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Skagit County Auditor

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PETER BROWNING, DIRECTOR
HOWARD LEIBRAND, HEALTH OFFICER

700 SOUTH SECOND STREET #301, P.O. BOX 91071, MOUNT VERNON, WA 98273-1071, TEL. (360) 336-9380

FAX (360) 336-9401

Certified Mail Number – 7001 2510 0005 7183 3155

January 27, 2003

Ken and Janet Overa
3819 – 37th Drive
Anacortes, WA 98221

RE: Property located at 2408 – 37th Street, Anacortes, WA 98221
Skagit County Parcel #, Tax ID: 103564

Legal Description:

KELLOGG'S & FORD TO ANACORTES, BLOCK 32, TR 2 OF SURVEY
AF#9111180093 AKA TH PTN OF LOTS 13, 14, & 15 & VAC ALLEY IN BLK 32 OF
PLAT OF KELLOGG & FORD'S ADD TO AN DAF CAT SE COR OF SD BLK 32 TH N
89-23-48 W 148FT ALG THE S LINE OF SD BLK 32 TO TPOB TH N 0-01-56 W 104FT
PLW THE E LINE OF SD BLK 32 TH S 89-23-48 E 47.52FT TH S 61-01-04E 46.28FT
TH S 0-01-56 E 82FT TO S LINE OF SD BLK 32 TH N 89-23-48 W 88FT ALG SD S
LINE TO TPOB

Order Prohibiting Use Per WAC 246-205-560

Dear Mr. and Mrs. Overa:

On January 3, 2003 an illegal methamphetamine drug lab was confiscated by the Skagit County Interlocal Drug Task Force while executing a search warrant at the above address. On January 10, 2003 the Drug Task Force notified the Skagit County Health Department of this action. On January 13, 2003 the Health Department took surface swab samples from the residence, garage, and back play house and had them analyzed for the presence of methamphetamine by a certified lab. All swab samples were over the Washington State Clean Up standard of 0.10 ug methamphetamine/100 square centimeters. Results are enclosed. Due to the chemical processes involved in the manufacture of methamphetamine, the chemicals and equipment removed from the scene, and swab sample results, contamination presents a potential immediate or long-term health hazard. The property at the above address is therefore designated unfit for use as of January 27, 2003.

Use of all or portions of the residence, garage, and back play house located at the address above is prohibited.

Penalties for Noncompliance:

Noncompliance with this order can result in civil penalties levied against responsible parties, and any other measures deemed necessary under law, including but not limited to forcible eviction or destruction of property.

Potential Health Risks:

Potential immediate health hazards from exposure to an illegal drug lab include shortness of breath, cough, chest pain, dizziness, lack of coordination, chemical irritation and burns to the skin, eyes, mouth, and nose, and in severe cases, even death. Less severe immediate health hazards from an exposure may include headache, nausea, dizziness, and fatigue or lethargy. Potential long-term health hazards include cancer, damage to the brain, liver, and kidneys, birth defects, and reproductive problems (such as miscarriages).

Skagit County Health Department's Intended Course of Action:

The Skagit County Health Department is required to notify all interested parties that an illegal drug lab was confiscated, and that the property will require testing and decontamination or removal of the structure. The property cannot be inhabited, or rented until it is either properly decontaminated and released by the Skagit County Health Department as fit for reuse, or demolished and properly disposed.

The property listed above was designated unfit for use by the Skagit County Health Department on January 27, 2003 per WAC 246-205-530, 540. The Skagit County Health Department submitted a contaminated property report to the Washington State Department of Health as per WAC 246-205-550.

The Skagit County Health Department shall:

- File a copy of this Order Prohibiting Use with the Skagit County Auditor
- Provide a copy of the Order Prohibiting Use to the Anacortes Building Department
- Provide a copy of this notice to the Skagit County Interlocal Drug Task Force and Anacortes Police Department

This Order Prohibiting Use will be served, either personally or by certified mail, return receipt requested, to all known:

- Occupants
- Persons having an interest in the property as shown upon the records of the Skagit County Auditor's office.

A copy of this Order Prohibiting Use will be mailed to each person or party having a recorded right, title, estate, lien, or interest in the property.

Decontamination Measures (per WAC 246-205-570, 580):

Contamination reduction is required to be done by an authorized contractor. Before starting contamination reduction, the property owner is required to have a written work plan to reduce contamination of the property prepared by the contractor and approved by the Skagit County Health Department.

The work plan shall outline the contamination reduction and waste disposal procedures the contractor intends to use. The property owner and the contractor shall follow the Washington State Department of Health contamination reduction guidelines or other more stringent procedures as deemed appropriate by the Skagit County Health Department. All contents and structures will require decontamination or destruction.

The property owner is:

- Financially responsible for any property testing required to demonstrate the presence or absence of hazardous chemicals;



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- Financially responsible for the property's contamination reduction and disposal expenses, as well as costs incurred by the Skagit County Health Department resulting from the enforcement of WAC 246-205;
- Responsible for keeping records documenting contamination reduction procedures and submitting notarized copies of all records to the Skagit County Health Department;
- Responsible for requesting the Skagit County Health Department to review the decontamination reduction records and release the property for use.

Within ten working days of a request for review of contamination reduction records, the Skagit County Health Department:

- Shall review the documentation to verify reduction of contamination to acceptable levels for reuse as stated in Washington State Department of Health guidelines.
- May visit the property site to assess the thoroughness of the contractor's cleanup;
- May require the property owner to provide more extensive testing and assessment of the property site by an independent laboratory or firm qualified to perform such testing and assessment.

If, after review of the information in the preceding paragraph, the Skagit County Health Department determines the property had been decontaminated, the Skagit County Health Department shall within ten working days:

- Record a notice in the real property records of the Skagit County Auditor indicating that to the best of their knowledge, the basis upon which the property was originally declared unfit for use has been addressed by decontamination in accordance with Board of Health and Washington State Department of Health rules and guidelines.
- Send a copy of the notice to the property owner.
- Send a copy of the notice to the Washington State Department of Health.
- Send a copy of the notice to the City of Anacortes Building Department.

Hearing

Be advised that:

- A hearing before the Skagit County Health Officer shall be held upon the request of a person notified of this order as required under WAC 246-205-560;
- The Person's request for a hearing shall be made within ten days of the serving of this order;
- The hearing shall then be held within not less than 20 days or more than 30 days after the serving of this order;
- In any hearing concerning whether property may be released for reuse, the property owner has the burden of showing that the property has been decontaminated in accordance with RCW 64.44 and WAC 246-205.

If you have any questions or need assistance, please contact the Skagit County Health Department.

Sincerely,



Polly Dubbel
Environmental Health Specialist



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