



To Protect and Promote the Health and the Environment of the People of Kittitas County

KITTITAS COUNTY HEALTH ORDER: AMENDED JUNE 15, 2018
Replacing 12/27/2017 Health Order and 01/31/2018 Amended Health Order

Kittitas County Public Health Department (KCPHD) is investigating the contamination by illegal drug manufacture and storage of 311 North Wright Avenue, Cle Elum, Washington, located within map number 20-15-26062-0006. The Health Officer has found this property to be in violation of public health regulations, specifically, the contamination of the premises with illicit drugs which poses a risk to public health and the safety of the residents of Kittitas County and Washington State.

On Thursday December 21st, 2017, KCPHD staff became aware that this residence was contaminated with potentially hazardous materials including but not limited to unknown powders in connection with the manufacture of illicit pills. Agencies including the Ellensburg Police Department, Cle Elum Police Department, Department of Defense, Drug Enforcement Administration, Washington State Department of Ecology's Hazardous Materials Spill Response Team, and Washington State Patrol were involved and responded to this incident. One or more of these agencies transported the removable unknown, potentially hazardous waste for laboratory testing.

Based on the findings from the law enforcement agencies on site on December 21, 2017, KCPHD designated this property (311 North Wright Avenue, Cle Elum, Washington) unfit for use. According to RCW 64.44.040, entry or use of the property in violation of this order is a misdemeanor. This order prohibiting use is in accordance with WAC 246-205-560.

On January 31, 2018, KCPHD amended the original health order to allow more time for the property owner, Crystal Stupay, or legal designee to submit a written work plan for decontamination. However, KCPHD staff had not yet received any testing results from samples collected and analyzed by law enforcement agencies.

Since that time, KCPHD received the results of samples collected at the property. Multiple illegal and pharmaceutical powders were confirmed at the property. Washington State Patrol has confirmed the presence of MDMA (3,4-methylenedioxymethamphetamine), alprazolam, and other substances at 311 North Wright in Cle Elum, Washington. This property functioned as a clandestine drug lab and must be decontaminated appropriately.

THIS ORDER HEREBY REQUIRES:

Based on law enforcement recommendation and the removal of known and unknown hazardous materials, the residence is unfit for use until proof of decontamination completed by approved, certified professionals.

PROPERTY OWNER RESPONSIBILITIES:

1. The property owner is financially responsible for any property testing required to demonstrate the presence or absence of hazardous materials;
2. The property owner is financially responsible for the property's contamination reduction and disposal expenses.



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3. The property owner is responsible for keeping records documenting contamination reduction procedures and submitting notarized copies of all records to the Kittitas County Public Health Department;
4. The property owner is responsible for requesting the Kittitas County Public Health Department to review the contamination reduction records and to declare the property fit for use.
5. The property owner may be responsible for additional costs imposed by KCPHD for failure to obey this order.
6. Providing the written work plan (details below) of decontamination measures to KCPHD by July 31, 2018.

DECONTAMINATION MEASURES (per WAC 246-205-570, 580):

Contamination reduction is required to be performed by an authorized contractor and is the responsibility of the property owner or otherwise designated responsible party. Please see the following website that includes a list of the Washington State Department of Health's (DOH) certified drug lab clean up companies:

<https://www.doh.wa.gov/CommunityandEnvironment/Contaminants/DrugLabs/CleanupCompanies>

Before starting any necessary 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 Kittitas County Public Health Department. **A written work plan from the cleanup professional must be received by KCPHD by July 31, 2018.**

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 Kittitas County Public Health Department Health Officer.

Crystal Stupay, her legal designee, or any new property owner, shall assist and comply with directives throughout this investigation. If any corrective action is not commenced or completed within the time specified, the Health Officer will proceed to abate the violation and cause the work to be done and charge the costs thereof as a lien against the property and as a joint and separate personal obligation of any person in violation (Kittitas County Code Chapter 13.75.050 (1b) and 13.75.060).

The costs incurred by any Kittitas County Department involved in enforcing a final Health Order will be assessed and charged as a joint and separate personal obligation of any person in violation, (Kittitas County Code 13.75.050(1d)). Any imposed enforcement costs may be appealed directly to the Board of County Commissioners, in writing, no later than ten (10) days after receipt of an invoice for costs, in accordance with Kittitas County Code Chapter 13.75.075.

This health order shall become final unless, no later than ten (10) days after the Health Order is served, any person aggrieved by the order requests in writing an appeal before the Board of Health according to Kittitas County Code Chapter 13.75.070.

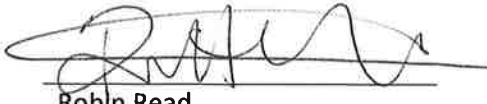





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Please contact Tristen Lamb, KCPHD Environmental Health Supervisor, upon receipt of this Health Order at (509) 962-7515 or tristen.lamb@co.kittitas.wa.us.


Dr. Mark Larson
KCPHD Health Officer


Robin Read
KCPHD Administrator


Date



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