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JUL 03 2002

Mr Todd Everts
Analyst, Legislative Environmental Policy
Legislative Environmental Policy Office
P.O. Box 201704

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

Todd
Dear Mr. Everts:

In light of a serious oversight and misjudgment of timing for the introduction of a study bill, I am writing to request that your committee take a study of Methamphetamines during the interim and hopefully come up with some solutions to this growing drug problem in the State of Montana. There were several bills introduced during the last session addressing potential cleanup standards, environmental protection, notification and remedies that could assist property owners who are unaware of clandestine labs operating on their premises. You will recall my concern regarding Meth. & addressing the committee during the previous interim.

I have worked for over two years on this issue with a number of persons who I believe would be available to assist your committee in coming to some consensus prior to the 2005 legislative session. Ed Thamke at DEQ; Mike Batista at the Department of Justice, Representative Jill Cohenour, Gail Gray at DPHHS, your staff and I will actively work on bringing about workable solutions. It is essential that an interim committee put a major effort into this complex issue with its myriad problems. A separate portion might be addressed in the Law and Justice committee as it pertains to treatment for this addictive substance and its affect on the correctional system.

Should you have questions, please give me a call and I would be happy to discuss this in further detail. Thank you in advance for bringing this to the attention of your committee as quickly as feasible. If you wish, I would be happy to appear in front of your committee to address this issue further.

Sincerely,

Chris Christiaens

B.F."Chris" Christiaens
Lobbyist for Montana Landlord Tenants Association
P.O. Box 2871
Great Falls, Montana 59405
(406) 452-0032

Todd, I have the originals of a letter to Sen. McNutt & Rep. Harris and would appreciate your getting these to them prior to your next meeting. If you think it helpful, perhaps all members should get a copy and will leave that decision up to you. Thanks in advance.

EQC - Agency Oversight Subcommittee
October 8, 2003

EXHIBIT #4

OFFICE OF THE GOVERNOR

STATE OF MONTANA

JUDY MARTZ
GOVERNOR



STATE CAPITOL
PO Box 200801
HELENA, MONTANA 59620-0801

June 7, 2002

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JUN 10 2002

Environmental Quality Council
PO Box 201704
Helena MT 59620

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

Dear EQC Members:

Thank you for contacting my office with your concerns about methamphetamine lab cleanup. I appreciate and understand your concerns.

Let me first applaud the work of the subcommittee for addressing this growing problem. I appreciate the commitment and the effort the subcommittee and the EQC as a whole has directed toward this issue.

Upon receipt of your letter, I contacted the Department of Environmental Quality and the Department of Health and Human Services. Both agencies recognize and acknowledge the problems associated with illegal methamphetamine lab cleanup.

I have directed the two agencies to meet to address the issues you have outlined in your letter. I have also asked that the agencies determine if additional legislation is necessary and to be prepared to deliver a report to you by the July 29th meeting of the EQC.

Again, I appreciate your interest in this issue, and I am hopeful that we will be able to address the cleanup problems associated with illegal methamphetamine lab cleanup.

Sincerely,


JUDY MARTZ
Governor



ENVIRONMENTAL QUALITY COUNCIL

PO BOX 201704
HELENA, MONTANA 59620-1704
(406) 444-3742

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LEGISLATIVE
ENVIRONMENTAL
ANALYST
Todd Everts

May 9, 2002

Governor Judy Martz
PO Box 200801
Helena, MT 59620-0801

Dear Governor Martz,

The Environmental Quality Council's Subcommittee on Agency Oversight and MEPA has conducted a recent hearing on the issue of illegal methamphetamine lab cleanup in Montana. Testimony from witnesses indicates that the absence of cleanup standards necessary to protect human health and the environment from the hazardous chemical residues of clandestine meth labs is becoming a problem for an increasing number of Montana's citizens. Innocent property owners are unable to obtain cleanup guidance and direction from state officials. Potential liability issues make state health and environmental officials reluctant to provide property owners with assurances that their self-directed cleanup efforts are sufficient to protect human health and to make property safe for habitation. The result is that housing, motels and hotels, commercial storage facilities, and other buildings may be taken out of service for substantial periods of time creating hardships for the owners. Also, there can be secondary impacts on the availability of loans and financing, property values, property tax revenues, and the viability of mortgages.

It appears from testimony that the Department of Environmental Quality has jurisdiction, procedures, guidance, and some marginal funding in place for addressing these contaminants in an outdoor environmental setting. However, the DEQ reportedly does not have the jurisdiction or expertise to address indoor contamination of private property. The protection of human health from indoor exposures to chemicals appears to fall within the jurisdiction of the medical authorities in the Department of Health and Human Services.

The EQC is requesting that, in the interest of public health, safety, and welfare, you direct the appropriate officials of the Department of Environmental Quality and the Department of Public Health and Human Services to meet as often as necessary to develop clear and reliable health and environmental standards applicable to the cleanup of private property and the environment contaminated by illegal meth lab

chemicals. Several other states can provide existing models for how state health and environmental agencies have addressed this problem.

If the agencies determine that additional legislative authority or direction is necessary to proceed, the Council can provide assistance at your request. The EQC meets again on July 29 and 30, and the final meeting is set for September 12 and 13. Any identified legislative initiatives should be presented to the Council in July for review, adoption, and assignment of sponsors at the September meeting.

Thank you for your consideration and attention to this important issue.

Sincerely,

Senator Bea McCarthy, chair

Representative Doug Mood, vice chair

Montana State Senate

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MAY 09 2002



SENATOR B. F. "CHRIS" CHRISTIAENS

HELENA ADDRESS:
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5-5-02

The Big Sky Country

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

COMMITTEES:
SENATE FINANCE & CLAIMS
INSTITUTIONS
LOCAL GOVERNMENT
PUBLIC HEALTH, WELFARE & SAFETY

Representative Chris Harris
Members of Environmental Quality Council
P.O. Box 201704
Helena, Montana 59620-1704

Dear Repr. Harris,

Thank you for the EQC subcommittee on Agency Oversight and MEPA meeting agenda for May 8th. I regretfully will not be able to attend as I am at a meeting in Kalispell on that date. Mr. Brian McCullough, Secretary/Treasurer for the Montana Landlord Tenant Association will be there with concerns similar to those I have previously addressed.

Following the meeting I last attended or your committee, I met with and addressed the Governor's task force on drug prevention and while they were interested and not fully aware of the scope of the issues, they have a full agenda and will not be doing much if anything with the Methamphetamine problem. Your agenda on this issue does have experts on the issue as they pertain to their particular areas of expertise and I ask that you listen carefully to what each has to offer and expand on it.

I am not sure that the State should set standards for clean up as it will have an adverse impact on insurance premiums similar to that which occurred with asbestos. Ms. Caruso should be able to discuss this aspect with you. It has recently been told by an official of State Farm to an agent in Great Falls that they will start denying claims for property damaged by Meth Labs unless there is a fire or explosion loss. At this time Property and Casualty Insurance Covers cleanup for Meth, however with renewals property owners may see exclusions for this coverage. Since DPHHS has Public Health Responsibilities in hotel and motel establishments, there will be a need for the next legislature to give the department adequate funding and education for the health department to inspect and assure compliance. The question needs to be clarified as to what happens and who will certify safety in cleanup of public housing properties and University dormitories and housing. This is particularly troublesome if the DEA files statements of hazardous site locations to properties in local court houses and should that occur and remain after cleanup what happens to the value of the property, disclosure requirements by property owners and realtors, outstanding loans and contracts with the banking and mortgagor's. Should there be a Meth site, will the property owner not get an appraisal and have the

property devalued with this affecting the Department of Revenue?

In a recent discussion with Don Merritt of the Board of Crime Control, he mentioned that they may have some money reverted and some of those funds may be available to your committee or some other group who could give this issue the full hearing it merits.

Obviously, property owners are concerned as to the value of their properties and want to be assured a property is cleaned and safe for future occupancy without worry of future liability. Corrections will be severely impacted with those arrested and convicted of producing and selling Meth as those using are immediately addicted and if continuing to use have about a four year life expectancy. If treated, most individuals will require a four-week detoxification and up to 14 months of treatment. Our system is not set up for this kind of intense treatment nor do we have community programs in the State geared up for treating this addiction. Without question, the treatment will be very costly.

I will be attending a conference at the Center for Disease Control in Atlanta, Ga. On June 19th and shall share information relevant to this issue with your committee. If I can assist the committee in this endeavor, I stand willing to do so.

Thank you for keeping this issue on a front burner,

Sincerely,

A handwritten signature in cursive script that reads "Chris Christiaens". The signature is written in black ink and is positioned above the printed name.

Senator "Chris" Christiaens