Curriculum Outline

I. INTRODUCTION

- **A. Why training is needed?**
- **B. Photographs of Meth Labs**

II. KSP POLICY & CLAN LAB SOP

- **A. Operation plan**
- **B. CHFS**
- **C. JC-3**
- **D. DECON**

III. ELEMENTS OF THE CRIME – STATE & FEDERAL STATISTICS

- **A. Medical**
- **B. Psychological**
- **C. Physical**
- **D. Emotional**

IV. INVESTIGATION

- **A. Evidence Collection Kits**
- **B. Hazardous Waste Removal**
- **C. Other Agencies**
- **D. Prosecution**

V. CONCLUSION

I. INTRODUCTION

II. KSP POLICY & CLAN LAB SOP

Guidelines and Procedures for the Seizure of Clandestine Drug Laboratories

Purpose

Established herein are guidelines and procedures for the seizure of clandestine drug laboratories by personnel of the Kentucky State Police. The seizure of clandestine drug laboratories is to be completed using investigative techniques, on-scene security, Clandestine Laboratory Certified personnel, necessary personal protective equipment (PPE), and monitoring equipment to reasonably ensure the safety of personnel and citizens. The goal of the Kentucky State Police in establishing these procedures is to ensure the safe investigation and seizure of probable clandestine drug laboratories.

Application

The following procedures shall apply to the seizure of clandestine drug laboratories either with or without a search warrant. Additionally, all rules, regulations (to include OSHA and EPA), policies, and procedures currently established by the Kentucky State Police Policy and Procedure Manual and the Kentucky Revised Statutes shall apply to all seizures. Clandestine drug laboratory investigations and seizures shall be accomplished through the use of generally accepted investigative techniques, intelligence evaluation, surveillance, proper selection and use of personal protective equipment and monitoring equipment.

Pre-Seizure Information

A. Planning

1. During the pre-seizure planning, every effort shall be made to obtain as much information as reasonably possible concerning the type of clandestine drug laboratory, chemicals used, and processing stage of the laboratory at the time of seizure. Further, these shall be in consultation with one or more of the following members for advice and assistance:

    a. East or West Drug Enforcement Branch Commander
    b. Hazardous Devices Officers
    c. Hazardous Materials Coordinator
    d. Operations Post Commander
    e. Special Operations Commander
    f. Special Response Team Leader
    g. Forensic Laboratory Chemist
    h. Case Investigator(s)
    i. AFIS Commander
    j. Clandestine Laboratory Certified Officers

2. One or more of the following shall be requested for standby/response as reasonably necessary:

   a. Fire Department
   b. HAZMAT Response Team
   c. Emergency Medical Evacuation Units
   d. Other Law Enforcement Agencies
   e. Hazardous Waste Disposal Company
   f. Cabinet for Health & Family Services
   g. Hospitals

3. All personnel within the Kentucky State Police shall undertake a cooperative effort to safely seize clandestine drug laboratories.

B. <u>Field Seizure Activity</u>

1. Field seizure activity and responsibility will be divided into the following phases:

a. Pre-seizure Information	-	Case Investigator (s)
b. Pre-entry Planning	-	All Participating Personnel
c. Security	-	Sworn Officers
d. Initial Entry and Assessment	-	Clandestine Laboratory Certified Officers Site Safety Officer

NOTE: If armed and dangerous suspects are expected to be encountered, the Special Response Team may be utilized as determined by the Kentucky State Police Policy and Procedure Manual; OM-D-1.

e. Processing	-	Clandestine Laboratory Certified Officers Case Investigator(s) Site Safety Officer
f. Hazardous Material Removal	-	Clandestine Laboratory Certified Officers Hazardous Material Cleanup Co Hazardous Materials Coordinator Site Safety Officer
g. Site Documentation	-	Clandestine Laboratory Certified Officers Case Investigator(s) Hazardous Materials Coordinator Site Safety Officer

2. Cooperation and coordination are essential to the execution of the seizure of a clandestine laboratory.

Personnel Duties

A. Incident Commander

1. On-site supervisor or Site Safety Officer (if a supervisor is not present) at a clandestine laboratory drug site.

2. Officer-in-charge of planning, entry and security, assessment, processing, disposal and documentation, and notification phases of a clandestine laboratory seizure.

3. Ensuring that the proper documentation of personnel and activity is in proper written form for future review of the operation.

B. Case Investigator(s)

1. Peace officer in charge of the criminal investigation.

2. The case investigator may contact the Drug Enforcement Agency (DEA), and other federal agencies as appropriate, for assistance and cooperation in all investigations of suspected clandestine laboratory activity.

3. During the pre-seizure stages of the investigation, case investigator(s) shall make reasonable efforts to compile as much intelligence information as possible. This information should include but is not limited to the following:

   a. Number of suspects involved in the operation.

   b. Identity of the suspects, including nicknames and aliases.

   c. Criminal and personal history of all known suspects.

   d. Determination of whether there is reasonable suspicion to believe if the suspects are or are not armed, and if they are reasonably expected offer resistance.

   e. Floor plans or layout of the location.

   f. Determine the reasonable probability of the existence of booby-traps.

   g. Information regarding chemicals present, chemicals ordered, type of laboratory and product being produced and the current conditions under which the laboratory manufacturing process is currently functioning.

C. Special Response Team (SRT)

1. Pursuant to their duties, when there is a reasonable probability of encountering armed and dangerous suspects, the SRT may be responsible (as set out in OM-D-1) for the initial entry and extraction of occupants of a Clandestine Laboratory site.

2. When operating at a clandestine laboratory scene, the SRT will secure the scene to reasonably protect department personnel and citizens in the area.

D. Hazardous Devices Officers

1. The Hazardous Devices Officer shall disarm any hazardous devices or booby traps found in or around the clandestine laboratory.

2. Shall be trained and certified as a Clandestine Laboratory Certified Officer.

3. Perform duties as reasonably necessary during the assessment, initial entry, processing and disposal of the hazardous material from the clandestine laboratory.

4. Act as an advisor to the Incident Commander on issues related to the safe handling and processing of the clandestine laboratory.

E. Clandestine Laboratory Certified Officer

1. A member of the Kentucky State Police certified to operate in a clandestine laboratory environment by the DEA or other authorized entity.

2. Perform duties as reasonably necessary during the assessment, initial entry, processing and disposal of the hazardous material from the clandestine laboratory.

3. Act as an advisor to the Incident Commander on issues related to the safe handling and processing of the clandestine laboratory.

4. Designate a waste/evidence staging area for the hazardous materials removed from the clandestine laboratory.

5. Shall have completed the minimum hazardous materials training (29CFR1910.120): 40 hours of Occupational Health and Safety Administration training, 8 hours of RCRA training, 4 hours of Department of Transportation Training, and 4 hours of CERCLA release reporting training.

F. Hazardous Material Coordinator

1. Trained and certified as a Clandestine Laboratory Certified Officer.

2. When reasonably necessary, coordinate the disposal of hazardous materials/waste removed from the clandestine laboratory pursuant to applicable federal and state laws and regulations.

3. Designate a waste/evidence staging area for the hazardous materials removed from the clandestine laboratory.

4. When reasonably necessary act as a stand-by for the support and rescue of any team member working in the clandestine laboratory.

G. Site Safety Officer

1. Certified as a Site Safety Officer.

2. Responsible for taking reasonable efforts to ensure a reasonably safe work environment at the clandestine laboratory.

3. Develop a site safety plan, post the developed plan, and brief **all** personnel who will be working in or around the clandestine laboratory.

4. Maintain a log of all personnel working at the clandestine laboratory.

5. Exercise due diligence to ensure all personnel operating at the clandestine laboratory adhere to all safety guidelines and wear necessary personal protective equipment.

6. Coordinate for all necessary safety equipment needed at the clandestine laboratory.

7. Use the Hazard Assessment and Recognition Plan (H.A.R.P.) (Appendix A). The Kentucky State Police shall utilize the H.A.R.P. as the site safety plan.

8. Complete and sign Confined Entry Space Permit when necessary (Appendix B)

9. Exercise due diligence to ensure that all self-contained breathing apparatus (SCBA) and air purifying respirator (APR) equipment on site are in compliance with the KSP Respiratory Protection Program.

H. <u>Laboratory Personnel</u>

1. When reasonably necessary, respond to the clandestine laboratory site to assess, identify and assist in the processing of the clandestine laboratory.

2. Act as an advisor to the Incident Commander on matters related to any chemicals or chemical hazards associated with the clandestine laboratory.

3. A list of laboratory personnel available to advise, assist, and respond to the clandestine laboratory scene shall be made available to all Clandestine Laboratory Certified Officers.

<u>Briefing</u>

A. A Pre-seizure Briefing Session shall be conducted before any seizure of a clandestine laboratory. The briefing will include the following:

1. **All** law enforcement personnel involved in the seizure shall be informed of the intelligence reports pertinent to the location, subjects, and chemicals involved at the clandestine laboratory.

2. **All** personnel involved shall be informed of the necessary safety precautions, state statutes, or federal laws, rules and/or regulations involved in the seizure of clandestine laboratories. Each person shall adhere to all state statutes, federal laws, and local ordinances involving hazardous materials.

3. **All** support personnel (other law enforcement personnel, emergency medical personnel, fire department personnel, and disposal personnel) shall be briefed on operational safety at the clandestine laboratory site. The H.A.R.P. form shall be posted and all personnel shall be made aware of its location.

B. A Raid Briefing Session for designated personnel with specific duties or purposes (entry team, SRT, etc.) shall be held in addition to the pre-seizure briefing.

Initial Entry and Assessment

A. The following precautions shall be taken by personnel working in or near a clandestine laboratory scene:

1. Avoid synthetic clothing other than Nomex, under the exposure suit.

2. Avoid wearing contact lenses.

3. Avoid overexertion in warm weather.

4. Never use the senses of touch or smell to determine the identity of the substance.

5. Once a site has been determined to contain a clandestine laboratory, personnel other than Clandestine Laboratory Certified Officers shall not enter into the laboratory site until it is declared safe to enter by the Site Safety Officer.
(EXCEPTION: SRT members may enter for the arrest and removal of suspects)

B. Determine if any health or safety hazards exist and to what extent evacuation of the surrounding area is reasonably required.

C. All personnel shall be alert to the following potential hazards:

1. **Do not drink any water** from the clandestine laboratory site. Contamination of the water supply is possible due to chemical residue falling on water faucets, drinking glasses and other fixtures associated with the plumbing of the site.

2. Do not use any towels or other cloth objects found at the clandestine laboratory site.

3. Do not eat, drink or use the bathroom at the clandestine laboratory site.

4. Do not smoke at the clandestine laboratory site.

5. Avoid the use of flame or spark producing devices.

6. Within the perimeter established during the assessment stage, vehicle ignition systems and radio transmissions shall be avoided.

7. Turn off all cell phones within the established perimeter.

8. Avoid turning light switches and other electrical devices on or off until such time a determination has been made that it is safe to do so.

D. If armed and dangerous suspects are reasonably expected to be encountered, the Special Response Team may be used to make initial entry to effect the arrest and removal of the suspects. SRT utilization will comply with OM-D-1.

E. Initial entry shall be made using appropriate personal protective equipment.

F. Initial entry shall be made by a minimum of two Clandestine Laboratory Certified Officers. If booby traps or other hazardous devices are reasonably expected to be encountered, initial entry should be made by a minimum of two Hazardous Devices Officers. Additional Clandestine Laboratory Certified Officers may be required at the scene as determined by the Site Safety Officer in accordance with OSHA regulations. There shall be the same number of rescue personnel staged equal to the number of personnel conducting the entry and processing.

G. If a suspected booby trap or hazardous device is located, a Hazardous Devices Officer shall handle it.

H. The initial entry team shall determine if toxic or flammable gases/vapors are present, oxygen levels, and explosion potential by using appropriate instrumentation.

I. The initial entry team shall ventilate the laboratory as reasonably necessary.

J. The initial entry team shall determine the quantity and type of hazardous materials located in the clandestine laboratory.

K. The initial entry team shall not move anything located within the clandestine laboratory until a plan of action has been developed for processing the laboratory and all personnel have been briefed.

L. If there are questions while developing a plan of action for processing the clandestine laboratory, initial entry team members may consult with any of the personnel listed in III.A.1 of this document.

Processing

A. Processing of the clandestine laboratory shall only be conducted by clandestine laboratory certified officers.

B. Photographs and/or video should be taken of the clandestine laboratory prior to dismantling or moving any object in the laboratory. Photographs should be taken of all laboratory equipment, finished product and all hazardous/non-hazardous materials found. Only electronic battery flash is permissible. Do not use flashbulbs due to potential for fire and/or explosion.

C. All non-hazardous evidence shall be collected and documented in accordance with normal procedures:

    1. Consideration should be given to the examination of all items at the scene in order to possibly identify individuals who might have handled the clandestine laboratory equipment, containers, finished product, or product in liquid form.

2. Items requiring latent print examination should be removed to a well ventilated, safe area.

D. Samples shall be placed in suitable containers to reduce exposure to hazardous chemicals. Photographs of all samples should be taken with the original containers.

E. All sampling shall be conducted under environmental conditions conducive to safety and with adequate personal protection against toxic exposure.

F. All hazardous evidence may be collected, sampled, and packaged for removal from the clandestine laboratory site for storage and/or disposal.

G. Pressurized containers containing anhydrous ammonia may be vented into open tanks of water, or if no persons or homes are within the hazardous downwind area, up to 100 lbs. of ammonia may be vented into the open air. The Site Safety Officer shall determine if the container may be vented into the open air after considering atmospheric ambiance and residential proximity.

H. Pressurized containers containing other hazardous material may be packaged without venting for later disposal.

Protective Clothing

A. Initial entry and assessment

1. A level of personal protective equipment that will reasonably protect the officers entering into the clandestine laboratory from exposures shall be worn as dictated by the reasonable probability of the hazards that may be encountered.

2. The level of protection may be downgraded as the hazards are reduced.

B. Processing

1. Same as initial entry and assessment team members.

Hazardous Material Disposal

A. All chemicals and chemical containers associated with the clandestine laboratory site and is regulated in the method of disposal shall be packaged and transported to a hazardous container site by Clandestine Laboratory Certified Officers or a licensed hazardous waste contractor in accordance with all applicable federal, state and local regulations.

B. When the Kentucky State Police responses to a clandestine laboratory, the agency becomes a hazardous waste generator. The agency is designated as a Conditionally Exempt Small Quantity Generator (CESQG). A CESQG is restricted in the amount of hazardous waste generated. As a CESQG the agency would not be permitted to conduct any removal action activities at clandestine laboratories containing more than 100 kilograms (220.46 lbs.) of hazardous waste or any quantity of acutely hazardous waste. Under these circumstances the DEA shall be contacted and arrangements made for a waste disposal contractor to conduct the cleanup.

C. All hazardous materials and disposable equipment including clothing, respirator cartridges, and wastewater shall be removed from the site.

D. A licensed hazardous waste contractor, under contract with the DEA or the Commonwealth of Kentucky, may be used for the removal and disposal of all hazardous material located at the clandestine laboratory site.

Cleanup of Personnel and Clothing

A. The following procedures are recommended:

1. Contaminated clothing be immediately removed and placed in closed containers for storage until they can be disposed of or until provisions are made for removal of the contamination.

2. If the clothing is to be laundered or otherwise cleaned, the person performing this function be informed of the type of contamination and its hazardous properties.

3. All contaminated throwaway suits are disposed of pursuant to Environmental Protection Agency (E.P.A.) guidelines. Non-impervious clothing that becomes contaminated be removed and not be worn again until the clothing has been decontaminated.

B. If the officer's body has been exposed to contamination, immediate decontamination shall occur by using soap and water or other decontamination as reasonably necessary.

1. Facilities for quick washing of the officers shall be provided within the immediate work area.

2. Where there is a reasonable probability that an officer's eyes may be exposed to contamination, an eyewash shall be provided within the immediate work area.

3. Skin that becomes contaminated should be immediately washed or showered, except when contaminated with those chemicals that are reactive when mixed with water.

4. Officers who handle liquid chemicals should wash their hands outside the structure with soap and water using their own supplies. Do not use soap, towels, or other detergents within the contaminated environment.

5. Wash hands thoroughly before eating, smoking, or using toilet facilities.

Children at Clandestine Laboratory Protocol

A. Preparation of raid plans and/or search warrants for clandestine laboratories should include notification of CFHS personnel when a child is suspected to be present at the scene.

B. Notify CFHS immediately when a child is located in a residence or find evidence of a child where a clandestine laboratory is discovered. The Case Officer investigating the laboratory is responsible for contacting CFHS.

C. If you find evidence that a child has been present (or is present) at the scene of a clandestine laboratory or in the presence of chemicals related to the manufacture of methamphetamine, a JC3 is to be completed and forwarded to the CFHS. Completion of the JC3 is the responsibility of the officer conducting the child endangerment investigation.

D. If immediate care is needed, contact Emergency Medical Services. Inform them of the possibility of a contaminated victim

E. Notify Hospital prior to transporting a child to their facility. Inform them of the possibility of a contaminated victim.

F. When there is no obvious need for immediate medical assistance, assessment should be made for the need of decontamination. The Clandestine Laboratory Site Safety Officer is responsible for this assessment.

G. Decontamination of children will be consistent with current OSHA protocol and recommendations. Consideration shall be given for the child's mental and physical wellbeing. If a proper decontamination is not possible at the scene, the child should be transported to a suitable location for decontamination.

H. If at all possible, a CFHS worker should be present when a child is decontaminated.

I. The officer conducting the child endangerment investigation is responsible for insuring that all provisions of KRS 620.040 (Duties of Prosecutor, Police and Cabinet) are in compliance.

J. Post shall assign an officer to conduct an investigation into any violations pertaining to child endangerment allegations. Certified Clandestine Laboratory Officers (DE/SI or Post personnel) dismantling the laboratory will coordinate their investigation of the lab scene with the Post personnel conducting the endangerment investigation.

Prisoner Handling

A. The following personal protective safety equipment may be provided to a suspect in the event the clothing is deemed to have been contaminated.

   1. Paper coverall suits

   2. Paper boots.

Notification of Toxic Hazards

A. A sign may be posted at the clandestine laboratory scene stating that this site may be contaminated with toxic materials.

B. Written notification of potential contamination of property by toxic materials may be sent to the property owner.

Medical Surveillance

A. Pursuant to OSHA recommendations for medical evaluations, the following health services shall be provided on an annual basis for Kentucky State Police personnel assigned as a Clandestine Laboratory Certified Officer:

   1. Review of patient's medical history and routine physical.

   2. Chemical testing of blood and urine to establish clinical parameters that can be monitored through time for abnormal variation.

   3. Determination of respiratory fitness.

Kentucky State Police Respiratory Protection Program

Introduction

The purpose of the Kentucky State Police Protection Program is to comply with 29 CFR 1910.134, the OSHA Respiratory Protection Standards, and to ensure that all Employees who may be required to wear any type of respirator, as part of their job assignment, completely understand their proper use and selection.

Respirators will be used to control occupational diseases caused by breathing air contaminated with harmful dust, fogs, fumes, mists, gases, smoke, sprays, or vapors. Because the use of a respirator could be a life or death matter, it is important that members of the Kentucky State Police follow these guidelines. The Commissioner or his designee must approve any changes or modifications in this program.

The Commissioner or his designee will be responsible for administration and supervision of the respiratory protection program.

Responsibility

A. The respirator program administrator is responsible for:
   1. Respirator selection
   2. Training and instruction
   3. Fit testing users to tight-fitting respirators
   4. Medical evaluation
   5. Respirator Availability and use
   6. Monitoring respirator maintenance and inspection
   7. Program evaluation

B. The worker is responsible for:
   1. Using the respirator provided according to instruction and training
   2. Completing the medical evaluation questionnaire or undergoing a medical examination, or both
   3. Performing seal checks each time the respirator is put on using procedures in Appendix B-1 of the OSHA respiratory protection standard
   4. Undergoing fit test
   5. Cleaning, disinfecting, inspecting, and storing his/her respirator
   6. Making most of the annual training provided

Respirator Selection

A. Selection is based upon physical and chemical properties of air contaminants and concentration levels likely to be encountered with knowledge that every situation is different.
B. Respirators are divided into two major classifications.
    1. Air purifying respirators (APR's) remove contaminants by passing breathing air through a purifying element (cartridge)
    2. Air supplying respirators provide breathable air from a source of air which is independent from the ambient atmosphere. There are three classes of atmosphere supplying respirators.
        a) Supplied-air respirator
        b) Self-contained breathing apparatus (SCBA)
        c) Combinations-SCBA and supplied air respirator

        Since APR's only clean the air, ambient concentration of oxygen must be above 19.5 percent for the use.
    3. Respirators will be made available to each new hire or transferee to a job where respiratory protection is required
    4. Respirators shall be selected in compliance with all relevant regulatory requirements (29CFR 1910.134 and 29CFR 1926.1101)

C. Medical Evaluation

    Prior to the issuance of a respirator all employees shall complete a medical questionnaire. (See 29 CFR 1910.134 Appendix C) (See attached)

D. Maintenance and Care of Respirators

    Users maintain their respirators to retain their original effectiveness by periodic inspection, repair, cleaning, and proper storage.

E. Inspection

    Users inspect their respirators before each use and during cleaning to check the condition of the face piece, head strap, connecting tube, and canisters, and the elasticity parts for liability and signs of deterioration.

F. Repair

    Users see that respirators, which do not pass inspection, are replaced or repaired immediately. Users can change canisters and head straps using parts designed for the respirator. All other replacement or repairs are handled by person trained to repair respirators or the respirator is replaced by the agency

G. Cleaning

    Users clean and disinfect their respirators as frequently as necessary to make sure they are sanitary. The procedures in Appendix B-3 of 29CFR 1910.134 must be followed when cleaning and disinfecting respirators

H. Employees are responsible to check their respirators for fit prior to each use by performing negative and positive seal checks as described in 29CFR 1910.134. If these checks are not successful the respirator shall not be used.

I. Storage

Users store respirators after inspection, cleaning, and necessary repairs, and respirators so they are protected against damage, contamination, dust, sunlight, extreme temperatures, excessive moisture, and damaging chemicals.

Users place or store them to prevent deformation of the face piece and exhalation valve.

J. SCBA's shall be inspected monthly by a person designated by the program administrator. Air cylinders will be fully charged according to the manufacture's instructions. Employees will be taught to determine when the regulator and warning devices are functioning properly.

Training

Training required when OSHA requires respirators to be used. The respirator program administrator or his designee provides training for workers required by OSHA to wear a respirator and for their supervisors. The training includes:

1. Why respirators are needed
2. How improper fit, usage, or maintenance can compromise the protection provided
3. Capabilities and limitations
4. How to use during emergencies and what to do if the respirator malfunctions.
5. How to inspect, put on and remove, use and check the seals.
6. Maintenance and storage
7. How to recognize medical signs and symptoms that affect use.

General requirements of 29CFR 1910.134

Training must be provided initially and as often as needed thereafter to make sure that employees required to wear respirators remain familiar with the proper use of respiratory protection.

Records. The respirator program administrator or his designee maintains the following records:

A. An up-to-date copy of the written respirator program as long as respirators are used.
B. Fit test reports until the next fit test.
C. Medical evaluation records for the duration of employment plus 30 years
D. Employee exposure records for 30 years

Program Evaluation
The Kentucky State Police Respirator Program will be monitored and evaluated periodically by the following:
A. Review of training rosters
B. Review of medical evaluation records
C. Review of fit testing rosters

D. Observation of compliance with care, use and storage of respirators.

At least once annually all employees certified to wear respirators will be fit test and have their equipment inspected by a supervisor trained to do so.

GLOSSARY

Initial Entry and Assessment – The lawful entry of a building or locality for the gathering of information to identify the on-site chemicals and hazards and to determine immediate safety and health risks for all personnel.

Case Investigator – A peace officer in charge of a criminal investigation.

Clandestine Laboratory – An illicit operation consisting of a reasonably sufficient combination of apparatus and chemicals that either have been or are being used in the manufacture/synthesis of a controlled substance.

Cleanup – As defined in these guidelines, the process (es) of removing materials contaminated with hazardous substances, or decontaminating their surfaces.

Clandestine Laboratory Certified Officer – A member of the Kentucky State Police or other agency who is certified to work in or around a clandestine laboratory by the DEA or other recognized agency.

Combustible – A term used by the National Fire Protection Association (NFPA), Department of Transportation (DOT), and Occupational Safety and Health Administration (OSHA) to denote substances that will burn, usually with a flashpoint greater than 100 degrees F.

Corrosive – Under RCRA regulation (40 CFR 261.22), a substance is corrosive if it corrodes metal, (e.g., steel), under certain conditions, or if it exhibits strong acidic or alkaline pH that would enable it to harm human tissue or aquatic life.

Decontamination – The process of reducing the level of contamination to a safe, negligible level by washing or by chemical treatment.

Disposal Contractor – An individual or company appropriately certified to dispose of hazardous wastes in approved facilities.

Evidentiary Samples – Samples of drugs and other items collected at a clandestine laboratory site to be used as evidence against the perpetrator (s). Samples are taken prior to bulk disposal of the chemicals and other materials.

Explosive – A material producing a sudden, almost instantaneous release of pressure, gas, and heat when subjected to abrupt shock, pressure or high temperature.

Flammable – Describes any solid, liquid, vapor or gas that will ignite easily and burn. Flammable liquids are defined by DOT and NFPA as those having a flashpoint of less than 100 degrees F.

Flashpoint – The lowest temperature at which a substance emits flammable vapor to form an ignitable mixture with air near its surface or within a vessel.

Incident Commander – The on-site investigative supervisor at a clandestine laboratory drug site.

Irritant – A chemical substance which produces reversible redness, swelling or soreness when in contact with the skin or mucous membranes.

Level A Protection – The level of protective equipment in situations where the material is considered acutely vapor toxic to the skin and hazards are unknown.

Level B Protection – The level of protective equipment in situations where the environment is not considered acutely vapor toxic to the skin but may cause respiratory effects.

Level C Protection – The level of protective equipment required to prevent respiratory exposure but not to exclude possible skin contact.

Level D Protection – The level of protective equipment required when the atmosphere contains no known hazard, and when splashes, immersion, inhalation, or contact with hazardous levels of any chemical are precluded.

Personal Protective Equipment – Various types of clothing, (e.g., suits, gloves, hats, and boots), or apparatus, (e.g., face masks, respirators, radios, etc.), designed to prevent inhalation, skin contact or ingestion of hazardous chemicals. Various "levels" of protection have been developed to protect individuals who may be exposed to different degrees of adverse health risks.

Planning – The preliminary stage of clandestine drug laboratory seizure which includes, but not limited to, surveillance and assessments of the potential hazards present in order to develop the safest strategy for entry of the clandestine laboratory.

Precursor – A chemical substance required for the synthesis of an illicit drug and which is ultimately incorporated into the drug structure. Some precursors are hazardous in their own right, and are regulated through federal and state substance abuse laws.

Processing Phase – That period of time when on-site collection and seizure of physical evidence is initiated by the Clandestine Laboratory Certified Officers. This phase also includes clean up of materials and chemicals for disposal.

Reactive – Under RCRA (40 CFR 261.23), reactive substances are generally those that are normally unstable and have a tendency to react violently with water or explode during handling. Explosives, as defined under 49 CFR 173.51, 173.53, or 173.88 are also included in this definition.

Reagent – A chemical required for the synthesis of an illicit drug substance but which is not incorporated into the final chemical product.

Residual Contamination – Small amounts of chemical contamination that remain inside the laboratory or on the grounds surrounding the site that may be reasonably expected to pose a public health or environmental risk.

Site Safety Officer – An officer who has been duly trained to oversee safety during clandestine laboratory operations. This officer is also duly trained as a Clandestine Laboratory Certified Officer.

Solvent – An organic liquid used in various chemical reactions or extraction procedures to dissolve precursors, reagents or drug substances, but is not incorporated into the final product.

Toxicity – The quality or degree of being poisonous or harmful to plant, animal, or human life as the result of exposure (ingestion, inhalation, or skin contact) to a hazardous chemical, mixture, or illicit drug.

III. ELEMENTS OF THE CRIME – STATE & FEDERAL STATISTICS

A. Medical
B. Psychological
C. Physical
D. Emotional

IV. INVESTIGATION

A. Evidence Collection Kits
B. Hazardous Waste Removal

One of the major concerns associated with the clandestine methamphetamine laboratories is the hazardous waste that is produced through the production process. Hazardous Waste found in these labs creates a serious health and environmental issue for Kentucky, not to mention the excessive expense.

In an effort to reduce waste removal costs, the Kentucky State Police (KSP) established a pilot clandestine lab container program in 2000. The program is known as the Authorized Central Storage (ACS) Site Program. "ACS" means a central storage site, owned, operated and maintained by a state or local agency in accordance with all applicable federal, state and local regulations. That ACS site must be approved by DEA for the secure storage of hazardous waste seized by that state or local agency and transported from a clandestine drug laboratory site under the direction of that agency in accordance with all applicable regulations and guidelines.

The ACS Program allows trained Kentucky law enforcement officers to safely package and transport hazardous waste from the clandestine laboratory sites to a centralized secure container that meets all hazardous waste storage requirements. The waste is subsequently kept in the container until it can be removed by a DEA contractor. The container program has streamlined the laboratory cleanup process, by enabling law enforcement officials to manage small quantities of seized chemicals more quickly and efficiently. This container program has resulted in the reduction of operational costs, the length of time officers must remain at the lab sites, and the resulting overtime costs to law enforcement agencies. The current average cost of cleanup in this project is approximately $400 (Note: this average cost is through the end of the third quarter of FY 2005. This does not take into consideration the cost of state/local personnel, training, equipment and start-up, operational and maintenance costs associated with the temporary storage areas). In 2003, the average expense for removal and storage of hazardous waste found in clandestine labs was $7,500. In 2004, the state of Kentucky reported 604 seizures of Clandestine Meth labs. The Kentucky State Police (KSP) responded to 316 of those seizures. Without the ACS Program, KSP would have spent 2.3 million in lab clean up costs. This program reduced that cost to $142,000 which is a cost savings of over 2 million dollars.

KSP officers characterize, segregate, package, and transport hazardous waste from clandestine drug laboratory sites to various state-authorized collection stations. These

stations are located throughout the entire state. Fifteen State Police posts are equipped with a Haz-Mat Container for temporary storage (see diagram).

In order to begin this program, KSP agreed to allow only trained and equipped certified technicians to handle the hazardous waste. Certified Technicians are required to complete forty (40) hours of Occupational Health and Safety Administration (OSHA) training, eight (8) hours of RCRA[1] training; four (4) hours of DOT[2] training; and four (4) hours total of training in release reporting under CERCLA[3] and training on the DEA hazardous waste contract.

Initially, KSP accomplished this training through qualified vendors. Now, KSP technicians train other law enforcement first responders with the "Train the Trainer" program. Currently, KSP has seventy-five (75) certified responders and is responsible for training 125 first responders for thirty-one (31) agencies and fourteen (14) KSP posts.

Not only has this program streamlined the clan lab clean up processes and substantially reduced costs, it has provided an excellent opportunity to network and share information with other agencies and first responders. This exchange of information does not stop upon the completion of the training course. KSP technicians continue to provide assistance and expertise to these agencies in order to ensure that they stay abreast of changes within this dynamic criminal environment.

C. Other Agencies

D. Prosecution

1. SB 63
2. 40 CFR 261.5
3. 31 USC§9703

V. CONCLUSION

[1] RCRA is the acronym for Resource Conservation and Recovery Act

[2] DOT is the acronym for Department of Transportation.

[3] CERCLA is the acronym for Comprehensive Environmental Response, Compensation, and Liability Act.