



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**

(Implements RCW 34.05.310)

Do NOT use for expedited rule making

**Agency:** Department of Health and State Board of Health (Joint rules)

**Subject of possible rule making:** Chapter 246-205 WAC, Decontamination of illegal drug manufacturing or storage sites

**Statutes authorizing the agency to adopt rules on this subject:** RCW 64.44.070 Rules and standards: Chapter administration, property decontamination, independent third party sampling.

**Reasons why rules on this subject may be needed and what they might accomplish:** 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) and to conduct background checks for all certified CDL staff. Currently, certified supervisors who oversee the clean up of a site can collect decontamination verification samples for that site. Establishing third party sampler certification will protect public health by eliminating a potential conflict of interest. Chapter 64.44 RCW also directs the department to establish decontamination standards. Evaluation of new science will ensure the decontamination standards are appropriate, achievable, and protective of public health.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**  
No other federal or state agencies regulate this subject.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)



Joint collaborative rulemaking by the Department of Health and the State Board of Health - An informal advisory group will be created to include stakeholders from Local Health Jurisdictions and certified clandestine drug lab decontamination personnel to develop changes to this rule. At the conclusion of the rule drafting process by the informal advisory group, the draft rule will be sent to all interested parties for review and comment.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

**Interested parties can contact:**

Gregory McKnight  
CDL Program Manager  
Department of Health  
Post Office Box 47825  
Olympia, WA 98504-7825

<b>DATE</b>  12/5/07
<b>NAME (TYPE OR PRINT)</b> Mary C. Selecky and Craig McLaughlin
<b>SIGNATURE</b>  
<b>TITLE</b> Secretary of Department of Health and State Board of Health Executive Director

<b>CODE REVISER USE ONLY</b>