

Memo

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From Angela Pearce

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Subject Interim Testing & Remediation Approach – P Contamination

Purpose

- 1 The purpose of this memo is to seek endorsement to temporarily revise the testing and remediation approach to potentially methamphetamine contaminated properties in light of health and safety concerns raised by PBMC contractors.

Recommendations

- 2 It is recommended that the General Managers Property Services/Tenancy Services/Communications and Business Support:
 - **Note** that concerns have been raised by PBMC contractors with regards the “pregnancy” style initial swab test of suspected contaminated properties and the products used in the foaming method to remediate properties;
 - **Note** that contractors are declining to undertake work on void properties that have been decontaminated using the foaming method until the properties have been reworked using the triple wash-down method and/or comprehensive testing is undertaken;
 - **Note** that HNZN staff (PSG, ADG and H&S) have identified potential interim changes to current practice to ensure the issues identified are mitigated however any permanent changes are not recommended until a

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formal review of the relevant sections within the Ministry of Health (MoH) guidelines is undertaken by a nominated group within HNZC;

- **Note** that the recommended changes in this paper have already been adopted for the void (7) properties that were on hold to ensure the properties can have work carried out on them but this has also meant HNZC has duplicated remediation works (i.e previously used the foaming method and now undertaking the triple wash down approach);
- **Endorse** the following interim changes to the methamphetamine contamination process specifically:
 - a) HNZC will no longer be using the MMC or instant “pregnancy” style tests when doing an “initial swab” test; we will now only do laboratory tested swab testing;
 - b) Whilst the Ministry of Health “safe” threshold remains at 0.5ug all properties that test at 0.03ug (this is deemed a “trace” level of methamphetamine) will now automatically be moved to a comprehensive test;
 - c) Any precautionary remediation for properties which are in a 0.03ug – 0.49ug range will remain up to the Asset Manager to decide this on a case-by-case basis in consultation with Tenancy Services;
 - d) Until we have clarification on whether the chemicals in the foaming method are considered safe under the HSE Act where contamination exceeds the 0.5ug MoH threshold the foaming method will no longer be used in HNZC properties. This means that we now have two options to decontaminate properties: (1) triple-wash method and (2) stripping out and reinstatement; and
 - e) Where the contamination level is 4.0ug or above stripping out of materials will be mandatory.
- **Note** that depending on the location of the property and level of contamination the recommended interim changes could result in increased time lags between testing, de-contamination and returning properties back to a lettable condition and increased costs associated with this programme;
- **Note** that a Communications strategy will be developed to support communication of these changes to PBMC and operational staff; and
- **Note** that HNZC staff are seeking further advice with our testing consults on the ‘foaming’ method product.

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Background

- 3 HNZC has received feedback from the PBMC contractors (most notably Spenser Henshaw and Responsive Maintenance Limited) with regards the initial tests used by HNZC to identify methamphetamine contamination in its properties and also concerns raised about one of the remediation approaches known as the foaming method.
- 4 In light of concerns around health and safety Spenser Henshaw have advised HNZC that they will not carry out any void work on properties where HNZC has used the “foaming” method for remediation, and have requested HNZC complete comprehensive tests on properties where the initial test results have been received through the “pregnancy” test approach.

Current Testing Practice

- 5 The current testing practice is that where HNZC has a suspicion that a property may be chemically contaminated, we engage a consulting company and accredited lab (accredited by the International Accreditation New Zealand (IANZ)) to complete an initial test. The initial test will tell us whether the property is positive (i.e. above Ministry of Health guideline levels) or not (nil result or below the MOH guideline). Where the result is positive, we have requested a comprehensive assessment which will specify the levels of methamphetamine and provide recommendations on how to reduce the methamphetamine to safe levels.
- 6 Testing is undertaken by Dowdell, Forensic & Industrial Science and The New Zealand Drug Detection Agency Limited (TDDA). The testers are independent of the remediation companies we use. Over the last 3 years around 60% of test requests were for properties in the main centres (Auckland, Wellington, Christchurch and Hamilton).
- 7 There are two types of initial tests used; a laboratory tested swab test which provides an actual level of reading of methamphetamine or the alternative swab test (MMC) which is an instant “pregnancy” style test only providing a “positive/negative” result. The “pregnancy” style test is not referred to a laboratory as it is effectively designed as a field test which provides an immediate response and is used only by TDDA as they do not have use an accredited laboratory for the initial screening.
- 8 Concerns have been raised that as the “pregnancy” style test does not provide an actual reading there is some risk that properties with results just below MOH guidelines are not being identified for remediation. Spenser Henshaw has also requested that all properties that have an initial test with results above the undetectable level automatically have a comprehensive test undertaken.

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Current Remediation Practices

- 9 When a property is contaminated the following remediation approaches are used:
- Foaming method (our most common method now as it is effective across most levels of decontamination).
 - Materials stripping - used where the decontamination levels are extremely high.
 - Triple wash down approach – has traditionally been used for lower contamination levels.
- 10 The “foaming method” effectively degreases contaminated surfaces and strips off the chemical residue. The chemical used in the foaming method is sometimes known by its brand name (Crystal Clean) but there are a range of similar products with different names but with the same core ingredients. The foaming product is made up on site and sprayed on to surfaces, rubbed on and then rubbed off. Hot water is then sprayed on to the same surfaces to neutralise the effects of the foaming product.
- 11 PBMC contractors have raised concerns about the chemicals used in the foaming method believing these to be in breach of the HSE Act. HNZN has sought advice from Dowdells on this matter however there appears to be contradictory views as to whether the chemicals used are permissible under the HSE Act. Given the lack of clarity and to mitigate any risk of being in breach of the Act HNZN is recommending no further use of this method until we can be assured of status of these chemicals.
- 12 We are advised that Dowdells and Forensic & Industrial Science are working with Standards NZ to clarify the products to be used in methamphetamine decontamination but any recommendations from Standards NZ is unlikely to be available in the short term.

Recommended Interim Changes

Chemical Testing

- 13 HNZN will no longer be using the MMC or instant “pregnancy” style tests when doing an “initial swab” test. In order to ensure we receive a *number reading* versus *positive/negative* result we will now only do laboratory tested swab testing. This will mean some delays may be experienced as this now limits the drug testing companies that we can use. We are currently exploring other suppliers nationwide however for properties outside the four main centres there will be some delays.

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- 14 Whilst the MoH “safe” threshold remains at 0.5ug, the other business decision recommended is that all properties that test at 0.03ug (this is deemed a “trace” level of methamphetamine) will now automatically be moved to a comprehensive test. No business decision has been made as to whether any precautionary remediation should occur in this 0.03ug – 0.49ug range so it will remain up to the Asset Manager to decide this on a case-by-case basis given that the low level of presence of methamphetamine can be due to other causes.
- 15 The Asset Manager will review the basis of suspicion in discussion with Tenancy Services before deciding if remediation should be undertaken. This will now also create delays especially in regional areas as we now need to have one of our three main drug testing companies attend to do these comprehensive tests and they have limited availability.

Chemical Remediation

- 16 The other recommendation involves how properties are remediated when they exceed the 0.5ug MoH threshold. To date we have been using the foaming method in most low to mid range contaminated properties. Until we have clarification on whether the chemicals in this method are considered safe under the HSE Act the foaming method will no longer be used in HNZC properties. This means that we now have two options to decontaminate properties: (1) triple-wash method and (2) stripping out and reinstatement.
- 17 The other recommendation is with regards to the contamination threshold whereby stripping out would be mandatory. This applies to all areas where contamination levels are 4.0ug or above. As the ‘triple wash’ down method is not effective for higher levels of contamination (4.0ug or above) HNZC will reintroduce stripping of materials at this level.

Implications of Interim Changes

- 18 Depending on the location of the property and level of contamination the recommended interim changes could result in increased time that a property takes to be tested and de-contaminated (triple wash approach may require multiple applications and re-testing); increased instances of stripping out materials (also affecting the time that a property will be held void) and costs associated with this programme.

Communication

- 19 Following agreement on interim changes to the methamphetamine contamination process a communications strategy will be developed to support communication to both PBMC and operational staff.

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Consultation

- 20 Senior staff from the following business groups have been consulted: PSG Maintenance Delivery; PSG Assets, ADG Delivery, BS – Health and Safety; Communications.

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