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Skagit County Auditor

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PETER BROWNING, DIRECTOR
HOWARD LEIBRAND, HEALTH OFFICER

700 SOUTH SECOND STREET #301, P.O. BOX 91071, MOUNT VERNON, WA 98273-1071, TEL. (360) 336-9380

FAX (360) 336-9401

ORDER OF UNFIT FOR USE

December 10, 2002

William and Mona Beach
563 Walla Walla Way
La Conner, WA 98257

Subject: Clandestine Drug Laboratory at 7421 Spruce Street, Sedro Woolley, WA 98284
Skagit County Parcel, Tax ID: P63084
Legal: M/H 75 NASHUA 70X14 S/N 19590 CAPE HORN ON THE SKAGIT LOTS 2
AND 3 BLK F

Dear Mr. and/or Mrs. Beach:

On December 7, 2002, the Skagit County Health Department was advised by law enforcement officials that a clandestine laboratory used to manufacture methamphetamine was discovered on the above-referenced property. This correspondence is being directed to you either in your capacity as an owner of interest and/or having a secured interest in the subject property.

In accordance with RCW 64.44 and WAC 246-205 (copies enclosed), the Health Department is responsible for implementing certain requirements concerning the posting, assessment, and contamination reduction of property used for the manufacture of a controlled substance. Specifically, the intent of this Order is to advise you that the entire property of Skagit County Parcel P63084, including the mobile home, on-site sewage disposal system, remnants of the shed, two camper trailers, van, and any other areas in or on which drug manufacturing occurred, or in, or on which the improper storage or disposal of chemicals occurred, is declared unfit for use.

The entire property of Skagit County Parcel P63084 may not be entered, rented or leased to the public, or used in any other manner until it and all structures present have undergone approved cleanup and subsequent testing by a certified contractor or destruction and proper disposal in a method approved by the Skagit County Health Department.

In making this determination, your attention is called to the following:

- 1) It appears that the manufacturing of methamphetamine, and/or the storage or improper disposal of hazardous chemicals occurred on the property. A shed burned to the ground on 12/6/02 in a fire reported to have occurred during the process of cooking or extracting methamphetamine. Chemical containers and other paraphernalia associated with the manufacture of illegal drugs were found inside the van, VIN IFTHS34Y8FHC32418, and in the vicinity of the burned shed. A chemical odor was reported by law enforcement inside the mobile home. Potential immediate health hazards from exposure to an illegal drug lab include shortness of breath, cough, chest pain, dizziness, lack of coordination, chemical irritation and burns to the skin, eyes, mouth, and nose, and in severe cases, even death. Less severe immediate health hazards from an exposure may include headache, nausea, dizziness, and fatigue or lethargy. Potential long-term health hazards include cancer, damage to the brain, liver, and kidneys, birth defects, and reproductive problems (such as miscarriages).
- 2) Chemicals found indicate the different methods of drug manufacture may have been in use on the property. Health Department personnel present at the site witnessed the removal of chemicals and other drug-related paraphernalia from the property.
- 3) In order to have the property, structures, and vehicles, decontaminated, you must hire a contractor certified under WAC 246-205 to prepare a cleanup plan for Health Department review, implement the approved cleanup plan, and retest the site to assure that contaminants have been reduced to levels outlined in the Washington Department of Health's Guidelines for Contamination Reduction and Sampling at Illegal Drug Manufacturing Sites, and other appropriate regulations. A current list of certified drug lab cleanup contractors is enclosed for your information.
- 4) A copy of this Order will be recorded with the Skagit County Auditor's Office as a means of notifying all future property owners that the property was declared unfit for use. After the property has been decontaminated, the Health Department will record a second notice with the Skagit County Auditor's Office stating that, to the best of our knowledge, the basis upon which the property was originally declared unfit for use has been addressed in accordance with applicable regulations and guidelines.
- 5) All cleanup work must be performed by the certified cleanup contractor. Removal of items from the property, or cleanup actions taken by persons who are not certified cleanup contractors may delay or prevent the Health Department's determining that the property has been satisfactorily decontaminated.



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6) In addition to following the Washington Department of Health's Guidelines for Contamination Reduction and Sampling at Illegal Drug Manufacturing Sites, the cleanup contractor will also be required to do the following:

- Assess and remediate soil, groundwater or surface water contamination found to exceed Washington's Model Toxics Control Act Cleanup Regulation (Chapter 173-340 WAC), or other applicable local or state regulations;
- Assess and dispose of all waste in accordance with current solid and hazardous waste regulations, in addition to maintaining written documentation of legal disposal, this will include the complete contents of any structure deemed contaminated;
- Assess and dispose of septic tank waste in accordance with all local and state regulations, in addition to maintaining written documentation of legal disposal; and
- Follow local and state regulations for the proper handling of asbestos- or lead-containing materials.


The determination of satisfactory contamination reduction will not occur until all documentation, notification, reports, etc. have been submitted to and approved by the Skagit County Health Department.

- 7) Upon your request, a hearing will be held before the Health Officer concerning this determination. Your request for such a hearing must be presented to the Health Department, in writing, within ten (10) days of the date of this Order. If such a hearing is requested, please be advised that you, as the property owner, have the burden of demonstrating that the property is not contaminated and, consequently, is fit for use.
- 8) Any expenses incurred as part of the testing, contamination reduction and/or disposal of materials associated with the contaminated property, as well as costs incurred by the Health Department resulting from the enforcement of this Order, are the responsibility of the property owner and may be assessed to you.

I am required by law to advise you that failure to comply with this Order may result in the initiation of legal action against you.

If you should have any questions or would like to discuss this issue in greater detail, please feel free to contact me at 360-336-9380.

Sincerely,


Polly Dubbel
Environmental Health Specialist



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Enclosures

DELIVERY:

1) Certified mail to addressee Mail Number 7001 2510 0005 7183 3209

cc: Carolyn Comeau, Washington Department of Health
Skagit County Interlocal Drug Task Force
Skagit County Planning and Permit Center
Skagit County Auditor



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