

PERSONS AUTHORIZED TO CLEAN-UP PROPERTIES WHERE METHAMPHETAMINE WAS MANUFACTURED -HOW TO BE ADDED TO THE LIST-

Introduction: The Tennessee Department of Environment and Conservation (TDEC) is required by TCA § 68-212-502 to compile and maintain a list of persons authorized to cleanup properties where methamphetamine was manufactured. The current list includes companies who are out of business and others who no longer perform these services. There are also additional persons who desire to be added to this list. TDEC intends to promulgate regulations concerning the process to compile and maintain this list. This document specifies how TDEC will compile and maintain the list until rules are promulgated and which clean-up personnel should be on the list of authorized persons.

Clean-up by Authorized Persons: The onsite supervisor at a clean-up of property where methamphetamine was manufactured shall be on the list of persons authorized to perform clean-up of properties where methamphetamine was manufactured. Other cleanup personnel may work under direct supervision of an on-site authorized person without being on the list. All persons performing clean-up of properties where methamphetamine was manufactured shall have appropriate OSHA training including HAZWOPER under 29 CFR 1910.120 and other appropriate training. All persons working at a clean-up of property where methamphetamine was manufactured shall also have sufficient knowledge and training in methamphetamine clean-up and related hazard identification to not expose themselves or others to unnecessary chemical or safety risks or hazards.

Best Management Practices: It is anticipated that authorized persons will use best management practices to:

- 1) Protect human health,
- 2) Minimize unnecessary property damage and expense, and
- 3) Limit the spread of contamination.

Compliance with all applicable laws: Cleanup of properties where manufacture of methamphetamine has occurred may require compliance with other laws and certification requirements, such as asbestos; Renovation Repair and Painting (RRP); hazardous materials transportation; contractors licensing law; etc. Being on this list does not negate other laws and requirements and it is the authorized person's responsibility to ensure compliance with all applicable laws, regulations, and requirements.

Continuing Education Recommended: TDEC recommends that methamphetamine specific training should be repeated or updated, at a minimum, every 3 years. This should include threat identification, cleanup procedures, and other applicable information.

Interim process to be added to the list of persons authorized to clean-up properties where methamphetamine was manufactured:

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- 1) Persons currently on the list compiled and maintained by TDEC may remain on the list by submitting a letter requesting to remain on the list to TDEC at the address identified in Step 1 and including Step 1 items 1 and 2 below by January 15, 2011. Persons currently on the list who are removed because TDEC does not receive a letter by that date will be added back to the list if the letter is received at any point prior to the rules regarding the list are effective.
- 2) Rule 1200-1-19-.02 specifies that any person holding certification from the American Board of Industrial Hygienists as a Certified Industrial Hygienist is deemed to be qualified to be on the list. Documentation of certification is required. During this interim period, persons holding this certification who are not currently on the list shall be added to the list upon request to TDEC at the address given in Step 1 below.
- 3) During this interim period, other persons will be added to the list upon successfully completing the process described below.

**INTERIM PROCESS TO ADD ADDITIONAL PERSONS TO THE LIST OF PERSONS
AUTHORIZED TO CLEAN-UP PROPERTIES WHERE METHAMPHETAMINE WAS
MANUFACTURED:**

Step 1: Submit a written request to the Division of Remediation to be added to the list of persons authorized to clean-up properties where methamphetamine was manufactured in the State of Tennessee. Submit this request with the following information to:

Mr. Chris Andel
Tennessee Department of Environment and Conservation
Division of Remediation
3711 Middlebrook Pike
Knoxville, TN 37921

If you have questions on this process, Mr. Andel may be reached at (865) 594-5444 or by email at Chris.Andel@tn.gov.

Include the following information in the written request in the order specified below and identify the number to which the information applies:

- 1) Name and address of person requesting to be added to the list
- 2) A valid email address and phone number
- 3) Person responsible for completing the request (designated representative), job title, email address, and phone number
- 4) A brief description of services that the person provides
- 5) Names of all personnel who will be actively involved with methamphetamine cleanup, job titles, and phone numbers
- 6) Curriculum vitae, maximum two pages, for each person named above
- 7) All currently held, relevant certifications for personnel named above, including certificates of completion for applicable classroom training, **attach copies**. Valid

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certificates of completion for 40-hour OSHA training and applicable 8-hour refresher must be provided for all persons applying to be added to the authorized list. Said certificates shall be maintained by the authorized person for all personnel cleaning up properties where methamphetamine was manufactured under his or her direct supervision.

- 8) An organizational chart specific to any given methamphetamine cleanup, with personnel names, job titles, and responsibilities, including, but not limited to: site supervisor, site safety officer, technicians, waste disposal coordinator, workplan preparation, and final documentation preparation. (Personnel may be responsible for multiple duties, i.e., the site supervisor may also be the site safety officer, and/or waste disposal coordinator, etc.) At a minimum, the site supervisor should be on the list of persons authorized to perform cleanup of property where methamphetamine was manufactured or a request for that person to be added to the list should be included with this request.
- 9) Specific examples of projects/sites/properties worked within the last two years and certifications or licenses that demonstrate competency needed to clean up properties where methamphetamine was manufactured. If competency is due to work experience in whole or in part, include date(s) worked, personnel involved, and a brief description of services provided and their outcomes. Examples of the types of experience and certifications are given below.
 - a) Decontamination and remediation of methamphetamine contaminated properties performed within the last two years, and holds a current certification or authorization from another State for methamphetamine cleanup. ***or***
 - b) Decontamination and remediation experience at methamphetamine contaminated properties performed within the last two years (e.g. clean-up worker under supervision of an authorized person), AND satisfactorily completed classroom training (minimum two days) with specific emphasis on methamphetamine and methamphetamine related contamination. ***or***
 - c) Cleanup and/or decontamination services performed at non-methamphetamine related properties within the last two years, AND satisfactorily completed classroom training (minimum two days) with specific emphasis on methamphetamine and methamphetamine related contamination. Relevant experience includes one or more of the following: crime/trauma scenes, RCRA corrective actions, CERCLA remedial actions, hazardous substance emergency response, radioactive/mixed waste sites, mold abatement, asbestos abatement, or lead-based paint abatement. Training that is completed entirely online does not satisfy the classroom requirement. Relevant on-the-job experience and methamphetamine specific classroom training are mandatory. ***or***
 - d) A general contractor's license with an applicable specialty classification may substitute for the specified experience provided the person with the general contractor's license has satisfactorily completed classroom training (minimum

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two days) with specific emphasis on methamphetamine and methamphetamine related contamination.

- 10) A written statement, signed and dated by the person requesting to be added to the list or if a company, a person authorized to bind the company, that reads: “ *I hereby acknowledge that (Applicant’s Name) has read and is familiar with T.C.A. §§68-212-501 et seq. (Meth Statute) and the Rules of Tennessee Department of Environment and Conservation, Division of Superfund, Chapter 1200-1-19; Standards for Testing and Cleaning Quarantined Clandestine Drug Manufacturing Sites; and has the personnel, experience, and resources to perform cleanup according to Tennessee requirements.*” The meth statute and rules can be found at: http://www.state.tn.us/environment/dor/pdf/TCA68_212part5.pdf and <http://tn.gov/sos/rules/1200/1200-01/1200-01-19.pdf>, respectively.
- 11) At least two professional references and contact information
- 12) A statement as to whether any person included in this request has been convicted of a felony and, if so, provide pertinent information. If not, provide a statement that no person included in this application has been convicted of a felony.
- 13) A written statement, signed and dated by the person requesting to be added to the list or if a company, a person authorized to bind the company, that reads:
“I certify under penalty of law, including but not limited to penalties for perjury, that the information contained in this document and on any attachment is true, accurate and complete to the best of my knowledge, information and belief. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for intentional violation.”

Step 2: The TDEC/Division of Remediation will complete review of your submittal within 45 days and contact your designated representative. The Division may request additional information or clarification. After resolution of any outstanding issues or informational gaps, the Division will take one of the following actions.


- 1) Notify you that you are qualified and pending completion of Step 3 will be authorized and added to the list. Applicants receiving authorization will be notified in writing.
- 2) It may deny your request. Any applicant denied authorization will be notified in writing with the reasons for denial. Any person whose application is denied may, within 30 days of receiving the notification, request an informal meeting with the Division Director or his representative to present any grounds for why the application should have been accepted.

Step 3: If you are notified that you are qualified to clean up properties where methamphetamine was manufactured in Tennessee, the Division of Remediation will contact your designated representative to assign a unique identification number and make arrangements to obtain an identification badge. When the Division issues you an identification number and badge, you will be placed on TDEC’s List of persons

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authorized to perform clean-up of properties where methamphetamine was manufactured.

Approved for Implementation:



Robert A Binford, Director
Division of Remediation

December 2, 2010

Date