



STATE OF WASHINGTON

DEPARTMENT OF HEALTH

OFFICE OF ENVIRONMENTAL HEALTH AND SAFETY

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June 10, 2009

TO: State Board of Health

FROM: Gregg Grunenfelder, Assistant Secretary

SUBJECT: Request to withdraw CR-101 for chapter 246-205 WAC –
Decontamination of Illegal Drug Sites.

In 2006, the legislature revised chapter 64.44 RCW directing the department to establish rules for independent third party sampling of clandestine drug labs (CDL). Since both the department and the State Board of Health have rule making responsibilities under this statute, a joint CR 101 was filed with the Office of the Code Reviser on December 5, 2007, as WSR# 07-24-092, and revisions to chapter 246-205 WAC were begun.

The 2009-11 biennial operating budget eliminated general fund support for the department's Clandestine Drug Lab program. Senate Substitute Bill 6171 that subsequently passed the legislature removed the requirement for third party sampling of clandestine drug labs. Since there is no longer statutory authority to regulate independent third party sampling, the department recommends that the CR-101 be withdrawn.