

Return address:

Skagit County Department of Public Health and Community Services
Environmental Public Health Division
1800 Continental Place
Mount Vernon, WA 98273



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Skagit County Auditor \$75.00
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Skagit County Department of Public Health and Community Services

Jennifer Johnson, Director
Howard Leibrand, M.D., Health Officer

Order Prohibiting Use Per WAC 246-205-560

August 26, 2015

David and Lina McPeake
546 Glenwood Inn Road
Eastsound, WA 98245

RE: Property located at 205 North Norris, Burlington, Washington
Skagit County Parcel #, Tax ID: P38164 and P38165
Legal Description:
P38164 - (0.6600 ac) (DT 14 DK 12) TRACT "A" OF SHORT PLAT #77-1 RECORDED
UNDER AF#865497; BEING A PORTION OF THE NW1/4 SE1/4 OF SEC 31, TWP 35,
RNG 4
P38165 - (0.5500 ac) (DK 14 DK 12) TRACT "B" OF SHORT PLAT #77-1 RECORDED
UNDER AF#865497; BEING A PORTION OF THE NW1/4 SE1/4 OF SEC 31, TWP 35,
RNG 4

Dear Mr. and Mrs. McPeake:

On July 15, 2015 and August 3, 2015 Bio Clean Inc. conducted surface swab sampling in apartment units within buildings 205 and 207 North Norris in Burlington. Theresa Borst of Bio Clean Inc. notified me on August 13 that methamphetamine contamination exceeding the Washington State Clean Up standard of 1.5 ug/100 cm² was detected in the following units: 205-2, 205-5, 205-6, 205-7, 205-10, 207-5, 207-7, 207-8, 207-9, 207-10, 207-16. All apartment units had been vacated as of August 1, 2015.

Due to the health risks associated with methamphetamine exposure, particularly to small children, the apartments showing methamphetamine contamination exceeding the Washington State Clean Up Standard are being declared contaminated and Unfit for Use according to WAC 246-205-560 by Skagit County Department of Public Health and Community Services.

Use of all or portions of apartment units 205-2, 205-5, 205-6, 205-7, 205-10, 207-5, 207-7, 207-8, 207-9, 207-10 is prohibited.

Penalties for Noncompliance:

Noncompliance with this order can result in civil penalties levied against responsible parties by the Skagit County Department of Public Health and Community Services (Skagit County Department of Public Health) and any other legal action necessary to ensure compliance.

Potential Health Risks:

Potential health hazards from exposure to methamphetamine over the clean-up standard include shortness of breath, cough, chest pain, dizziness, lack of coordination, and other long and short term neurological effects. Children, particularly toddlers, are at highest risk from exposure to this contamination.

Skagit County Department of Public Health's Intended Course of Action:

The Skagit County Department of Public Health is required to notify all interested parties of the Determination of Unfit for Use and that the property will require decontamination and follow up sampling or removal of the structures. Decontamination sufficient to remediate the levels found in the apartments may involve complete removal and disposal of all materials in the apartments down to the studs and triple washing of the remaining windows. These apartments cannot be inhabited or rented until they are either properly decontaminated and released by the Skagit County Health Department as fit for reuse, or demolished and properly disposed.

The specified apartments at the property listed above are designated unfit for use by the Skagit County Department of Public Health as of August 26, 2015 per WAC 246-205-560. The Skagit County Department of Public Health will submit a contaminated property report to the Washington State Department of Health as per WAC 246-205-550.

The Skagit County Department of Public Health shall:

- File a copy of this Order Prohibiting Use with the Skagit County Auditor
- Provide a copy of the Order Prohibiting Use to the City of Burlington

This Order Prohibiting Use will be served, either personally or by certified mail, return receipt requested, to all known:

- Persons having an interest in the property as shown upon the records of the Skagit County Auditor's office.

A copy of this Order Prohibiting Use will be mailed to each person or party having a recorded right, title, estate, lien, or interest in the property.

Decontamination Measures (per WAC 246-205-570, 580):

Contamination reduction is required to be supervised by an authorized contractor.

Before starting contamination reduction, the property owner is required to have a written work plan to reduce contamination of the property prepared by the contractor and approved by the Skagit County Department of Public Health.

The work plan shall outline the contamination reduction and waste disposal procedures the contractor intends to use. The property owner and the contractor shall follow the

Washington State Department of Health contamination reduction guidelines or other more stringent procedures as deemed appropriate by the Skagit County Department of Public Health.

The property owner is:

- Financially responsible for any property testing required to demonstrate the presence or absence of hazardous chemicals;
- Financially responsible for the property's contamination reduction and disposal expenses;
- Responsible for keeping records documenting contamination reduction procedures and submitting notarized copies of all records to the Skagit County Department of Public Health;
- Responsible for requesting the Skagit County Department of Public Health to review the decontamination reduction records and release the property for use.

Within ten working days of a request for review of contamination reduction records, the Skagit County Department of Public Health:

- Shall review the documentation to verify reduction of contamination to acceptable levels for reuse as stated in WAC 246-205.
- May visit the property site to assess the thoroughness of the contractor's cleanup;
- May require the property owner to provide more extensive testing and assessment of the property site by an independent laboratory or firm qualified to perform such testing and assessment.

If, after review of the information in the preceding paragraph, the Skagit County Department of Public Health determines the property had been decontaminated, the Skagit County Department of Public Health shall within ten working days:

- Record a notice in the real property records of the Skagit County Auditor indicating that to the best of their knowledge, the basis upon which the property was originally declared unfit for use has been addressed by decontamination in accordance with Board of Health and Washington State Department of Health rules and guidelines.
- Send a copy of the notice to the property owner.
- Send a copy of the notice to the Washington State Department of Health.
- Send a copy of the notice to the City of Burlington.

Hearing

Be advised that:

- A hearing before the Skagit County Board of Health shall be held upon the request of a person notified of this order as required under WAC 246-205-560;
- The Person's request for a hearing shall be made within ten days of the serving of this order
- The hearing shall then be held within not less than 20 days or more than 30 days after the serving of this order;
- In any hearing concerning whether property may be released for reuse, the property owner has the burden of showing that the property has been decontaminated in accordance with RCW 64.44 and WAC 246-205.

If you have any questions or need assistance, please contact the Skagit County
Department of Public Health.

Sincerely,

A handwritten signature in cursive script, appearing to read "Polly Dubbel".

Polly Dubbel
Environmental Health Specialist

cc: Washington State Department of Health
Skagit County Auditor
City of Burlington