

DUCK VALLEY HOUSING AUTHORITY

Chapter 17 – Methamphetamine Policy

Table of Contents

17.0	Background.....	2
17.1	Purpose	2
17.2	Testing Procedures.....	2
17.3	Standard Operating Procedures	5
17.4	Positive Methamphetamine Contamination.....	6
17.5	DVHA Reporting and Termination of Tenancy	5
17.6	In The Event of Contamination of Neighboring Units	7
17.7	Indicators of Meth Use and/or Manufacturing.....	8
17.8	References Used for Methamphetamine Remediation Policy	9

17.0 Policy Background

The Mission of the Duck Valley Housing Authority, hereinafter “DVHA,” is to provide a safe and healthy environment for the tenants and homebuyers who participate in the affordable housing programs. For this reason, DVHA will aggressively act to ensure that all DVHA Housing units are monitored for Methamphetamine use and contamination. DVHA will test all DVHA units upon their vacancy for the presence or production of Methamphetamine in order to establish a measurable baseline and ensure the unit complies with decontamination standards that DVHA has established.

DVHA utilizes the analytical method established by the Environmental Protection Agency (“EPA”) and the National Institute for Occupational Safety and Health (NIOSH)¹. Typical levels for methamphetamine use are generally 0 – 50 micrograms per 100 square centimeters ($\mu\text{g}/100\text{ cm}^2$) while methamphetamine production laboratories have typical concentrations greater than 50 – 200 $\mu\text{g}/100\text{ cm}^2$. DVHA shall make every effort to achieve the clearance level (level at which occupants will not be adversely affected by methamphetamine) of less than 1.0 $\mu\text{g}/100\text{ cm}^2$.

This threshold ($< 1.0\ \mu\text{g}/100\text{ cm}^2$) shall be accomplished and verified with testing using a certified laboratory before a new family moves into a unit.

17.1 Policy

It shall be the policy of the DVHA to strive to meet the standard of 1.0 $\mu\text{g}/100\text{ cm}^2$ and provide guidelines for DVHA and its residents regarding unlawful Methamphetamine (“Meth”) use and/or manufacturing on property owned or managed by DVHA.

17.2 Testing Procedures

All units will be tested for background concentrations for Meth. DVHA has determined that background levels are necessary in order to determine if the structure requires Meth remediation. Upon successful remediation ($<1.0\ \mu\text{g}/100\text{ cm}^2$), all future testing of these units will accurately determine if the current resident has engaged in illegal Meth use or manufacturing.

Upon completion of background Meth contamination concentrations and remediation, all future Meth tests will be completed after resident move-out and DVHA has secured vacancy of the unit.

17.2.1 Testing will be conducted once DVHA receives possession of each vacated units.

17.2.2 If a household applies for a Unit Transfer, or DVHA transfers a household

¹ NIOSH Method 9111 *Illicit Drugs by Liquid Chromatography/Mass Spectrometry (LC/MS)* which reports results as micrograms per 100 square centimeters ($\mu\text{g}/100\text{ cm}^2$) for each area tested.

to meet occupancy criteria or safety reasons, their vacating unit will be tested for Meth contamination during the transfer process. If the vacating unit tests positive for Meth contamination indicating use or manufacture of Meth in the unit during their occupancy, the unit transfer request will be denied on this basis in violation of DVHA's Transfer Policy and the resident will have their lease terminated and will be charged with the cost of testing and remediating their unit, unless a baseline had not been established upon move-in.

- 17.2.3** If DVHA has reasonable suspicion, defined as more than an unparticularized suspicion or hunch, based on specific and articulable facts, to believe that illegal possession, use or manufacturing of Meth is occurring in a resident's unit or within premises controlled by the resident, (e.g. DVHA owned or managed storage or adjacent common areas), DVHA will notify the local Bureau of Indian Affairs ("BIA") Law Enforcement by telephone or through an Incident Report Form.
- 17.2.4** Law Enforcement will conduct a preliminary investigation and based on their findings make a recommendation in writing to DVHA whether or not there is good cause to conduct Meth testing.
- 17.2.5** Prior to conducting the Meth testing, DVHA shall inform the resident of the reported law enforcement findings and provide the resident with written notice of Meth testing to occur within 48 hours. The test shall be completed by certified Methamphetamine personnel using a third party certified laboratory for Meth concentrations within the unit.

17.3 Standard Operating Procedures (SOP)

If the Shoshone-Paiute Tribe, DVHA staff, or other credible sources report a suspicion of Meth possession, use or manufacturing in a DVHA housing unit, an Incident Report Form shall be provided to document the suspicion(s) that shall be submitted to DVHA management who shall review and subsequently forward to the Bureau of Indian Affairs ("BIA") Law Enforcement. Law Enforcement shall conduct a preliminary investigation to determine whether reasonable cause exists to believe that illegal possession, use or manufacturing of Meth is occurring.

- 17.3.1** If Law Enforcement recommends Meth testing, following notice to the Tenant, the initial testing shall be conducted by certified methamphetamine personnel using a third party certified laboratory using NIOSH 9111 Illicit Drugs by Liquid Chromatography/Mass Spectrometry analysis to establish a background concentration in each unit to determine whether or not the unit needs to be remediated for Meth contamination.

If all tests are below 1.0 µg/100 cm², no remediation will be completed. All testing results for each unit, will be kept on-file and a spreadsheet updated

with this information as to the date, testing results and whether remediation was completed on the unit.

If any of the test are above the clearance standard of $1.0 \mu\text{g}/100 \text{ cm}^2$, the unit will be scheduled for Meth remediation and re-testing upon completion of the remediation to document safe re-occupancy into the unit. This information will also be kept on-file and a spreadsheet updated with this information as to the date, testing results and whether remediation was completed on the unit.

- 17.3.2** After background concentrations have been determined and the unit has been properly remediated to allow safe re-occupancy ($<1.0 \mu\text{g}/\text{cm}^2$), the DVHA will in the future use Meth Field Test Kits. These kits will be used to determine if the previously remediated units test either positive or negative for the presence of methamphetamine. As these kits only allow positive or negative results for the presence of Meth, the actual concentrations of meth will not be known at the time of testing.

If the unit tests positive using the Meth Field Test Kits, the unit will have a follow-up inspection with samples being collected and submitted to a third party certified laboratory using NIOSH 9111 Illicit Drugs by Liquid Chromatography/Mass Spectrometry analysis.

The use of Meth Field Test Kits will be conducted and overseen by the DVHA's Maintenance Supervisor, or their designee. The Maintenance Supervisor, or their designee, will order and maintain a supply of Field Test Kits which indicate either the presence of meth or no meth detected (Positive/Negative) and provide periodic training to maintenance staff on Meth testing procedures. The Field Test Kits only indicate the presence of meth and do not provide actual levels (i.e. $1.6 \mu\text{g}/100 \text{ cm}^2$).

- 17.3.3** **Future Testing Protocol** shall include the following standard operating procedures ("SOP").

17.3.3.1 Only properly trained DVHA maintenance staff or other certified consultants will be permitted to administer Meth testing and perform mitigation activities after properly adorning appropriate Personal Protective Equipment (PPEs).

17.3.3.2 Retrieve sealed Meth test kits (Positive/Negative Field Test Kits) ensuring that it has not been tampered with and that its seal has not been broken.

17.3.3.3 Put on protective shoe covers to enter units to be tested.

17.3.3.4 Put on protective glove(s) and collect sample (Use one alcohol wipe within the HVAC Air Return or other suspect areas). The initial test kit will provide either a positive or negative result. If

a positive result is detected, the home will then be tested within each main room (Kitchen, Living Room, Bedrooms and HVAC Air Return) using protocols and test methods as outlined in the *Salt Lake County Health Department Health Regulation #32* which will indicate the degree of contamination – within each room and the HVAC system.

- 17.3.4** If there is a positive indication of Meth use, maintenance staff will provide the result information to the Maintenance Supervisor.
- 17.3.5** If the initial sample indicates a positive presence for Meth, then samples will be collected from each room within the structure and HVAC Air Return for certifiable analytical results. These samples will be collected following procedures outlined within the *Salt Lake County Health Department Health Regulation #32* and submitted to ALS Group USA, CORP. – 960 West LeVoy Drive, Salt Lake City, Utah 84123 for analysis. A date stamped photograph of the test area will be taken and the sample will be dated, using that day’s newspaper image as confirmation. The test results will be labeled as to unit, date, time of sampling, locations of each sample and identity of tester(s). A Chain-of-Custody (COC) will be completed by the sampler and shipped via FedEx to the above laboratory for Methamphetamine analysis using EPA NIOSH Test Method 9111 Illicit Drugs by LC/MS.
- 17.3.6** If a Meth positive tested unit is occupied at the time of testing, the Property Manager will prepare appropriate Tenant notices.
- 17.3.7** When DVHA regains possession of a positively tested unit, the DVHA Maintenance Supervisor will implement all necessary remediation steps including final clearance testing before the unit may be reoccupied.
- 17.3.8** When a unit has tested positive for Meth contamination, the Executive Director will request the unit be taken “off-line” during the remediation process so as to minimize the negative impact to vacancy turn-around times.

17.4 Positive Methamphetamine Contamination

- 17.4.1** DVHA Maintenance Supervisor will enter a work order and identify the work order as requiring meth remediation.
- 17.4.2** The Executive Director will assign or contract with a meth-certified contractor(s) to the complete the work order request.
- 17.4.3** If conducted by DVHA Maintenance staff they will wear appropriate PPEs.

- 17.4.4** Maintenance staff will remove all personal items, garbage or debris left in the unit utilizing appropriate Personal Protective Equipment (PPE) (Tyvek suites, gloves, eye glasses, etc.). DVHA will dispose of all non-cleanable as general construction waste.

17.5 DVHA Reporting and Termination of Tenancy

- 17.5.1** If a unit tests positive for Meth contamination, DVHA will notify local law enforcement of the test results and cooperate with law enforcement investigations and enforcement actions, including but not limited to granting emergency access to the unit without advance notice to the resident.
- 17.5.2** If a unit tests positive for Meth contamination and there are children or minors, in the household, as defined in the Shoshone-Paiute Criminal Code to be any person under the age of 18 years old, the Property Manager and/or DVHA staff will report this situation to Child Protective Services (CPS).
- 17.5.3** If the resident of a Meth positive tested unit denies possession, use or manufacturing of Meth during their tenancy, DVHA may consider its own records of past unit testing results, standard testing indicator thresholds for Meth use and/or manufacturing, law enforcement reports of suspected dealing, use or manufacturing, and information provided from other credible sources to establish whether there is reasonable cause to believe the presence of sufficient facts to warrant termination of tenancy.

17.6 In the Event of Contamination of Neighboring Units

- 17.6.1** If DVHA suspects contamination of a unit or units adjacent to a unit where Meth contamination has been definitively established; the adjacent unit(s) resident(s) will be given written notice of the test results and appropriate testing will be performed within their unit.
- 17.6.2** If an adjacent/neighboring unit tests positive the presence of Meth using the Field Test Kits, but there is no clear indication of Meth presence, use or manufacturing within the unit attributable to the occupant, then DVHA will take necessary mitigation steps which may require household transfer or the provision of temporary housing for the duration of the mitigation process.
- 17.6.3** In order to prevent cross-contamination of Meth from one unit to another, a positive testing, non-offending household will be encouraged

and provided resources and assistance to de-contaminate furnishings, clothing, or other personal items before they are transferred to a new unit.

- 17.6.4** If a positive Meth tested household rental or lease agreement is terminated, due to the results of a valid meth test and DVHA has clear and convincing evidence that the tenant has abandoned all personal property DVHA shall follow the approved Abandonment Policy for disposition of the remaining personal property, except that DVHA will immediately dispose of any trash or personal property that is contaminated or perishable.

17.7 Indicators of Meth Presence, Use and/or Manufacturing

- 17.7.1** Powerful Odors – such as ammonia, ether, solvents, or vinegar that could smell either sweet or bitter.

- 17.7.2** Excessive Packaging – found in waste, especially of cold medicines containing ephedrine or pseudoephedrine, such as Sudafed or Claritin; excessive packaging from Epsom Salts or Rock Salt.

- 17.7.3** Chemicals and Chemical Containers found in waste – Coleman fuel containers, compressed gas cylinders, LP gas containers, or gas cans; Propane tanks, thermos bottles, coolers, or other cold storage containers (used to transport anhydrous ammonia); empty containers of antifreeze, white gas, ether, starting fluids, Freon, lye, drain opener, paint thinner, acetone (nail polish remover), or alcohol, including those that have been punctured in the sides and bottom; Lithium batteries that have been torn apart.

17.7.4 Common Chemicals used in Manufacturing Meth:

- ✓ Ephedrine (Cold Tablets)
- ✓ Pseudoephedrine (Cold Tablets)
- ✓ Acetone (nail polish remover)
- ✓ Alcohol (Isopropyl or Rubbing)
- ✓ Toluene (Brake Cleaner)
- ✓ Ether (Engine Starter)
- ✓ Sulfuric Acid (Drain Cleaner), battery acid
- ✓ Methanol/Alcohol (Gasoline Additives)
- ✓ Salt (Table/Rock)
- ✓ Lithium (Batteries)
- ✓ Anhydrous Ammonia (Farm Fertilizer)
- ✓ Sodium Hydroxide (Lye)
- ✓ Red Phosphorus (Matches/Road Flares)
- ✓ Muriatic Acid (Pool Acid)

- ✓ Iodine (Teat Dip or Flakes/Crystal)
- ✓ Trichloroethane (Dun Scrubber)
- ✓ Sodium Metal

17.7.5 Makeshift Equipment & Protective Gear:

- ✓ Respiratory Masks or Filters
- ✓ Dust Masks
- ✓ Rubber Gloves
- ✓ Clamps
- ✓ Funnels
- ✓ Hosing
- ✓ Duct Tape
- ✓ Used coffee filters containing odd stains or powdery residue
- ✓ Pyrex, Corning, or other glass containers or bake ware, especially if they are covered with powdery residue
- ✓ Soda bottles or other bottles with holes in them and tubing coming out of them
- ✓ Bags or buckets full of discarded Kitty Litter

17.8 Indicators of Meth Use and/or Manufacturing

- ✓ Unusual amounts of acetone, Drano, pool acid, brake cleaner, ether, or cans of starting fluid
- ✓ Large numbers of blister packs or pill containers
- ✓ Large plastic buckets and Styrofoam or hard-shell coolers
- ✓ Heating equipment: heating mantles, propane stoves or ranges, electric cooking devices, propane bottles in the house
- ✓ Large metal or plastic drums
- ✓ Laboratory-type glassware or substitute items like water bottles, plastic containers, or plastic gas cans, with tubing attached
- ✓ Glass cookware around the property or on the roof using solar heating for chemical reaction
- ✓ Unusual fortifications: iron bars, trip wires, tin foil on windows Closed circuit TV cameras outside
- ✓ Discoloration of structures, pavement, and soil from chemicals
- ✓ Red-stained coffee filters and rags
- ✓ Sudden and unusual collection of broken and discarded items
- ✓ Corrosion: metal tanks and drums rusting from caustic chemicals
- ✓ People keeping very late or unusual hours
- ✓ Running power to remote areas or at unusual times (cooking and ventilation)
- ✓ People smoking outside (indicates potential for explosion & fire)
- ✓ Trash bags hauled away at night
- ✓ Ventilation systems rerouted through windows or into the ground

17.8 References Used for Methamphetamine Remediation Policy

- **Environmental Protection Agency (EPA) - *Voluntary Guidelines for Methamphetamine Laboratory Cleanup***
- **Idaho Department of Health & Welfare - *Guidelines for Clean Up Former Methamphetamine Labs***
- **Salt Lake County Health Department Health Regulation #32 – *Chemically Contaminated Properties Regulation***
- **Integrated Risk Assessment Branch Office of Environmental Health Hazard Assessment California Environmental Protection Agency – *Assessment Of Children’s Exposure to Surface Methamphetamine Residues in Former Clandestine Methamphetamine Labs, and Identification of a Risk-Based Cleanup Standard For Surface Methamphetamine Contamination***