

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 30. BOARD OF TECHNICAL REGISTRATION

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| R4-30-103. | <u>Drug Laboratory Site Remediation Definitions</u> |
| R4-30-202.01 | <u>Remediation Specialist Certification</u> |
| R4-30-270. | <u>Drug Laboratory Site Remediation Firm Registration</u> |
| R4-30-271. | <u>On-site Supervisor Certification and Renewal</u> |
| R4-30-272. | <u>On-site Worker Certification and Renewal</u> |
| R4-30-305. | <u>Drug Laboratory Site Remediation Best Standards and Practices</u> |

Authority: A.R.S. § 32-101 et seq.

In addition to the definitions provided in A.R.S. §§ 12-990, 32-101, and R4-30-101, the following definitions apply only to drug laboratory site remediation requirements in this Chapter:

R4-30-103. Drug Laboratory Site Remediation Definitions

1. “ADHS” means the Arizona Department of Health Services.
2. “AHERA” means the Asbestos Hazard Emergency Response Act of 1986 training provisions contained in 40 CFR 763.92, effective November 15, 2000, 65 FR 69216, the provisions of which are incorporated by reference and on file with the Secretary of State. This rule does not include any later amendments or editions of the incorporated matter. Copies of these provisions are available at the office of the Board of Technical Registration.
3. “AWQS” means the Arizona Aquifer Water Quality Standards contained in A.A.C. R18-11-406, effective December 31, 2002, the provisions of which are incorporated by reference and on file with the Secretary of State. This rule does not include any later amendments or editions of the incorporated matter. Copies of these standards are available at the office of the Board of Technical Registration.
4. “Background concentration” means the level of naturally occurring contaminant in soil.
5. “Certificate” or “certificates” means registrations or certifications issued to on-site workers or on-site/remediation supervisors by the Board.
6. “Certified Industrial Hygienist” means a person certified in the comprehensive practice of industrial hygiene by the American Board of Industrial Hygiene.
7. “Certified Safety Professional” means a person certified in safety practices and procedures by the Board of Certified Safety Professionals.

8. "Chain-of-custody protocol" means a procedure used to document each person that has had custody or control of an environmental sample from its source to the analytical laboratory, and the time of possession of each person.
9. "Characterize" means to determine the quality or properties of a material by sampling and testing to determine the concentration of contaminants, or specific properties of the material such as flammability or corrosiveness.
10. "Combustible" means vapor concentration from a liquid that has a flash point greater than 100° F.
11. "Confirmation sampling of remedial projects" means collecting materials after a remedial effort to confirm that the remedial effort reduced contaminant concentrations or material properties to below the remedial standard.
12. "Contamination" or "contaminated" means the state of being impacted or polluted by hazardous or petroleum substances or chemicals.
13. "Corrosive" means a material such as acetic acid, acetic anhydride, acetyl chloride, ammonia (anhydrous), ammonium hydroxide, benzyl chloride, dimethylsulfate, formaldehyde, formic acid, hydrogen chloride/hydrochloric acid, hydrobromic acid, hydriodic acid, hydroxylamine, methylamine, methylene chloride (dichloromethane, methylene dichloride), methyl methacrylate, nitroethane, oxalylchloride, perchloric acid, phenylmagnesium bromide, phosphine, phosphorus oxychloride, phosphorus pentoxide, sodium amide (sodamide), sodium metal, sodium hydroxide, sulfur trioxide, sulfuric acid, tetrahydrofuran, or thionyl chloride that increases or decreases the pH of a material and may cause degradation of the material.
14. "Delineated" means to determine the extent of a contaminant by sampling, testing, and showing the size and shape of the contaminant plume on a drawing.
15. "EPA" means the United States Environmental Protection Agency.
16. "EPA Method 8015B" means the EPA approved method for determining the concentration of various non-halogenated volatile organic compounds and semi-volatile organic compounds by gas chromatography/flame ionization detector.
17. "EPA Method 6010B" means the EPA approved method for determining the concentration of various heavy metals by inductively coupled plasma.
18. "EPA Method 8260B" means the EPA approved method for determining the concentration of various volatile organic compounds by GC/MS.
19. "Exposed" means open to the atmosphere and not covered by a non-porous material.
20. "Final report" means the report required in R4-30-305(R).

21. "FID" means flame ionization detector.
22. "Flammable" means vapor concentration from a liquid that has a flash point less than 100° F.
23. "GC/MS" means gas chromatograph/mass spectrometer.
24. "Hazardous chemical decontamination projects" means work or services related to the remediation, removal, or clean-up of hazardous chemicals, hazardous substances, petroleum substances, or other hazardous materials.
25. "Hazardous substance" means red phosphorous, iodine crystals, tincture of iodine, methamphetamine, ephedrine, pseudoephedrine, volatile organic compounds, corrosives, LSD, ecstasy, lead, mercury, and any other chemical used at a clandestine drug laboratory site to manufacture methamphetamine, LSD, or ecstasy.
26. "Hazardous waste" means toxic materials to be discarded as defined in 40 CFR 261.3, effective December 3, 2001, and 66 FR 60153, the provisions of which are incorporated by reference and on file with the Secretary of State. This rule does not include any later amendments or editions of the incorporated matter. Copies of these provisions are available in the office of the Board of Technical Registration.
27. "HAZWOPER" means Hazardous Waste Operations Training as defined in 29 CFR 1910.120(e), effective November 7, 2002, and 67 FR 67964, the provisions of which are incorporated by reference and on file with the Secretary of State. This rule does not include any later amendments or editions of the incorporated matter. Copies of these standards are available at the office of the Board of Technical Registration.
28. "HEPA" means high-efficiency particulate air.
29. "Highly suggestive of contamination" means visible or olfactory indication of contamination, or locations within 10 feet of areas where hazardous substances were stored or used to manufacture methamphetamine, LSD, or ecstasy and could likely be contaminated with hazardous substances, unless separated by a full-height, non-porous wall with no openings.
30. "Impacted groundwater" means water present beneath ground surface that contains hazardous or petroleum substances at concentrations above background concentrations.
31. "Impacted soil" means soil that contains hazardous or petroleum substances at concentrations above background concentrations.
32. "Inaccessible" means unable to be reached without removal of a construction material or component.
33. "LEL/O2" means lower explosive limit/oxygen.

34. "Laboratory detection limit" means the lowest concentration of a hazardous or petroleum substance that can be reliably quantified or measured by an analytical laboratory under ideal operating conditions for a particular test method on a sample.
35. "Negative pressure enclosure" means an air-tight enclosure using a local exhaust and HEPA filtration system to maintain a lower air pressure in the work area than in any adjacent area and to generate a constant flow of air from the adjacent areas into the work area.
36. "Non-porous" means resistant to penetration of hazardous substances or non-permeable substance or materials, such as concrete floors, wood floors, ceramic tile floors, vinyl tile floors, sheet vinyl floors, painted drywall or sheet rock walls or ceilings, doors, appliances, bathtubs, toilets, mirrors, windows, counter-tops, sinks, sealed wood, metal, glass, plastic, and pipes.
37. "Personal protective equipment" means various types of clothing such as suits, gloves, hats, and boots, or apparatus such as face masks or respirators designed to prevent inhalation, skin contact, or ingestion of hazardous chemicals.
38. "Personnel decontamination procedures" means procedures used to clean or remove potential contamination from personal protective equipment.
39. "PID" means photo ionization detector.
40. "Porous" means easily penetrated or permeated by hazardous substances or permeable substances or materials such as carpets, draperies, bedding, mattresses, fabric covered furniture, pillows, drop ceiling or other fiber-board ceiling panels, cork paneling, blankets, towels, clothing, and cardboard.
41. "Properly disposed of" means to discard at a licensed facility in accordance with all applicable laws and not reused or sold, or metal recycled by giving or selling to a licensed recycling facility for scrap metal.
42. "Remedial standard" or "remediation standard" means the level or concentration to be achieved by the drug laboratory site remediation firm as defined in R4-30-305(C)(2) or (C)(3).
43. "Remediated" or "remediation" means treatment of the residually contaminated portion of the real property by a drug laboratory site remediation firm to reduce contaminant concentrations below the remedial standards.
44. "Residual contamination" means contamination resulting from spills or releases of hazardous or petroleum substances.
45. "Return air housing" means the main portion of an air ventilation system where air from the livable space returns to the air handling unit for heating or cooling.
46. "Reusable" means not disposable or equipment that can be used more than one time for sampling after cleaning.

47. "Sample location" means the actual place where an environmental sample was obtained.
48. "Shoring plan" means a written description or drawing that shows the structural supports required to safely occupy the building during remediation.
49. "Seepage pit" means a hole in the ground used to dispose of septic fluids.
50. "Services" means the activities performed by the drug laboratory site remediation firm in the course of remediating residual contamination from the manufacturing of methamphetamine, ecstasy, or LSD, or from the storage of chemicals used in manufacturing methamphetamine, ecstasy, or LSD.
51. "SRL" means the Arizona residential soil remediation levels contained in A.A.C. R18-7-201, effective September 30, 2002, the provisions of which are incorporated by reference and on file with the Secretary of State. This rule does not include any later amendments or editions of the incorporated matter. Copies of this rule are available at the office of the Board of Technical Registration.
52. "Temporary filter media" means a device used to filter or clean air.
53. "Toxic" means hazardous substances that can cause local or systemic detrimental effects to people.
54. "VOA" means volatile organic analyte.
55. "VOCs" means volatile organic compounds or chemicals that can evaporate at ambient temperatures such as acetone, acetonitrile, aniline, benzene, benzaldehyde, benzyl chloride, carbon tetrachloride, chloroform, cyclohexanone, dioxane, ethanol, ethyl acetate, ethyl ether, Freon 11, hexane, isopropanol, methanol, methyl alcohol, methylene chloride, naphtha, nitroethane, petroleum ether, petroleum distillates, pyridine, toluene, o-toluidine, and any other volatile organic chemical used at the clandestine drug laboratory site to manufacture methamphetamine, LSD, or ecstasy.
56. "Waste" means refuse, garbage, or other discarded material.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4). Repealed effective December 18, 1991 (Supp. 91-4). New Section made by exempt rulemaking at 9 A.A.R. 1412, effective April 15, 2003 (Supp. 03-2). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-202.01. Remediation Specialist Certification

A. An applicant for certification as a remediation specialist shall submit an original and one copy of a completed application package that contains the following:

1. Name, residence address, mailing address if different from residence, and residence telephone number of the applicant;
2. Date of birth and social security number of the applicant;
3. A detailed explanatory statement regarding:
 - a. Any disciplinary action, including suspension and revocation, taken by any state or jurisdiction on any professional or occupational registration, certification, or license held by the applicant in any state or jurisdiction;
 - b. Refusal of any professional or occupational registration, certification, or license by any state or jurisdiction;
 - c. Any pending disciplinary action in any state or jurisdiction on any professional or occupational registration, certification, or license held by the applicant;
 - d. Any alias or other name used by the applicant; and
 - e. Any conviction for a felony or misdemeanor, other than a minor traffic violation.
4. State or jurisdiction in which any professional or occupational registration, certification, or license is held; type of professional or occupational registration, certification, or license; registration, certification, or license number, year granted, how registration, certification, or license was granted (that is, by examination, education, experience or reciprocity), and the number of examination hours taken by the applicant;
5. Name of the state or jurisdiction, type of professional or occupational registration, certification, or license the applicant is seeking, and the current status of any application for professional or occupational registration, certification, or license pending in any state or jurisdiction;
6. Name, mailing address, years attended, graduation date, major, and type of degree received from each college, university or educational institution the applicant attended;
7. Relevant certified transcripts sent directly to the Board from the registrar of educational institutions the applicant attended;
8. Name, current address, and telephone number of the applicant's current and former employers in the area of remediation; dates of employment; applicant's title; description of the work performed, and the number of hours worked per week;
9. Names and addresses of immediate supervisors in past and present employment in the area of remediation. Applicants who have been working in remediation for 10 or more years shall provide the names and addresses of all immediate supervisors during the most recent ten-year period. If an applicant cannot supply the names and addresses of all immediate supervisors for at

least three engagements, the applicant shall provide to the Board a written, sworn statement explaining the inability to provide this information;

10. A release authorizing the Board to investigate the applicant's education, experience, moral character and repute;

11. Certificate of Experience Record and Reference forms from the applicant's present and past immediate supervisors. The applicant shall also provide Certificate of Experience Record and Reference forms to additional references as required by the Board. The applicant shall provide the name, address, and telephone numbers of all references and ensure that completed reference forms are provided to the Board;

12. Certification that the information provided to the Board is accurate, true, and complete;

13. A completed fingerprint card; and

14. The applicable fees.

B. The Board staff shall review all applications and, if necessary, refer completed applications to an advisory committee for evaluation. If the application is complete and in the proper form and the Board staff or committee is satisfied that all statements on the application are true and that the applicant is eligible in all other aspects to be certified as a remediation specialist, the Board staff or committee shall recommend that the Board certify the applicant as eligible to take the examination. If for any reason the Board staff or committee is not satisfied that all of the statements on the application are true or that the applicant is eligible in all other respects for registration, the Board staff shall make a further investigation of the applicant. The Board staff or committee shall submit recommendations to the Board for approval. The Board may also require an applicant to submit additional oral or written information if the applicant has not furnished satisfactory evidence of qualifications for examination or certification.

Historical Note

New Section made by final rulemaking at 8 A.A.R. 903, effective February 14, 2002 (Supp. 02-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-22).

R4-30-270. Drug Laboratory Site Remediation Firm Registration

An applicant for drug laboratory site remediation firm registration shall submit an original and one copy of a completed application package that contains the following:

1. Name of business, business address, mailing address if different from business address, and business telephone number;

2. Description of the applicant's services offered to the public;

3. Name and certification number of each on-site supervisor who is authorized and responsible for the services being offered;
4. Legal status of business, such as corporation, partnership, sole proprietorship, or other status;
5. Name and address of the responsible individual in the firm to whom notices and correspondence from the Board should be mailed; and
6. Certification that the information provided to the Board is accurate, true, and complete;
7. Copy of a current license issued by the Registrar of Contractors, the scope of which permits the applicant to perform the activities required of drug laboratory site remediation firms certified pursuant to this Chapter;
8. The applicable fee.

Historical Note

New Section made by exempt rulemaking at 9 A.A.R. 1412, effective April 15, 2003 (Supp. 03-2). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

A. An applicant for on-site supervisor certification shall submit an original and one copy of a completed application package that contains the following: On-site Supervisor Certification and Renewal

1. Name, residence address, mailing address if different from residence address, and telephone number;
2. Date of birth and social security number of the applicant;
3. Citizenship or legal residence;
4. State or jurisdiction in which any other professional or occupational certification, registration, or license is held by the applicant, type of certification, registration, or license, number, and year granted;
5. The name of the state or jurisdiction, the type of professional or occupational certification, registration, or license the applicant is seeking, and the status of any professional or occupational certification, registration, or license application pending in any state or jurisdiction;
6. A detailed explanatory statement, regarding:
 - a. Refusal of professional or occupational certification, registration, or license by any state or jurisdiction;

- b. Any pending disciplinary action in any state or jurisdiction on any professional or occupational certification, registration, or license held by the applicant;
 - c. Any alias or other name used by the applicant;
 - d. Any conviction for a felony or misdemeanor, other than a minor traffic violation; and
 - e. Any disciplinary action taken by any state or jurisdiction on any professional or occupational registration, certification, or license held by the applicant in any state or jurisdiction.
7. Certification that the information provided to the Board is accurate, true, and complete;
 8. A copy of a current 40-hour HAZWOPER training certificate or a copy of a current 8-hour HAZWOPER refresher certificate and a copy of a 40-hour HAZWOPER training certificate;
 9. Documentation of 12 months or more of on-site experience in hazardous chemical decontamination projects and a copy of a HAZWOPER certificate that shows the applicant held valid HAZWOPER certification during the 12 months of experience;
 10. Documentation of current AHERA contractor or supervisor certification or a copy of a current AHERA refresher certificate and a copy of an AHERA contractor or supervisor training certificate;
 11. Documentation of successful completion of a lead training course that meets the requirements of 29 CFR 1926.62(l), effective January 8, 1998, 63 FR 1296, the provisions of which are incorporated by reference and on file with the Secretary of State, copies of which are available at the office of the Board of Technical Registration;
 12. A signed release authorizing the Board to investigate the applicant's education, experience, and moral character and repute; and
 13. The applicable fee.

B. Beginning September 30, 2003, an applicant for renewal of on-site supervisor certification shall submit an application package that contains:

1. A completed renewal application form provided by the Board, signed and dated by the registrant that provides the information contained in subsections (A)(1), (2), (6), and (7);
2. A copy of the registrant's current 8-hour HAZWOPER refresher certificate;
3. A copy of the registrant's current AHERA refresher certificate;
4. For the first annual renewal, documentation of successful completion of an 8-hour training course approved by the Board that encompasses the following:

a. Clandestine Drug Laboratory Site Remediation Best Standards and Practices contained in R4-30-305;

b. Chemical and physical hazards of a clandestine drug laboratory;

c. Typical manufacturing methods for methamphetamine, LSD, and ecstasy;

d. Typical flammable, combustible, corrosive, and reactive materials used in a clandestine drug laboratory;

e. Potential sharps and biohazards at a clandestine drug laboratory;

f. Proper handling and disposal of wastes from the remediation of a clandestine drug laboratory; and

g. Other potential hazards or dangers that can be associated with a clandestine drug laboratory;

5. For the first annual renewal, documentation of successful completion of an 8-hour training course approved by the Board that encompasses the following:

a. Hazardous and precautionary measures for initial entry into a clandestine drug laboratory site;

b. Assessment of residual contamination;

c. Preparation of the work plans for remediation of a clandestine drug laboratory;

d. Assessment of the structural stability for safe entry into a clandestine drug laboratory site;

e. Characterizing waste from the remediation of a clandestine drug laboratory; and

f. Preparing final reports on the remediation of the clandestine drug laboratory;

6. For the second and all subsequent annual renewals, documentation of successful completion of a 2-hour refresher training course approved by the Board that encompasses the following:

a. Clandestine Drug Laboratory Site Remediation Best Standards and Practices contained in R4-30-305;

b. Hazardous and precautionary measures for initial entry into a clandestine drug laboratory site;

c. Preparation of the work plan for remediation of a clandestine drug laboratory;

d. Assessment of the structural stability for safe entry into a clandestine drug laboratory site;

e. Characterizing waste from the remediation of a clandestine drug laboratory; and

f. Preparing the final report on the remediation of a clandestine drug laboratory;

7. The applicable fee.

C. The Board staff shall review all applications and, if necessary, refer completed applications to the Environmental Remediation Rules and Standards Committee for evaluation. If the application is complete and in the proper form, and the Board staff or committee is satisfied that all statements on the application are true and that the applicant is eligible in all other aspects to be certified, the Board staff or committee shall recommend that the Board certify the applicant. If for any reason the Board staff or committee is not satisfied that all of the statements on the application are true, the Board staff shall make a further investigation of the applicant. The Board staff or committee shall submit recommendations to the Board for approval. The Board may also require a applicant to submit additional oral or written information if the applicant has not furnished satisfactory evidence of qualifications for certification.

Historical Note

New Section made by exempt rulemaking at 9 A.A.R. 1412, effective April 15, 2003 (Supp. 03-2). Amended by exempt rulemaking at 9 A.A.R. 2111, effective June 2, 2003 (Supp. 03-2). Amended by exempt rulemaking at 9 A.A.R. 3514, effective July 17, 2003 (Supp. 03-3). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-272. On-site Worker Certification and Renewal

A. An applicant for on-site worker certification shall submit an original and one copy of a completed application package that contains the following:

1. Name, residence address, mailing address if different from residence address, and telephone number;
2. Date of birth and social security number of the applicant;
3. Citizenship or legal residence;
4. State or jurisdiction in which any professional or occupational certification, registration, or license is held by the applicant, type of certification, registration, or license, number, and year granted;
5. Name of the state or jurisdiction, the type of professional or occupational certification, registration, or license the applicant is seeking, and the status of any professional or occupational application pending in any state or jurisdiction;
6. A detailed explanatory statement regarding:
 - a. Any refusal of professional or occupational certification, registration, or license by any state or jurisdiction;

- b. Any pending disciplinary action in any state or jurisdiction on any professional or occupational certification, registration, or license held by the applicant;
 - c. Any alias or other name used by the applicant;
 - d. Any conviction for a felony or misdemeanor, other than a minor traffic violation; and
 - e. Any disciplinary action taken by any state or jurisdiction on any professional or occupational certification, registration, or license held by the applicant in any state or jurisdiction;
- 7. Certification that the information provided to the Board is accurate, true, and complete;
 - 8. Copy of a current 40-hour HAZWOPER training certificate or copy of a current 8-hour HAZWOPER refresher certificate and a copy of a 40-hour HAZWOPER training certificate;
 - 9. A signed release authorizing the Board to investigate the applicant's education, experience, and moral character and repute; and
 - 10. The applicable fee.

B. Effective September 30, 2003, an applicant for renewal of on-site worker certification shall submit an application package that contains:

- 1. A completed renewal application form provided by the Board, signed and dated by the applicant that provides the information contained in subsections (A)(1), (2), (6) and (7);
- 2. A copy of the applicant's current 8-hour HAZWOPER refresher certificate;
- 3. For the first annual renewal, documentation of successful completion of an 8-hour training course approved by the Board that encompasses the following:
 - a. Clandestine Drug Laboratory Site Remediation Best Standards and Practices contained in R4-30-305;
 - b. Chemical and physical hazards of a clandestine drug laboratory;
 - c. Typical manufacturing methods for methamphetamine, LSD, and ecstasy;
 - d. Typical flammable, combustible, corrosive, and reactive materials used in a clandestine drug laboratory;
 - e. Potential sharps and biohazards at a clandestine drug laboratory;
 - f. Proper handling and disposal of wastes from the remediation of a clandestine drug laboratory; and

- g. Other potential hazards or dangers that can be associated with a clandestine drug laboratory;
4. The applicable fee.

C. The Board staff shall review all applications and, if necessary, refer completed applications to the Environmental Remediation Rules and Standards Committee for evaluation. If the application is complete and in the proper form, and the Board staff or committee is satisfied that all statements on the application are true and the applicant is eligible in all other respects to be certified, the Board staff or committee shall recommend that the Board certify the applicant. If for any reason the Board staff or committee is not satisfied that all of the statements on the application are true, the Board staff shall make a further investigation of the applicant. The Board staff or committee shall submit recommendations to the Board for approval. The Board may also require an applicant to submit additional oral or written information if the applicant has not furnished satisfactory evidence of qualifications for certification.

Historical Note

New Section made by exempt rulemaking at 9 A.A.R. 1412, effective April 15, 2003 (Supp. 03-2). Amended by exempt rulemaking at 9 A.A.R. 2111, effective June 2, 2003 (Supp. 03-2). Amended by exempt rulemaking at 9 A.A.R. 3514, effective July 17, 2003 (Supp. 03-3). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-305. Drug Laboratory Site Remediation Best Standards and Practices

A. Preliminary procedures.

1. The nature and extent of damage and contamination of the residually contaminated portion of the real property shall be determined.
2. The on-site supervisor shall request copies of any law enforcement, state agency, or other report regarding the nature and extent of illegal drug activity, evidence of what materials were removed from the real property and the location from which they were removed.
3. The on-site supervisor shall:
 - a. Evaluate all information obtained regarding the nature and extent of damage and contamination;
 - b. Develop procedures to safely enter the residually contaminated portion of the real property in order to conduct a visual assessment;
 - c. Wear the appropriate personal protective equipment for the condition(s) assessed;
 - d. Visually inspect the residually contaminated portion of the real property; and

e. Be assisted by at least one on-site worker during the initial entry into the residually contaminated portion of the real property.

4. The on-site supervisor shall conduct and document appropriate testing for corrosive, flammable, combustible, and toxic atmospheres during the initial entry in the residually contaminated portion of the real property, such as a LEL/O₂ meter, pH paper, PID, FID, or equivalent equipment.

5. If there was a fire or explosion in the residually contaminated portion of the real property which appears to have compromised its structural integrity, the drug laboratory site remediation firm shall obtain a structural assessment of the residually contaminated portion of the real property.

6. The drug laboratory site remediation firm shall prepare a written work plan that contains:

a. Complete identifying information of the real property, such as street address, mailing address, owner of record, legal description, county tax or parcel identification number, or vehicle identification number if a mobile home; registration number of the drug laboratory site remediation firm, name and certification number of the on-site supervisor and on-site workers that will be performing remediation services on the residually contaminated portion of the real property;

b. Copies of the current certification of the on-site supervisor and on-site workers that will be performing remediation services on the residually contaminated portion of the real property;

c. Photographs or drawings, and a written description of the residually contaminated portion of the real property that depicts the location and type of any residual contamination;

d. A description of the personal protective equipment to be used at the residually contaminated portion of the real property;

e. The health and safety procedures that will be followed in performing the remediation of the residually contaminated portion of the real property;

f. A list of emergency contacts and telephone numbers;

g. The route and location of the nearest hospital with emergency service facilities;

h. A detailed summary of the work to be performed by the drug laboratory site remediation firm including:

i. Any and all materials or articles to be removed or cleaned;

ii. All procedures to be employed to remove the residual contamination;

iii. All processes used to cover or encapsulate contaminants;

- iv. All procedures for decontamination or disposal of contaminated materials;
- v. All containment and negative pressure enclosure plans; and
- vi. Personnel decontamination procedures to be used;
- i. The shoring plan, if an assessment of the structural integrity was conducted and it was determined that shoring was necessary; and
- j. A complete list of the proposed post-decontamination testing of the residually contaminated portion of the real property and the name(s) of the individual(s) conducting the sampling and the laboratory(ies) performing the analytical testing.

7. The written work plan shall be:

- a. Approved in writing by the owner of the real property or the owner's agent;
- b. Submitted to the county health department of the county in which the property is located; and
- c. Retained by the drug laboratory site remediation firm for a minimum of three years.

B. Remediation procedures for the residually contaminated portion of the real property.

1. All clandestine drug laboratory site remediation firms, on-site supervisors, and on-site workers shall comply with all applicable federal, state, municipal, and local laws, rules, ordinances, and regulations during the remediation of the residually contaminated portion of the real property.

2. An on-site supervisor shall be present on the residually contaminated portion of the real property during the performance of remedial services.

3. On-site workers or on-site supervisors shall conduct the removal of the contamination from the residually contaminated portion of the real property, except for porous materials from areas not highly suggestive of contamination that may be cleaned by a dry cleaning or laundry service.

4. Procedures for areas highly suggestive of contamination:

a. All porous materials such as carpets, draperies, bedding, fabric covered furniture, drop ceilings, clothing, and related items, shall be removed and properly disposed of.

b. All stained materials from the laboratory operations including wall board (sheet rock), wood furniture, wood flooring, and tile flooring shall be removed and properly disposed of, unless the owner requests cleaning and testing to meet the post remediation clearance levels contained in subsections (C)(2) and (C)(3) of this rule. If cleaned, the materials shall be washed with a detergent and water solution and then thoroughly rinsed. This procedure shall be repeated at least two additional times using new detergent solution and rinse water.

c. All non-porous surfaces, such as bathtubs, toilets, mirrors, windows, tile flooring, countertops, and sinks, may be cleaned to the point of stain removal and left in place or removed and properly disposed of. If cleaned, these surfaces shall be washed with a detergent and water solution and then thoroughly rinsed. This procedure shall be repeated at least two additional times using new detergent solution and rinse water.

d. All exposed concrete surfaces shall be thoroughly washed with a detergent and water solution and then thoroughly rinsed, or may be removed and properly disposed of. This cleaning procedure shall be repeated at least two additional times using new detergent solution and rinse water; and

e. All appliances shall be removed and properly disposed of, unless the owner requests cleaning and testing to meet the post-remediation clearance levels contained in subsections (C)(2) and (C)(3) of this rule. If cleaned, the appliances shall be washed with a detergent and water solution and then thoroughly rinsed. This cleaning procedure shall be repeated at least two additional times using new detergent solution and rinse water.

5. Procedures for areas not highly suggestive of contamination.

a. All porous materials such as carpets, draperies, bedding, fabric covered furniture, clothing, and related items shall be removed and properly disposed of, except for porous drop ceilings, which shall be HEPA vacuumed and left in place. At the owner's discretion, all or some porous materials with no evidence of staining may be cleaned by HEPA vacuuming and one of the following methods:

i. Steam cleaning: Hot water and detergent shall be injected into the porous materials under pressure to agitate and loosen any contamination. The water and detergent solution shall then be extracted from the porous material by a wet vacuum.

ii. Chemical dry cleaning: Porous materials that cannot be washed with detergent and water shall be dry cleaned using a liquid solvent dry cleaning solution in a dry cleaning machine for at least 15 minutes.

iii. Detergent and water solution: Porous materials shall be washed in a washing machine with detergent and water for at least 15 minutes. The porous materials shall be rinsed with water.

iv. If any porous materials are removed from the real property for cleaning, the materials shall be HEPA vacuumed, and the cleaning facility shall be notified in writing, by the drug laboratory site remediation firm, that the materials being cleaned are from a clandestine drug laboratory.

b. All non-porous surfaces such as floors, walls, ceilings, mirrors, windows, doors, appliances, and non-fabric furniture shall be thoroughly HEPA vacuumed and washed with a detergent and water solution and then thoroughly rinsed. This cleaning procedure shall be repeated at least two additional times using a new detergent solution and rinse water.

c. Doors or other openings to areas with no visible contamination shall be cordoned off from all other areas with at least 4-mil plastic sheeting after being cleaned, to avoid re-contamination during further remediation of the residually contaminated portion of the real property.

d. Spray-on acoustical ceilings shall be left undisturbed, and shall be sampled and tested for asbestos and for residual contamination to determine whether ceilings meet the post-remediation clearance levels contained in subsections (C)(2) and (C)(3) of this rule. If the post-remediation clearance levels are exceeded, these materials shall be properly removed and properly disposed of.

e. All exposed concrete surfaces shall be thoroughly washed with a detergent and water solution and then thoroughly rinsed. This cleaning procedure shall be repeated at least two additional times using new detergent solution and rinse water.

6. Structural Integrity and Security Procedures. If, as a result of the remediation, the structural integrity or security of the real property is compromised, the drug laboratory site remediation firm shall take measures to remedy the structural integrity or security of the real property.

7. Ventilation Cleaning Procedures.

a. Air registers shall be removed and washed with a detergent and water solution and then thoroughly rinsed. This cleaning procedure shall be repeated at least two additional times using new detergent solution and rinse water.

b. Temporary filter media shall be attached to air register openings.

c. A fan-powered HEPA filter collection machine shall be connected to the ductwork to develop negative air pressure in the ductwork.

d. Air lances, mechanical agitators, or rotary brushes shall be inserted into the ducts through the air register openings to loosen all dirt, dust and other loose materials.

e. The air handler unit, including the return air housing, coils, fan(s), system(s), and drip pan, shall be washed with a detergent and water solution and then thoroughly rinsed. This cleaning procedure shall be repeated at least two additional times using new detergent solution and rinse water.

f. All porous linings or filters in the ventilation system shall be removed and properly disposed of.

g. The ventilation system shall be sealed off at all openings with at least 4-mil plastic sheeting to prevent recontamination until the residually contaminated portion of the real property meets the post-remediation clearance levels contained in subsections (C)(2) and (C)(3) of this rule.

8. Procedures for Plumbing, Septic, Sewer, and Soil.

a. All plumbing inlets to the septic/sewer system, including but not limited to sinks, floor drains, bath tubs, showers, and toilets, shall be visually assessed for any staining or other visible residual contamination. All plumbing traps shall be assessed for VOC concentrations with a PID or FID, and for mercury vapors, by using a mercury vapor analyzer. If VOC concentrations or mercury vapor concentrations exceed the post-remediation clearance levels contained in subsections (C)(2) and (C)(3) of this rule, the accessible plumbing and traps where the excess levels are found shall be removed and properly disposed of, or shall be cleaned and tested to meet the post-remediation clearance levels contained in R4-30-305(C)(2) and (C)(3).

b. The on-site supervisor shall determine if the dwelling is connected to a local sewer system or to an on-site septic system. If the dwelling is connected to an on-site septic system, a sample of the septic tank liquids shall be obtained and tested for VOC concentrations.

i. If VOCs are not found in the septic tank sample or are found at concentrations less than AWQS or less than 700 micrograms per liter (mg/l) for acetone, no additional work is required in the septic system area, unless requested by the owner of the real property.

ii. If VOCs are found in the septic tank at concentrations exceeding the AWQS or exceeding 700 mg/l for acetone the following shall apply:

(1) The discharge area such as the leach field, seepage pit, and evaporation mounds shall be investigated under the direct supervision of an Arizona-registered geologist or an Arizona-registered engineer;

(2) The septic system discharge area shall be investigated for VOCs and unless there is clear evidence that mercury or lead was not used in the manufacturing of methamphetamine, LSD or ecstasy at the clandestine drug laboratory, the septic system discharge area shall also be investigated for mercury and lead;

(3) The vertical extent of any VOCs, mercury, and lead detected in the soil samples shall be delineated to concentrations below laboratory detection limits or to background concentrations, and the horizontal extent of the VOCs, mercury and lead shall be delineated to concentrations below each compound's SRL;

(4) If any of the VOCs, mercury, and lead used by the clandestine drug laboratory migrated down to groundwater level, the extent of groundwater contamination shall also be investigated under the direct supervision of an Arizona-registered geologist or an Arizona-registered engineer and the vertical and horizontal extent of the groundwater contamination shall be delineated to concentrations below the AWQS or below 700 mg/l for acetone; and

(5) After complete characterization of the release, the impacted soils shall be remediated to concentrations below the SRL or background concentrations, and any impacted groundwater shall be remediated to concentrations below the AWQS or below 700 mg/l for acetone.

c. The on-site supervisor shall observe the real property for evidence of burn areas, burn or trash pits, debris piles or stained areas. The on-site supervisor shall test any burn areas, burn or trash

pits, debris piles or stained areas with appropriate testing equipment, such as, a LEL/O₂ meter, pH paper, PID, FID, mercury vapor analyzer or equivalent equipment.

i. If the burn areas, burn or trash pits, debris piles, or stained areas are not part of the residually contaminated portion of the real property, the drug laboratory site remediation firm shall recommend to the owner of the real property that these areas be investigated. If the owner advises the drug laboratory site remediation firm not to investigate these areas, the drug laboratory site remediation firm shall take appropriate action pursuant to R4-30-301.

ii. If the burn areas, burn or trash pits, debris piles or stained areas are part of the residually contaminated portion of the real property, these areas shall be investigated and remediated by the drug laboratory site remediation firm.

(1) Any wastes remaining from the operation of the clandestine drug laboratory or other wastes impacted by compounds used by the clandestine drug laboratory shall be characterized, removed, and properly disposed of.

(2) Any potentially impacted soil and/or groundwater shall be investigated under the direct supervision of an Arizona-registered geologist or an Arizona-registered engineer.

(3) The burn areas, burn or trash pits, debris piles, or stained areas shall be investigated for the VOCs used by the drug laboratory. Unless there is clear evidence that mercury or lead was not used in the manufacturing of methamphetamine, LSD, or ecstasy at the clandestine drug laboratory, the burn areas, burn or trash pits, debris piles, or stained areas shall be investigated for lead and mercury.

(4) The vertical extent of any VOCs, lead, or mercury detected in the soil samples shall be delineated to concentrations below laboratory detection limits or to background concentrations. The horizontal extent of these compounds shall be delineated to concentrations below each compound's SRL.

(5) If any of the compounds used by the clandestine drug laboratory migrated down to groundwater level, the extent of groundwater contamination shall also be investigated under the direct supervision of an Arizona-registered geologist or an Arizona-registered engineer. The vertical and horizontal extent of the groundwater contamination shall be delineated to concentrations below the AWQS and below 700 mg/l for acetone.

(6) After complete characterization of the release, the impacted soils shall be remediated to concentrations below the SRL or background concentrations, and any impacted groundwater shall be remediated to concentrations below the AWQS and below 700 mg/l for acetone.

9. Waste Characterization and Disposal Procedures.

a. All items removed from the clandestine drug laboratory remediation site, and waste generated during the remediation work, shall be properly characterized and properly disposed of.

b. All suspect asbestos-containing building materials shall be properly sampled and tested for asbestos prior to disturbance or removal.

c. All waste shall be properly characterized by sampling and testing, or the waste shall be considered hazardous waste and properly disposed of pursuant to the applicable law, except the waste shall not be deemed to be household hazardous waste.

d. The drug laboratory site remediation firm shall comply with all federal, state, municipal, county laws, codes, ordinances and regulations pertaining to waste transportation and disposal.

C. Post-Remediation Testing Procedures.

1. Post-remediation sampling shall be conducted under the direct supervision of a Certified Industrial Hygienist, a Certified Safety Professional, Arizona-registered geologist or an Arizona-registered engineer. The individual taking the samples shall have experience with the remediation of hazardous substances, with confirmation sampling of remedial projects, and with evaluating health risks and exposures to chemicals. All sampling used to verify that no additional removal or cleaning is required shall be conducted under the direct supervision of a Certified Industrial Hygienist, Certified Safety Professional, Arizona-registered geologist or an Arizona-registered engineer. All sample locations shall be photographed for documentation purposes, and these photographs shall be included in the final report.

2. The drug laboratory site remediation firm shall conduct sampling and testing for all of the compounds listed below. All remediated areas and materials shall meet the following post-remediation clearance levels:

Compound

Remediation Standard

Red Phosphorus

Removal of stained material or cleaned pursuant to these standards

Iodine Crystals

Removal of stained material or cleaned pursuant to these standards

Methamphetamine

0.1 µg Methamphetamine/100 cm²

Ephedrine

0.1 µg Ephedrine/100 cm²

Pseudoephedrine

0.1 µg Pseudoephedrine/100 cm²

VOCs in Air

VOC air monitoring < 1 ppm

Corrosives

Surface pH of 6 to 8

LSD

0.1 µg LSD/100 cm²

Ecstasy

0.1 µg Ecstasy/100 cm²

3. The drug laboratory site remediation firm shall conduct sampling and testing for all of the metals listed below in all cases except where there is clear evidence that these metals were not used in the manufacturing of methamphetamine, LSD, or ecstasy at the drug laboratory:

Compound

Remediation Standard

Lead

4.3 µg Lead/100 cm²

Mercury

3.0 µg Mercury/m³ air

4. All sampling and testing shall be conducted in accordance with the following procedures:

a. All sample locations shall be photographed, and the photographs shall be included in the final report.

b. All sample locations shall also be shown on a floor plan of the residually contaminated portion of the real property, and the floor plan shall be included in the final report.

c. All samples shall be obtained from areas representative of the materials or surfaces being tested. All samples shall be obtained, preserved, and handled in accordance with industry

standards for the types of samples and analytical testing to be conducted and maintained under chain-of-custody protocol.

d. The individual conducting the sampling shall wear a new pair of gloves to obtain each sample.

e. All reusable sampling equipment shall be decontaminated prior to sampling.

f. All testing equipment shall be properly equipped and calibrated for the types of compounds to be analyzed.

g. Methamphetamine, ephedrine, pseudoephedrine, ecstasy, and/or LSD sampling and testing:

i. Whatman 40 ashless filter paper or equivalent shall be used for all wipe sampling. The filter paper shall be wetted with analytical grade methanol for the wipe sampling. The filter paper shall be blotted or wiped at least five times in two perpendicular directions within each sampling area. The same filter paper may be used for up to three wipe areas or a new filter paper may be used for each area, and the three filter papers combined for analytical testing.

ii. Three 10 cm x 10 cm areas (100 cm²) shall be wipe sampled from each room of the residually contaminated portion of the real property. The three samples shall be obtained from the non-porous floor, one wall, and the ceiling in each room.

iii. Three 10 cm x 10 cm areas (100 cm²) shall be wipe sampled from different areas of the ventilation system.

iv. If there is a kitchen in the residually contaminated portion of the real property, three 10 cm x 10 cm areas (100 cm²) shall be wipe sampled from a combination of the counter top, sink, or stove top, and from the floor in front of the stove top.

v. If there is a bathroom in the residually contaminated portion of the real property, three 10 cm x 10 cm areas (100 cm²) shall be wipe sampled from a combination of the counter top, sink, toilet, and the shower/bath tub.

vi. If there are any cleaned appliances in the residually contaminated portion of the real property, one 10 cm x 10 cm area (100 cm²) shall be wipe sampled from the exposed portion of each appliance. If multiple appliances are present, each wipe sample may be a composite of up to three 100 cm² areas on three separate appliances.

vii. After sampling, the wipe sample shall be placed in a new clean sample jar and sealed with a teflon-lined lid. The sample jar shall be properly labeled with at least the site or project identification number, date, time, and actual sample location. The sample jar shall be placed in a cooler with ice until delivered to an analytical laboratory licensed in any state in the United States to perform GC/MS testing. The sample shall be analyzed for methamphetamine, ephedrine, pseudoephedrine, LSD, and/or ecstasy, depending upon the type of clandestine drug laboratory, using a GC/MS instrument, or equivalent.

h. VOC sampling and testing procedures:

- i. A properly calibrated PID or FID capable of detecting VOCs shall be used for testing. The background concentration of VOCs shall be obtained by testing three exterior areas outside the limits of the residually contaminated portion of the real property and in areas with no known or suspected sources of VOCs. All VOC readings shall be recorded for each sample location.
- ii. At least three locations in each room of the residually contaminated portion of the real property shall be tested for VOC readings. The testing equipment probe shall be held in the sample location for at least 30 seconds to obtain a reading; and
- iii. All accessible plumbing traps shall be tested for VOCs by holding the testing equipment probe in the plumbing pipe above the trap for at least 60 seconds.

i. pH testing procedures:

- i. Surface pH measurements shall be made using deionized water and pH test strips with a visual indication for a pH between 6 and 8. The pH reading shall be recorded for each sample location.
- ii. For horizontal surfaces, deionized water shall be applied to the surface and allowed to stand for at least three minutes. The pH test strip shall then be placed in the water for a minimum of 30 seconds and read.
- iii. For vertical surfaces, a Whatman 40 ashless filter paper or equivalent filter paper shall be wetted with deionized water and wiped over a 10 cm x 10 cm area at least five times in two perpendicular directions. The filter paper shall then be placed into a clean sample container and covered with deionized water. The filter and water shall stand for at least three minutes prior to testing. The pH test strip shall then be placed in the water for a minimum of 30 seconds and read.
- iv. pH testing shall be conducted on at least three locations in each room within the areas with visible contamination and within areas known to store or handle chemicals used for the clandestine drug laboratory in the residually contaminated portion of the real property.

j. Lead Sampling and Testing Procedures:

- i. Unless there is clear evidence that lead was not used in the manufacturing of methamphetamine, LSD, or ecstasy at the clandestine drug laboratory, lead sampling shall be conducted as follows:

- (1) Whatman 40 ashless filter paper or equivalent shall be used for wipe sampling. The filter paper shall be wetted with analytical grade 3% nanograde nitric acid for the wipe sampling. The filter paper shall be blotted or wiped at least five times in two perpendicular directions within each sampling area. The same filter paper may be used for up to three wipe areas or a new filter paper may be used for each area and the three filter papers combined for analytical testing;

(2) Three 10 cm x 10 cm areas (100 cm²) shall be sampled in each room within the areas with visible contamination or within areas known to store or handle chemicals used for the clandestine drug laboratory in the residually contaminated portion of the real property; and

(3) After sampling, the wipe sample shall be placed in a new clean sample jar and sealed with a teflon-lined lid. The sample jar shall be properly labeled with at least the site or project identification number, date, time, and actual sample location. The sample jar shall be placed in a cooler with ice until delivered to an Arizona-licensed analytical laboratory.

ii. The sample shall be analyzed for lead using EPA Method 6010B or equivalent.

k. Mercury Sampling and Testing Procedures:

i. A properly calibrated mercury vapor analyzer shall be used for evaluating the remediated areas for the presence of mercury. All mercury readings shall be recorded for each sample location.

ii. At least three locations in each room within the areas with visible contamination or within areas known to store or handle chemicals used for the clandestine drug laboratory in the residually contaminated portion of the real property shall be tested for mercury vapor readings. The testing equipment probe shall be held in the sample location for at least 30 seconds to obtain a reading.

iii. All accessible plumbing traps shall be tested for mercury by holding the testing equipment probe in the plumbing pipe above the trap for at least 60 seconds.

l. Septic Tank Sampling and Testing Procedures:

i. The liquid in the septic tank shall be sampled with a new clean bailer or similar equipment.

ii. The liquid shall be decanted or poured with minimal turbulence into three new VOA vials properly prepared by the laboratory.

iii. The VOA vials shall be filled so that there are no air bubbles in the sealed container. If air bubbles are present, the vial must be emptied and refilled;

(1) The sample vials shall be properly labeled with at least the date, time, and sample location;

(2) The sample vials shall be placed in a cooler with ice until delivered to an Arizona- licensed analytical laboratory; and

(3) The sample shall be analyzed for acetone and methanol using EPA Method 8015B or equivalent.

D. Final report.

1. A final report shall be:

- a. Prepared by the drug laboratory site remediation firm;
- b. Submitted to the owner of the remediated property and the county health department of the county in which the property is located; and
- c. Retained by the firm for a minimum of three years.

2. The final report shall include the following information and documentation:

- a. Complete identifying information of the real property, such as street address, mailing address, owner of record, legal description, county tax or parcel identification number, or vehicle identification number if a mobile home, registration number of the drug laboratory site remediation firm, name and certification number of the on-site supervisor, and name and certification numbers of the on-site workers that performed the remediation services on the residually contaminated portion of the real property;
- b. A summary of the remediation services completed on the residually contaminated portion of the real property, and any deviations from the approved work plan;
- c. Photographs documenting the remediation services and showing each of the sample locations, and a drawing or sketch of the residually contaminated areas that depict the sample locations;
- d. A copy of the sampling and testing results for VOCs and mercury, a copy of any asbestos sampling and testing results, a copy of the laboratory test results on all samples, and a copy of the chain-of-custody protocol documents for all samples from the residually contaminated portion of the real property;
- e. A summary of the waste characterization work, any waste sampling and testing results, and transportation and disposal documents, including but not limited to, bills of lading, weight tickets, and manifests for all materials removed from the real property;
- f. A summary of the on-site supervisor's observation and testing of the real property for evidence of burn areas, burn or trash pits, debris piles, or stained areas;
- g. A copy of any reports provided to the drug laboratory site remediation firm or prepared by the Certified Industrial Hygienist, Certified Safety Professional, an Arizona-registered geologist, and an Arizona-registered engineer; and
- h. A statement that the residually contaminated portion of the real property has been remediated in accordance with these standards.

3. Within 24 hours after the final report described in subsection (D)(1) of this Article has been prepared, the drug laboratory site remediation firm shall deliver, or send by certified mail, a copy of the final report to those individuals and entities identified in A.R.S. § 12-1000(A)(2), or a separate document stating that the residually contaminated portion of the real property has been remediated pursuant to A.R.S. § 12-1000(D).

Historical Note

New Section made by exempt rulemaking at 9 A.A.R. 1412, effective April 15, 2003 (Supp. 03-2). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).