

Common Themes Addressed Regarding Properties Where Controlled Substance Laboratories Are Found

Theme	AK	AZ	AR	CA	CO	HI	ID	IL	IN	IA	KY	LA	MD	MI	MN	MO	MT	NE	NV	NH	NM	NY	NC	ND	OH	OK	OR	PA	SC	SD	TN	TX	UT	VA	WA	WV	WY		
Lab Appeal	✓						✓				✓																✓				✓			✓	✓	✓			
Notice to Agency	✓	✓	✓	✓		✓	✓		✓		✓	✓		✓	✓		✓	✓			✓	✓	✓				✓				✓			✓	✓	✓			
Notice to Owner/User	✓	✓	✓	✓	✓	✓	✓				◆							✓			✓		✓				✓				✓			✓	✓	✓	✓		
Posting	✓	✓		✓		✓	✓				◆			✓							✓		✓				✓				✓			✓					
Registry/Database	✓		✓				✓		●			✓		✓	✓		✓			✓	✓		✓				✓				✓			✓	✓				
Removal from Registry/Database			✓				✓		●			✓					✓			✓							✓				✓			✓	✓				
Property Title Encumbrances		✓		✓						✓					✓												✓							✓			✓		
Disclosure	✓	✓	✓	✓	✓						✓	✓			✓	✓	✓		✓	✓	✓						✓			✓				✓	✓	✓	✓	✓	
Property Use Restrictions	✓	✓	✓	✓	✓	✓	✓		✓					✓	✓			✓			✓		✓				✓				✓			✓	✓	✓	✓	✓	
Exceptions to Property Use Restrictions	✓	✓	✓		✓				✓												✓						✓								✓	✓	✓	✓	
Civil Penalties		✓		✓														✓			✓						✓												
Criminal Penalties	✓	✓									✓									✓	✓						✓								✓	✓			
Remediation Contractor Requirements	✓	✓	✓	✓		✓			✓		✓				✓		✓				✓						✓						✓		✓	✓			
Feasibility-Based Standards	✓	✓	✓	✓	✓	✓	✓		✓		✓	*			✓			*		*	✓									✓			✓		✓	✓	✓	*	
Demolition in Lieu of Remediation		✓		✓	✓		✓		✓						✓						✓						✓						✓		✓	✓			
Property Owner Liability		✓				✓									✓			✓									✓								✓			✓	
Independent Sampling/Testing Contractor	✓	✓			✓		✓		✓								✓				✓						✓								✓	✓			
Property Owner Immunity		✓	✓		✓		✓					✓					✓				✓																		
Liability of Person Responsible for Lab		✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓		✓	✓				✓			✓	✓	✓	✓	✓	✓	✓		✓	✓		✓	✓	✓	✓	✓	✓
Other Sources of Cleanup Funding				✓				✓			✓				✓	✓								✓		✓			✓						✓	✓	✓	✓	✓

Common Themes Addressed Regarding Properties Where Controlled Substance Laboratories Are Found

KEY:

- Pursuant to Section 5-2-6-19 of the Indiana Code, and subject to specific appropriation by the general assembly, the Indiana Criminal Justice Institute shall publish a list of properties that have been used as the site of a methamphetamine laboratory on a web site maintained by the institute. To date, the Indiana general assembly has not made any appropriations to establish, maintain and operate a website containing a list of properties that have been used as the site of a methamphetamine laboratory.
- ◆ Kentucky House Bill 765, signed by the Governor on April 24, 2008, directs the Department for Public Health to promulgate administrative regulations establishing notice requirements and a process for removing the notice from inhabitable properties.
- * Wyoming, Nebraska, New Hampshire and Louisiana have not currently established feasibility-based remediation standards. Wyoming, Nebraska and New Hampshire have statutory language mandating the establishment of remediation standards, and upon information provided to NAMSDL, all three states are in various stages of the rulemaking process to establish standards. Louisiana has statutory language allowing the establishment remediation standards, but it is unknown at this time whether Louisiana is working toward establishing remediation standards.