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# DTSC Guidance for Removal of Hazardous Materials from Illegal Drug Labs

## ILLEGAL DRUG LABORATORY REMOVAL PROGRAM

California Health and Safety Code (H&SC), Section 25354.5 directs state or local law enforcement agencies to notify the Department of Toxic Substances Control (DTSC) for the purpose of taking removal action, as necessary, to prevent, minimize, or mitigate damage that might otherwise result from the release or threatened release of a hazardous substance at a site where an illegal controlled substance is or was manufactured, except for samples required under Section 11479.5 to be kept for evidentiary purposes.

The DTSC Emergency Response Unit (ERU) responds statewide to calls from State and local enforcement agencies, and other emergency response agencies requesting assistance at illegal drug lab manufacturing sites, as well as locations involving lab waste abandonments, to remove and dispose of hazardous substances.

Contact the DTSC Emergency Response Duty Officer (ERDO) to request removal actions or other assistance.

## REQUEST DTSC ASSISTANCE

State or local law enforcement agencies, or other local government agencies working with law enforcement agencies on an illegal drug manufacturing lab, may request DTSC assistance to remove and dispose of hazardous substances from such labs. Local agencies not affiliated with law enforcement may request DTSC assistance to remove abandoned drug lab wastes.

### Regular Business Hours

During regular business hours, Monday through Friday (between 8:00 AM and 5:00 PM), state and local agencies request DTSC assistance by contacting the daytime ERDO at (916) 255-6504 or (800) 260-3972.

### **After Regular Business Hours, Weekends, and Holidays**

After regular business hours, (between 5:00 PM and 8:00 AM), and on weekends and holidays, state and local agencies request DTSC assistance by calling the California Governor's Office of Emergency Services (Cal OES), California State Warning Center (CSWC) at (916) 845-8911 or (800) 852-7550. The Cal OES CSWC will contact the after-hours ERDO who will then contact the state or local agency.

### **REQUIRED INFORMATION**

Before requesting assistance, state and local agencies should:

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

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

2. Perform hazard categorization (HAZCAT) tests on the materials, identifying or categorizing the hazards present. State funding qualification requires that the materials exhibit at least one of the following characteristics or criteria:
  - a. Toxicity
  - b. Corrosivity (a pH of 12.5 or higher, or a pH of 2.0 or less)
  - c. Reactivity to air or water
  - d. Flammability
  - e. Explosivity
  - f. Poses a serious hazard to human health or the environment
3. Determine whether any containers are leaking, and if so, the quantity released
4. Inventory the materials requiring removal, including the:
  - a. Approximate quantity
  - b. Chemical name or type (hazard class)
  - c. Number, size, and condition of containers, and
  - d. If any contaminated soil, the approximate quantity, or surface area
5. Gather all available information regarding the responsible party (RP), i.e., the drug lab operator.

## THE DTSC EMERGENCY RESPONSE DUTY OFFICER

When evaluating the required information, if the ERDO determines the incident qualifies for DTSC assistance and the local agency is eligible to receive DTSC ERU removal and disposal assistance, then the:

1. ERDO contacts and dispatches a contractor to perform the removal and disposal actions. This not a reimbursement program. Local agencies that directly contact a contractor and dispatch them on their own are responsible for any costs incurred.
2. ERDO establishes the contractor's scope of work. Only the ERDO approves changes to such. DTSC will not pay for unauthorized work.
3. ERDO provides the local agency with a Clandestine Laboratory Unit Expenditure (CLUE) number that must appear on all documentation submitted to DTSC.
4. ERDO determines if the incident exceeds DTSC's capability and resources, and if so, the ERDO contacts and requests assistance from the U.S. Environmental Protection Agency (US EPA).
5. ERDO determines if the local agency needs DTSC technical assistance, and if so, the ERDO contacts and coordinates appropriate DTSC staff involvement for the response. DTSC ERU does not perform site mitigation or remediation activities. If the ERDO determines that the local agency requires state assistance in performing such, the ERDO refers the request to the appropriate DTSC office.

## REQUIRED DOCUMENTATION

When receiving DTSC ERU assistance, the local agency must provide on-scene oversight, site security by law enforcement personnel, and removal action documentation. The local agency must complete and sign the following documents:

### Removal Documents

- Clan Lab Removal Incident Report (CLIR), and
- Clan Lab Removal Work Log (CLWL).

On the Hazardous Waste Manifest (Manifest), the local agency must sign on line 15, as the Generator.

### Illegal Drug Labs

For Illegal Drug Labs where the drug lab operator's name is known, on the Manifest:

- The primary suspect or drug lab operator (who has usually been arrested), is designated as the generator, and their name **should be written or typed** on line 5.

- The mailing address for that person should be entered on line 5 as:  
c/o DTSC Emergency Response Unit.  
8800 Cal Center Drive  
Sacramento, California 95826
- The phone number on line 3 and 5 should be (800) 260-3972.

### **Abandoned Drug Lab**

For Abandoned Drug Lab wastes or when the operator is not known:

- The generator's name will be "unknown drug lab operator."
- The mailing address will be:  
c/o DTSC Emergency Response Unit  
8800 Cal Center Drive  
Sacramento, California 95826
- The phone number on line 3 and 5 should be (800) 260-3972.

Within 10 working days of the initial request for DTSC assistance, the local agency must mail to DTSC the ERIR, ERWL, and any other documentation to:

DTSC, Emergency Response Unit  
8800 Cal Center Drive  
Sacramento, California 95826

## **SPECIAL POLICIES**

### **Alternative Assistance**

Call Cal OES CSWC at (916) 845-8911 or (800) 852-7550 if the illegal drug lab incident involves:

- A release to fish or wildlife habitat, and request assistance from the California Department of Fish and Wildlife, Fish and Wildlife Pollution Duty Officer.
- An oil spill, and request assistance from the California Department of Fish and Wildlife, Oil Spill Prevention and Response Duty Officer.
- A release to surface or ground water, and request assistance from the California State Water Resources Control Board, Water Pollution Cleanup and Abatement Duty Officer.
- Radioactive materials, and request assistance from the California Department of Public Health (CDPH) Radiologic Health Branch Duty Officer. DTSC does not handle radioactive materials.

- Infectious waste, and request assistance from the CDPH Duty Officer. DTSC will only remove and dispose needles and syringes at illegal drug labs, and at abandoned drug lab waste sites.

### **EPA Identification Numbers**

The local agency, receiving DTSC ERU removal and disposal assistance for drug lab wastes, must include an EPA Identification (EPA ID) number on the Manifest. Normally, the local agency uses the County's Clandestine Drug Lab EPA ID number having the format: CLU 111 111 0XX; whereas the "XX" represents the County Number, between 1 and 58. The ERDO provides this number to both the local agency and the contractor.

If an RP, conducting an emergency removal and disposal, needs a Temporary State ID number to manifest Non-RCRA waste, or RCRA waste not exceeding 220 pounds, then the RP either:

- Logs onto [www.dtsc.ca.gov](http://www.dtsc.ca.gov), clicks the "Get an EPA ID Number" icon, and follows the listed directions, or
- Calls the DTSC Business Operations Unit (BOU) for assistance at (800) 618-6942, Monday through Friday, between 9:00 AM and 4:00 PM. On weekdays between 4:00 PM and 9:00 AM, or on weekends or holidays, the RP contacts Cal OES CSWC and requests the ERDO for assistance.

If an RP needs a Temporary EPA ID Number to manifest RCRA waste, or a combination of RCRA waste and Non-RCRA waste, where the RCRA waste in either case exceeds 220 pounds, then the RP should call (800) 300-2193, and upon hearing a directional message, press:

- #1 to contact the National Response Center (NRC) and report a spill, if not done yet, and/or
- #3 to contact the US EPA Region 9 Duty Officer, who assigns a Temporary EPA ID Number.

### **Excluded Materials**

DTSC ERU will not fund the removal and disposal of the following materials at, or associated with a drug lab, unless the ERDO determines special circumstances exist that pose a significant threat to human health or the environment:

- Used motor oil (waste oil)
- Gasoline in a regular gasoline container
- Diesel fuel
- Radioactive waste
- Infectious waste, except that needles and syringes found at drug labs will be removed

- Household hazardous waste (HHW)/materials
- Universal waste
- Electronic waste (E-Waste)
- Freon containers or flammable liquid containers which are empty and dry, unless there is some residue/contamination on them which constitutes a direct contact hazard
- Propane cylinders that are empty or contain propane
- Oxygen cylinders that are empty or contain oxygen
- Nitrous Oxide (N<sub>2</sub>O) cylinders that are empty or contain nitrous oxide
- DOT specification cylinders containing other non-drug lab related gases
- Solid waste/garbage or other non-hazardous items
- Marijuana and/or associated fertilizers, nutrient chemicals, pesticides, compressed gas cylinders or other items or debris associated with marijuana growing operations

### **Cylinders**

Local law enforcement agency representatives shall escort the DTSC contractor when situational conditions warrant moving cylinders to a nearby safe location for emergency treatment (venting, sparging, neutralization, etc.). The DTSC contractor must transport cylinders in a manner that ensures all workers involved are not exposed to health and/or safety hazards while enroute.

### **Indian Land**

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

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