

# Methamphetamine-Affected Property Cleanup in Colorado



**COLORADO**  
Hazardous Materials  
& Waste Management Division  
Department of Public Health & Environment

# Controlling Statute

Section 25-18.5-101 through 109, C.R.S.

- discovery and notice
- cleanup requirements
- access restrictions
- local authority
- training and certification requirements





# Illegal Drug Laboratory

“the areas where controlled substances...have been manufactured, process, cooked, disposed of, **used**, or stored and all proximate areas that are likely to be contaminated as a result of the manufacturing, processing, cooking, disposal, **use** or storage.”

**Note:** Section 25-18.5-102, C.R.S directs the Board of Health to promulgate requirements for “*illegal drug laboratories involving methamphetamine*”



# Cleanup Statute

## (§25-18.5-103, C.R.S.)

- Owners of meth contaminated property must:
  - decontaminate to meet cleanup standards, or
  - demolish the contaminated property
  - contaminated personal property must be decontaminated or disposed of
- Owners are required to restrict access to property





# Cleanup Statute

## (§25-18.5-105, C.R.S.)

- Governing bodies may:
  - establish cleanup oversight programs
  - declare contaminated properties to be public health nuisances
- Governing Bodies are not required to enforce statute or conduct oversight



# Property Access

## (§25-18.5-104, C.R.S)

- (1) If a structure or vehicle has been determined to be contaminated or if a governing body or law enforcement agency issues a notice of probable contamination, the owner of the structure or vehicle shall not permit any person to have access to the structure or vehicle unless:
  - (a) The person is trained or certified to handle contaminated property under board rules or federal law; or
  - (b) The owner has received certificates of compliance under section 25-18.5-102 (1)(e).





# Possible Revision to Statute

## (§25-18.5-104, C.R.S)

- (c) The contamination of a structure is the result of use and not manufacturing, processing, cooking, disposal or storage; the structure is being used as a residence when it is determined to be contaminated; and the governing body or, if none has been designated, the county, district, or municipal public health agency, building department, or law enforcement agency with jurisdiction over the property determines that it would be in the best interest of the public and the occupant(s), from a public health and safety standpoint, for the occupants to remain in the structure. The following actions should still be implemented:
- (i) Post the structure as methamphetamine affected
  - (ii) Limit access to prevent exposure to and the spread of contamination
  - (iii) Pursue cleanup and remediation
  - (iv) Identify alternate housing options
  - (v) Assist occupants with identifying drug treatment programs when appropriate

