# A G E N D A

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<td>3. Decontamination of Illegal Drug Manufacturing or Storage Sites</td>
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<td>4. Sexually Transmitted Infections (STIs) in Whatcom County</td>
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BACKGROUND:
As per RCW 64.44, Contaminated Properties and WAC 246-205, Decontamination of Illegal Drug Manufacturing or Storage Sites, the Health Department manages cleanup activities at sites contaminated by meth production. Additionally, as per WCC 24.13, Decontamination of Illegal Drug Manufacturing or Storage Sites, the Health Department manages cleanup activities at sites contaminated by illicit meth use. Until recently, both activities were funded by grants; however, funding for the cleanup of sites contaminated by illicit meth use is no longer provided. This is occurring at a time when such sites are increasing in number, as property renters, purchasers and law enforcement officers become more aware of the issue. Offsetting this increase is a potential change in the established cleanup standard, currently under consideration at the Washington Department of Health. The current standard (0.1 ug/ 100 cm2) was originally set at the laboratory detection limit, since no risk assessment was available. Recent risk assessments suggest that a higher cleanup standard of 1.5 ug/ 100 cm2, would be more appropriate. In either case, with the discontinued funding and increase in illicit use sites, the current regulatory approach to this societal problem requires new review and consideration.

IMPORTANCE:
Methamphetamine contamination at properties from illicit use can present a health risk to occupants. Methamphetamine decontamination is costly and can be prohibitive, especially to property owners who rent units and are unaware of ongoing illicit drug use. In particular, public housing authorities and apartment complexes are at increased risk of extensive cleanup, because adjacent units can be contaminated at low levels through common air exchange. These cleanups are very expensive, remove public housing units from service, and can jeopardize continued provision of public housing through termination of insurance coverage.

ANALYSIS:
Whatcom is one of two counties in Washington State that have local ordinances using a regulatory approach to cleaning up sites contaminated from illicit use, which far outnumber production sites. The Health Department investigated 9 new illicit use sites in the first quarter of 2014, at a cost of approximately $11,000. In 2013, a total of 17 sites were investigated. As more illicit use sites are encountered due to increased public awareness and law enforcement activities, program funding issues become more important. A technical assistance approach for illicit use sites rather than a regulatory approach, or adoption of a risk based cleanup standard, may be more appropriate and effective.

REQUESTED ACTION:
Provide direction to the Health Department and Public Health Advisory Board to draft recommendations to amend chapter 24.13 WCC, Decontamination of Illegal Drug Manufacturing or Storage Sites that 1) use a technical assistance approach to illicit meth use site cleanup or 2) change the illicit use cleanup standard to the new risk based target of 1.5 ug/ 100 cm2.

Attachments
1. Chapter 24.13 WCC, Decontamination of Illegal Drug Manufacturing or Storage Sites.

Our mission is to lead the community in promoting health and preventing disease.
Chapter 24.13
DECONTAMINATION OF ILLEGAL DRUG MANUFACTURING OR STORAGE SITES

Sections:
24.13.010 Authority.
24.13.020 Purpose.
24.13.030 Adoption by reference.
24.13.040 Applicability.
24.13.050 Definitions.
24.13.060 Determination of contamination.
24.13.070 Decontamination.
24.13.080 Violations.
24.13.090 Appeals.
24.13.100 Fees.
24.13.110 Severability.

24.13.010 Authority.
The statutory authority for the adoption of this chapter is provided in Chapter 64.44 RCW, Contaminated Properties, and Chapter 70.05 RCW, Local Health Departments, Boards, Officers – Regulations. Any subsequent amendment to these chapters shall be incorporated into this chapter without the need for further amendment. (Ord. 2005-055 Exh. A).

24.13.020 Purpose.
This chapter provides for the protection of the health, safety, and welfare of the public by reducing the potential for exposure to hazardous chemicals associated with illegal drug manufacturing or storage sites. (Ord. 2005-055 Exh. A).

24.13.030 Adoption by reference.
Chapter 246-205 WAC, Decontamination of Illegal Drug Manufacturing or Storage Sites, is hereby adopted by reference. If a conflict arises between Chapter 246-205 WAC and this chapter, the more restrictive regulation shall apply. Any subsequent amendment to Chapter 246-205 WAC shall be incorporated into this chapter without the need for further amendment. (Ord. 2005-055 Exh. A).

24.13.040 Applicability.
This chapter shall apply to any new or existing site defined as an illegal drug manufacturing or storage site as per WCC 24.13.050, as of the effective date of the ordinance codified in this chapter. (Ord. 2005-055 Exh. A).

24.13.050 Definitions.
The following definitions apply to this chapter:

A. “Abatement” means any actions taken or ordered by the director to remove or reduce unsanitary, unsafe or nuisance conditions regarding property associated with illegal drug manufacturing or storage.

B. “Approved” or “approval” means agreed to in writing by the director.
C. “Certified contractor” means a person who has been issued written approval by the Washington State Department of Health to decontaminate, demolish, or dispose of contaminated property as required by this chapter.

D. "Contaminated" or "contamination" means polluted by hazardous chemicals so that the property is unfit for human habitation or use due to immediate or long-term hazards, or exceeds the decontamination standards listed in WCC 24.13.070. Property that at one time was contaminated but has subsequently been satisfactorily decontaminated according to procedures established by this chapter is not contaminated.

E. "Decontamination" means the process of reducing levels of known contaminants to the lowest practical level using currently available methods and processes.

F. “Director” means the administrative director of the Whatcom County health department or the director’s authorized representative.

G. “Disposal of contaminated property” means the disposition of contaminated property under the provisions of Chapter 70.105 RCW.

H. “Hazardous chemicals” means the following substances used in the manufacture of illegal drugs:

   1. Hazardous substances as defined in RCW 70.105D.020; and

   2. Precursor substances as defined in RCW 69.43.010 which the State Board of Health, in consultation with the State Board of Pharmacy, has determined present an immediate or long-term health hazard to humans.

I. “Illegal drug manufacturing or storage site” means any property where a person illegally manufactures or illegally stores a controlled substance, or a law enforcement agency or the property owner believes a person illegally manufactured or stored a controlled substance. This chapter shall also apply to any property that exceeds the decontamination standards listed in WCC 24.13.070.

J. “Initial site assessment” means the first evaluation of a property to determine the nature and extent of observable damage and contamination.

K. “Person” means an individual, firm, association, copartnership, political subdivision, government agency, municipality, industry, public or private corporation, or other entity.

L. “Posting” means attaching a written or printed announcement conspicuously on property, which may be, or is determined to be, contaminated by illegal drug manufacturing or the storage of a hazardous chemical.

M. “Property” means any site, lot, parcel of land, structure, or part of a structure involved in the illegal manufacture of a drug or storage of a hazardous chemical including, but not limited to: single-family residences, units or multiplexes, condominiums, apartment buildings, motels and hotels, boats, motor vehicles, trailers, manufactured housing, any ship, booth, or garden; or any site, lot, parcel of land, structure, or part of a structure that may be contaminated by previous use.
N. "Property owner" means a person with a lawful right of possession of the property by reason of obtaining it by purchase, exchange, gift, lease, inheritance, or legal action.

O. "Violation" means an act or omission contrary to a health regulation or permit including an act or omission at the same or different location by the same person and including a condition resulting from such act or omission. (Ord. 2005-055 Exh. A).

24.13.060 Determination of contamination.
A. Within one working day of notification from a law enforcement agency of potential contamination, the director shall post a written warning on the property informing potential occupants that entry is unsafe, in accordance with WAC 246-205-520, Posting property.

B. Within 14 days of notification, the director shall inspect the property in accordance with WAC 246-205-530, Inspecting property.

C. The director shall make a determination of contamination when the inspection reveals the property is contaminated. The property will be considered contaminated if (1) law enforcement has declared the property an illegal drug manufacturing or storage site, (2) the inspection reveals evidence of illegal drug manufacturing, or (3) the property exceeds decontamination standards listed in WCC 24.13.070.

D. Any property determined to be contaminated as defined in this chapter is considered a health violation and is subject to orders and notices issued in accordance with Chapter 24.07 WCC, Administrative Notice Proceedings, Civil Penalties, and Abatement.

E. Within 10 days after the director determines that a property is contaminated, the director shall issue a notice of contamination in accordance with WCC 24.07.070(A).

1. When a notice of contamination is issued, the director shall:
   a. File a copy of the notice prohibiting use of the property with the county auditor;
   b. Provide a copy of the notice to the local building or code enforcement department; and
   c. Post the notice in a conspicuous place on the property within one working day of issuance of the notice. (Ord. 2005-055 Exh. A).

24.13.070 Decontamination.
A. As per Chapter 246-205 WAC, the decontamination standards are as follows:

1. Methamphetamine of less than or equal to 0.1 micrograms per 100 square centimeters;

2. Total lead of less than or equal to 20 micrograms per square foot;

3. Mercury of less than or equal to 50 nanograms per cubic meter in air; or
4. Volatile organic compounds (VOC) of one part per million total hydrocarbons and VOCs in air.

B. All sampling performed for an initial site assessment or following decontamination procedures shall be conducted by a certified contractor or the director using standardized sampling protocols and methodology.

C. The owner shall decontaminate the property in accordance with this chapter, or dispose of the property in accordance with state and local laws. The owner of the contaminated property shall submit a decontamination plan within 45 days and decontaminate or dispose of the property within 90 days of notification of contamination by the director, unless otherwise approved by the director.

   1. Any decontamination or disposal activities shall be performed through the services of a certified contractor unless otherwise authorized by the director.

   2. Prior to commencing any decontamination or disposal activities, a decontamination work plan must be approved by the director, unless otherwise authorized by the director. Any deviations from the work plan must be approved in advance by the director.

D. Any person submitting a work plan for approval by the director shall use the Washington State Department of Health Work Plan Template, as amended.

   1. Upon review and approval of a decontamination work plan, the director shall provide written approval of the work plan to the owner.

   2. After decontamination activities are completed, a final decontamination report shall be submitted for review by the director, which includes disposal receipts and post sampling results. (Ord. 2005-055 Exh. A).

24.13.080 Violations.
Violations of this chapter are subject to Chapter 24.07 WCC, Administrative Notice Proceedings, Civil Penalties, and Abatement. As per WCC 24.07.140, contaminated properties used as illegal drug manufacturing facilities or storage sites that are abated by the county shall be foreclosed. (Ord. 2005-055 Exh. A).

24.13.090 Appeals.

24.13.100 Fees.
A fee for review of decontamination work plans may be established in the unified fee schedule, and shall be payable at the time of plan submittal. (Ord. 2005-055 Exh. A).

24.13.110 Severability.
Should any section, subsection, paragraph, sentence, clause or phrase of this regulation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this regulation. (Ord. 2005-055 Exh. A).
BACKGROUND:

Sexually Transmitted Infections (STIs) have been in the news in the last six months due to evidence of increasingly resistant strains, especially Gonorrhea (GC). The Health Board requested more information about STIs in Whatcom County. The overall rate of reportable STIs (Chlamydia [CT], Gonorrhea [GC], and Syphilis) is steadily growing in Whatcom County and across Washington State. Staff will present general information about STIs and STI rates and trends in Whatcom County. (See Attachment 1-PowerPoint Presentation)

IMPORTANCE:

Currently, we are witnessing the emergence of STIs resistant to established treatments, resulting in more severe illness and higher treatment costs. Increases in antibiotics use, infertility rates, cost of healthcare, and complex case management make STIs an important Public Health issue. (Attachment 1)

ANALYSIS:

Since STI rates are increasing in Whatcom County, particularly among our young population, greater focus on prevention is needed in our community, especially in youth and young adults. Prevention is cost effective and savings can be estimated based upon CDC models. Additionally, we need to work with partners to ensure the availability of timely and affordable treatment and testing in our community.

REQUESTED ACTION:

Board of Health should support the Health Department in convening a taskforce including representatives from healthcare, schools and other partners to develop a 3 year STI Prevention Plan that includes specific actions to be taken in our community to address the increase in STI rates in Whatcom County.

Attachments

1. STI trends Whatcom County 2008 - 2013
Sexually Transmitted Infections (STI) Trends
Whatcom County 2008 - 2013

Health Board 4/15/2014
STIs Facts

• Sexually Transmitted Infections (STIs) are the 2nd most common communicable disease (the common cold is first)

• CDC estimates that approximately 19 million new infections occur each year, almost half of them among young people ages 15 to 24

• Syphilis, like many other STIs, facilitates the spread of HIV by increasing the likelihood of transmission of the virus

• Studies suggest that presence of gonorrhea infection makes an individual more likely to acquire HIV, if exposed

• Chlamydia is the number one reported infectious disease in the US

• Undiagnosed and untreated STI’s can lead to serious health consequences especially among young women, including infertility
WCHD STI Program Activities

- Reporting of positive STI cases to the state
- Conducting STI patient interviews (referred by providers)
- Providing partner therapy when HD assistance is requested by the provider
- Conducting additional interviews for patients exhibiting high-risk behavior
- Recent increase in requested assistance by local providers for partner therapy
Trends

• The overall average age being reported with an STI is between 18 and 24.
• This age distribution mirrors state and national age distribution.
• Young women (15-24) continue to have disproportionately higher Chlamydia (CT) rates than males.
Many STI’s go undiagnosed, it is reported that >70% of female and >50% of males infected with chlamydia are asymptomatic.
Trends

- Overall rates of reportable STIs (chlamydia [CT], gonorrhea [GC], and syphilis) are steadily increasing within our community.
- The largest increases occurring in GC with 60 cases (rate of 29.2/100,000 in 2013), a 30% increase since 2011.
- CT rates in Whatcom County are similar to the overall rates for Washington State.
Challenges

• Patients with no insurance (Whatcom County):
  – STD screening average cost is $20 to $250 in a clinic with appointment
  – ‘Walk-In’ clinic is approximately $150.

• Costs of treatment

• Limited number of walk-in clinics / appointments
  – Limited access to care
  – Potential additional undiagnosed and untreated cases of STI’s.
Why Prevention

- Primary prevention aims to prevent disease before it occurs.
- The probability of pelvic inflammatory disease (PID) in women would be reduced from 20% to 4% by treatment of chlamydia from 20% to 6% by treatment of gonorrhea.*
- Roughly 3 cases of HIV would be averted for each 10,000 people who received HIV counseling and testing.*
- Each case of STI treated prevents, on average, 0.5 cases of that STI in the population by interrupting transmission.*
- The direct medical cost per case of PID is $2,305.
- The lifetime indirect (lost productivity) cost per case of HIV is $899,496.

Proposed Actions

• Assess current STD prevention education programs within our community
• Create a coalition/workgroup with key stakeholders to:
  – Develop a comprehensive STD prevention education program targeting ‘At-Risk’ population
  – Improve access to screening and treatment
  – Improve partner therapy and access to care
  – Reduce the STI burden in Whatcom County