at Clandestine Drug Laboratories and Their Corresponding Reportable Quantity			
Acetaldehyde	1,000 lbs	Isosafrole	100 lbs
Acetamide	100 lbs	Lead Acetate	10 lbs
Acetic Acid	5,000 lbs	Mercuric Chloride	500 lbs
Acetic Anhydride	5,000 lbs	Mercuric Nitrate	10 lbs
Acetone	5,000 lbs	Mercury	1 lb
Acetonitrile	5,000 lbs	Methyl Ethyl Ketone	5,000 lbs
Allyl Chloride	1,000 lbs	Nitric Acid	1,000 lbs
Ammonia (Anhydrous)	100 lbs	O-Nitrotoluene	1,000 lbs
Ammonium Chloride	5,000 lbs	O-Toluidine	100 lbs
Ammonium Hydroxide	1,000 lbs	Perchloroethylene	100 lbs
Benzene	10 lbs	Phosgene	10 lbs
Benzenesulfonyl Chloride	100 lbs	Phosphine	100 lbs
Benzyl Chloride	100 lbs	Phosphoric Acid	5,000 lbs
Benzyl Cyanide	500 lbs	Phosphorous Pentachloride	500 lbs
Bromine	500 lbs	Phosphorous Trichloride	1,000 lbs
Butylamine	1,000 lbs	Phosphorous	1 lb
Carbon Tetrachloride	10 lbs	Phosphorus Trichloride	1,000 lbs
Chloroform	10 lbs	Piperidine and Its Salts	500 lbs
Cyanides (Soluble Salts & Complexes)	10 lbs	Potassium Cyanide	10 lbs
Cyclohexane	1,000 lbs	Potassium Permanganate	100 lbs
Ethyl Acetate	5,000 lbs	Pyridine	1,000 lbs
Ethyl Ether	100 lbs	Sodium Bisulfite	5,000 lbs
Ferric Chloride	1,000 lbs	Sodium Cyanide [NA(CN)]	10 lbs
Formic Acid	5,000 lbs	Sulfuric Acid	1,000 lbs
Hexane	5,000 lbs	Toluene	1,000 lbs
Hydrochloric Acid	5,000 lbs	Vinyl Chloride	1 lb
Hydrogen Chloride (Anhydrous)	5,000 lbs		
Hydrogen Sulfide	100 lbs		

G. Protocol for Using DEA Contractor Services

DEA has developed specific protocol for utilizing its contractors for cleanup services. The protocol is outlined in [Appendix K](#). In summary, to obtain cleanup services, local DEA field personnel must be contacted and an appropriation number issued prior to the cleanup services. This ensures that adequate funding is available to provide the requested services. DEA’s contractors will only provide services that are within the scope of their contract. If additional services are needed, the services must be procured separately. In addition, accurate information on the seizure and cleanup is essential. DEA agents are required to report seizure data within 48

hours of a seizure. State/local law enforcement agencies are to complete the EPIC and NCLCP forms so that accurate seizure data can be collected. (See [Section VI.M](#) and [Appendix L](#) and [Appendix M](#).)

It should be noted that in addition to having trained personnel and equipment to perform the work, DEA's contractors must also meet physical and personnel security requirements as discussed in [Section VI.K](#).

H. Hazardous Waste Generator and Transporter Requirements

In the DEA-only and DEA-State/Local Programs, the law enforcement team does not take possession of or transport any chemicals, glassware, or apparatus from a clandestine drug laboratory, other than the samples taken for evidence.⁴ After a laboratory has been processed for evidence, a qualified hazardous waste disposal contractor is used to remove chemicals, glassware and contaminated apparatus.

The steps taken to ensure compliance with federal regulations are discussed in [Appendix N](#). A qualified contractor will be familiar with these requirements. Only personnel that have received OSHA, RCRA, and DOT training to perform these services and have the proper equipment to package, transport, and store the waste should be employed. Contractor personnel that are performing removals for DEA will be able to complete the steps outlined in [Appendix N](#) with regard to determining the hazardous nature of the waste, whether a Generator EPA ID Number is required before shipment can occur, what needs to be included on a manifest, whether land disposal restrictions apply, and how to package the waste and placard the vehicle for shipment. Only those individuals that have received the necessary training to properly assess the quantity and types of wastes found at a clandestine drug laboratory can ensure that the waste is properly characterized, packaged, transported and disposed. Unqualified personnel should not attempt to provide such services.

I. Handling of Certain Difficult Wastes

Compressed Gas Cylinders: Under the DEA Program, some compressed gas cylinders may be returned to the manufacturer. Some gas cylinders, however, must be removed by the contractor for disposal – most frequently these include propane cylinders used by the clandestine drug laboratory operator to hold anhydrous ammonia. These are easily identified by the brass fittings that have turned a bright aquamarine color as the result of the reaction between the ammonia and the brass. DOT regulations do not allow for the legal transportation of anhydrous ammonia in such containers. DEA has obtained a DOT Exemption (with special safety and handling requirements) that each of the DEA contractors utilizes.

⁴ DEA and four states are piloting a container storage program in which state/local law enforcement performs a portion of the cleanup. In those states, law enforcement will be characterizing, packaging and transporting the waste to an Authorized Central Storage area. The DEA contractor will pick-up the waste on a weekly basis.

Mercury: DEA contractors are directed to render equipment unusable (break glassware, crush heating mantles, *etc.*) before packaging those items for removal. Thermometers containing mercury require special handling to minimize disposal costs.

Radioactive Waste: On rare occasions, low-level radioactive waste (and on one occasion in 14 years, high level radioactive material), is found at clandestine drug laboratories. Federal and state laws have changed considerably over the last 14 years as have the DEA contract requirements. Currently, DEA contractors are required to provide removal and disposal services for such waste, have a qualified sub-contractor to provide the service, or utilize the services of state agencies that provide such services.

Explosives: Occasionally, highly reactive or explosive material is found at a clandestine drug laboratory. Although the DEA contract requires the contractor to manage “reactive” waste, explosives are best handled by explosive ordinance disposal (EOD) professionals before the contractors arrive. If explosives are found, local police, military, or civilian EOD units are called.

Other: Some chemicals may pose other equally unique handling requirements. Some chemicals (lithium, sodium, potassium) may be reactive to the moisture in the air while others may react with other chemicals to produce lethal gas (cyanide). Some wastes may pose health risks through inhalation or dermal absorption, and because labels on containers do not always properly identify the chemicals that may have been placed in the container, qualified contractors are especially necessary to ensure safe handling and proper environmental compliance.

J. Adulteration Protocol

Adulteration of waste at the clandestine drug laboratory is one method of ensuring that the waste is not used again in the manufacture of illegal drugs. DEA participated in a working group with the National Methamphetamine Chemical Initiative (NMCI) ([Appendix O](#)) that worked to prepare protocol for adulterating wastes before they are removed from the clandestine drug laboratory. The protocol can be found in [Appendix P](#) and is intended to preclude any potential for diversion of the wastes after they are turned over to contractor personnel.

K. Storage and Disposal of Hazardous Waste (Physical and Personnel Security)

After all pertinent evidentiary samples are collected, the other chemicals, laboratory glassware, and equipment should be considered contaminated, and therefore, disposed of properly. Wastes may need to be stored for a short period of time in order to arrange for the proper disposal. Initial storage facilities that handle wastes under DEA’s contract must have physical security requirements in place.

The disposal method will depend on the waste characteristics. DEA has contract provisions that require the waste be treated and disposed of in a manner consistent with the waste’s characteristics and is most cost effective to the government. DEA maintains information

regarding the manifest that shipped the waste to the disposal facility and certification of disposal from the TSDf to verify the waste has been disposed of properly.

DEA also reserves the right to perform announced and unannounced inspections at any of its response, storage, and TSDfS to determine compliance with the contract. DEA also performs background checks on contract personnel to minimize the potential for diversion of waste destined for disposal.

L. Site Safety and Security Plan

Clandestine Drug Laboratory Site Safety

Established policies and procedures to protect workers and the public from the potential hazards posed by a hazardous waste site must be developed before clandestine drug laboratory cleanup activities proceed. An initial Site Safety Plan must provide measures to minimize accidents and injuries that could occur during normal daily activities or during adverse conditions, such as, hot or cold weather. Any agency that develops a written Site Safety Plan needs to ensure that all safety aspects of a clandestine drug laboratory cleanup operation are thoroughly examined prior to commencing work. The initial Site Safety Plan should be modified as needed for every stage of site activity.

All initial plans should be revised whenever new information about site hazards is obtained. When developing an initial Site Safety Plan, both the offsite and onsite management must be involved, and it must be reviewed by occupational and industrial health, safety experts, physicians, chemists, or other appropriate personnel. An initial Site Safety Plan should be developed so that the preliminary site assessment can proceed in a safe manner. The information from this Assessment Phase (see [Section V.C](#)), however, can then be used to refine the Site Safety Plan so that further site activities can proceed safely.

Clandestine Drug Laboratory Site Security

Site security is necessary to:

- Prevent the exposure of unauthorized, unprotected people to site hazards;
- Avoid the increased hazards from vandals or persons seeking to abandon other wastes on the site;
- Avoid interference with safe working procedures; and
- Ensure security for cleanup contractor personnel.

Under no circumstances can the contractors be left at the site without an armed law enforcement official. Circumstances of the seizure should determine the law enforcement manpower remaining at the site (*i.e.*, remote location, possibility of release of violator prior to completion of cleanup process, *etc.*).

Facility Site Security

To maintain site security during working hours:

- Maintain security in the Support Zone and at Access Control Points.
- Establish an identification system to identify authorized persons and limitations to their approved activities.

- Assign responsibility for enforcing entry and exit requirements.
- Erect a fence or other physical barrier around the site.
- Have the Project Team Leader approve all visitors to the site. Make sure the visitors have a valid purpose for entering the site. Have trained site personnel accompany visitors at all times and provide them with the appropriate protective equipment.

To maintain site security during off-duty hours:

- If possible, assign trained, in-house technicians for site surveillance. They will be familiar with the site, the nature of the work, the site's hazards and respiratory protection techniques.
- Enlist public enforcement agencies, such as the local police department, if the site presents a significant risk to local health and safety.

M. Preparation of EPIC/NCLCP Forms

Preparation and submission of the EPIC and NCLCP forms are critical to documenting and understanding the magnitude of the clandestine drug problem, changes in the trends, as well as assessing the quality of the work performed by DEA's contractors. (EPIC and NCLCP forms can be found in [Appendix L](#) and [Appendix M](#), respectively.) The forms gather specific information regarding the clandestine drug laboratory, suspects, affected persons (*e.g.*, children), weapons, drugs, chemicals, cleanup contractor information, and other investigative information. In addition to being useful in documenting clandestine drug laboratory investigations, completion of the forms is especially useful in documenting the need for future resources. Policymakers and legislators frequently utilize the information from the EPIC database and the DEA Program when making appropriation and/or policy decisions regarding the Program. Accurate and complete information must be provided to these individuals to ensure the Program is adequately funded. It is, therefore, important that personnel from the law enforcement agency that seizes a clandestine drug laboratory complete the forms and submit them to the appropriate agency (EPIC 143 to EPIC and NCLCP form to DEA).

N. Posting Warnings Signs and Notification of Contamination

The DEA Program requires Agents to post each site with a warning sign ([Appendix A](#)). The warning sign gives unsuspecting visitors clear, bold warning that there is a real potential danger to exposure to hazardous chemicals at the site. Written notification (Certified with Return Receipt) ([Appendix Q](#)), must be sent to the property owner with copies to the environmental and health agencies with jurisdiction over the clandestine drug laboratory site.

O. Restitution

Invoicing information is frequently provided to the court system to facilitate recovery of cleanup costs. In order to obtain cleanup specific invoice information, the DEA case agent or DEA Division point-of-contact should request the information directly from the Hazardous Waste Disposal Section [(202) 307-8872]. Site specific information, such as the address of the clandestine laboratory, the case number, the date of the laboratory seizure and the appropriation number are needed to properly identify the invoice. The invoice information will be provided to

the case agent for submission to the courts. State/local representatives seeking this information must contact their local DEA office.

P. Retroactive Approval

Removals of laboratories that have been moved from the original location (except when the waste was moved to temporary storage at an Authorized Central Storage (ACS)) site, must go through a “retroactive approval” process before funding will be provided. See [Appendix I](#) for more information.

VII. Training

The DEA Office of Training provides three courses for law enforcement personnel responsible for clandestine laboratory operations.

- The Basic Clandestine Laboratory Safety Certification course is a one-week course that meets the OSHA requirement that law enforcement personnel entering a clandestine laboratory be certified to the HAZWOPR standards.
- The Advanced Site Safety/Site Safety course focuses on troubleshooting and first echelon maintenance of clandestine drug laboratory equipment. The completion of the school qualifies attendees to be Site Safety Officers at a clandestine laboratory.
- Clandestine Laboratory Tactical training is also provided due to the unique circumstances involved in the actual entry into a clandestine laboratory.

Both, the Basic Safety Certification and the Site Safety courses meet the OSHA requirement for training of persons entering a clandestine laboratory under 29 CFR 1910.120. All three courses are provided in two variations; one for DEA Special Agents, and one for state/local law enforcement. (See [Appendix R](#) for detailed course outlines.)

The medical monitoring of personnel is also required by OSHA. DEA has prepared a *Sample Letter to Physicians* to describe the general purpose of patients need for a physical ([Appendix S](#)) along with *Suggested Guidelines for Medical Examination* ([Appendix T](#)). The physician's *Medical Certification* can be documented on a form ([Appendix U](#)), and kept in the training records of personnel to document annual compliance with the medical monitoring requirement.

VIII. Removal of Residual Contamination

A. Introduction

Removal of residual contamination is an increasing concern for the health and safety of children, property owners and the communities in which clandestine drug laboratories are seized. Many states (Alaska, Arizona, Arkansas, Colorado, Minnesota, North Carolina, Oregon, Tennessee, Utah and Washington) have developed, or are in the process of developing, legislation to establish minimum standards, procedures, contractor licensing, and other requirements for managing the removal of residual contamination.

Additional information is available from states. A list of state environmental agencies and their web sites is contained in [Appendix V](#).

B. Examples of Existing State Programs

According to the National Alliance for Model State Drug Laws, the State of **Washington** “has the country’s most comprehensive set of laws specifically related to environmental cleanup of properties contaminated by illegal drug manufacturing.” The Washington Department of Health has also published a document, *Guidelines for Contamination Reduction and Sampling at Illegal Drug Manufacturing Sites* that addressed removal of residual contamination at both indoor and outdoor sites.

The State of **Oregon** also has a comprehensive law for the removal of residual contamination from both indoor and outdoor sites. The Oregon Department of Human Services licenses contractors who provide this service. Oregon’s law does not contain a remediation standard, however, a policy standard of $0.5\mu\text{g}/\text{ft}^2$ has been established.

The State of **Arizona’s** residual contamination laws establish remediation standard for methamphetamine at $0.1\mu\text{g}/100\text{cm}^2$. Contractors are registered with the State. Contractors must adhere to standards adopted by the Arizona Board of Technical Registration.

The State of **Tennessee** enacted legislation that also addresses removal of residual contamination at clandestine drug laboratories. A certified industrial hygienist or an individual certified by the Tennessee Department of Environment and Conservation must certify such property as “Safe for Human Use.” The State has established a standard for methamphetamine that cannot exceed $0.1\mu\text{g}/100\text{cm}^2$.

C. National Jewish Medical and Research Center Report

The National Jewish Medical and Research Center (www.webmaster@njc.org) in Denver, Colorado, conducted a study of clandestine methamphetamine laboratories to evaluate:

- The primary chemical exposure;
- Which phase of the response poses the highest risk;
- The relationship between symptoms reported and actual exposures;

- How symptoms in children relate to exposure;
- The appropriate types of PPE; and
- The appropriate components of a medical monitoring program.

The contamination levels found in the report are documented for various locations (*e.g.*, bedroom, kitchen, microwave, house, mobile home, apartment, *etc.*), and for various chemicals (*e.g.*, acids, phosphine, iodine, *etc.*). The report identifies “allowable levels [of methamphetamine contamination] for a residence that has been used as a clandestine laboratory to be re-occupied range from $0.1\mu\text{g}/\text{ft}^2$ to $5\mu\text{g}/\text{ft}^2$. Most states and local jurisdictions have adopted $0.5\mu\text{g}/\text{ft}^2$ or $0.5\mu\text{g}/100\text{cm}^2$.”

With regard to recommendations, the report establishes that “exposures at the lab may approach IDLH [immediate danger to life and health] levels, which by definition may be extremely dangerous to the lives and health of investigating officers.” As a result, “unless a suspected laboratory is assured to be inactive, that the minimum PPE should include total skin protection and the highest level of respiratory protection available.”

IX. Recommendations for Independent State Programs

Several states have allocated funding or have received federal funding to operate an independent state program. Other states may wish to consider development of their own independent state program. In either event, the *Guidelines 2005* can serve as a benchmark, and can serve as a document of lessons learned over the past decade. Those lessons may or may not be compatible with the individual state needs. However, there are several fundamental aspects of DEA's Program that should be incorporated into any independent clandestine drug laboratory cleanup program.

If state/local law enforcement agencies do not utilize the DEA Clandestine Drug Laboratory Cleanup Program as a first choice, they should develop their own program that meets all the federal, state and local laws regarding seized chemicals and apparatus at clandestine drug laboratories and:

1. Ensure officer safety and environmental protection through a cooperative effort with the requisite state or local agencies.
2. Identify a lead agency to assume overall responsibility for their program.
3. Establish and maintain a medical monitoring program for personnel responding to a clandestine drug laboratory and ensure those individuals are properly trained (see [Appendix R](#)) and equipped (see [Appendix F](#)).
4. Establish policy and procedures for use of personal protective equipment (*e.g.*, ballistic protection, fire retardant suits, and dermal and respiratory protection) during the Entry, Assessment, Deactivation and Processing Phases in keeping with OSHA requirements and unique law enforcement parameters.
5. Recognize that each clandestine drug laboratory seizure is different, and depending on the circumstance, different actions should be taken in seizing and securing them.
6. Document each seizure. In the case of seizures under the DEA Clandestine Drug Laboratory Cleanup Program, this documentation includes investigation documentation, a Significant Activities cable as required by the DEA Agents Manual, and the EPIC *National Clandestine Laboratory Seizure Report* (EPIC Form 143/DEA 612) as well as documents required for waste tracking and invoice submission. For Independent programs, it is recommended that the EPIC form be submitted in addition to any other independent program documentation requirements.
7. Obtain, at a minimum, the services of a qualified emergency response contractor who can, at a minimum, provide the service required of a generator of hazardous waste according to RCRA, and who can provide permitted treatment, storage, and disposal of all chemicals and contaminated apparatus seized at a clandestine drug laboratory.

8. Ensure their program requires law enforcement officers responsible for the seizure of a clandestine drug laboratory to post the site with a warning sign regarding the potential dangers resulting from the seizure of a clandestine drug laboratory at that location. The program should also require a follow-up written notification to the property owner, health department and environmental agency regarding the potential contamination at the site.

X. Contact Information

Drug Enforcement Administration (DEA)

www.dea.gov

Office of Forensic Sciences – SFH

Washington, DC 20537

(202) 307-8872

John C. Patrick

Environmental Protection Agency (EPA)

www.epa.gov

Office of Emergency Management

Washington, DC 20460

(202) 564-3850

Lisa Boynton

National Alliance for Model State Drug Laws

www.natlalliance.org

700 North Fairfax Street, Suite 550

Alexandria, VA 22314

(703) 836-6100

Sherry Green

National Jewish Medical and Research Center

www.webmaster@njc.org

1400 Jackson Street

Denver, CO 80206

(303) 398-1520

Dr. John Martyny

XI. Glossary

Acute toxicity - Adverse health effects resulting from a brief exposure to a chemical substance or mixture. The effects may be reversible or irreversible.

Anti-Drug Abuse Act - Public Law (PL) 100-690. Section 2405 of this act established the Joint Federal Task Force to address the issue of hazardous waste contamination at clandestine drug laboratories.

Assessment - Determination of immediate safety or health risks and reduction, if possible, of any imminent hazards to law enforcement personnel in later stages of the seizure operation.

Asset Forfeiture Fund - The fund used by DEA to pay for the removal and disposal of chemicals and contaminated apparatus seized under the DEA-Only portion of the Program.

Authorized Central Storage (ACS) - Storage facilities utilized by state/local agencies for the secure, temporary storage of seized chemicals and contaminated apparatus managed by properly trained and equipped state/local personnel whose lead agency has signed a Letter of Agreement with the Drug Enforcement Administration.

By-product - Chemical substance remaining after synthesis of illicit drugs that is formed as part of the chemical reaction.

Bulk chemicals - Drums, containers, or packages of precursors, reagents, solvents, by-products or illicit drugs that should be taken for evidence or removed to a permitted waste disposal facility.

Chronic toxicity - Adverse health effects resulting from continuous or intermittent exposure to low levels or doses of a chemical substance or mixture over a long period of time (weeks to years).

Clandestine drug laboratory - An illicit operation consisting of a sufficient combination of apparatus and chemicals that either has been or could be used in the manufacture or synthesis of controlled substances.

Clandestine drug laboratory safety program - A program developed by the U.S. Drug Enforcement Administration to protect the safety of its investigators from the chemical hazards posed by clandestine drug laboratories. (Satisfies OSHA training requirements under 29 CFR 1910.120(q)(6)(iii) for working with hazardous materials (clandestine laboratory chemicals and evidence).

Code of Federal Regulations - The series of documents that make up regulations promulgated by the federal government.

Combustible - A term used by the National Fire Protection Association (NFPA), Department of Transportation (DOT), and the Occupational Safety and Health Administration (OSHA) to denote substances that will burn, usually with a flashpoint greater than 100 degrees F (38 degrees Celsius).

Community Oriented Policing Services (COPS) - A government program established to support local police departments.

Comprehensive Environmental Response, Compensation Liability Act (CERCLA) - The act that created the "Superfund" and the associated regulations aimed at addressing existing environmental problems, or imminent or substantial environmental problems.

Conditionally Exempt Small Quantity Generator (CESQG) - A set of generators who produce, on a monthly basis, less than 100 kilograms of hazardous waste or less than 1 kilogram of acutely hazardous waste.

Consolidated Asset Tracking System (CATS) - The computerized system used by DEA to manage data associated with seized assets.

Condemnation - The legal act of declaring a property unfit for use by the public.

Contamination report - A report completed by the law enforcement agency during the planning, assessment, and processing phases of the seizure operation that provides a summary of the types and amounts of chemicals seized, and possible areas of the property or surrounding area that might be contaminated.

Controlled Substances Act - Public Law 91-513. Provides the legal basis for drug law enforcement in the United States, and establishes regulations activities governing controlled substances.

Controlled substance analog - A chemical derivative of a known illicit drug; “designer” drug (21 U.S. C. §§ 801, *et seq.*).

Corrosive - Under RCRA regulations (40 CFR 261.22), a substance is corrosive if it corrodes metal (*e.g.*, steel) under certain conditions, or if it exhibits strongly acidic or alkaline pH that would enable it to harm human tissue or aquatic life.

Deactivation - See “Dismantling.”

Decontamination - The process of removing chemical contamination from surfaces by washing or by chemical treatment.

Designer drugs - See “Controlled substance analog.”

Dismantling - Deactivation of all chemical reactions and laboratory activities after the assessment phase.

Disposal contractor - An individual or company that is appropriately qualified (or registered with the state, if necessary) to dispose of hazardous wastes in approved facilities.

Draeger tube - A tube used in conjunction with a Draeger pump to collect and quantitate gas vapors in the atmosphere by color reactions.

Dust - Suspension in air of fine particles or solids formed from grinding, milling, or other disintegration processes of a mechanical nature.

Emergency response - The process initiated by calling the National Response Center (NRC) of evaluating, and if necessary, taking actions to reduce or prevent the release of a hazardous substance into the environment that may pose an imminent and substantial threat to the public health or environment.

El Paso Intelligence Center (EPIC) - Administrators of the National Clandestine Laboratory Seizure Database.

Entry - Apprehension and removal of clandestine drug laboratory operators by law enforcement agents.

Evidentiary samples - Samples of drugs and other items collected by a law enforcement officer or certified chemist at a clandestine laboratory site to be used as evidence against the perpetrator(s). Samples are taken prior to bulk disposal of the chemicals and other materials.

Explosive - A material producing a sudden, almost instantaneous release of pressure, gas, and heat when subjected to abrupt shock, pressure, or high temperature.

Exit - Final inspection of the laboratory after processing and posting of the premises.

Explosimeter - An instrument that measures the concentration of a flammable gas or vapor as a percentage of the lower explosive limit (LEL).

Fiscal Year (FY) - The federal fiscal year is from October 1 to September 30.

Flammable - Describes any solid, liquid, vapor or gas that will ignite easily and burn. Flammable liquids are defined by DOT and NFPA as those having a flashpoint of less than 100 degrees F (38 degrees Celsius).

Flashpoint - The lowest temperature at which a substance gives off flammable vapor to form an ignitable mixture with air near its surface or within a vessel.

Follow-up - Notification of property owners and state and local health agencies, by the law enforcement personnel in charge that the clandestine laboratory has been seized and posted.

Fume - A type of aerosol in which solid particles are formed by condensation of particles from heated metals or other solids.

Gas - A thin and shapeless fluid (*e.g.*, air) capable of indefinite expansion but convertible by compression and cold into a liquid then eventually a solid. Gases exist naturally at 20 degrees Celsius.

Generator - Any person, by site, whose act or process produces hazardous waste identified or listed in Part 261 of RCRA regulations or whose act first causes a hazardous waste to become subject to regulation.

Gross removal - For purposes of this guidance, gross decontamination means the removal of the chemicals, equipment and apparatus that could be used to make illegal drugs.

Hazardous substance - Chemical substances, elements, mixtures, or solutions variously defined or listed under a number of federal and state regulations. Some of the pertinent federal regulations are: CERCLA (Section 101, 102); RCRA (Sections 3001, 3002); TSCA (Section 7); Federal Water Pollution Control Act (Sections 307 [a], 311[b] [2] [A]); and the Clean Water Act (Section 112).

Hazardous waste - A hazardous waste as defined in 40 CFR Part 261 of RCRA regulations or pertinent state regulations.

Hazardous Waste Cleanup and Disposal Contracts (HWDC) - A series of contracts developed by DEA to provide emergency response and removal services, and disposal of seized chemicals and contaminated equipment seized at clandestine drug laboratories.

Ignitable - Defined under RCRA (40 CFR 261.21) as a solid waste capable during routine handling of causing a fire or worsening a fire once established. It includes liquids, non-liquids, compressed gases (as defined under DOT regulations, 49 CFR 173.300), or an oxidizer (as defined under DOT regulations, 49 CFR 173.151).

Irritant - A chemical substance that produces reversible redness, swelling, or soreness when in contact with the skin or mucous membranes.

Joint Federal Task Force (JFTF) - The entity established by Public Law 100-690 to develop the *Guidelines for the Cleanup of Clandestine Drug Laboratories*.

Large Quantity Generator - A set of generators who produce, on a monthly basis, more than 1000 kilograms of hazardous waste and more than 1 kilogram of acutely hazardous waste.

Lead agency - A state-appointed agency (state or local) responsible for supervising, coordinating and facilitating the cleanup of clandestine drug laboratories, within that state, in cooperation with law enforcement personnel.

Level A protection - The level of protective equipment used when the greatest level of skin, respiratory, and eye protection is required [29 CFR 1910.120 Appendix B (A)(i)].

Level B protection - The level of protective equipment used when the highest level of respiratory protection is necessary but a lesser level of skin protection is needed [29 CFR 1910.120 Appendix B (A)(ii)].

Level C protection - The level of protective equipment used when the concentrations(s), and types(s) of airborne substances(s) is known and the criteria for using air purifying respirators are met [29 CFR 1910.120 Appendix B (A)(iii)].

Level D protection - A work uniform affording minimal protection; used for nuisance contamination only [29 CFR 1910.120 Appendix B (A)(iv)].

Lower explosive limit (LEL) - Refers to the lowest concentration of gas or vapor (percent volume in air) that will burn or explode at ambient temperatures if an ignition source is present.

Manifest - The Uniform Hazardous Waste Manifest, EPA Forms 8700-22 and 22A (40 CFR Part 262); the shipping paper required for shipments of hazardous waste that describes the waste, quantity and hazards, and tracks the waste from “cradle to grave.”

Memorandum of Understanding (MOU) - An agreement between two or more agencies that outlines the roles and responsibilities of those agencies under a certain task, mission, objective, etc.

National Clandestine Laboratory Cleanup Program - The generic federal program designed to manage all aspects of the seizure and chemical removal/disposal associated with the seizure.

National Institute of Occupational Safety and Health (NIOSH) - The national organization that establishes uniform standards pertaining to occupational safety and health.

National Fire Protection Association (NFPA) - A national association that establishes standards relating to fire prevention/protection.

National Response Center (NRC) - The national organization that serves as a focal point for transportation and environmental spills.

Notification letter - Letters from law enforcement or health agencies to appropriate parties regarding the status of a clandestine laboratory site relative to legal and health/safety issues.

On-scene coordinator - Personnel from the EPA or USCG who respond to emergencies involving the release of hazardous substances that may endanger public health or the environment.

Organic vapor analyzer - A device that detects the presence and concentrations of organic vapors in the air that may pose an acute health or safety hazard.

Permissible exposure limits (PEL) - Regulated values based on time-weighted average concentrations that must not be exceeded during any 8-hour workshift of a 40-hour workweek.

Personal protective equipment - Various types of clothing (e.g., suits, gloves, hats, boots) or apparatus (i.e., face masks, respirators, etc.) designed to prevent inhalation, skin contact or ingestion of hazardous chemicals. Various “levels” of protection have been developed to protect individuals who may be exposed to different degrees of adverse health risks.

Planning - The preliminary stage of a clandestine drug laboratory seizure that includes surveillance, and assessments of the hazards present in order to develop the safest strategy for entry of the laboratory.

Precursor - A chemical substance required for the synthesis of an illicit drug, which is ultimately incorporated into the drug structure. Some precursors are hazardous in their own right, and are regulated through federal and state substance abuse laws.

Processing - The stage of a seizure operation in which evidence is gathered and bulk chemicals are disposed of through a licensed disposal contractor.

Public health evaluation - A process used by EPA, and state or local public health agencies to evaluate the risk of adverse health effects (i.e., carcinogenic; non-carcinogenic) to humans by hazardous substances.

Reactive - Under RCRA (40 CFR 261.23), substances that are normally unstable and have a tendency to react violently with water or explode during handling. Explosives as defined under 49 CFR 173.51, 173.53, 173.88 are also included in this definition.

Reagent - A chemical required for the synthesis of an illicit drug substance but which is not incorporated into the final chemical product.

Release - As defined in Section 101.22 of CERCLA, any spilling, leaking, pumping, pouring, emitting, emptying, dumping, or disposing into the environment (including any abandonment or discarding of barrels, containers, and other closed receptacles that contain any hazardous substance or pollutant or contaminant).

Remediation - The process of removing contamination in the form of interior surface contamination and/or exterior contamination (*e.g.*, soil, surface water, groundwater, *etc.*) from a property.

Removal - The process of removing containers and bulk waste (*e.g.*, bottles, cans, jugs, waste piles, *etc.*) of chemicals or chemically contaminated objects, and disposing of them at a permitted disposal facility, as required under RCRA.

Residual contamination - Chemical contamination that remains inside the dwelling or on the grounds surrounding the clandestine drug laboratory site that may pose a public health or environmental risk.

Resource Conservation and Recovery Act (RCRA) - The Act that established standards for the proper management of hazardous waste from the time of generation (and/or becoming subject to regulation).

Seizure - The act of taking control of a clandestine drug laboratory, which involves planning, initial entry, assessment, processing, exit and follow-up.

Self-Contained Breathing Apparatus (SCBA) - Equipment that supplies clean air under regulated circumstances.

Small Quantity Generator (SQG) - A set of generators who produce, on a monthly basis, 100 kilograms or more of hazardous waste or 1 kilogram or more of acutely hazardous waste, but not more than 1000 kilograms of hazardous waste.

Solvent - An organic liquid used in various chemical reactions or extraction procedures to dissolve or separate precursors, reagents, or drug substances, but which is not incorporated into the final product.

Superfund Amendments Reauthorization Act (SARA) - The Act that re-authorized CERCLA.

Threshold limit value (TLV) - Guideline values based on time-weighted average concentrations that must not be exceeded during any 8-hour work shift of a 40-hour workweek

Toxicity - The quality or degree of being poisonous or harmful to plant, animal, or human life as the result of exposure (ingestion, inhalation, or skin contact) to a hazardous chemical, mixture, or illicit drug. The characteristic of EP toxicity is defined in 40 CFR 261.24.

Vapor - The gaseous state of a material suspended in air that would otherwise be a liquid or solid at 20 degrees Celsius and normal atmospheric pressure.

XII. Appendices

A. *Warning Sign for Posting at Clandestine Drug Laboratory*

WARNING WARNING WARNING

A clandestine laboratory for manufacture of illegal drugs and/or hazardous chemicals was seized at this location on _____ .
DATE

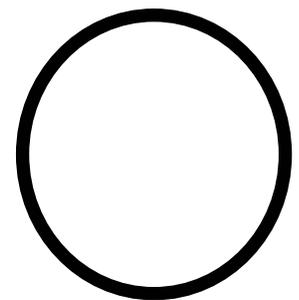
Known hazardous chemicals have been disposed pursuant to law.

However, there still may be hazardous substances or waste products on this property, either in buildings or in the ground itself. Please exercise caution while on these premises.

AGENCY

AGENCY ADDRESS

AGENCY PHONE NUMBER



AGENCY LOGO

WARNING WARNING WARNING

B. DEA Hazardous Waste Contract History: 1991 - Present

Contracts: In 1991, DEA was the first law enforcement agency to implement a nation-wide clandestine drug laboratory cleanup contract. This first generation contract acquired the services of a contractor to provide emergency response services at illegal drug laboratories seized by DEA Special Agents, and to provide proper disposal of the chemical and contaminated apparatus seized at those sites. The contractor performed the duties of a generator of hazardous waste required by EPA's regulations promulgated as part of the Resource Conservation and Recovery Act (RCRA) on-behalf-of DEA. The first HWCDC established ten contract areas; the open contract competition resulted in the award of the contract to one company for all of the ten contract areas ([Figure 2](#)). This contract lasted two years.

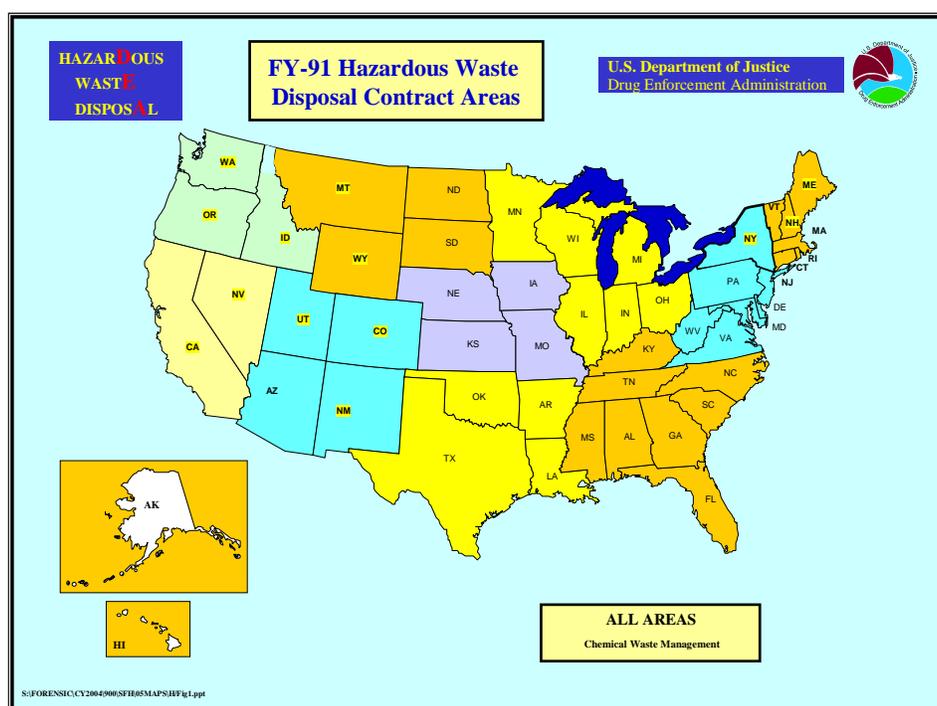


Figure 2- Contract Areas (First Generation: FY91 – FY92)

In 1993, the second generation HWCDC was awarded to eight emergency response companies. Contract revisions eliminated container storage as a separate billable item. The net result was a two-thirds reduction in the average cost per cleanup. (See paragraph G, below.) The number of contract areas increased nearly three-fold to 27 ([Figure 3](#)). This increase addressed the pervasive concern by Special Agents that response times were too long thus exacerbating an already dangerous situation. Although contractor response times continued to be an issue, the overall reduction in response times improved. The second HWCDC lasted five years.

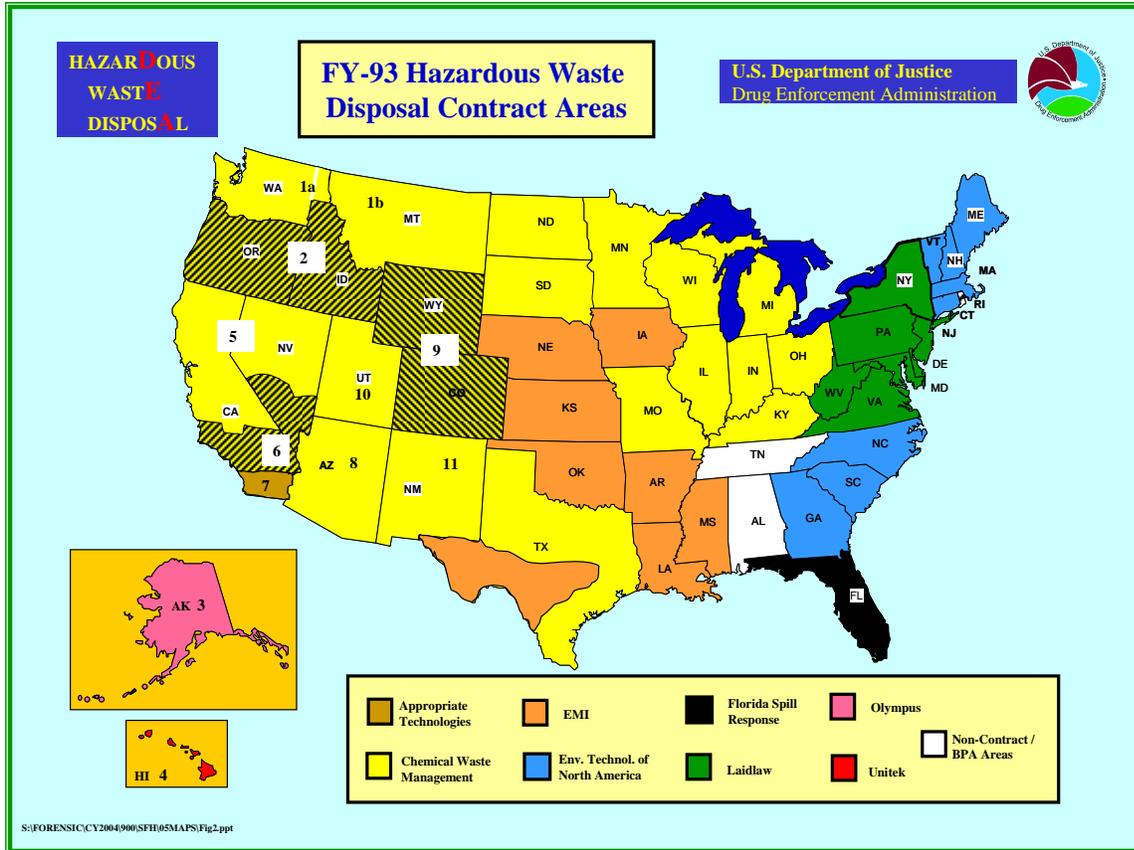


Figure 3- Contract Areas (Second Generation: FY93 – FY97)

The third generation HWCDC was awarded to ten successful emergency response contractors in 1998. They provided service in 29 contract areas as shown in [Figure 4](#) (Puerto Rico was added, and Nevada was split into two contract areas). Average cleanup costs continued to improve as did response times. This contract lasted five years.

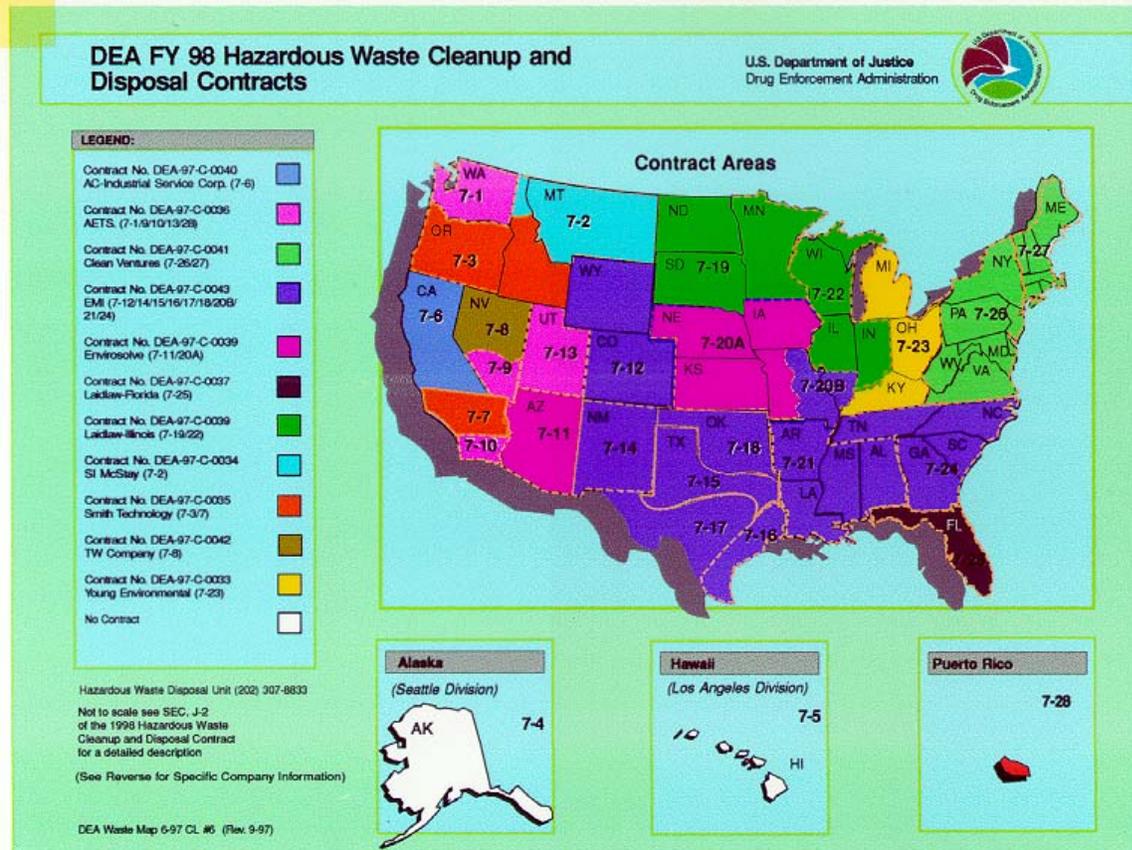


Figure 4- Contract Areas (Third Generation: FY98 – FY02)

The current HWCDC is also a five year contract (base year plus four option years) that began in 2003. The newest contract has several major changes: The number of contract areas was dramatically increased to 44 in an attempt to further reduce the response times, and minimize the agent’s on-site time ([Figure 5](#)); Electronic invoicing was also incorporated into the fourth generation HWCDC. Other cost savings measures were included resulting in another decrease in the average cost of cleanup as shown in [Figure 7](#).

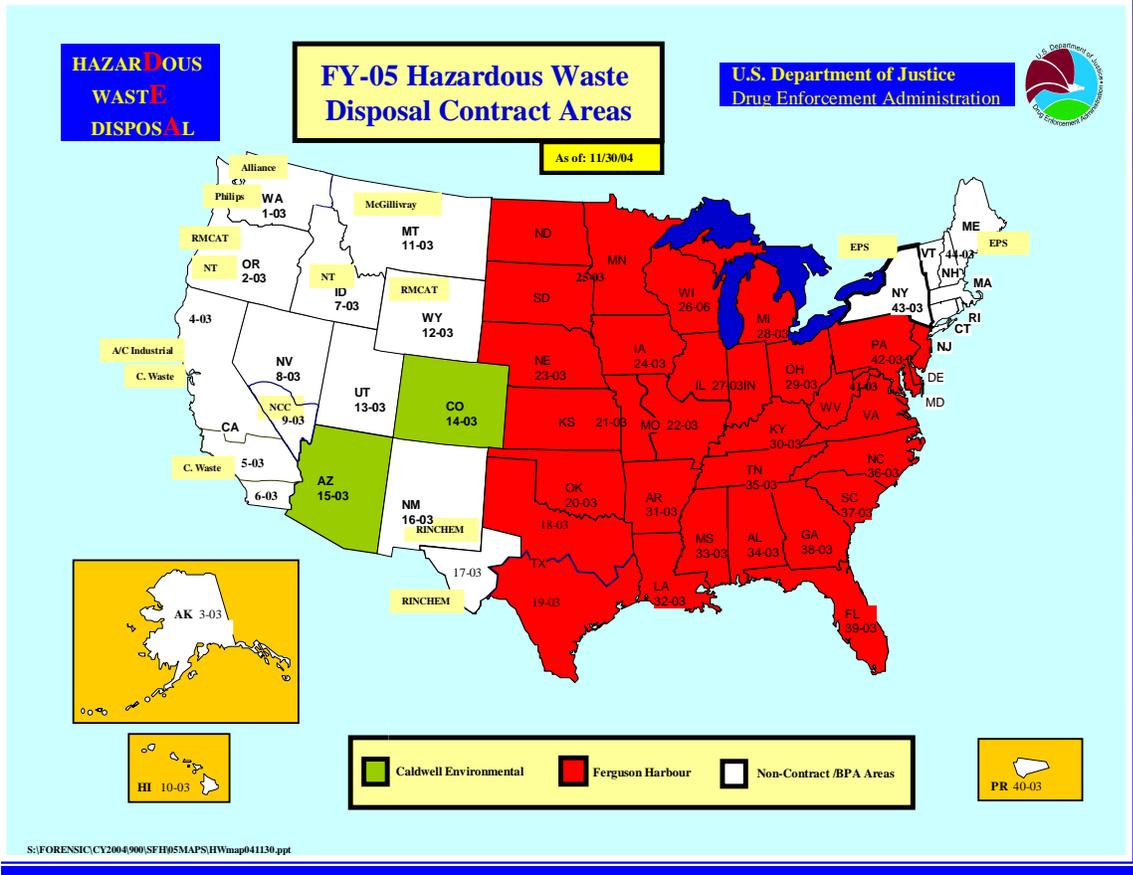


Figure 5- Contract Areas (Fourth Generation: FY03 – FY07)

Numbers, Cost and Funding: Since the Program began, the number of cleanups funded by DEA has increased dramatically. [Figure 6](#) illustrates the rapid growth that began in 1995. (The vertical dashed lines indicate breaks between contracts.) Since funding from the COPS program began in 1998, those cleanups are indicated separately (in green). It should be noted that although COPS funding was made available to DEA in 1998, implementation of the Program did not start until well into the fiscal year (FY). FY1999 reflects a full year of cleanup activity under the COPS funded portion of the Program. Growth due to the COPS funding has steadily increased through the third generation HWCDC, and continues to be the bulk of the cleanups (approximately 98%) funded by DEA. Projections for FY2005 indicate over 12,000 cleanups will be funded by DEA with nearly all 12,000 being state/local cleanups paid for with COPS funding.

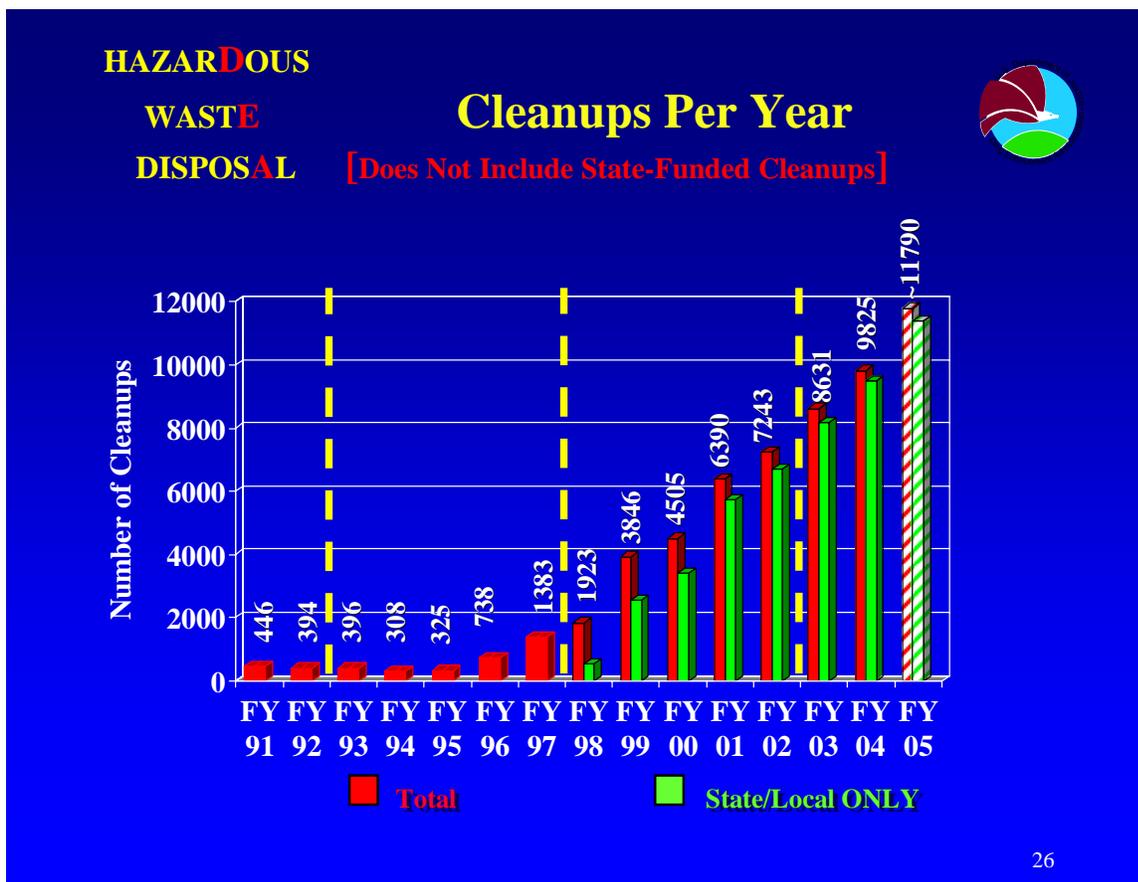


Figure 6- Cleanup per Year Funded by DEA

The annual cost of the Program has fluctuated over the last decade. Two major factors causing the fluctuation have been the improvements in the contract requirements and the number of cleanups funded by the Program. Various contract modifications and improvements that have resulted in significant cost savings. As shown in [Figure 7](#), three basic funding sources have supported the Program.

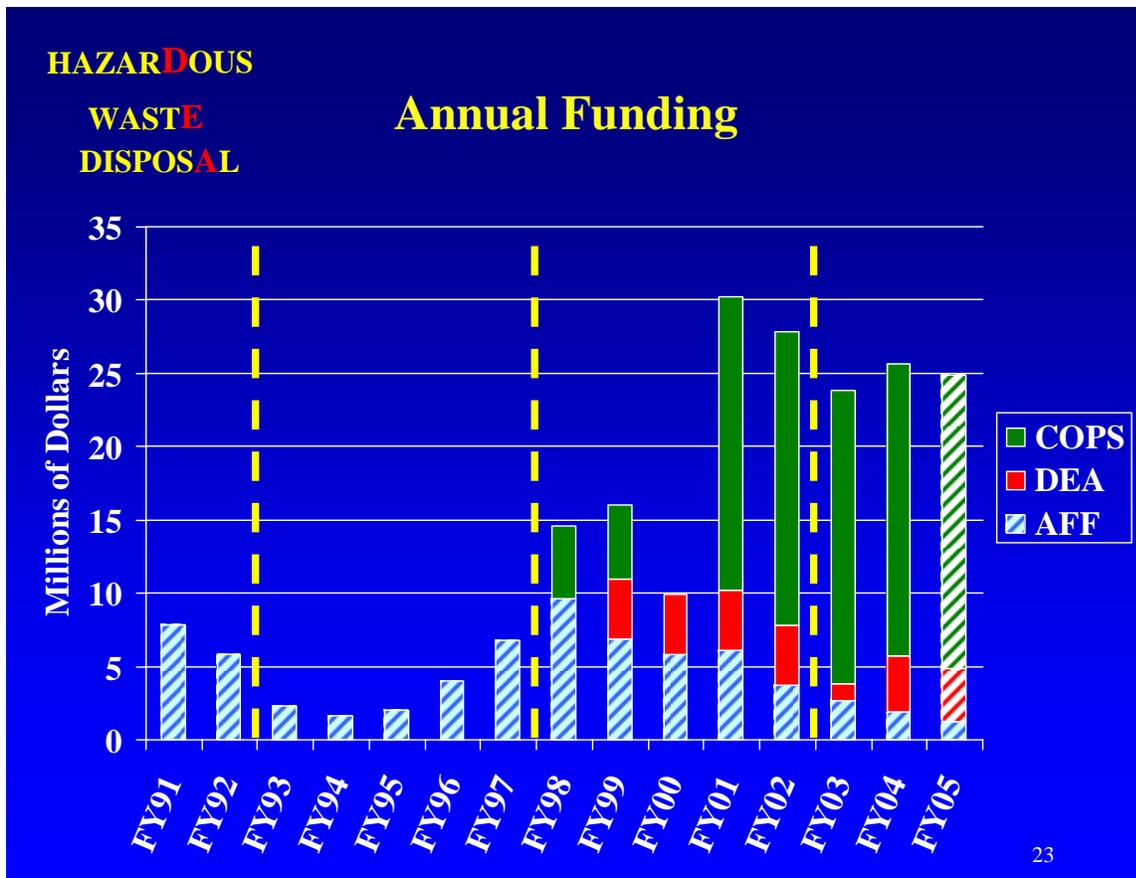


Figure 7- Annual Funding

The Asset Forfeiture Fund (AFF) has been the source of funding for the DEA-Only cleanups (discussed in [Section VII.A](#)). Initial COPS funding became available in FY 1998, and was provided again in FY 1999. In 1999, DEA also received a Congressional appropriation which provided some flexibility in support of state/local efforts and other DEA efforts. In FY 2000, Congressional appropriations ear-marked the COPS funding directly to specific locations. COPS funding again came directly to DEA in FY 2001, and has continued.

The other real success of the DEA Program has been in the decrease in the average cost per cleanup, and disposal of chemicals and contaminated apparatus seized by law enforcement ([Figure 8](#)). Although the number of cleanups was relatively small, the first generation contract yielded an average cost per cleanup of \$17,000. Container storage was allowed at the time, but was soon identified as a significant cause of elevated prices. With the advent of the second generation HWCDC, no separate billing for storage was allowed. Bids (and billing) under this contract required the contractor to build-in any storage that might occur into the disposal costs for any container of waste. The average cost per cleanup dropped to about \$5,500. Additional revision in the third generation HWCDC resulted in a further decrease of the average cost per cleanup to less than \$3,500. The 2003 contract has seen further reductions to below \$2,000. It should be noted that the Authorized Central Storage (ACS) (Container Storage) program began in the 2003 HWCDC, and was implemented in FY 2004. Early results show the average cost per cleanup and disposal under this program are below \$500. (It is important to note that this does

not take into consideration the start-up and maintenance costs associated with the temporary storage areas, personnel training, equipment, *etc.*)

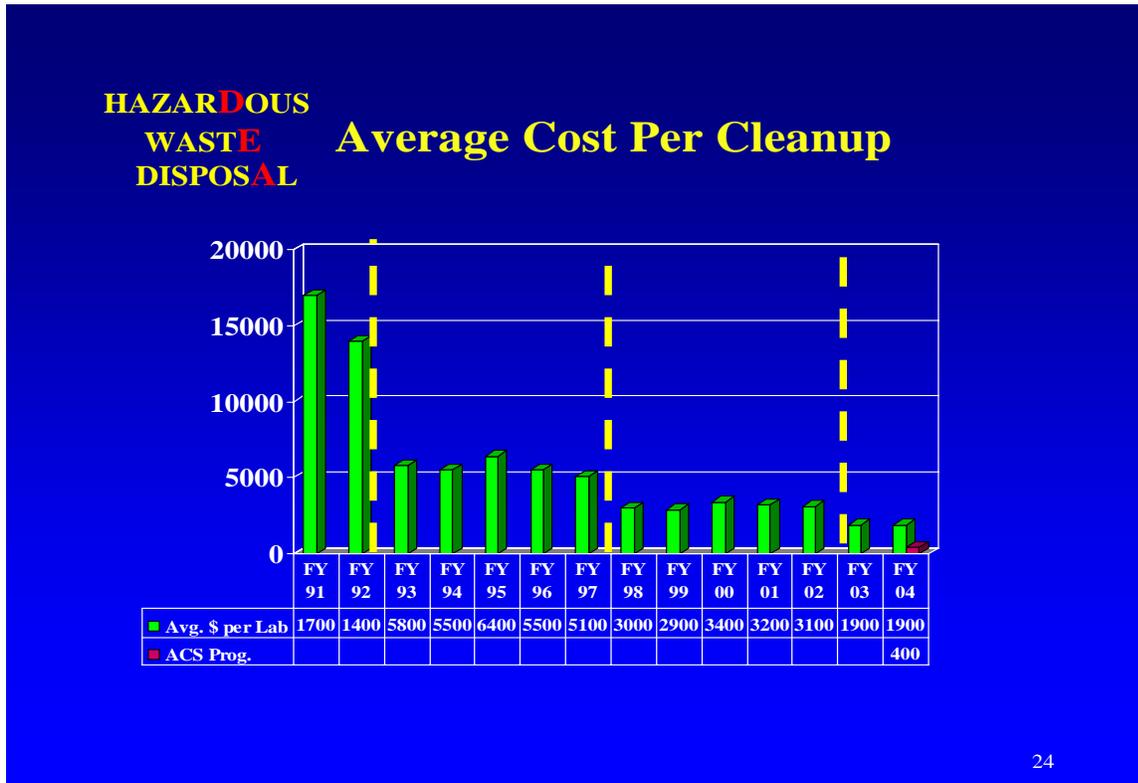


Figure 8- Average Cost Per Cleanup

Overall, the DEA Program has provided quality service, ensured environmental, health, safety compliance, and shown a reduction in cost, and improved efficiency.

C. DOJ Memo; 1989; Keep evidentiary samples only



U.S. Department of Justice

Office of the Associate Attorney General

Washington, D.C. 20530

JUN 23 1989

MEMORANDUM

TO: United States Attorneys;
All AFPAC Components

FROM: *JW* Joe D. Whitley
Acting Associate Attorney General

SUBJECT: Departmental Policy Regarding the Seizure and
Forfeiture of Real Property that is Contaminated with
Hazardous Waste

A recent amendment to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) has the potential effect of imposing interminable liability on the United States Marshals Service (USMS) for the cleanup of forfeited real properties on which hazardous wastes either have been stored for more than one year or are known to have been released or disposed of at any time. Such liability would extend to virtually every property on which a clandestine laboratory for the manufacture of controlled substances has operated or where certain precursor chemicals have been stored as well as all contaminated properties which may have facilitated the commission of a drug offense, which may have been purchased with drug proceeds, or which may be subject to RICO forfeiture under 18 U.S.C. 1963. The enormous potential liabilities posed by this statutory amendment vastly exceed the budgetary capabilities of the Department of Justice and would threaten the fiscal integrity of the Asset Forfeiture Fund. As a consequence, the Department of Justice has formulated a policy to govern the handling of real properties which may be contaminated with hazardous waste. This memorandum first discusses the nature of the problem giving rise to the policy and then sets forth the specific details of the policy.

I. Background

Congress enacted the Superfund Amendment and Reauthorization Act of 1986, Pub. L. No. 99-499, 100 Stat. 1966, on October 17, 1986. Section 120(h) of the Act, 42 U.S.C. 9620(h), sets forth notice and liability requirements which apply whenever any agency, department of instrumentality of the United States enters into a contract for the sale or other transfer of real property which is owned by the United States and on which any hazardous substance either (1) has been stored for more than one

year; (2) is known to have been released¹; or (3) is known to have been disposed² of. The statute requires that any contract for the conveyance of such property include (to the extent such information is available on the basis of a complete search of agency files): (1) notice of the type and quantity of hazardous wastes stored, released or disposed of on the property and (2) notice of the time at which such storage, release or disposal took place. The statute also requires that every deed of transfer for such property contain covenants warranting that all necessary remedial action has been taken prior to the date of transfer and that any additional remedial action found to be necessary after transfer of the property will be conducted by the United States. The statute is not self-executing and will become effective six months after the effective date of the implementing regulations to be promulgated thereunder. 42 U.S.C. 9620(h)(1)-(2).³

The Environmental Protection Agency (EPA) published proposed implementing regulations on January 13, 1988. See 53 Fed. Reg. 850; EPA Docket No. 120FP-TR. The proposed regulations extend the notice and liability requirements of Section 120(h) to all federal departments and agencies without exception and exempt only certain residential properties acquired by the United States through foreclosure proceedings. A "final rule" implementing the proposed regulations will become effective within the next few months. However, the notice and liability requirements of Section 120(h) will only apply to properties sold or transferred beginning six months thereafter. See 42 U.S.C. 9620(h)(1).

¹The term "release" is broadly defined to include, inter alia, any spilling, leaking, pouring, emitting escaping, leaching, or dumping of hazardous waste into the environment. See 42 U.S.C. 9601(22). The term encompasses both the intentional and unintentional (e.g., accidental) release of hazardous substances. See State of New York v. Shore Realty Co., 759 F.2d 1032, 1043-45 (2d Cir. 1985) (no "causation" requirement for liability under CERCLA).

²The term "disposal" is broadly defined to include, inter alia, any "spilling, leaking, or placing" of any hazardous waste into or on any land or water. See 42 U.S.C. 9601(29) (incorporating the definition of "disposal" under 42 U.S.C. 6903(3)).

³The statute specifies that the implementing regulations were to be promulgated within one year after the statute's enactment (i.e., by October 17, 1987) and were to become effective six months later (i.e., by April 17, 1986). However, the Environmental Protection Agency was unable to meet these statutory deadlines.

The enormous potential impact of the notice and liability requirements on the government's forfeiture program becomes obvious when one considers the burgeoning number of seizures of clandestine laboratories for the manufacture of methamphetamine and other illicit substances. Experts on drug abuse predict that methamphetamine will rival cocaine as the preferred drug of abuse in the 1990s. DEA has already experienced a fivefold increase in the number of "meth labs" seized between 1983 (122) and 1987 (653) and currently projects that it will seize more than a thousand such labs in 1989. These laboratories invariably involve the "disposal" or "release" of hazardous wastes through spilling, leaking, emitting or dumping.⁴ But the impact of the notice and liability requirements will not be limited only to cases involving clandestine drug laboratories. They will apply to any potentially forfeitable property on which hazardous wastes have been stored for more than one year, released, or disposed of.⁵ In all such cases, the notice and liability requirements of Section 120(h) would become applicable immediately upon forfeiture to the United States and perhaps upon seizure for forfeiture.⁶

The notice and liability requirements of Section 120(h) will have several highly negative effects on the government's forfeiture enforcement program if contaminated real properties are seized for forfeiture. First, the USMS will be liable for all costs necessary to decontaminate the property and will remain liable for any additional costs which might be incurred in the future because of the contamination. Such liability could easily bankrupt the USMS budget and/or the Asset Forfeiture Fund.⁷ Second, these provisions

⁴See notes 2 and 3, *supra*.

⁵For example, a gasoline station, junkyard, or chemical storage or waste disposal facility may be seized because it facilitated a drug violation, was purchased with drug proceeds, or was subject to forfeiture under RICO or some other federal law.

⁶It is unclear at this point whether the notice and liability requirements would apply to "transfers" in which real property is seized for forfeiture but is then temporarily released back to the residents under a standard custodianship agreement. It is also unclear whether Section 120(h) of CERCLA would apply to interlocutory sales of contaminated real property pending forfeiture inasmuch as the government does not have title to such property and therefore does not "own" it at the time of transfer.

⁷The Attorney General, under 28 U.S.C. 524(c)(1)(A), has discretionary authority to use moneys in the Asset Forfeiture Fund to pay "any expenses necessary to seize, detain, inventory, safeguard, maintain, advertise, or sell" property under seizure,

of CERCLA would, as a practical matter, render even decontaminated properties either unmarketable or marketable only at a greatly reduced value⁸ -- which would, of course, substantially diminish the ability of the USMS to recoup its costs of custody and environmental cleanup and could result in the USMS "permanently" holding particularly undesirable parcels of property. Third, even where the USMS was able to sell or transfer the decontaminated properties, it would be forced to either earmark moneys in the Asset Forfeiture Fund to guard against any unforeseen future liability or to purchase liability insurance -- with the result that such moneys would not be available for law enforcement purposes as Congress intended. The USMS simply cannot afford to suffer these consequences and continue to administer a truly effective forfeiture enforcement program.

Representatives of the Criminal Division, the Attorney General's Advisory Committee of United States Attorneys, the Drug Enforcement Administration, the Federal Bureau of Investigation, and the United States Marshals Service have met with representatives from the Land and Natural Resources Division to discuss these problems. These efforts will continue. In the meantime, however, the Department feels that it is necessary to formulate the following policy to govern the handling of potentially contaminated real property.

II. Departmental Policy

In view of the potential problems posed by Section 120(h), it is the policy of the Department of Justice that federal law enforcement agencies should refrain from seizing properties that they reasonably believe may be contaminated. Similarly, the United

detention, or forfeiture. It seems self-evident, however, that Congress did not anticipate that Fund moneys would be used to pay the enormous costs of testing and decontaminating thousands of parcels of real property each year and that an extremely large percentage of such moneys would have to be set aside to offset any future liability which might arise as a result of waste contamination.

⁸No reasonable person would pay fair market value for property -- particularly residential property -- knowing that the property has been contaminated with hazardous waste and that notice of this fact will exist in perpetuity at the local Recorder of Deeds. Moreover, there is no reason to believe that the covenant guaranteeing that the United States will pay for any future remedial work will do anything to overcome this reluctance. Indeed, this covenant may further deter prospective purchasers by implying that future remedial work may be necessary.

States Attorneys' offices should decline to accept cases involving the forfeiture of contaminated real property. However, in any case (not just illegal laboratory cases) in which a government agent is aware of property which may be contaminated with hazardous waste, the EPA and appropriate state and local health and environmental enforcement agencies should be notified of this fact in writing. This "notification requirement" applies even in cases in which the federal agency intends to take no action with respect to the property. The enormous costs of decontamination and the prospect of interminable liability under CERCLA require that the Department implement this policy of forbearance with respect to forfeiture actions.

Exceptions to this policy of forbearance will be considered where, after consultation with EPA, it is determined that there is little contamination and the value of the property vastly exceeds the costs of cleanup and any projected future liability, particularly in any case involving the intentional contamination of real property for the purpose of avoiding forfeiture. Exceptions will also be considered in cases in which the property owner has sufficient non-forfeitable assets to conduct the necessary cleanup and either agrees or is compelled to do so through enforcement of federal or state environmental laws; however, the exception will be considered only after the property has been cleaned up and EPA or the appropriate state authority has inspected the property and certified that it is completely decontaminated and there is no realistic possibility of any future liability under CERCLA. Requests for any of the foregoing exceptions should be addressed to the Asset Forfeiture Office, Criminal Division, and will be granted only upon the unanimous concurrence of the relevant seizing agency, AFC and the USMS in consultation with the Land and Natural Resources Division.

The foregoing policy applies only with respect to the seizure of contaminated real property for forfeiture. The remainder of this policy concerns the handling of illegal drug laboratories. Such laboratories should be dismantled and all chemicals and equipment should be seized and removed in accordance with the DEA Agents Manual, Section 6674.0 et seq. (9th ed.). Once the laboratory equipment and chemicals have been removed, the enforcement agency should notify concerned parties of the fact that the property is (or may be) contaminated with hazardous waste which may constitute a health hazard. These "concerned parties" include the legal owner of the property, any persons known to have a possessory interest in the property (e.g., lessees), and the state and local health and environmental enforcement agencies.⁹ The legal owner of the

⁹As noted earlier, the EPA and state and local health and environmental enforcement agencies should be notified in writing in any case -- not just "lab cases" -- in which a federal agent is aware that certain property may be contaminated. This notification

property should be notified of the contamination (or possible contamination) by certified mail (return receipt requested) with copies sent to state and local health and environmental enforcement agencies. Copies of all correspondence should be retained in the federal enforcement agency's case investigation file. In addition, the contaminated property should be prominently posted with DEA's "Hazardous Material Warning" sign (Form 483). These steps, which do not involve the actual seizure of the real property for forfeiture, will not expose the government to potential liability under CERCLA.

DEA's current policy is that all non-evidentiary items that are discovered at a lab site are presumed to be contaminated with hazardous waste. These items are turned over to a certified hazardous waste disposal firm for safe and legal destruction. This practice provides a cost-effective means of minimizing the Department's potential liability where the items are, in fact, contaminated with hazardous waste. Federal prosecutors should refrain from instructing agents to seize and maintain custody of such items except in the extremely rare case in which an item is absolutely essential to proving some element of the criminal offense and there is absolutely no alternative means (e.g., videotapes) of proving that element. The enormous potential liabilities involved in storing, handling and exposing potentially contaminated materials to the public grossly outweigh any salutary benefit to be gained by physically presenting such non-essential materials in a court of law.

disposal?
to
include
UR³¹!

Concern has been raised as to whether federal law enforcement agents involved in the removal of hazardous wastes from real property may face potential personal liability under the Resource Recovery and Conservation Act (RCRA) as "generators" of the wastes. DEA's practice in dealing with clandestine laboratories is to contact an EPA-certified waste disposal firm to remove all hazardous substances. The agent who contacts the firm technically becomes a "generator" of the wastes under the Resource Conservation and Recovery Act and implementing regulations as one "whose act first causes a hazardous waste to become subject to regulation." See 42 U.S.C. 6922; 40 CFR 260.10. The agent is then required to sign a manifest as the "generator" of the waste upon delivering the waste to the disposal firm. See 40 CFR Part 262.

requirement applies even in cases where the federal agency intends to take no action with respect to the property. Thus, if during the course of any investigation an agent receives information that certain property is contaminated, this notification requirement should be followed.

The following is an excerpt from page 6 of a Memorandum dated June 23, 1989 from Joe D. Whitley, Acting Associate Attorney General to United States Attorneys: All AFPAC Components.

DEA's current policy is that all non-evidentiary items that are discovered at a lab site are presumed to be contaminated with hazardous waste. These items are turned over to a certified hazardous waste disposal firm for safe and legal destruction. This practice provides a cost-effective means of minimizing the Department's potential liability where the items are, in fact, contaminated with hazardous waste. Federal prosecutors should refrain from instructing agents to seize and maintain custody of such items except in the extremely rare case in which an item is absolutely essential to proving some element of the criminal offense and there is absolutely no alternative means (e.g., videotapes) of proving that element. The enormous potential liabilities involved in storing, handling and exposing potentially contaminated materials to the public grossly outweigh any salutary benefit to be gained by physically presenting such non-essential materials in a court of law.

D. DEA/EPA Joint Letter to the President



U.S. Department of Justice

Drug Enforcement Administration

Washington, D.C. 20537

OCT 24 1989

The President of the United States
The White House
Washington, D.C. 20500

Dear Mr. President:

In accordance with Section 2405(g)(1) of Public Law 100-690 (Anti-Drug Abuse Act of 1988), we hereby transmit a report of the Joint Drug Enforcement Administration (DEA) and United States Environmental Protection Agency (EPA) Federal Task Force on Illegal Drug Laboratories. The report describes the accomplishments of the program established by the Task Force under Section 2405(c) of the Act.

On January 30, 1989, as Administrators of DEA and EPA, we selected representatives from our respective agencies to form the Joint Federal Task Force on Illegal Drug Laboratories. The Task Force consisted of 10 members from each agency.

The entire Task Force held its first meeting on February 6-10, 1989. The U.S. Coast Guard was also included as a participating agency of the Task Force because they have jurisdiction over coastal waterways that could be contaminated or polluted due to clandestine drug laboratories. The purpose of the Task Force's first meeting was to acquaint each Task Force member with the responsibilities and areas of expertise that each agency could contribute in dealing with the cleanup of clandestine drug laboratories. Once the Task Force members became familiar with each agency's field of expertise, the members produced draft proposed guidelines required by the statute. (See enclosed Task Force Activities.)

The Task Force, in formulating and implementing the proposed guidelines, considered the following factors as required by the statute:

(1) The amount of waste material coming from a clandestine laboratory may weigh from a few pounds to several tons. Depending on the size of the seized clandestine drug laboratory and its manufacturing capabilities, materials that are considered hazardous waste include solvents, reagents, precursors, by-products, and the drug products themselves.

(2) The average cost, according to DEA statistical information, for the disposal of hazardous waste in FY 1988 ranged from \$4,000 to \$6,000 per laboratory site, although in some cases the cost has exceeded \$25,000. As

- 2 -

compliance with environmental laws becomes more comprehensive, however, we anticipate this cost to increase.

(3) The most effective method of clearing the clandestine laboratory site of hazardous waste, based on past seizures conducted by DEA, is to employ a qualified hazardous waste disposal firm. Incineration of the hazardous waste is generally the preferred disposal option.

(4) DEA and EPA are currently discussing various issues for coordination as a result of the legislation and the efforts of the Joint Task Force. EPA will test the environment (air, soil, water, vegetation, etc.) at several recently seized clandestine drug laboratory sites to determine the "typical" extent of contamination. DEA and EPA are also working together to develop a Memorandum of Understanding (MOU) to provide cross training of the respective field elements.

(5) Following the publication of the "Notice of Availability of the Proposed Guidelines for the Cleanup of Clandestine Laboratories" in the Federal Register and the dissemination of the proposed guidelines to The National Sheriffs' Association, International Association of Chiefs of Police, National Association of Attorneys General, to each State's Attorney General, field offices and Headquarters elements of DEA and EPA, the Task Force also sent copies of the proposed guidelines to other Federal, state, and local agencies that have requested a copy. Approximately 600 copies of the guidelines have been distributed to date. Comments are currently being reviewed and collated as they are received. The Task Force will then revise, publish, and disseminate the final guidelines to enforcement and environmental agencies. (See enclosed copy of the "Notice of Availability" and the proposed guidelines.)

A major area of concern identified by reviewers relates to the issue of funding the cleanup and disposal of clandestine laboratory waste. The Task Force believes the issue of funding and implementation must be addressed at the state and local level.

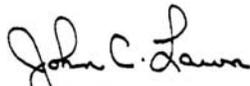
The issue of cleaning up a seized clandestine drug laboratory site is a complex and controversial one. EPA is involved in the cleanup of documented Superfund sites and does not have adequate personnel resources to assist in the cleanup of DEA seized clandestine drug laboratory sites, which DEA anticipates will be approximately 1,000 in FY 1989. DEA, on the other hand, is involved in the enforcement of the Controlled Substances Act, and does not possess the training, expertise, resources, and personnel to perform cleanup at a clandestine laboratory site. DEA currently employs the services of private hazardous waste companies to manage the hazardous waste generated by the seizure of clandestine drug laboratories. The disposal company does not perform gross decontamination or remedial cleanup of the site. DEA, with EPA's concurrence, maintains the

- 3 -

position that the law enforcement responsibilities terminate when the law enforcement official notifies the property owner, state, and local environmental or public health agencies in writing of possible site contamination.

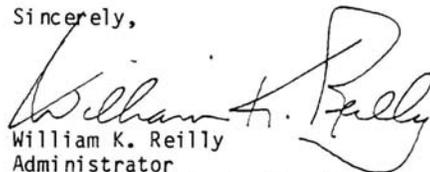
As the statute requires, we will make additional reports on the progress of the program implemented by the Task Force. We believe that the cooperation engendered by our agencies in this project will result in future positive progress in addressing the growing problems associated with protection of public health and the environment due to the operation of clandestine drug laboratories.

Sincerely,



John C. Lawn
Administrator
Drug Enforcement Administration

Sincerely,



William K. Reilly
Administrator
Environmental Protection Agency

Enclosures

E. Health Effects of Clandestine Drug Laboratory Chemicals

Health Effects:

Highly toxic substances. If solid cyanide salts come in contact with acid, hydrogen cyanide gas will be released. Inhalation of hydrogen cyanide may result in rapid progression of symptoms to respiratory failure, coma and death. Ingestion of the salts may also lead to these symptoms, but hydrogen cyanide gas poses the greater exposure risk.

Sodium Cyanide	Solid	Skin, Eyes, Ingestion
Potassium Cyanide	Solid	Skin, Eyes, Ingestion
Benzyl Cyanide	Liquid	Skin, Eyes, Inhalation, Ingestion
Hydrogen Cyanide	Gas/Liquid	Inhalation

Health Effects:

Vapor of volatile corrosives may cause eye irritation, lacrimation, conjunctivitis and corneal injury. Inhalation may cause irritation of mucous membranes of the nose and throat, and lung irritation resulting in cough, chest pain, and shortness of breath. Pulmonary edema, coughing-up blood, and chronic lung disease may occur in severe cases. High concentrations of vapor may cause skin irritation. Additional symptoms of vapor inhalation may include headache, nausea, dizziness and anxiety. Phosphine may detonate, and has the odor of decaying fish. Direct contact with corrosives may result in severe eye or skin burns. Methyl methacrylate skin exposure may result in contact dermatitis and sensitization. Formaldehyde is a suspected human carcinogen. Formic acid ingestion or inhalation may result in kidney or liver damage. Sodium metal reacts violently with water. Tetrahydrofuran and Perchloric Acid can form explosive crystals.

Acetic Acid ^a	Liquid	Skin, Eyes, Inhalation
Acetic Anhydride ^a	Liquid	Skin, Eyes, Inhalation
Acetyl Chloride	Liquid	Skin, Eyes, Inhalation
Ammonia (anhydrous)	Gas	Skin, Eyes, Inhalation
Ammonium Hydroxide	Liquid	Skin, Eyes, Inhalation
Benzyl Chloride ^a	Liquid	Skin, Eyes, Inhalation
Dimethylsulfate	Liquid	Skin, Eyes, Inhalation
Formaldehyde	Gas, Liquid	Skin, Eyes, Inhalation
Formic Acid	Liquid	Skin, Eyes, Inhalation
Hydrogen Chloride/ Hydrochloric Acid	Gas, Liquid	Skin, Eyes, Inhalation
Hydrobromic Acid	Liquid	Skin, Eyes, Inhalation
Hydriodic Acid	Liquid	Skin, Eyes, Inhalation
Hydroxylamine ^{a,b}	Liquid, Solid	Skin, Eyes, Inhalation

Methylamine ^a	Gas, Liquid, Solid	Skin, Eyes, Inhalation
Methylene Chloride ^a (dichloromethane, methylene dichloride)	Liquid	Skin, Eyes, Inhalation
Methyl Methacrylate	Liquid	Skin, Eyes, Inhalation
Nitroethane ^{a,b}	Liquid	Skin, Eyes, Inhalation
Oxalylchloride ^b	Liquid	Skin, Eyes, Inhalation
Perchloric Acid ^c	Liquid	Skin, Eyes, Inhalation
Phenylmagnesium Bromide ^{a,b}	Liquid	Skin, Eyes, Inhalation
Phosphine ^a	Gas	Eyes, Inhalation
Phosphorus Oxychloride	Solid	Skin, Eyes, Inhalation
Phosphorus Pentoxide	Solid	Skin, Eyes
Sodium Amide (Sodamide) ^b	Solid	Skin, Eyes, Inhalation
Sodium Metal ^{a,b}	Solid	Skin, Eyes
Sodium Hydroxide	Liquid, Solid	Skin, Eyes
Sulfur Trioxide	Liquid, Solid	Skin, Eyes, Inhalation
Sulfuric Acid ^f	Liquid	Skin, Eyes, Inhalation
Tetrahydrofuran ^{a,b}	Liquid	Skin, Eyes, Inhalation
Thionyl Chloride	Liquid	Skin, Eyes, Inhalation
a. Flammable b. Explosive c. Flash Point <141° F	d. Uninhibited e. > 50% but ≤ 72% strength f. Unspent	

Health Effects:

Inhalation of vapors at low concentrations may result in mild eye, nose and throat irritation. Symptoms of intoxication (drowsiness and incoordination) or loss of consciousness may occur at high concentrations. Liver and kidney impairment may also occur at high doses, or with prolonged exposure. Benzene is a known human carcinogen. Chloroform, carbon tetrachloride, dioxane, o-toluidine and methylene chloride are probable human carcinogens. Spilling of Freon on the skin may result in freezing injury. Ingestion of small amounts of methanol may lead to permanent damage to vision. Aniline can be readily absorbed through the skin and may cause mental confusion and decreased blood hemoglobin by all exposure routes. O-Toluidine is highly toxic when absorbed through the skin, inhaled as a vapor, or ingested, causing possible kidney injury.

Acetone ^a	Liquid	Skin, Eyes, Inhalation
Acetonitrile ^a	Liquid	Skin, Eyes, Inhalation
Aniline	Liquid	Skin, Eyes, Inhalation
Benzene ^a	Liquid	Skin, Eyes, Inhalation
Benzylchloride ^a	Liquid	Skin, Eyes, Inhalation

Carbon Tetrachloride	Liquid	Skin, Eyes, Inhalation
Chloroform	Liquid	Skin, Eyes, Inhalation
Cyclohexanone ^{a,d}	Liquid	Skin, Eyes, Inhalation
Dioxane ^a	Liquid	Skin, Eyes, Inhalation
Ethanol ^a	Liquid	Skin, Eyes, Inhalation
Ethyl Acetate ^a	Liquid	Skin, Eyes, Inhalation
Ethyl Ether ^{b,c}	Liquid	Skin, Eyes, Inhalation
Freon 11 (trichloromonofluoromethane)	Liquid	Skin, Eyes, Inhalation
Hexane ^a	Liquid	Skin, Eyes, Inhalation
Isopropanol ^a	Liquid	Skin, Eyes, Inhalation
Methanol ^a	Liquid	Skin, Eyes, Inhalation
Methylene Chloride (dichloromethane, methylene dichloride)	Liquid	Skin, Eyes, Inhalation
Petroleum Ether ^a	Liquid	Skin, Eyes, Inhalation
Pyridine ^a	Liquid	Skin, Eyes, Inhalation
Toluene ^a	Liquid	Skin, Eyes, Inhalation
o-Toluidine ^{a,b}	Liquid	Skin, Eyes, Inhalation
a. Flammable b. Explosive c. Ethers may form explosive peroxides d. ≤50% peroxide		

Health Effects:

Most metals and salts are stable solids with minimal potential for exposure unless ingested or the metal is present in the air as dust or fumes, if heated. Sodium and potassium metal, and sodium and lithium hydroxides are extremely corrosive in the presence of moisture. Lithium aluminum hydride, and sodium, magnesium and potassium metals are extremely reactive with air and water and can ignite or explode. (Hydrogen gas may be liberated which is explosive.) Thorium is an alpha-emitting radioactive material. Flu-like symptoms and possible lung damage may result from breathing metal fumes. Acute overexposure to lead or mercury salts may lead to nausea and vomiting, and long-term exposure can affect the central nervous system. Hemotologic and neurologic complications and kidney damage may occur with chronic exposure to mercury salts. Red phosphorous, if contaminated with white phosphorus, may explode on contact, or with friction or heat, but is relatively nontoxic by ingestion.

Aluminum Chloride	Solid	Skin, Eyes
Magnesium ^{a,d}	Solid	Skin, Eyes
Palladium	Solid	Skin, Eyes
Red Phosphorus ^b	Solid	Skin, Eyes
Iodine	Solid	Skin, Eyes

Mercuric Chloride	Solid	Skin, Eyes
Lead Acetate	Solid	Skin, Eyes
Lithium Aluminum Hydride ^{a,b}	Solid	Skin, Eyes
Lithium Hydroxide	Solid	Skin, Eyes
Potassium Hydroxide	Solid	Skin, Eyes
Raney Nickel ^{a,b}	Solid	Skin, Eyes
Sodium Hydroxide	Solid	Skin, Eyes
Sodium Metal ^{a,b}	Solid in kerosene	Skin, Eyes
Potassium Metal ^{a,b}	Solid in kerosene	Skin, Eyes
Thorium Salts ^c	Solid	Skin, Eyes
a. Flammable	c. Radioactive	
b. Explosive	d. Magnesium metal (powder, pellets, turnings on ribbon)	

			HEALTH EFFECTS
Cyclohexanone	Liquid	Skin	Irritant
Fentanyl	Solid	Inhalation, Skin, Eyes	Narcotic drug product causing respiratory failure at extremely low doses (<i>i.e.</i> , equivalent to a few grains of dust)
Hydrogen	Gas	Inhalation	Flammable, Explosive
Lysergic Acid Diethylamide (LSD)	Powder	Ingestion, Inhalation	Hallucination at extremely low doses.
MPTP, MPPP ^a	Solid	Inhalation, Skin	By-product or intermediates of alpha-prodine laboratories. (<i>Extremely low doses may cause irreversible Parkinson's disease.</i>)
Methylfentanyl	Solid	Inhalation, Skin, Eyes	See "Fentanyl"
Phenylacetic Acid	Solid	Skin, Eyes	Irritant
Phenyl-2-Propanone (phenylacetone)	Liquid	Skin, Inhalation	Irritant; few toxicity data are available
Piperidine	Liquid	Skin, Inhalation	Irritant; few toxicity data are available.
a. MPTP (1-methyl-4-phenyl-1,2,3,6-tetrahydropyridine; MPPP (1-methyl-4-phenyl-4-propionoxypiperidine)			

Reference: *The Report of the Oregon State Health Divisions's Clandestine Drug Laboratory Committee* "Chemical and Toxicity Assessment of Illicit Methamphetamine Manufacture," April, 1988.

F. OSHA Levels of Protection

Level A-

When to use Level A:

Total encapsulation protection against known highly toxic corrosive materials which have severe acute hazards by skin contact or by gas or vapor skin absorption. For use in suspected hazardous areas where materials are not identified with certainty and the hazards are known.

Recommended Level A equipment:

- Pressure-demand, full-facepiece, Self-contained Breathing Apparatus (SCBA) or pressure-demand supplied-air respirator with escape SCBA;
- Fully encapsulating chemical-resistant suit;
- Inner chemical-resistant gloves;
- Chemical-resistant safety boots/shoes;
- Two-way radio communications; and
- Hard hat

Level B-

When to use Level B:

When the highest level of respiratory protection is needed, but the environment is not considered acutely toxic by skin contact or by gas or vapor absorption by the skin.

Recommended Level B equipment:

- Pressure-demand, full-facepiece, Self-contained Breathing Apparatus (SCBA) or pressure-demand supplied-air respirator with escape SCBA;
- Chemical-resistant clothing (overalls and long-sleeved jacket; hooded, one- or two-piece chemical splash suit; disposable chemical-resistant one-piece suit);
- Inner and outer chemical-resistant gloves;
- Chemical-resistant safety boots/shoes;
- Two-way radio communications; and
- Hard hat

Level C-

When to use Level C:

When the criteria for wearing respiratory protection is present and the environment is not considered to be toxic via skin contact.

Recommended Level C equipment:

- Full-facepiece, air-purifying, canister/cartridge-equipped respirator;
- Chemical-resistant clothing (overalls and long-sleeved jacket; hooded, one- or two-piece chemical splash suite; disposable chemical-resistant one-piece suite);
- Inner and outer chemical-resistant gloves;
- Chemical-resistant boots;
- Two-way radio communications;

- Hard hat; and
- Five-minute emergency escape pack

Level D-

When to use Level D:

When the atmosphere contains no known hazards; work functions preclude splashes, immersion, or the potential for unexpected inhalation of or contact with hazardous levels of any chemicals.

Recommended Level D Equipment:

- Coveralls;
- Safety boots/shoes;
- Safety glasses or chemical splash goggles; and
- Hard hat

G. Reporting Requirements For Chemical Releases At Clandestine Drug Laboratories

ROUTINE

Prec: R
DTG: 131427Z Aug 02

From: DEA HQS WASHINGTON DC
Subj: REPORTING REQUIREMENTS FOR CHEMICAL RELEASES AT

RTTUZYUW RUEABND5040 2251547-UUUU--RUEASUU.

ZNR UUUUU

R 131427Z AUG 02

FM DEA HQS WASHINGTON DC
TO ALL DEA DOMESTIC OFFICES
INFO DEA HQS WASHINGTON DC
BT

UNCLAS DEA 15040

POST FOR DEA

ATTN: ALL DOMESTIC SACS
ALL DOMESTIC ASACS
ALL CLAN LAB SUPERVISORS
ALL CLAN LAB SPECIAL AGENTS
ALL LABORATORY DIRECTORS
ALL CLAN LAB CERTIFIED CHEMISTS
SAC TRAINING

SUBJECT: REPORTING REQUIREMENTS FOR CHEMICAL RELEASES AT CLANDESTINE DRUG LABORATORIES (FFS: 920-1.5)

1. THE PURPOSE OF THIS CABLE IS TO ADVISE YOU OF RELEASE REPORTING REQUIREMENTS, ISSUED BY THE ENVIRONMENTAL PROTECTION AGENCY (EPA) AT 40 CFR PART 302.6 AND 355.40, AS THEY APPLY TO CLANDESTINE DRUG LABORATORIES. THESE REGULATIONS WERE ISSUED UNDER THE AUTHORITY OF THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA) AND THE EMERGENCY PLANNING, COMMUNITY RIGHT-TO-KNOW ACT (EPCRA). THEY REQUIRE NOTIFICATION TO FEDERAL, STATE AND LOCAL GOVERNMENT AGENCIES SO THEY CAN DETERMINE WHETHER AN EMERGENCY RESPONSE TEAM IS NEEDED AND/OR WHETHER THE SURROUNDING COMMUNITY IS AFFECTED. [A RELEASE IS DEFINED BY EPA AS: ANY SPILLING, LEAKING, PUMPING, POURING, EMITTING, EMPTYING, DISCHARGING, INJECTING, ESCAPING, LEACHING, DUMPING, OR DISPOSING INTO THE ENVIRONMENT (INCLUDING THE ABANDONMENT OR DISCARDING OF BARRELS OR CONTAINERS CONTAINING ANY HAZARDOUS SUBSTANCE OR POLLUTANT)]. NON-COMPLIANCE WITH THESE REQUIREMENTS COULD RESULT IN SUBSTANTIAL PENALTIES, UP TO \$27,500 FOR EACH VIOLATION.
2. THE HAZARDOUS WASTE DISPOSAL SECTION (SFH) HAS REVIEWED THE EPA REGULATIONS AND PREPARED A LIST OF CHEMICALS EPA REGULATES AND ARE COMMONLY FOUND AT CLANDESTINE DRUG LABORATORIES. THE LIST, BELOW, ALSO CONTAINS THE REPORTABLE QUANTITY (RQ) FOR THOSE CHEMICALS.
3. IN THE EVENT ANY OF THE CHEMICALS ON THE LIST ARE FOUND AT A CLANDESTINE DRUG LABORATORY THAT DEA SEIZES, IN QUANTITIES AT OR ABOVE THE RQ'S, AND A RELEASE HAS OCCURRED AT THE SITE, DEA IS OBLIGATED TO IMMEDIATELY REPORT THE RELEASE TO THE NATIONAL RESPONSE CENTER (NRC), THE STATE EMERGENCY RESPONSE COMMISSION (SERC), AND THE LOCAL ENVIRONMENTAL PLANNING COMMITTEE (LEPC). EPA'S PENALTY POLICY REQUIRES IMMEDIATE NOTIFICATION TO BE MADE WITHIN 15 MINUTES FROM DETERMINING THAT A RELEASE IS KNOWN TO HAVE OCCURRED.) FOR EXAMPLE, IF MORE THAN ONE POUND OF RED PHOSPHORUS IS FOUND AT A CLANDESTINE DRUG LABORATORY AND A RELEASE IS APPARENT, THE RELEASE MUST BE REPORTED TO THE NRC, SERC AND LEPC. IF NO RELEASE IS APPARENT, EVEN THOUGH AN RQ HAS BEEN SEIZED, THEN NO RELEASE REPORTING WOULD BE REQUIRED. RELEASE REPORTS TO THE

SERC OR TO THE LEPC MUST BE FOLLOWED BY A WRITTEN REPORT TO SFH AS SOON AS POSSIBLE, BUT NOT LATER THAN ONE WEEK FROM THE TELEPHONE REPORT TO THE SERC AND LEPC. (SEE PARAGRAPH 6, BELOW.)

4. THE PROCEDURE FOR RELEASE REPORTING WILL BE AS FOLLOWS: A.) THE SITE SAFETY OFFICER OR THE DIVISION'S LAB COORDINATOR, WHOEVER IS AT THE CLANDESTINE DRUG LABORATORY SITE, MUST IMMEDIATELY CALL THE NRC [(800) 424-8802] IF A QUANTITY OF ONE OR MORE OF THE LISTED CHEMICALS, AT OR ABOVE THE RQ, IS PRESENT AT THE SITE, AND IT IS APPARENT THAT A RELEASE HAS OCCURRED. B.) SPECIFIC INFORMATION MUST BE REPORTED TO THE NRC THAT WILL HELP TO CHARACTERIZE THE RELEASE, INCLUDING, BUT NOT BE LIMITED TO: LOCATION OF THE RELEASE; TYPE(S) OF MATERIAL(S) RELEASED; AN ESTIMATE OF THE QUANTITY OF MATERIAL RELEASED; POSSIBLE SOURCES OF THE RELEASE; AND DATE AND TIME OF THE RELEASE. C.) NEXT, THE SERC AND THE LEPC MUST BE CALLED. OTHER SPECIFIC INFORMATION MUST BE REPORTED TO THEM, INCLUDING, BUT NOT LIMITED TO: THE CHEMICAL NAME OR IDENTITY; WHETHER THE RELEASED CHEMICAL WAS AN EXTREMELY HAZARDOUS SUBSTANCE [THOSE CHEMICALS LISTED BELOW WITH AN ASTERISK (*)]; THE ESTIMATED QUANTITY RELEASED; THE TIME AND DURATION OF THE RELEASE; THE MEDIUM (E.G., AIR, WATER, OR SOIL) INTO WHICH THE RELEASE OCCURRED; ANY KNOWN OR ANTICIPATED ACUTE OR CHRONIC HEALTH RISKS ASSOCIATED WITH THE RELEASE; THE PROPER PRECAUTIONS TO TAKE AS A RESULT OF THE RELEASE; AND THE NAME(S) AND TELEPHONE NUMBER(S) OF THE DEA PERSON(S) TO BE CONTACTED FOR FURTHER INFORMATION. THIS INFORMATION WILL HELP THEM DETERMINE THE EXTENT OF ANY EMERGENCY PROCEDURES THEY WILL NEED TO IMPLEMENT.

5. REPORTING UNDER THESE REQUIREMENTS SHALL NOT BE DELAYED DUE TO INCOMPLETE NOTIFICATION INFORMATION.

6. THE SITE SAFETY OFFICER OR THE DIVISION'S LAB COORDINATOR, WHOEVER REPORTS THE RELEASE TO THE SERC AND LEPC MUST ALSO PREPARE A WRITTEN REPORT DOCUMENTING THE INFORMATION THEY PROVIDED TO THE SERC AND LEPC. THIS REPORT MUST BE SUBMITTED TO SFH, ATTN: HWCDC-COTR, AS SOON AS POSSIBLE AFTER THE CLANDESTINE DRUG LABORATORY CLEANUP, BUT NOT LATER THAN ONE WEEK. REPORTS MAY BE SENT ELECTRONICALLY AS AN ATTACHMENT TO A E-MAIL, VIA FAX [(202) 307-8489], OR AS HARD COPY TO DEA HQ, ATTN: SFH.

7. CLANDESTINE LABORATORY COORDINATORS ARE REQUESTED TO FORWARD A COPY OF THIS CABLE TO THEIR STATE/LOCAL COUNTERPARTS. DEA IS NOT THE GENERATOR AT STATE/LOCAL CLEANUPS AND MAY NOT BE PRESENT AT A STATE/LOCAL SEIZURE, THEREFORE, DEA IS NOT RESPONSIBLE FOR RELEASE REPORTING SHOULD THESE REQUIREMENTS APPLY TO STATE/LOCAL CLEANUPS.

8. BELOW ARE THE LISTED HAZARDOUS CHEMICALS (AND THEIR CORRESPONDING RQ'S IN POUNDS) THAT COMMONLY HAVE BEEN FOUND AT CLANDESTINE DRUG LABORATORIES:

ACETALDEHYDE	1,000	
ACETAMIDE	100	
ACETIC ACID	5,000	
ACETIC ANHYDRIDE	5,000	
ACETONE	5,000	
ACETONITRILE	5,000	
ALLYL CHLORIDE	1,000	
AMMONIA (ANHYDROUS)	100	
AMMONIUM CHLORIDE	5,000	
AMMONIUM HYDROXIDE	1,000	
BENZENE	10	
BENZENESULFONYL CHLORIDE		100
BENZYL CHLORIDE	100	
* BENZYL CYANIDE	500	
* BROMINE	500	
BUTYLAMINE	1,000	
CARBON TETRACHLORIDE		10
CHLOROFORM	10	
CYANIDES (SOLUBLE SALTS AND COMPLEXES)		10
CYCLOHEXANE	1,000	
ETHYL ACETATE	5,000	
ETHYL ETHER	100	
FERRIC CHLORIDE	1,000	
FORMIC ACID	5,000	

HEXANE 5,000
 HYDROCHLORIC ACID 5,000
 HYDROGEN CHLORIDE (ANHYDROUS) 5,000
 HYDROGEN SULFIDE 100
 ISOSAFROLE 100
 LEAD ACETATE 10
 * MERCURIC CHLORIDE 500
 MERCURIC NITRATE 10
 MERCURY 1
 METHYL ETHYL KETONE 5,000
 NITRIC ACID 1,000
 O-NITROTOLUENE 1,000
 O-TOLUIDINE 100
 PERCHLOROETHYLENE 100
 PHOSGENE 10
 PHOSPHINE 100
 PHOSPHORIC ACID 5,000
 * PHOSPHOROUS PENTACHLORIDE 500
 PHOSPHOROUS TRICHLORIDE 1,000
 PHOSPHORUS 1
 PHOSPHORUS TRICHLORIDE 1,000
 * PIPERIDINE AND IT'S SALTS 500
 POTASSIUM CYANIDE 10
 POTASSIUM PERMANGANATE 100
 PYRIDINE 1,000
 SODIUM BISULFITE 5,000
 SODIUM CYANIDE [NA(CN)] 10
 SULFURIC ACID 1,000
 TOLUENE 1,000
 VINYL CHLORIDE 1

9. BELOW ARE LISTED THE TELEPHONE NUMBERS FOR THE SERC IN EACH STATE, PUERTO RICO AND THE DISTRICT OF COLUMBIA. EVEN IF A STATE PHONE NUMBER IS LISTED BELOW, WHEN TALKING TO THE NRC ASK FOR THE TELEPHONE NUMBER OF THE AFFECTED SERC. LIKEWISE, WHEN TALKING TO THE SERC, ASK FOR THE TELEPHONE NUMBER OF THE LEPC. IF NO NUMBER IS AVAILABLE FOR AN LEPC, A CALL TO THE LOCAL 9-1-1 WILL SATISFY THE IMMEDIATE NOTIFICATION REQUIREMENT TO THE LEPC. PLEASE NOTE THAT SOME TOLL-FREE NUMBERS ARE ONLY GOOD FROM "IN-STATE," SO CELL PHONES WITH OUT-OF-STATE NUMBERS WILL NOT WORK. [NOTE: ALL TELEPHONE NUMBERS WERE CALLED AND VERIFIED, AND ARE CURRENT AS OF 7/18/02.]

ALABAMA: (800) 843-0699
 ALASKA: (800) 478-2337 OR (907) 428-7000
 ARIZONA: (800) 411-2336 OR (602) 244-0504
 ARKANSAS: (800) 322-4012
 CALIFORNIA: (800) 852-7550
 COLORADO: (877) 518-5608 OR (303) 279-8855
 CONNECTICUT: (860) 424-3338
 DELAWARE: (877) 729-3362
 DISTRICT OF COLUMBIA: (800) 548-0191 OR (202) 727-6161
 FLORIDA: (800) 635-7179
 GEORGIA: (800) 241-4113 OR (404) 656-4863
 HAWAII: (808) 586-4249 OR AFTER HOURS (808) 247-2191
 IDAHO: (800) 632-8000 OR (208) 846-7610
 ILLINOIS: (800) 782-7860 OR (217) 782-7860
 INDIANA: (888) 233-7745
 IOWA: (515) 281-8694
 KANSAS: (800) 275-0297 OR (785) 296-8013
 KENTUCKY: (800) 928-2380 OR (502) 564-2380
 LOUISIANA: (877) 925-6595 OR (225) 925-6595
 MAINE: (800) 452-4664 OR (207) 624-7076
 MARYLAND: (410) 974-3551
 MASSACHUSETTS: (888) 304-1133
 MICHIGAN: (800) 525-5555 OR (517) 336-6605

MINNESOTA: (651) 649-5451
MISSISSIPPI: (800) 222-6362 OR (601) 352-9100
MISSOURI: (573) 634-2436
MONTANA: (406) 841-3911
NEBRASKA: (402) 471-2186 OR AFTER HOURS (402) 471-4545
NEVADA: (775) 687-5300
NEW HAMPSHIRE: (800) 852-3792 OR (603) 271-2231
NEW JERSEY: (877) 927-6337
NEW MEXICO: (505) 827-9300
NEW YORK: (800) 457-7362 OR (518) 457-2200
NORTHCAROLINA: (800) 858-0368 OR (919) 733-3300
NORTH DAKOTA: (800) 472-2121 OR (701) 328-9921
OHIO: (800) 282-9378
OKLAHOMA: (800) 522-0206 OR (405) 702-6100
OREGON: (800) 452-0311 OR (503) 378-6377
PENNSYLVANIA: (800) 424-7362 OR (717) 651-2001
PUERTO RICO: (787) 766-4299 OR 9-1-1
RHODE ISLAND: (401) 222-2331
SOUTH CAROLINA: (800) 811-8045 OR (803) 737-8500
SOUTH DAKOTA: (605) 773-3231 OR (605) 773-3296
TENNESSEE: (800) 262-3300 OR (800) 258-3300 OR (615) 741-0001
TEXAS: (800) 832-8224 OR (888) 777-3186 OR (512) 463-7727
UTAH: (801) 536-4123
VERMONT: (800) 347-0488 OR (800) 641-5005 OR (802) 244-8721
VIRGINIA: (800) 468-8892 OR (804) 674-2400
WASHINGTON: (800) 258-5990 OR (253) 912-4901/4902/4904/4906
WEST VIRGINIA: CALL BOTH (304) 558-5380 AND (800) 642-3074
WISCONSIN: (800) 943-0003 OR (608) 242-3232 OR (608) 267-7454
WYOMING: (800) 442-9090 OR (307) 777-4321 OR (307) 777-4900
10. FOR QUESTIONS REGARDING RELEASE REPORTING REQUIREMENTS UNDER CERCLA OR
EPCRA, CONTACT MARY GREENE, CHIEF, SFH, ON (202) 307-8872 OR JOSEPH
RANNAZZISI, CHIEF, DOD, ON (202) 307-7490.
ROGELIO E. GUEVARA
CHIEF OF OPERATIONS
WILLIAM B. SIMPKINS
ASSISTANT ADMINISTRATOR
OPERATIONAL SUPPORT DIVISION
BT

*** END OF MESSAGE SSN NOT LOCATED ***

NNNN

H. Uniform Hazardous Waste Manifest

Please print or type. (Form designed for use on elite (12-pitch) typewriter.) Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number	2. Page 1 of	3. Emergency Response Phone	4. Manifest Tracking Number		
5. Generator's Name and Mailing Address		Generator's Site Address (if different than mailing address)					
Generator's Phone							
6. Transporter 1 Company Name				U.S. EPA ID Number			
7. Transporter 2 Company Name				U.S. EPA ID Number			
8. Designated Facility Name and Site Address				U.S. EPA ID Number			
Facility's Phone							
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
			No.	Type			
	1.						
	2.						
	3.						
4.							
14. Special Handling Instructions and Additional Information							
<p>15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.</p>							
Generator's/Offeror's Printed/Typed Name		Signature		Month Day Year			
<p>16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: _____</p> <p>Transporter signature (for exports only): _____ Date leaving U.S.: _____</p>							
17. Transporter Acknowledgment of Receipt of Materials							
Transporter 1 Printed/Typed Name		Signature		Month Day Year			
Transporter 2 Printed/Typed Name		Signature		Month Day Year			
18. Discrepancy							
<p>18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection</p> <p style="text-align: right;">Manifest Reference Number</p>							
18b. Alternate Facility (or Generator)				U.S. EPA ID Number			
Facility's Phone							
18c. Signature of Alternate Facility (or Generator)				Month Day Year			
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)							
1.	2.	3.	4.				
20. Designated Facility Owner or Operator. Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a							
Printed/Typed Name		Signature		Month Day Year			

EPA Form 8700-22 (Rev. 1-04) Previous editions are obsolete. DESIGNATED FACILITY TO DESTINATION STATE (IF REQUIRED)

I. Cable June 1999: Contractor Response to Clandestine Drug Laboratory Only

UNCLAS E F T O

IMMEDIATE

AMHS
Communications Center

PAGE 1 OF 2
USER: US04

TOR: 6/14/1999 11:20:38 PM

Prec: O
DTG: 142155Z Jun 99

From: DEA HQS WASHINGTON DC
Subj: CLANDESTINE LAB CLEAN UP CONTRACTOR RESPONSE

OTTEZYUW RUEABND3145 1652249-EEEE--RUEASUU.

ZNY EEEEE

O 142155Z JUN 99

FM DEA HQS WASHINGTON DC

TO DEA DOMESTIC OFFICES

INFO DEA HQS WASHINGTON DC

ZEN/DEA QUANTICO

BT

UNCLAS E F T O DEA 13145

SENSITIVE

NOFORN

INFO DEA OFFICE OF TRAINING

DEA EL PASO INTELLIGENCE CENTER

DEA HQS HAZARDOUS WASTE DISPOSAL UNIT(SFSH)

ATTN: SPECIAL AGENTS IN CHARGE

ASSISTANT SPECIAL AGENTS IN CHARGE

CLAN LAB GROUP SUPERVISORS/POINTS OF CONTACT(POC)

SUBJECT: CLANDESTINE LAB CLEAN UP CONTRACTOR RESPONSE

RE: (A) DEA HQS DOW CABLE DTG 201937Z MAR 98.

(B) DEA HQS DOW CABLE DTG 281813Z APR 98.

(C) DEA AGENTS MANUAL SUPPLEMENTAL #98-5.

(D) APRIL 22, 1998 TRAINING SEMINAR AT DEA HQS.

(E) DEA HQS DOW CABLE DTG 231400Z JUL 98.

(F) DEA HQS DOW CABLE DTG 021409Z SEP 98.

1. IT HAS BEEN REPORTED THAT SOME STATE/LOCAL AGENCIES IN VARIOUS PARTS OF THE COUNTRY HAVE REMOVED CHEMICALS/CHEMICAL WASTE FROM CLANDESTINE LAB SEIZURE SITES AND STORED THE CHEMICALS/CHEMICAL WASTE AT POLICE DEPARTMENT STORAGE LOCATIONS OR CONEX TYPE CONTAINERS, SOMETIMES CO-MINGLING THE CHEMICALS/CHEMICAL WASTE FROM SEVERAL SEIZURE SITES. AFTER THE CHEMICALS/WASTE FROM SEVERAL LABS HAS BEEN STORED, DEA HAS BEEN CONTACTED AND A REQUEST HAS BEEN MADE FOR A CONTRACTOR TO BE SENT TO THE CENTRAL COLLECTION POINT TO REMOVE THE CO-MINGLED CHEMICALS/CHEMICAL WASTE.
2. THIS PRACTICE HAS CAUSED CONCERN SINCE THERE ARE ISSUES INVOLVED REGARDING THE TRANSPORTATION, STORAGE AND SECURITY OF THESE CHEMICALS/CHEMICAL WASTE, AND THE POTENTIAL HAZARD TO CONTRACTORS WHO MUST COLLECT THEM.
3. A REVIEW OF THIS ISSUE WAS CONDUCTED, WITH INPUT FROM EACH HQS ENTITY THAT HAD A SPECIFIC INTEREST IN THE CONDUCT AND MANNER IN WHICH THE CONTRACTORS ARE UTILIZED. CIVIL LIABILITY, CONTRACTUAL, SAFETY AND SECURITY, FISCAL AND REPORTING ISSUES WERE CONSIDERED WHEN DETERMINING WHAT GUIDANCE SHOULD BE PROVIDED TO THE FIELD.
4. EFFECTIVE THE DATE OF THIS CABLE, DEA CHEMICAL WASTE CLEAN UP CONTRACTORS SHALL BE DISPATCHED ONLY TO THE ORIGINAL CLANDESTINE LAB SEIZURE SITE. CONTRACTORS MAY NOT BE DISPATCHED TO PICK UP

UNCLAS E F T O

UNCLAS E F T O

PAGE 2 OF 2
USER: US04

TOR: 6/14/1999 11:20:38 PM

CHEMICALS/CHEMICAL WASTE THAT HAVE BEEN MOVED FROM THE ORIGINAL SITE OR CO-MINGLED WITH OTHER CHEMICALS/CHEMICAL WASTE NOT SEIZED AT THE SAME SITE. THIS PRACTICE APPLIES REGARDLESS OF WHICH SOURCE OF FUNDING IS USED TO PAY THE CONTRACTOR. REMOVING AN AUTOMOBILE, WHICH MAY CONTAIN A CLANDESTINE LAB AND CHEMICALS, FROM A PUBLIC ROADWAY TO A LESS HAZARDOUS LOCATION NEARBY DOES NOT CONSTITUTE REMOVING THE CHEMICALS/CHEMICAL WASTE FROM THE ORIGINAL SEIZURE SITE.

5. DIVISION POINTS OF CONTACT (POCS) WHO RECEIVE A REQUEST FROM A STATE/LOCAL OFFICER FOR A CLEAN UP CONTRACTOR SHOULD DETERMINE IF THE CHEMICALS/CHEMICAL WASTE ARE STILL AT THE ORIGINAL CLANDESTINE LAB SEIZURE SITE. IF NOT, THEN A CONTRACTOR SHOULD NOT BE DISPATCHED.

6. DIVISION PERSONNEL SHALL IMMEDIATELY NOTIFY STATE/LOCAL AGENCIES IN THEIR GEOGRAPHIC AREA IN AN EFFORT TO MAKE THESE AGENCIES AWARE OF THIS PROCEDURE.

7. AS A REMINDER, DIVISION POCS SHALL REQUEST FROM A STATE/LOCAL OFFICER THAT THE OFFICER COMPLETE PARTS 1 AND 2 OF THE CLAN LAB CLEAN UP PROGRAM FORM AND THE EPIC FORM 143 REPORTING THE SEIZURE, OR PROVIDE SUCH INFORMATION TO THE POC, PRIOR TO A CONTRACTOR BEING DISPATCHED. (STATE/LOCAL OFFICERS IN THE STATES OF CA, OR, WA, HI AND AK REPORT TO EPIC THROUGH WSIN AND THEREFORE DO NOT NEED TO COMPLETE THE EPIC FORM 143). STATE/LOCAL OFFICERS SHOULD ALSO BE REMINDED THAT AN OFFICER MUST REMAIN ON THE SCENE OF A SEIZED CLANDESTINE LAB UNTIL THE CONTRACTOR DEPARTS.

8. ALL INQUIRIES SHOULD BE DIRECTED TO STAFF COORDINATOR CHARLES D. CLEMENTS AT (202) 307-3617.

GREGORY K. WILLIAMS, OC
DECONTROL UPON RECEIPT BY DEA ONLY
BT

*** END OF MESSAGE SSN NOT LOCATED ***

NNNN

Received from AUTODIN 142320Z JUN 99
\\AMHS-A\telos\data\feed\1999\ARCHIVE\general\r165\99-00305400

UNCLAS E F T O

J. Letter of Agreement - "Container Storage" Program

LETTER OF AGREEMENT

This agreement is made this _____ day of _____ 200_ , between the United States Department of Justice, Drug Enforcement Administration (DEA), and the _____.

WHEREAS there is evidence that the rapid growth of methamphetamine use and the associated increase in illicit clandestine drug laboratories manufacturing methamphetamine and other types of illicit narcotics have developed into a severe problem in the State of _____.

WHEREAS clandestine drug laboratory sites that are responded to by federal, state, and local law enforcement officers are often moderately to heavily contaminated with hazardous waste, as defined by the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6901 and all implementing regulations, including 40 C.F.R. § 261.31-261.33. This hazardous waste poses serious risks as it can cause explosions, chemical fires, and harmful releases into the environment, and serious health and environmental effects potentially lasting for decades. Accordingly, there is overwhelming evidence that the production of methamphetamine has a substantial and detrimental effect on the health and general welfare of the people of the State of _____.

WHEREAS it is understood that when federal, state, and local law enforcement agencies seize clandestine drug laboratories, the agencies and agents themselves legally become "generators" of the seized hazardous waste and are responsible for its proper clean-up and disposal under RCRA and Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), and all implementing regulations.

WHEREAS the parties to this Agreement have devised a solution to the difficulty and cost of managing and disposing of hazardous waste found, seized, and removed from clandestine drug laboratories in the State of _____. The _____ (and its components, officers, and/or agents), will characterize, segregate, package, and transport such hazardous waste from clandestine drug laboratory sites to various state-authorized collection stations, which will be located throughout the State of _____. The _____ will have in place collection stations for temporary storage of hazardous waste. The hazardous waste will be stored until such time as DEA's contractors weekly pick-up is dispatched to the collection stations to pick-up, remove, and properly dispose of the hazardous waste. The collection stations are located on state-administered secure facilities that are staffed by trained personnel twenty-four hours-per-day, seven days per week. This will allow restricted access to the containers by trained personnel to house the hazardous waste

WHEREAS the parties agree that it is to their mutual benefit to cooperate in the waste removal and disposal of hazardous waste(s) found and seized at clandestine drug laboratories and in the investigation and prosecution of cases before the courts of the United States and the courts of the State of _____ involving controlled substances. DEA, pursuant to 21 U.S.C. § 873,

proposes to provide certain necessary hazardous waste disposal services and the State of _____ is desirous of securing such services.

NOW, therefore, in consideration of the mutual covenants contained below:

1. The _____ (and its components) certifies that it will, as hereinafter specified, perform the activities and duties of a “generator” of all hazardous waste that is transported, stored, or disposed off-site from a clandestine drug laboratory, as defined in 40 C.F.R. Parts 260, et seq. Specifically, the _____ (and its components) will:

A. Seize, characterize, package, manage, and remove all hazardous waste discovered at or associated with investigated clandestine laboratories⁵ by certified personnel (except for evidence or samples that are collected and maintained for investigation purposes and the remediation of residual contamination from a clandestine laboratory), or accept hazardous waste seized, characterized, managed, and removed from clandestine laboratories by certified and trained personnel of other law enforcement entities. All state and local law enforcement personnel responding to these clandestine drug laboratories will treat these items as hazardous waste. All items seized and characterized will be packaged in a container appropriate for the type of waste and will be marked with the proper hazardous waste identified in the applicable federal and state regulations.

B. Transport such waste to designated collection stations that have been approved by the state for temporary storage prior to disposal or accept such waste transported to designated collection stations by certified and trained personnel of other law enforcement entities.

C. Store, maintain, and secure only hazardous waste associated with investigated clandestine laboratories and managed by certified personnel in state-approved collection stations. Only hazardous waste seized from clandestine drug laboratories sites will be stored in the containers.

D. Inventory all hazardous waste seized and ensure that the inventory list of wastes can be cross checked against the location, time, case number, and date of seizure.

E. Ensure that only properly trained and equipped certified technicians deposit hazardous waste associated with clandestine laboratories in designated collection stations. Technicians will deposit clandestine drug laboratory-related waste only when they have identified, packaged, characterized, and transported such hazardous waste to the collection station. Only hazardous waste seized from the clandestine drug laboratory sites will be stored/maintained at the collection station. These technicians, at a minimum, shall possess the following training:

* 40 hours Hazardous Waste Management and Hazardous Waste Material courses;

⁵A clandestine laboratory is defined as follows:

An illicit operation consisting of a sufficient combination of apparatus and chemicals that either is, has been, or could be used in the manufacture or synthesis of controlled substances.

- * 40 hours of Occupational Health and Safety Administration (OSHA) training;
- * 8 hours of RCRA training;
- * 4 hours of Department of Transportation Training;
- * 4 hours (total) of training in release reporting under CERCLA and training on the DEA hazardous waste contract.

The _____ will accomplish this training initially through qualified vendors at their facility and re-certification must be accomplished annually through a qualified vendor, provided by another state agency with the technical expertise in the above listed courses, or through an on staff trainer that is qualified to instruct the applicable courses. Within six months (before commencement of any waste removal activity) of the effective date of this agreement, all personnel participating in the program will have completed the necessary training.

The _____ and/or technicians who have reason to believe that state or local law enforcement personnel have packaged, transported, or stored clandestine laboratory-related hazardous waste in violation of applicable federal, state, or local environmental requirements, will immediately report such violations to the appropriate state or federal agency for appropriate action.

F. Upon seizure of a clandestine laboratory, report intelligence data regarding the clandestine laboratory electronically to the El Paso Intelligence Center (EPIC) for entry into the National Clandestine Laboratory Seizure System (CLSS).

G. Request weekly pick up services by contacting their DEA point of contact (POC) and indicate which of the containers contain waste. The POC will obtain an appropriation number and DEA's contractors will provide pick up services scheduled only during normal business hours (*i.e.*, not after hours, on weekends, or on holidays).

H. Provide DEA hazardous waste contractors with an inventory or itemized list of all hazardous waste seized from each clandestine laboratory and stored in the collection station as specified in Paragraph 1(D). The inventory or itemized list will be completed by a certified technician upon the pick-up of hazardous waste at collection station facilities. The inventory/itemized list shall be maintained at each collection station at all times. Records must be maintained in paper or electronic form on site for three years after pick-up.

1. On a weekly basis, complete a National Clandestine Laboratory Clean-up Form and attach the corresponding inventory lists (for each clandestine laboratory in the containers) and send the information to DEA's Hazardous Waste Disposal Section.

2. The _____ (and its components) certify that the activities described in paragraphs 1(A)-(E) shall be performed:

A. In compliance with all applicable Environment Protection Agency (EPA), Occupational Safety and Health Administration (OSHA), and U.S. Department of Transportation (DOT) authorizing statutes and regulations, as well as the State of _____ and local restrictions;

B. By personnel who have received all necessary training and equipment under applicable federal, state, and local requirements, including, but not limited to, the training specified in paragraph 1.E above;

C. Solely at the responsibility of their personnel to the extent possible;

D. In compliance, where applicable, with requirements and storage quantity and time limits for a hazardous waste Conditionally Exempt Small Quantity Generator (CESQG) as defined in EPA's regulations at 40 C.F.R. Part 261.5. Whenever hazardous waste is discovered at the site of a clandestine laboratory in excess of the CESQG exemption levels, including waste which qualifies as "acutely hazardous waste" under RCRA, the _____ (and its components) or collection station operator will immediately notify personnel of the local DEA office, who will expeditiously dispatch a DEA hazardous waste contractor directly to the clandestine laboratory site to perform all necessary hazardous waste clean-up, removal, and disposal activities. Such waste will not be transported to a collection station; and;

E. In a way that protects human health and the environment and prevents a public nuisance.

3. DEA, through its hazardous waste contractors, will, subject to the availability of funds, pick-up, characterize, remove, and dispose of all hazardous waste stored in state-authorized collection stations within one week of notification that waste is present at the station. DEA certifies and agrees to:

A. Conduct disposal services in accordance with all applicable federal, state, and local requirements;

B. Characterize, pick-up, remove, and dispose of hazardous waste generated at clandestine laboratories and managed in accordance with all provisions of this Agreement. DEA contractors will only pick-up, remove, and dispose of hazardous waste that is fully documented to be associated with the production of illegal or illegally manufactured drugs;

C. Have the hazardous waste contractor provide _____ with a manifest for signature, listing all hazardous waste that was removed from the collection station upon completion of pick-up and removal services; and

D. Pick up compressed gas cylinders from collection sites only if the cylinders have been decommissioned in accordance with all applicable statutes and regulations. DEA will not pick up compressed gas cylinders that have been decommissioned by puncturing them in any fashion.

4. Nothing in this Agreement shall preclude the _____ (and its components) from requesting DEA to pick-up, characterize, remove, and dispose of hazardous waste directly at a clandestine laboratory site.

5. Within sixty (60) business days of the execution of this Agreement, the _____ will provide DEA's Hazardous Waste Disposal Section with a list of all certified technicians who have received authorization to deposit waste in authorized collection stations in the State of _____. The list will include the name, address, and telephone number of the certified technicians; the date of the _____ authorization; and the name and address of the facility where the collection station will be located. The _____ thereafter will notify DEA of the names and addresses of newly-authorized, expired, or terminated collection station facilities and/or certified technicians before use is effective or terminated.

6. Agents of the _____ (or its respective components' personnel, employees, and paid or unpaid agents) shall at no time be considered employees of the United States Government or the DEA for any purpose, nor will this Agreement establish an agency relationship between the employees of the State of _____ agencies participating in this Agreement and DEA.

7. The _____ (and its components) shall permit DEA to conduct announced and unannounced inspections of container storage facilities, to include, but not limited to, storage containers, transport vehicles, and trailers. The _____ shall have available for examination by DEA, or any of its duly authorized agents and representatives, any and all investigative reports, records, inventories, and documents required to be maintained by this Agreement. In addition, the _____ (and its components) will maintain all such foregoing reports and records (for each collection site) for a period of three (3) years after termination of this Agreement.

8. DEA acknowledges that the United States is liable for the wrongful or negligent acts or omissions of its officers and employees while on duty and acting within the scope of their employment to the extent permitted by the Federal Tort Claims Act (FTCA), 28 U.S.C. §§ 1346(b), 2671-2680. It is further agreed that the (Agency) _____ is liable for the wrongful or negligent acts or omissions of its officers and employees while acting within the scope of their employment to the extent permitted under _____ law, rules, and regulations.

9. The duration of this Agreement shall be three years from the date of execution by the final signatory below. The terms of this Agreement may be terminated by any party for immediate breach of any terms of this agreement immediately and may be terminated by either party upon thirty (30) days advance written notice for the convenience of that party.

Department Name

By _____

Agency Director name

Title

Department Name

Date _____

DRUG ENFORCEMENT ADMINISTRATION

By _____

Name

Title

Name of Field Division

Date _____

K. Protocol for Using DEA Contractor

Specific DEA Hazardous Waste Cleanup and Disposal Contract requirements and certain federal regulations establish the procedures under which services must be performed by the DEA Contractor. Below is a summary of those procedures and how a state/local agency may utilize the services of the DEA Contractor. Failure to fully comply may result in violations to environmental laws, for which the state/local agency may become liable, and for fiscal responsibility that otherwise would be borne by DEA for the contractual services.

EPA regulations define a “Generator” of hazardous waste as “any person, by site, whose act or process produces hazardous waste identified or listed in [the hazardous waste regulations], or **whose act first causes a hazardous waste to become subject to regulation.**”⁶ (emphasis added) As a result, a state/local law enforcement agency that seizes a clandestine drug laboratory becomes the generator at that site. Use of the DEA Contract is simply a mechanism by which the state/local agency may comply with the generator standards and is in no way transference of that responsibility to DEA or the DEA Contractor. State/local agencies are responsible for full compliance with the generator standards.

BEFORE-

- The DEA Point-of-Contact (POC) must call DEA Headquarters (HQ) **before** calling the contractor. (State/local agencies must call their local DEA office to initiate use of the DEA Contractor.);
- The DEA POC will assign a DEA Case Number or “S” Number⁷ for state/local cleanups;
- The DEA POC will obtain funding authorization from DEA HQ;
- The DEA POC will provide the DEA Contractor with the funding authorization numbers;
- The El Paso Intelligence Center (EPIC) Form 143 (DEA 612) (see [Appendix L](#)) must be completed for each cleanup by the responsible agency;
- Parts I and II of the National Clandestine Drug Laboratory Cleanup Program (NCLCP) Form (see [Appendix M](#)) must be completed for each cleanup by the responsible agency;
- The DEA POC will determine the “lead agency” (generator) by name and address;
 - For state/local seizures, DEA is not the “lead agency;”
- The DEA POC will advise the DEA Contractor of the name/address of the “lead agency” (generator);
- Early call-out during the Tactical Operation Planning Meeting is OK if necessary to reduce prolonged wait-time on site;
- If a Case Number or an “S” Number is not available at the time of the request for funding authorization, a General File Number may be used (*e.g.*, for DEA-Only, IE-05-9121, or for state/local, IE-05-S921).

⁶ Title 40, Code of Federal Regulations, Part 260.10

⁷ “S” Numbers are used for state/local cleanups and have the same format as a DEA Case Number except the first character after the fiscal year is an “S” (*e.g.*, IE-05-S001).

DURING-

- **FIRST**, talk with the DEA Contractor regarding the Site Safety Plan – Contractor must document this OSHA requirement;
- At Site Safety Meeting, Contractor should enter “lead agency” in Box 3 of Manifest;
 - If state/local cleanup, list that agency; if DEA, list DEA, Office of Forensic Sciences (SFH), Washington, DC 20537;
 - Determine at Site Safety Meeting who will sign the manifest (see below);
- Personal Protective Equipment must be worn by **all** personnel in the “Hot Zone;”
- Law enforcement must provide security for contract personnel **at all times**. The contractor will leave if law enforcement leaves, and will leave the waste at the site;
- A receipt for services must be completed and signed by a non-contract employee. The receipt for services (DEA Form 602, provided by the contractor) is independent verification of the labor hours of contract personnel at the site, and the number of containers removed from the site. The number of containers on the vehicle and listed on the manifest must agree with the number of containers removed from the site shown on the receipt for services;
- The DEA Contract does not provide for, and will not pay for cleanup of residual contamination. Contaminated soil or interiors of buildings are not part of the DEA Contract (see **After**);
- The DEA Contractor **may** sign the manifest “on behalf of DEA: for DEA-Only cleanups. A representative **must** sign the manifest “on behalf of” their agency for state/local cleanups; and
- The site must be posted with a warning sign ([Appendix A](#)).

AFTER-

- The completed EPIC Form must be faxed to EPIC at (915) 760-2913;
- Part III of the NCLCP Form must be completed and the form faxed to DEA HQ at (202) 307-8489;
- For DEA-Only seizures, DEA must:
 - prepare a Standard Seizure Form (SSF) and enter the funding authorization number in Item #34;
 - Issue an Asset ID in CATS;
 - Prepare a Significant Activities Cable that includes a rating of the contractor’s performance (Satisfactory or Unsatisfactory) in Item 40, and include the Asset ID Statement in Item 43;
- Written notification (CERTIFIED RETURN RECEIPT REQUESTED) must be sent to the property owner with copies to the environmental agency and health department with jurisdiction over the location of the seized laboratory.

L. National Clandestine Laboratory Seizure Report Instructions

PURPOSE: The National Clandestine Laboratory Seizure Report (*DEA Form 612 formerly EPIC Form 143*) and the Clandestine Laboratory Seizure System (CLSS) include data pertaining to clandestine laboratories seized in the United States by local, State and Federal law enforcement agencies. (*The entered data must meet Department of Justice 28 CFR Part 23 guidelines.*) The El Paso Intelligence Center (EPIC) is the central repository for these data. The data will be useful in determining, among other criteria, the types, numbers, and locations of laboratories seized; manufacturing trends; precursor and chemical sources; the number of children and law enforcement officers affected; and investigative leads. The data may also be useful to agencies in justifying and allocating current or future resources. Further information can be obtained on RISS.NET at URL <http://clanlab.riss.net>.

TYPE OF REPORT: (top right corner) Check only one box to indicate the type of seizure being reported.

LAB SEIZURE: CLANDESTINE LABORATORY DEFINED: “An illicit operation consisting of a sufficient combination of apparatus and chemicals that either has been or could be used in the manufacture or synthesis of controlled substances.”
Check this box only if the seizure meets this definition.

CHEM/GLASSWARE/EQUIPMENT SEIZURE: A seizure of only chemicals, glassware, and/or equipment normally associated with the manufacturing of a controlled/illicit substance, but there is insufficient evidence that the items were used in the manufacture of a controlled/illicit substance.

DUMPSITE SEIZURE: A location where discarded laboratory equipment, empty chemical containers, waste by products, pseudoephedrine containers, *etc.*, were abandoned/dumped. There was no lab found with this seizure.

- I. **REPORTING OFFICE:** Indicate the date of seizure (MMDDYYYY). Identify the seizing agency, ORI number, agency location (city and state), case or file number, reporting officer (first and last name), and telephone number. These are **mandatory** fields. The file title is not a mandatory field, but it can be queried. The primary subject's name is often times used as the file title. Under “Reporting Officer/Agent” provide the full name and telephone number of the person submitting the information and any other person that can be contacted for further information or investigative referrals. Since more than one telephone number can be placed in the database, also provide a pager and/or cell number. Place additional phone numbers in the Remarks Section. The COPS number (‘S’ number) is assigned by DEA to agencies requesting DEA funding for lab clean up and should be provided if applicable. If more than one agency was involved in the seizure, the same identifying information can be placed in the database with each participating agency. Place additional agency information in the Remarks Section.
- II. **SEIZURE LOCATION:** Check the box that most closely describes the location of the seizure. Vehicle is used for anything on wheels, to include cars, trucks, tractor-trailer, recreational vehicles, *etc.* Family dwelling includes residences or mobile homes. Use Remarks Section for additional information.
- III. **SEIZURE NEIGHBORHOOD:** Check the box that most closely describes the surrounding area. An urban area is a city or town, suburban is the outskirts of a city or town, and rural is the countryside or an agricultural area. If the seizure occurs on public land, indicate the official name of the land.
- IV. **ESTIMATED LAB CAPACITY:** Estimate the amount the seized lab could have produced, per cooking cycle, based on the amount of precursors, chemicals, and equipment at the lab site. This should be a best estimate, based on on-site observations or

- intelligence. This field is **mandatory** if the Type of Report has been checked as a Lab Seizure.
- V. **LABORATORY STATUS**: A laboratory is considered operational if all the necessary chemicals and apparatus are present, and it is set up so that a chemical synthesis can begin within a short period of time. Anything not considered an operational laboratory should be reported as non-operational. Other choices include Abandoned, Boxed/Dismantled, or Explosion/Fire. Check all that apply. This field is **mandatory** if the Type of Report has been checked as a Lab Seizure.
- VI. **LAB MANUFACTURING PROCESS**: Check one. Choose the primary manufacturing process. Check Hydriodic Acid manufacturing or Ephedrine or Pseudoephedrine tablet extraction **ONLY** if the lab was operated solely for this purpose (*i.e.*, the lab being reported was NOT manufacturing methamphetamine). In the OTHER block, indicate any substitute chemicals used.
- VII. **LABORATORY EQUIPMENT**: Check the box that most closely describes the type of glassware and apparatus seized. Professional/retail indicates chemistry/research-type equipment. If available, provide information on the manufacturer, seller, *etc.* Remember, purchaser information is available on some equipment; therefore, the recording of brand name, model number, and serial number is encouraged for possible investigative follow-up.
- VIII. **LABORATORY TYPE**: Check the type of drug being manufactured or produced. The **tablet extraction** box indicates the seizure of an extraction-type laboratory only (*e.g.* pseudoephedrine tablets). Check all boxes that apply.
- IX. **SEIZURE/LABORATORY ADDRESS**: List the laboratory's complete address, including county, state, and zip code. (County and state are **mandatory** fields.) In the case of a traffic stop, indicate the location of the stop. If a seizure takes place in a rural area where there are no numbered addresses, put in the closest reference point (*i.e.*, two miles West of County Road 220). Latitude/longitude for rural labs with no address are the best alternative.
- X. **CHEMIST AND CLEAN-UP PERSONNEL**: This is a **mandatory** field. Check the appropriate box and provide the name of the HAZMAT contractor. Evaluation of HAZMAT Contractor is **mandatory** for all DEA reported seizures.
- XI. **PERSONS AFFECTED**: Check all boxes that apply. The number of children affected is a **mandatory** field. Total children affected would include children residing (not necessarily present) and any children visiting. (*If anyone was injured or killed at the lab site, provide additional details in the Remarks Section.*)
- XII. **WEAPONS/EXPLOSIVES SEIZED**: Type of weapon is considered a handgun, shotgun, rifle, assault rifle, *etc.* The number indicates how many of the same make and model were seized. Under Description, indicate Make, Model and Caliber of the weapon. If a Booby Trap was encountered, indicate whether it was explosive, chemical, or mechanical, and any other identifying information.
- XIII. **QUANTITY OF ALL DRUGS SEIZED AT LAB SITE**: Check all boxes that apply and provide quantity and unit of measurement. This category includes finished drugs, unfinished drugs, as well as manufactured drugs in solution (*e.g.* 22 grams of meth; 200 milliliters of meth in solution) and other types of drugs found, but not necessarily manufactured, at the lab site.
- XIV. **PRECURSOR/CHEMICAL SOURCE**: Specify precursor and check the box that indicates the source. Manufacturer and distributor information, including lot or

identification numbers, should be reported. Additional precursor information should be continued in the Remarks Section.

- XV. PRECURSOR AGENTS/CATALYSTS/SOLVENTS/REAGENTS SEIZED:** Check all known precursors/ chemicals used and provide applicable amounts (as indicated by seized containers and chemical analysis). If ephedrine or pseudoephedrine is seized, 'packaging' is a mandatory field. For bulk amounts, use weight amount. For tablets, use pill counts and dosage units (*i.e.*, Pseudoephedrine – "250 Tablets/60 mg"). For blister packs, indicate number of blister packs, tablet count per pack, dosage unit size, and any brand name and lot number information (*i.e.*, "Pseudoephedrine – 20 blister packs, 48 tabs each, 120 mg"). If known, select the source of the ephedrine or pseudoephedrine. Provide manufacturer, brand and lot number information where available. Include amounts of empty containers that are found (*e.g.*, 2 ea empty 11oz Ether cans, *etc.*) When reporting cans or containers of an item, indicate the capacity/size of the containers. (Use Remarks Section for additional space.)
- XVI. CRIMINAL AFFILIATION:** Check the box for any known affiliation that applies to the subjects of the investigation. If the name of the organization is not known, put 'unknown' in the Organizational Name field.
- XVII. SUSPECT/CRIMINAL BUSINESS/CRIMINAL VEHICLE INFORMATION:** Provide the suspect's full name, DOB and address, including county and zip code. Include any other available identifying information. Provide business name and address and vehicle information if criminally associated. (Use additional sheets as necessary.)
- XVIII. DEA REPORTING ONLY:** Provide the GDEP Identifier, DEA office and case number (if other than reporting office), Special Agent's name and telephone number.
- XIX. REMARKS SECTION:** Please use this section to expand on any answers or for any additional relevant information.

If additional assistance is needed, contact the CLSS Help Desk 1-888-USE-EPIC (Option 7), EPIC Watch at (915) 760-2200 or toll free inside Texas 1-800-351-6047; outside Texas 1-800-527-4062. Completed National Clandestine Laboratory Seizure Reports should be faxed to **UNCLASSIFIED (915) 760-2913 or CLASSIFIED (915) 760-2538 or mailed to:**

**ATTN: Clan Lab
El Paso Intelligence Center
11339 SSG Sims Street
El Paso, Texas 79908-8098**

		NATIONAL CLANDESTINE LABORATORY SEIZURE REPORT Entered data must meet 28 CFR Part 23 guidelines.				TYPE OF REPORT*			
		<input type="checkbox"/> Lab Seizure <input type="checkbox"/> Chem/Glassware/Equip Seizure (Only) <input type="checkbox"/> Dumpsite Seizure (Only)							
I Reporting Office (An asterisk symbol (*) indicates a mandatory field)									
Seizure Date* (MMDDYYYY)		Agency*		ORI*		Agency City*			
Agency State*	Case or File Number*		File Title						
Reporting Officer/Agent Name* (First, Last)				Telephone Number* ()		COPS Number (DEA 'S' Number)			
II Seizure Location* (Check one – put additional information in Remarks Section)									
<input type="checkbox"/> Apartment/Condo	<input type="checkbox"/> Hotel/Motel	<input type="checkbox"/> Family Dwelling	<input type="checkbox"/> Storage Locker	<input type="checkbox"/> Business					
<input type="checkbox"/> Outbuilding	<input type="checkbox"/> Vehicle	<input type="checkbox"/> Dumpster	<input type="checkbox"/> Open – No Structure	Other – Describe:					
III Seizure Neighborhood (Check most appropriate)									
<input type="checkbox"/> Commercial/Industrial		<input type="checkbox"/> Rural		<input type="checkbox"/> Suburban		<input type="checkbox"/> Urban			
Public Land – Name:				Other – Describe:					
IV Estimated Lab Capacity (Based on seized chemicals, glassware, and equipment on site) (Mandatory if lab seizure is checked)									
<input type="checkbox"/> Under 2 Oz.	<input type="checkbox"/> 2 – 8 Oz.	<input type="checkbox"/> 9 Oz. – 1 Lb.	<input type="checkbox"/> 2 – 9 Lbs.	<input type="checkbox"/> 10 – 19 Lbs.	<input type="checkbox"/> 20 Lbs. or Greater				
V Laboratory Status (Check all that apply) (Mandatory if lab seizure is checked)									
<input type="checkbox"/> Operational – Not in Production		<input type="checkbox"/> Abandoned		<input type="checkbox"/> Explosion/Fire					
<input type="checkbox"/> Operational – In Production		<input type="checkbox"/> Boxed/Dismantled		Other – Describe:					
VI Lab Manufacturing Process (Check ONLY one)									
<input type="checkbox"/> Ephedrine/Red "P"/Hydriodic Acid Reduction and/or Iodine Reduction		<input type="checkbox"/> Ephedrine/Lithium, Sodium, or Potassium/ Anhydrous Ammonia (Nazi/Birch)			<input type="checkbox"/> Ephedrine Tablet Extraction				
<input type="checkbox"/> Pseudoephedrine/Red "P"/Hydriodic Acid and/or Iodine Reduction		<input type="checkbox"/> Pseudoephedrine/Lithium, Sodium or Potassium/ Anhydrous Ammonia (Nazi/Birch)			<input type="checkbox"/> Pseudoephedrine Tablet Extraction				
<input type="checkbox"/> P2P/Methylamine		<input type="checkbox"/> Hydriodic Acid Manufacturing			Other – Describe:				
<input type="checkbox"/> Hydrogenation		<input type="checkbox"/> Anhydrous Ammonia Manufacturing							
VII Laboratory Equipment (Continue in Remarks)									
<input type="checkbox"/> Homemade/Improvised		<input type="checkbox"/> Professional/Retail		Store Name:					
				City:					
VIII Laboratory Type (Check all that apply)									
<input type="checkbox"/> Amphetamine	<input type="checkbox"/> Tablet Extraction	<input type="checkbox"/> Anhydrous Ammonia	<input type="checkbox"/> Methamphetamine	<input type="checkbox"/> PCP					
<input type="checkbox"/> Hydriodic Acid	<input type="checkbox"/> GHB	<input type="checkbox"/> MDMA	<input type="checkbox"/> Methcathinone						
Other – Describe:									
IX Seizure/Laboratory Address									
Street #		Dir (E,S, etc.)	Street Name			Suffix (St. Ave., etc.)	Unit # (Apt)	Box #	
City		County*		State*	Zip Code	Latitude/Longitude			
X Chemist and Cleanup Personnel*									
Chemist on Site		Hazmat Contractor Utilized		Name of Hazmat Contractor		Evaluation of Hazmat Contractor			
<input type="checkbox"/> None	<input type="checkbox"/> State/Local	<input type="checkbox"/> DEA	<input type="checkbox"/> Yes	<input type="checkbox"/> No			<input type="checkbox"/> Excellent	<input type="checkbox"/> Satisfactory	<input type="checkbox"/> Poor **
**(Provide details in Remarks Section)									
XI Persons Affected (Children are mandatory – indicate 0 when none were affected) (Check all that apply and indicate number)									
Total Children Affected (#)		Child Injured (#)		Child Killed (#)		Law Enforcement Injured (#)			
Law Enforcement Killed (#)		Suspects Injured (#)		Suspects Killed (#)					
Other – Describe:									

NATIONAL CLANDESTINE LABORATORY SEIZURE REPORT - CONTINUED												
XII Weapons/Explosives Seized (Check all that apply and continue in Remarks Section)												
Type (Handgun, Rifle, etc.)	Number	Serial No.	Description (Make, Model, & Caliber)									
Booby Trap – Describe:												
XIII Quantity of All Drugs Seized at Lab Site (Check all that apply/Specify amount & unit of measure)												
<input type="checkbox"/> Amphetamine	_____ Amt	<input type="checkbox"/> LSD	_____ Amt	<input type="checkbox"/> Methcathinone	_____ Am							
<input type="checkbox"/> Cocaine	_____ Amt	<input type="checkbox"/> MDMA	_____ Amt	<input type="checkbox"/> PCP	_____ Am							
<input type="checkbox"/> GHB/GBL	_____ Amt	<input type="checkbox"/> Methamphetamine	_____ Amt	<input type="checkbox"/> Other – Describe:	_____ Am							
XIV Precursor/Chemical Source (If more than one precursor, continue in Remarks Section)												
Specify Precursor:		Source: <input type="checkbox"/> Chemical Company		<input type="checkbox"/> Convenience Store		<input type="checkbox"/> Retail Outlet		<input type="checkbox"/> Unknown				
Store Name:		City:		State:		Country:		Other – Describe:				
XV Precursor Agents/Catalysts/Solvents/Reagents Seized (Check all that apply/Specify unit of measure)												
Precursor Agents (If Ephedrine or Pseudoephedrine is selected, Packaging category is mandatory)												
<input type="checkbox"/> Ephedrine _____ Amt				<input type="checkbox"/> Pseudoephedrine _____ Amt								
Packaging*:	<input type="checkbox"/> Unknown	<input type="checkbox"/> Bulk	<input type="checkbox"/> Tablets	<input type="checkbox"/> Blister Packs	Packaging*:	<input type="checkbox"/> Unknown	<input type="checkbox"/> Bulk	<input type="checkbox"/> Tablets	<input type="checkbox"/> Blister Packs			
Source:	<input type="checkbox"/> Domestic	<input type="checkbox"/> Canada	<input type="checkbox"/> Mexico	Source:				<input type="checkbox"/> Domestic	<input type="checkbox"/> Canada	<input type="checkbox"/> Mexico		
Brand Name(s):						NOTE: Brand Names and Lot Numbers for chemicals other than ephedrine and pseudoephedrin should be entered in the Remarks Section.						
Lot Number(s):												
<input type="checkbox"/> Benzaldehyde	_____ Amt	<input type="checkbox"/> GBL	_____ Amt	<input type="checkbox"/> Piperidine	_____ Amt							
<input type="checkbox"/> Benzylchloride	_____ Amt	<input type="checkbox"/> Methylamine	_____ Amt	<input type="checkbox"/> P2P	_____ Amt							
<input type="checkbox"/> Benzylcyanide	_____ Amt	<input type="checkbox"/> Phenylpropanolamine	_____ Amt	<input type="checkbox"/> Other	_____ Amt							
Catalysts/Solvents/Reagents												
<input type="checkbox"/> Acetone	_____ Amt	<input type="checkbox"/> Hydriodic Acid (HI)	_____ Amt	<input type="checkbox"/> PCC	_____ Am							
<input type="checkbox"/> Alcohol	_____ Amt	<input type="checkbox"/> Hydrochloric Acid (Muriatic)	_____ Amt	<input type="checkbox"/> Phenylacetic Acid	_____ Am							
<input type="checkbox"/> Aluminum	_____ Amt	<input type="checkbox"/> Hydrogen Chloride Gas	_____ Amt	<input type="checkbox"/> Potassium Metal	_____ Am							
<input type="checkbox"/> Anhydrous Ammonia	_____ Amt	<input type="checkbox"/> Hydrogen Gas	_____ Amt	<input type="checkbox"/> Potassium Permanganate	_____ Am							
<input type="checkbox"/> Benzene	_____ Amt	<input type="checkbox"/> Hydrogen Peroxide	_____ Amt	<input type="checkbox"/> Red Phosphorus	_____ Am							
<input type="checkbox"/> Bromobenzene	_____ Amt	<input type="checkbox"/> Hypophosphorous Acid	_____ Amt	<input type="checkbox"/> Sodium Chloride (Salt)	_____ Am							
<input type="checkbox"/> Caustic Soda	_____ Amt	<input type="checkbox"/> Iodine (Crystals)	_____ Amt	<input type="checkbox"/> Sodium Cyanide	_____ Am							
<input type="checkbox"/> Charcoal Lighter Fluid	_____ Amt	<input type="checkbox"/> Iodine (Tincture)	_____ Amt	<input type="checkbox"/> Sodium Dichromate	_____ Am							
<input type="checkbox"/> Chloroform	_____ Amt	<input type="checkbox"/> Lithium Metal	_____ Amt	<input type="checkbox"/> Sodium Hydroxide (Lye)	_____ Am							
<input type="checkbox"/> Chromium Trioxide	_____ Amt	<input type="checkbox"/> Magnesium	_____ Amt	<input type="checkbox"/> Sodium Metal	_____ Am							
<input type="checkbox"/> Coleman/Camping Fuel	_____ Amt	<input type="checkbox"/> Mercuric Chloride	_____ Amt	<input type="checkbox"/> Sulfuric Acid	_____ Am							
<input type="checkbox"/> Cyclohexanone	_____ Amt	<input type="checkbox"/> Methanol	_____ Amt	<input type="checkbox"/> Thionyl Chloride	_____ Am							
<input type="checkbox"/> Ether	_____ Amt	<input type="checkbox"/> Methyl Ethyl Ketone (MEK)	_____ Amt	<input type="checkbox"/> Toluene	_____ Am							
<input type="checkbox"/> Freon	_____ Amt	<input type="checkbox"/> Methylsulfonylmethane (MSM)	_____ Amt	<input type="checkbox"/> Other	_____ Am							
<input type="checkbox"/> Grignard	_____ Amt	<input type="checkbox"/> Naptha	_____ Amt									
XVI Criminal Affiliation (If applicable)												
<input type="checkbox"/> Asian Org	<input type="checkbox"/> Mexican Org	<input type="checkbox"/> Militia Group	<input type="checkbox"/> Outlaw Motorcycle Gang	<input type="checkbox"/> Traditional Organized Crime	<input type="checkbox"/> Middle Eastern Group							
Other – Describe:			Organization/Gang/Group Name:									
USE ADDITIONAL PAGES AS NECESSARY – LOCAL REPRODUCTION AUTHORIZED												

NATIONAL CLANDESTINE LABORATORY SEIZURE REPORT - CONTINUED																					
XVII Suspect/Criminal Business/Criminal Vehicle Information																					
Suspect #1 Information																					
Last Name (Paternal)				Last Name (Maternal)				First Name				Middle Name									
Alias/Moniker						Generation (Jr, Sr, etc.)		Male		Female		Race		Nationality (US, MX, etc.)							
DOB (MMDDYYYY)				Alt DOB (MMDDYYYY)				Height		Weight (Lbs)		Hair Color		Eye Color		Arrested		Yes		No	
Phone Type		Regular		Cell		Pager		Phone Number ()													
Suspect Residence Information																					
Street Number				Dir. (E,S, etc.)				Street Name				Unit # (Apt)		Box #							
City				County				State		Country		Zip Code									
Involvement (Role) and Identification Numbers																					
<input type="checkbox"/> Cook/Chemist				<input type="checkbox"/> Enforcer				<input type="checkbox"/> Smuggler				<input type="checkbox"/> Chemical Courier		<input type="checkbox"/> Criminal Associate							
<input type="checkbox"/> Distributor				<input type="checkbox"/> Financier				<input type="checkbox"/> Broker				Other - Describe:									
Social Security Number								Driver License Number/State													
FBI Number								Alien Registration Number													
NADDIS Number								Other Numbers													
Suspect #2 Information																					
Last Name (Paternal)				Last Name (Maternal)				First Name				Middle Name									
Alias/Moniker						Generation (Jr, Sr, etc.)		Male		Female		Race		Nationality (US, MX, etc.)							
DOB (MMDDYYYY)				Alt DOB (MMDDYYYY)				Height		Weight (Lbs)		Hair Color		Eye Color		Arrested		Yes		No	
Phone Type		Regular		Cell		Pager		Phone Number ()													
Suspect Residence Information																					
Street Number				Dir. (E,S, etc.)				Street Name				Unit # (Apt)		Box #							
City				County				State		Country		Zip Code									
Involvement (Role) and Identification Numbers																					
<input type="checkbox"/> Cook/Chemist				<input type="checkbox"/> Enforcer				<input type="checkbox"/> Smuggler				<input type="checkbox"/> Chemical Courier		<input type="checkbox"/> Criminal Associate							
<input type="checkbox"/> Distributor				<input type="checkbox"/> Financier				<input type="checkbox"/> Broker				Other - Describe:									
Social Security Number								Driver License Number/State													
FBI Number								Alien Registration Number													
NADDIS Number								Other Numbers													
Suspect #3 Information																					
Last Name (Paternal)				Last Name (Maternal)				First Name				Middle Name									
Alias/Moniker						Generation (Jr, Sr, etc.)		Male		Female		Race		Nationality (US, MX, etc.)							
DOB (MMDDYYYY)				Alt DOB (MMDDYYYY)				Height		Weight (Lbs)		Hair Color		Eye Color		Arrested		Yes		No	
Phone Type		Regular		Cell		Pager		Phone Number ()													
Suspect Residence Information																					
Street Number				Dir. (E,S, etc.)				Street Name				Unit # (Apt)		Box #							
City				County				State		Country		Zip Code									
USE ADDITIONAL PAGES AS NECESSARY - LOCAL REPRODUCTION AUTHORIZED																					

NATIONAL CLANDESTINE LABORATORY SEIZURE REPORT - CONTINUED												
Involvement (Role) and Identification Numbers												
<input type="checkbox"/>	Cook/Chemist	<input type="checkbox"/>	Enforcer	<input type="checkbox"/>	Smuggler	<input type="checkbox"/>	Chemical Courier	<input type="checkbox"/>	Criminal Associate			
<input type="checkbox"/>	Distributor	<input type="checkbox"/>	Financier	<input type="checkbox"/>	Broker	Other – Describe:						
Social Security Number						Driver License Number/State						
FBI Number						Alien Registration Number						
NADDIS Number						Other Numbers						
Criminal Business Information (Include all a.k.a.'s)												
Business Name:												
Street Number			Dir. (E, S, etc.)		Street Name				Unit # (Apt)		Box #	
City			County			State		Country		Zip Code		
Phone Type	<input type="checkbox"/> Regular		<input type="checkbox"/> Cell		<input type="checkbox"/> Fax		Phone Number ()					
NADDIS Number						Other Numbers (TECS, Case, etc.)						
Criminal Vehicle Information (If applicable)												
License Plate Number				Temporary License Plate #			State	Country	<input type="checkbox"/> Seized	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
VIN Number					Type (Car, SUV, Pickup, etc.)			Make				
Model			Year		Owner Type		<input type="checkbox"/> Privately Owned	<input type="checkbox"/> Rental	<input type="checkbox"/> Other			
XVIII DEA Reporting Only												
GDEP Identifier		<input type="checkbox"/> Special Operations Division Supported Case				DEA Office Identifier and Case Number if other than Reporting Office						
Special Agent's Name* (First, Last)						Phone #* ()						
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Acknowledgement that the Clan Lab Seizure has been reported to CCF via a standard seizure form and submitted to the Divisional Asset Removal Group for processing and input into the Consolidated Asset Tracking System.										
XIX Remarks Section												
CLSS Help Desk			UNCLASSIFIED FAX:			CLASSIFIED FAX:			MAILING ADDRESS			
1-888-USE-EPIC 873-3742 (Option 7)			(915) 760-2913			(915) 760-2538			El Paso Intelligence Center ATTN: Clan Lab 11339 SSG Sims Street El Paso, Texas 79908-8098			
USE ADDITIONAL PAGES AS NECESSARY – LOCAL REPRODUCTION AUTHORIZED												

M. National Clandestine Lab Cleanup Program

CLANDESTINE LABORATORY INVESTIGATIONS LEAD TO THE SEIZURE OF HAZARDOUS WASTE. THIS MATERIAL MUST BE DISPOSED OF IN ACCORDANCE WITH STANDARDS SET BY THE ENVIRONMENTAL PROTECTION AGENCY (EPA). IN ADDITION, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) REGULATIONS SPECIFICALLY DELINEATE THE CONDUCT OF EMPLOYEES PARTICIPATING IN THESE OPERATIONS. THE CODE OF FEDERAL REGULATIONS 1910.12 MANDATES THAT ALL LAW ENFORCEMENT OFFICERS (FEDERAL, STATE, AND LOCAL) MUST HAVE COMPLETED AT LEAST 24 HOURS OF TRAINING PRIOR TO ENTERING OR PROCESSING A CLANDESTINE LABORATORY. IN VIEW OF THE DANGERS POSED BY CLANDESTINE METHAMPHETAMINE LABS, LAW ENFORCEMENT SUPERVISORS MUST MAKE EVERY EFFORT TO ENSURE THAT ALL PERSONNEL PARTICIPATING IN THESE ACTIVITIES HAVE COMPLETED THIS INITIAL TRAINING AS WELL AS YEARLY RECERTIFICATION CLASSES.

PART 1--TO BE COMPLETED BY REQUESTING AGENCY PRIOR TO DISPATCH OF WASTE DISPOSAL COMPANY:	
Agency Name: _____	
Departments Representative Certified to Enter Lab Site: _____	
Reporting Officer Name/Rank: _____	
Phone/Fax Numbers: _____	
Location of Suspected Lab: _____	
Date of Lab Seizure: _____	
PART 2--TO BE COMPLETED BY DEA PERSONNEL:	
DEA Representative Authorizing Contractor: _____	Phone Number: _____
State/Local Cleanup ID Number: _____	Fax Number: _____
PART 3--TO BE COMPLETED BY REQUESTING AGENCY WITHIN 24 HOURS OF CLEANUP:	
Name and Phone Number of Contractor Utilized: _____	
State/Local Police Case Number: _____	
Was a Chemist at Lab Site?: Yes / No	
If yes, give name, agency, and phone number: _____	

Evaluation of Hazardous Waste Disposal Company (choose one): Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/>	
Description of Lab Type:	
Additional Remarks:	
Signature of Reporting Officer: _____ Date of Clean-up: _____	

N. Hazardous Waste Generator and Transporter Requirements

Step 1. Determining if a waste is hazardous:

As a matter of DEA policy, all chemicals, associated glassware and equipment that can be used to manufacture illegal drugs are to be managed as hazardous wastes. The DEA contractor must also determine if the waste meets the definition of hazardous waste according to 40 CFR 261. The waste may include “listed” wastes (*e.g.* P-list waste) or may exhibit one of the “characteristics” of hazardous waste: ignitability, reactivity, corrosivity, or toxicity. The chemicals found on site must be characterized prior to packaging to ensure that incompatible materials are segregated.

The DEA contractor must calculate the quantity of listed and characteristic hazardous waste. The quantities of hazardous waste will determine whether an EPA ID number must be obtained before the waste is removed from the site. If 1 kilogram (or 2.2 pounds) or more of P-list waste (acute) or 100 kilograms (or 220 pounds) of listed or characteristic hazardous waste that is not acute hazardous waste are generated from the clandestine drug laboratory, an EPA ID Number must be obtained prior to departure from the site. [Commercial chemical products classified as acute hazardous waste can be found at 40 CFR Part 261.33(e).]

Step 2. Obtaining a USEPA ID Number

If the waste quantity is above 100 kilograms (or 1 kilogram of acute hazardous waste), the contractor must obtain an “EPA Identification Number” before the waste can be removed from the site. In some cases, states will provide contractors with blocks of EPA ID Numbers for use in after-hour, emergency situations. Some states will not, and do not have processes established to, obtain emergency numbers after normal working hours. In some instances, the USEPA Regional office may be able to provide an ID Number. The number given is site-specific and is not reused.

Step 3. Preparing Manifest and LDR Documentation

The DEA contractor must manifest each shipment of hazardous waste for off-site shipment according to 40 CFR Part 262 Subpart B (USEPA), and 49 CFR 172 and 173 (DOT). In order to complete the manifest (see [Appendix G](#)), the DOT “proper shipping name” for all hazardous materials and hazardous waste (49 CFR Part 172 Subpart B and the Hazardous Materials Table in 49 CFR 172.101) and the hazard class and UN/NA ID number (49 CFR Part 172 Subpart C as well as other requirements) must be identified.

Land Disposal Restrictions (LDR) requirements stipulate that a notice and/or a certification must be prepared and included with each shipment, if a restricted waste is intended for land disposal.

Step 4. Adulteration

Law enforcement officials may request the DEA contractor adulterate certain waste. The adulterant should be chosen based on several factors: ability to render the waste unusable as an ingredient in illegal drug manufacturing; likely reaction of the adulterant with the waste; volume of adulterant required; and affect on disposal cost.

Step 5. Packaging

If not seized as evidence, all glassware must be broken and scales and apparatus must be disabled before packaging by the DEA contractor. Care should be used to ensure that the chemicals in the glassware would not cause a reaction when broken. Agents may direct the contractor to adulterate certain waste (see **Step 4**) prior to packaging. All hazardous waste must be packaged in accordance with DOT regulations for off-site shipment. (See 49 CFR Parts 173, 178 and 179.)

Step 6. Marking and Labeling

Hazardous waste for off-site shipment must be marked in accordance with 40 CFR Section 262.32 (USEPA) and 49 CFR Part 172 Subpart D (DOT). Each package of hazardous waste must be labeled according to DOT regulations (49 CFR Part 172 Subpart E).

Step 7. Placarding

Each shipment of hazardous waste must have the appropriate placards on the vehicle in accordance with DOT regulations for hazardous materials (49 CFR Part 172 Subpart F).

O. The National Methamphetamine Chemicals Initiative

[Laura Birkmeyer, NMCI Executive Assistant/U.S. Attorney]

Formed in 1999, the **National Methamphetamine Chemicals Initiative** (NMCI) is a HIDTA-funded law enforcement effort designed to bring the most current methamphetamine manufacturing and chemicals trend information as well as to coordinate enforcement efforts against persons and businesses supplying chemicals to methamphetamine manufacturers. The mission of the NMCI is to reduce the availability of precursor and other chemicals for use by methamphetamine manufacturers. The NMCI promotes intelligence sharing by its members and conducts programs to assist law enforcement in effectively enforcing laws and generating community efforts resulting in the denial of chemicals to methamphetamine manufacturers. The NMCI is comprised of federal, state and local law enforcement investigators, prosecutors, intelligence analysts and forensic chemists from the United States and includes invited guests from Canadian law enforcement.

The NMCI is directed by an Assistant U.S. Attorney from the Southern District of California and is co-chaired by representatives from the DEA, as well as state and local law enforcement from methamphetamine-saturated areas of the United States. Key participants of the NMCI include members of the California Precursor Committee, the Tri-State Precursor Committee (representing Arizona, New Mexico and Nevada) and the Mountain States Precursor Committee (representing Colorado, Montana, Utah and Wyoming).

The NMCI has had a significant effect on methamphetamine enforcement in the United States and promotes a comprehensive and aggressive multi-pronged effort to reduce methamphetamine and other synthetic drugs in America's communities. The NMCI provides current trend information regarding methamphetamine production, chemicals and equipment usage to law enforcement to permit agents and officers to most effectively recognize and seize methamphetamine labs. It promotes efforts to identify chemical sources and eliminate diversion of all listed and other chemicals to methamphetamine manufacturers. The NMCI assists in linking federal, state and local law enforcement efforts against top domestic and international chemical sources. The NMCI also supports methamphetamine and chemicals prosecutions by linking prosecutors throughout the United States to share expertise.

The NMCI holds national conferences where trend information is supplied. Briefings and materials addressing cutting-edge issues relating to chemicals enforcement are provided at these and regional meetings. The NMCI provides training on chemicals enforcement and related topics at venues around the country for investigators and border inspectors, prosecutors and intelligence analysts. In addition, it has promoted nationwide the development of drug endangered children (DEC) programs which address the problem of children found in clandestine laboratory and other drug environments. The NMCI has also been actively involved in designing and promoting the El Paso Intelligence Center clandestine laboratory seizure system (CLSS) to encourage correct counting of methamphetamine labs and retrieval of important intelligence information found at lab and dump sites.

Appendix O

Points of contact for the NMCI are: Executive Assistant U.S. Attorney Laura Birkmeyer at (619) 557-5481 or laura.birkmeyer@usdoj.gov; NMCI Coordinator Antonio Loya at (619) 557-7847 or tony.loya@usdoj.gov or: NCMI Admin. Asst. Cathy Gin at (619) 557-6515 or cathy.gin@usdoj.gov.

P. Adulteration Options Protocol for Chemicals Recovered at Clandestine Laboratories or Dumpsites

Recent information from criminal cases reveals that, in some instances, chemicals and equipment used in the manufacture of methamphetamine and other controlled substances have been diverted for criminal use after they have been seized by law enforcement and turned over to contractor personnel for disposition. In order to minimize any post-seizure diversion of chemicals and equipment and a recurring harm to the public, law enforcement and the environment, the following protocols establish “best practices” for adulteration of chemicals and wastes.

The protocols are not intended for all situations where precursor chemicals may be seized, but only for clandestine laboratories and dumpsites. The seizure of bulk precursor chemicals not associated with a clandestine laboratory or dumpsite should be processed according to each agency’s own policies and procedures.

The following protocols are not intended to replace technical advice provided by the manufacturer on Material Safety Data Sheets (MSDSs) or other industry and manufacturer guidance. Contractors are to obtain guidance before proceeding if there are any concerns regarding chemical compatibility using the protocols listed.

The following protocols focus on those chemicals essential to illicit manufacturing of the most popular controlled substances and do not include solvents and other laboratory related material that are readily available to the public, and therefore less likely to be the target of diversion. With respect to each chemical or controlled substance addressed by the protocols, various adulterants are listed along with the procedure for adulterating the material. Adulterants suggested in the protocols are readily available, relatively inexpensive and were selected to avoid creating additional environmental management concerns.

Vermiculite and other commercially available absorbents are materials that will absorb and solidify liquids added to them. These absorbents will be used by the contractor or can be obtained through companies that deal with chemical absorbents. The adulteration should be conducted by the contractor under the direct observation of a chemist/agent. Care must be taken to properly categorize each chemical and ensure that incompatible chemicals are not combined during adulteration. For example, acidic and basic chemical mixtures must not be adulterated together. In most cases organic and aqueous mixtures must not be adulterated together. Safety of personnel must be the number one priority. Proper personal protective equipment must be worn during the adulteration of the materials.

Large amounts of chemicals that are adulterated should be poured into the adulterant contained in a plastic bucket or barrel. For small amounts the adulterant can simply be added to original container to solidify and the container can then be packed.

In addition to adulterating the chemicals and controlled substances listed below, law enforcement personnel are strongly urged to have the contractor destroy and render unusable all glassware and equipment (*e.g.*, heating mantles) at the scene. Care must be taken to ensure safety of personnel

when making equipment unusable. Each item must be checked for chemical contamination before any action is taken on any piece of equipment including heating mantles and glassware.

Ephedrine/Pseudoephedrine

- Forms:** **Solids containing ephedrine***
Includes tablets, extracted ephedrine, tablet binders
Liquids containing ephedrine
Includes all liquids containing ephedrine
- Adulterants:** Vermiculite
Commercially available absorbent
Cement
Liquid detergent/soap
- Protocol:** Pour liquids containing ephedrine into vermiculite or absorbent contained in a plastic barrel to completely absorb solution.
Liquid soap can also be added to the mixture.
- OPTION: Cement can also be used as adulterant to encase the ephedrine. Pour liquids containing ephedrine and water into cement contained in plastic or metal barrel until mixed, cement will solidify. Or, mix solid ephedrine (while in blister packs) with cement contained in a barrel, add water until mixed, cement will solidify.

*All references to ephedrine apply to pseudoephedrine as well.

Hydriodic Acid (HI)

- Forms:** **Liquids containing hydriodic acid**
includes HI reagent, HI solution /iodine and red phosphorous, HI solution/iodine and hypophosphorous
- Adulterants:** Vermiculite
Commercially available absorbent
Liquid detergent/soap
- Protocol:** Pour HI liquids into vermiculite or absorbent contained in a plastic barrel to completely absorb solution.
Liquid soap can also be added to the mixture.

Iodine

- Forms:** **Solid iodine**
Includes solid reagent and iodide salts

Liquids containing iodine

Includes liquid mixtures of iodine and tinctures

- Adulterants:** Vermiculite
Commercially available absorbent
Dirt/soil
Liquid detergent/soap
- Protocol:** Pour liquids containing iodine into vermiculite or absorbent contained in a plastic barrel to completely absorb solution.
Dirt can also be used.
Liquid soap can also be added to the mixture.
- For solid iodine, mix either as solid or dissolve in alcohol and pour into vermiculite or absorbent contained in a plastic barrel to completely absorb solution. If solid iodine is mixed, alcohol can then be added to dissolve the iodine for absorbing into the adulterant.
Liquid soap can also be added to the mixture.

Phosphorous Compounds

- Forms:** Solids containing phosphorus mixtures
Includes, red phosphorus reagent, red phosphorus sludge
Liquids containing phosphorous mixtures
Includes liquids containing red phosphorus and liquid hypophosphorous acid or phosphorous acid reagent
- Adulterants:** Vermiculite
Commercially available absorbent
Sawdust
Dirt/soil
Liquid detergent/soap
- Protocol:** Mix solids containing red phosphorus with liquid soap and/ or water.
Then pour mixture into vermiculite or absorbent contained in a plastic barrel to absorb solution.
Liquid soap can also be added.
Pour liquids containing red phosphorus or hypophosphorous acid into vermiculite or absorbent contained in a plastic barrel to absorb solution.
Liquid soap can also be added.
Sawdust or dirt can also be used as adulterant.

Methamphetamine Liquid Mixtures

- Forms:** **Liquids containing Methamphetamine**
Includes methamphetamine/ HI/ red phosphorous mixtures (cook),

methamphetamine/ammonia/ metal (cook)**,
methamphetamine/organic solvent mixtures (extraction/ gassing/ waste),
methamphetamine/aqueous mixtures (waste)

**Metals remaining in methamphetamine/ammonia cook mixture must be quenched before adulterating. The metals can be quenched (made non reactive to water) by carefully adding ethanol/ water.

Adulterants: Vermiculite
Commercially available absorbent
Sawdust
Dirt/soil
Liquid detergent/soap

Protocol: Pour liquids containing methamphetamine mixtures into vermiculite or absorbent contained in a plastic barrel to absorb solution.
Liquid soap can also be added.
Sawdust or dirt can also be used as adulterant.

PCP

Forms: **Liquids containing PCP**
Includes PCP in organic solvents such as ether, solid PCP and PCC, and liquids containing PCC

Adulterants: Vermiculite
Commercially available absorbent
Sawdust
Liquid detergent/soap

Protocol: Pour liquids containing PCP into vermiculite or absorbent contained in a plastic barrel to absorb solution.
Liquid soap can also be added.

For solid PCP or PCC, mix either as solid or dissolve in methanol and pour into vermiculite or absorbent contained in a plastic barrel to completely absorb solution. If solid PCP or PCC is mixed, alcohol can then be added to dissolve the solid for absorbing into the adulterant.
Liquid soap can also be added to the mixture.
Sawdust can also be used as an adulterant.

Other Drug Precursors

Forms: **Liquids containing drug precursors**
Includes phenyl-2-propanone, piperidine, pyridine, bromobenzene, cyclohexanone, safrole, methylamine liquids and others

Solids containing drug precursors

Includes methylamine HCl, phenylacetic acid and others

- Adulterants:** Vermiculite
Commercially available absorbent
Sawdust
Liquid detergent/soap
- Protocol:** Pour liquids into vermiculite or absorbent contained in a plastic barrel to completely absorb solution.
Liquid soap can also be added to the mixture.
Sawdust can also be used as adulterant.
Transfer solids into vermiculite or absorbent contained in a plastic barrel and add water to completely absorb solution.
Liquid soap can also be added to the mixture.

GHB

- Forms:** **Liquids or solids containing GHB**
Includes commercial solvents (1,4-butanediol and GBL),
GHB mixed with liquids
- Adulterants:** Vermiculite
Commercially available absorbent
Sawdust
Liquid detergent/soap
- Protocol:** Pour liquids containing GHB into vermiculite or absorbent contained in a plastic barrel to completely absorb solution.
Sawdust can also be used as adulterant.
Transfer solids into vermiculite or absorbent contained in a plastic barrel and add water to completely absorb solution.
Liquid soap can also be added to the mixture.

MSM

- Forms:** **Solids containing MSM/A/K/A** methylsulfonylmethane or dimethylsulfone
Includes granulated/powder MSM
- Adulterants:** Vermiculite
Commercially available absorbent
Sawdust
Liquid detergent/soap
- OPTION: Cement can also be used as an adulterant to encase the

ephedrine. Mix solid ephedrine (while in blister packs) with cement contained in a barrel, add water until mixed, cement will solidify.

Protocol: Mix solids into vermiculite or absorbent contained in a plastic barrel and add water to completely absorb solution.
Liquid soap can also be added to the mixture.

Note: Any adulteration that occurs at a clandestine laboratory site or dumpsite must be in accordance with all applicable federal, state, or local regulations. Before adulterating clandestine laboratory precursors or waste, consideration must be given to laboratory site-specific conditions, including but, not limited to weather conditions (*i.e.*, wind, extreme heat, extreme cold or precipitation) and possible false or improper labeling of containers containing chemicals.

Revised 10/22/03

Q. Contaminated Property Warning



U. S. Department of Justice
Drug Enforcement Administration

www.dea.gov

Mr. John R. Dokes
123 Main Street
Anytown, USA 12345

Dear Sir:

This letter is to advise you, as legal owner of the property know as _____
_____ that on _____, as a result of the search
of your property, a clandestine drug laboratory was seized and/or hazardous chemicals were found at
said property. Known hazardous chemicals and substances were seized by the Government and have
been disposed of pursuant to State and/or Federal laws.

This letter also serves as a warning that there may still be hazardous substances or waste products at
or on *your* property.

Very truly yours,

Special Agent in Charge
_____ Division

R. DEA Clandestine Drug Laboratory Training Program**Basic Clandestine Laboratory Safety Certification Course¹ (36 Hours)**

- Overview of Clandestine Laboratories
- Methods of Manufacturing Controlled Substances
- Chemical Hazards
- Physical Hazards
- Toxicology
- Air Monitoring
- Personal Protective Equipment
- Respiratory Protection
 - Air Purifying Respirators
 - Self Contained Breathing Apparatus
- Chemical Handling
- Site Control
- Hazard Assessment
- Decontamination
- Site Emergencies
- Extensive Field Exercises
- Synthesis Exercise - “hands-on” manufacture of “popular” controlled substances

Advanced Clandestine Laboratory / Site Safety Course² (24-36 Hours)

- Review of Clandestine Laboratory Safety Course
- Clandestine Drug Laboratory Assessment Review
- Chemistry Updates
- Safety Officer Responsibilities
- Site Safety Officer OSHA Regulations
- Equipment (Inspection, maintenance, repair and calibration)
 - Drager Pump
 - Gastech
 - SCBA
 - Respirator
- Toxicology
- Chemical Hazards
- Hazard Communications (MSDS reviews)
- Decontamination Procedures
- Confined Space Operations
- Hazardous Waste Contractor issues, manifests and bills of lading
- Recertification Training Manual and methods of instruction

Clandestine Laboratory Tactical Training School² (36 Hours)

- Tactical Operation Planning
- Developing Operations Plans
- Threat Assessment
- Defensive tactics
- Bombs and Booby Traps
- Tactical Operation Execution
- Numerous Practical Exercises

1. All students are required to pass a physical and lung function test before being accepted into the school, based on OSHA mandates.
2. Basic Clandestine Laboratory Safety Certification is a prerequisite for this course

S. Letter to Attendee's Doctor

Dear Doctor:

The purpose of this medical examination is to obtain a medical clearance for working during seizure of illegal drug laboratories. In addition to traditional law enforcement activities, the examinee will be required to use personal protective equipment for protection from chemical exposures.

The personal protective equipment, work place and environmental factors of concern are described below. Suggested guidelines for the medical evaluation are attached.

Personal Protective Equipment (PPE): Will use a twin cartridge, full face, air purifying respirator and a pressure demand, open circuit, self-contained breathing apparatus. Will use neoprene boots, chemically resistant gloves and a chemically resistant (vapor barrier) suit (*e.g.*, Saranex, Chemrel, *etc*).

Type of Work: Includes pursuit, confrontation, control and arrest of suspects which may involve strenuous physical activity Includes light to moderate exertion while wearing PPE with increased work of breathing, cardiovascular stress and heat load. Includes responsibility for the safety of others and responsiveness in rescue and emergency situations.

Work Conditions: Work in uncontrolled, poorly ventilated makeshift laboratories with unidentified chemicals processes in progress. Potential for fire, explosion and chemical spills likely. Potential for exposure to organic solvents, inorganic acids and alkalis, cyanides, drug precursors, unknown chemicals, reactants and by-products of chemical reactions, and controlled substances in solution or powdered form. Includes work indoors and outdoors in extremes of seasonal environmental temperatures and humidity. If you find the individual cleared for performing the duties described above, please sign and date the attached Medical Certificate and return it to the examinee to present to DEA prior to the start of the course.

T. Suggested Guidelines for Medical Examination

The following elements are suggested for the initial medical evaluation of individuals who are being considered for medical clearance to work in clandestine laboratories. Additional elements may be added based on local consideration.

I. General Medical History:

History of current complaints and illnesses, if any.
Review of systems; special emphasis on the skin, respiratory, cardiovascular, and neurological systems.
Questions about the use of respirators and protective gear, including problems with their use and history of claustrophobic reactions.
History of heat injury.
Medications, smoking history, alcohol use.
Reproductive history.
Exercise capacity.
Occupational and exposure history.

II. General Medical Examination:

Vital signs. Examination with emphasis on the skin, respiratory, cardiovascular, hepatic, and neurological systems.
Visual acuity.

III. Laboratory Tests:

CBC
Blood chemistries that include kidney and liver function test.
Urinalysis.

IV. Other Tests:

Spirometry, including FVC, FEV, and FEF 25- 75 conforming to NIOSH Standards
Resting 12 lead electrocardiogram.
Exercise stress test, chest radiograph, and other medical tests if medically indicated.

U. Medical Certification - Example

Medical Certification

On _____ I examined _____
(Date) (Name)

and find him/her to be medically able to perform the duties described without unusual medical risk of harm to the individual or others.

Physician's Signature _____ Date _____

Physician's Name _____
(Typed)

Note: Please do not submit any personal medical data; this certification will suffice.

V. State Agency List

Alabama – www.adem.state.al.us

Larry Bryant [jlb@adem.state.al.us]
 AL DEPT OF ENVIRONMENTAL MANAGEMENT LAND DIVISION
 RCRA COMPLIANCE BRANCH
 1400 COLISEUM BLVD
 PO BOX 301463
 MONTGOMERY, AL 36130-1463
 Phone: (334) 271-7730
 Fax: (334) 279-3050

Alaska – <http://www.dec.state.ak.us/spar/perp>

Alaska Department of Environmental Conservation Spill Prevention and Response

After hours telephone number for all areas within Alaska 1 (800) 478-9300

Northern Area

Day: (907) 451-2121
 Evening: (907) 322-3783
 Fax: (907) 451-2362

Southeast Area

Day: (907) 465-5340
 Evening: (907) 723-6062
 Fax: (907) 465-2237

Mailing Address:
 ADEC/SPAR/PERP
 610 University Avenue
 Fairbanks, AK 99709-3643

Mailing Address:
 ADEC/SPAR/PERP
 410 Willoughby Avenue, Suite 303
 Juneau, AK 99801-1795

Central Area

Day: (907) 269-3063
 Evening: (907) 244-8126
 Fax: (907) 269-7648
 After hours 1-800-478-9300

Mailing Address:
 ADEC/SPAR/PERP
 555 Cordova Street
 Second Floor
 Anchorage, AK 99501

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