STATE OF NEW MEXICO
GOVERNOR BILL RICHARDSON

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Governor Richardson's Tough New Regulations for Clandestine Drug Laboratory Cleanup and Public Notice of Health Risks Approved By Environmental Improvement Board

(Santa Fe, NM) – The Environmental Improvement Board today unanimously approved tough new state regulations governing the cleanup and public notice of former clandestine drug laboratories in New Mexico. Governor Bill Richardson proposed the rules to protect children and families.

Those regulations, which will go into effect Jan. 1, include requirements for removal of residual contamination by a qualified remediation firm, that public notice be posted on contaminated properties, that a list of contaminated properties be posted on the Internet, and that owners will be prevented from leasing, renting, loaning, or otherwise allowing others to use the property until remediation has been completed.

"We fought for these rules to protect children, the elderly and families from harmful contaminants present in homes and other properties formerly used as meth labs or in the manufacturing of other illegal drugs," Governor Richardson said. "The rules will protect New Mexico residents who could have otherwise been harmed by exposure to toxic chemicals."

The New Mexico Environment Department's Hazardous Waste Bureau drafted the regulations, which were presented to the board Monday and today.

"Drug laboratory sites can be contaminated with dangerous chemicals including drug residues, volatile organic compounds, lead and mercury," New Mexico Environment Department Secretary Ron Curry said. "The Hazardous Waste Bureau worked hard to develop regulations that protect New Mexicans from harm. The bureau will work with those who might be affected by the rule, including property owners, realtors and banking institutions."

The Environment Department will continue to work with law enforcement agencies to ensure the state addresses the problem of clandestine laboratories from the time the sties are discovered.

The rule will require law enforcement agencies to post a contamination notice on the property. The Environment Department will post a list of clandestine drug laboratory properties on its Web site beginning Jan. 1.

Owners will be prevented from leasing, renting, loaning, or otherwise allowing others to use the property without first providing written notice that the property was a former clandestine drug laboratory. The rule also establishes requirements for removal of residual contamination by a qualified remediation firm. The notice of contamination be vacated and use restrictions lifted after the department approves the cleanup.

In addition to these rules, the Environment Department will provide supplemental guidance on its Web site that will help property owners in achieving the cleanup standards.

The new rules will work together with other anti-meth measures the Richardson Administration has taken to make life tougher for meth dealers. That includes laws limiting access to psuedoephedrine – a common ingredient in cold medicine, increasing the penalty for the sale of meth or possession of meth with the intent to sell to the same level applied to heroin and cocaine dealers, amending the Drug Precursor Act to give the state Board of Pharmacy the authority to regulate over the counter drugs and chemicals used to make meth, and making it easier to charge an offender with child abuse if a child is negligently or intentionally placed in an environment where there are the chemicals and equipment used to produce meth.

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