



Law Enforcement Guidance Document

Managing household pharmaceuticals

1. Environmental concerns

Household generated pharmaceutical waste includes all expired, unwanted, or unusable prescriptions or over-the-counter medications used by family members or pets. This guidance document is specific to on-going collection of pharmaceutical waste at a law enforcement facility for the sole purpose of proper disposal; additional requirements apply to events conducted with law enforcement. Pharmaceuticals may only be collected if law enforcement is in complete compliance with this document. Pharmaceutical waste which is incorrectly disposed of can pollute air, land and water and may threaten human or animal health.

2. Regulatory requirements

Establishing a pharmaceutical take-back program requires compliance with several sets of regulations including: Drug Enforcement Administration (DEA); Minnesota Board of Pharmacy, Minn. Stat. §§ 151.37 and 151.44; Minnesota Pollution Control Agency (MPCA); Minn. R. 7045.0310 and 7045.0292, subp. 6; the Program Management Decision issued in September of 2010; and all applicable metropolitan or county licensing, fee and ordinance requirements. Only law enforcement agencies may possess controlled substances that have been dispensed to an ultimate user.

3. Notification to State and Federal agencies for operating a pharmaceutical collection program

- 3.1 The pharmaceutical take-back program is an environmentally responsible public service and requires the following notifications prior to accepting any waste. If you choose to accept pharmaceutical wastes, your program is then responsible for implementing safe and secure management practices to prevent diversion.
- 3.2 Take-back programs must submit the following completed forms at least 30 days in advance of implementing a pharmaceutical collection program:
 - Attachment A: the pharmaceutical collection site notification form, which is also located at: <http://www.pca.state.mn.us/index.php/view-document.html?gid=15592>.
 - Hazardous Waste Identification Generator Number form located at: http://www.pca.state.mn.us/index.php/component/option,com_docman/task,doc_view/gid,9116.
 - Submit both Attachment A and the above Hazardous Waste Identification Generator Number form to:
Minnesota Pollution Control Agency
504 Fairgrounds Road, Suite 200
Marshall, Minnesota 56258
Fax to 507-537-6001 or call the Marshall office at 507-537-7146 or 800-657-3864

- 3.3 DEA notification; provide a basic description of your pharmaceutical take-back program and submit any additional DEA questions to: Jack Henderson at 612-344-4130; Fax: 612-348-1968 or e-mail Jackie.I.henderson@usdoj.gov.

4. Health and safety precautions

- Staff handling pharmaceuticals shall use Personal Protective Equipment to prevent exposure which may include latex or vinyl gloves, eye protection and good ventilation.
- Due to its extreme toxicity, it is recommended no chemotherapy pharmaceutical waste is accepted.
- The Program shall not dispose of pharmaceutical wastes in the trash or by sewerage to either an onsite or municipal sewer system. Improper disposal of pharmaceutical wastes results in adverse impacts on human, aquatic/animal health, and/or the environment.

5. “Drop box” or permanent collection sites

- 5.1 Setting up a drop-off box. A stationary, permanent drop-off container shall be designed to prohibit the public from accessing the drugs for potential use or diversion.
- The DEA requires the bins to be located in a secure area where the public is unable to access contents and to discourage theft.
 - Signage near the drop-off boxes is recommended to deter the public from placing sharps or thermometers into the pharmaceutical container; for example signage, see Attachment B of this document or <http://www.pca.state.mn.us/sbiz10e6>.
 - Advertise your collection program; see Section 9 of this document for templates/examples.
- 5.2 Managing collected wastes on site.
- Law enforcement staff shall periodically check the collection container inside the secure box to make sure it is not overfilled.
 - The container inside the secure box shall be leak-and-puncture proof to safely contain the pharmaceuticals dropped into it.
 - Law enforcement staff shall screen the collected waste to check for large quantities of sharps and mercury thermometers or other materials that are not pharmaceuticals. Use extreme caution to avoid punctures from sharps. The more frequently waste is screened, the simpler it will be to separate out these items. These items must be removed and properly managed through other programs.
 - Screened waste should be placed in the type of container recommended for use by the end disposal site. This is likely to be a fiber drum or other plastic-lined container. Contact the incinerator prior to transport to verify container type and size, and disposal date/time.
 - Screened waste containers should be stored in a secure area until the program fills enough containers to transport to the end disposal facility.
 - Label the containers to ensure that they can be properly identified for disposal.
 - It is recommended that you work with your local household hazardous waste program to obtain containers that can be used to store mercury-containing thermometers or other mercury-containing medical devices. They may be able to help arrange for disposal of these items.
 - It is also recommended that you obtain a sharps container or be able to direct households to a sharps collection program to properly manage those items.
 - Use appropriate messaging to reduce non-acceptable waste amounts; see Attachment B .

6. Event or temporary pharmaceutical collection sites

6.1 Follow the same notification requirements listed above. In addition, follow these requirements for conducting a collection event:

- Ensure the event is located in a highly visible location; consider how participants will access the event and plan for safe participation.
- Advertise the collection program and inform the local media at least two weeks in advance of the event. Post signs in local pharmacies or other gathering places; see suggestions in Attachment B of this document.
- At least one law enforcement officer must be present for the entire duration of the event to take immediate possession of controlled substances as they are identified.
- Law enforcement shall transport all controlled substances collected to a secure place, ideally an evidence room, at the conclusion of the event.
- Notify your local Household Hazardous Waste Program staff for assistance with the event planning and operations. These people are experts at event management and may be able to help with managing the non-pharmaceutical waste that will likely show up at the event.
- Provide clear instructions to people on what is accepted and all of the logistics; ensure adequate staff to welcome participants and for traffic control to ensure participants will move through the event with minimal delay.
- Keep track of the number of participants utilizing the collection event. Participant numbers will be reported annually to the MPCA.
- Use the event as an opportunity to educate the public on the importance of proper pharmaceutical management to avoid misuse, prevent poisoning and protect the environment.

6.2 Supplies needed during a pharmaceutical collection event:

- A large table for pharmaceutical turn-in, processing and segregation.
- A chair for staff processing waste.
- Pens, paper, clipboards, permanent markers, packing tape, hand sanitizer, and counting trays (if segregating the controlled from the non-controlled substances).
- A tracking mechanism (form) to document participants and waste generation totals.
- Latex or similar gloves for all personnel handling pharmaceutical containers to prevent dermal absorption of medications.

6.3 Transfer incoming pharmaceuticals to containers. Separate containers may be needed for:

- Controlled and non-controlled substances; keep separated in five-gallon pail or large plastic bag, only if Hazardous Waste Disposal Company requires segregation.
- Loose pharmaceuticals: Ziploc® bags or evidence bags (required by law enforcement staff).
- Mercury items: bucket with kitty litter or other material to keep glass from breaking (note: mercury devices must be managed separately from collected pharmaceuticals; they may not be transported for disposal to incinerators).
- Any materials under pressure (note: these materials must be managed separately from collected pharmaceuticals; they may not be transported for disposal to incinerators).
- Sharps (unused Epipens and incidental sharps may be placed in the hazardous waste containers if needle is not exposed).
- Trash and recycling (for solid waste or non-pharmaceutical materials such as sun block, chap stick, hand lotion, extra packaging).

6.4 Layout for event:

- Law enforcement officer must be present for the entire duration of the event or until all pharmaceuticals are secured.
- Ensure clear roles are established for all individuals assisting at the event and they arrive at least one-half hour prior to event start to set up and organize the proposed procedure.
- Create a layout for the event that reduces the risk of diversion. Place the law enforcement officers in an event location to effectively respond to potential diversion issues.
- Keep food or beverages away from the pharmaceutical collection and packaging area to prevent contamination.

7. Proper disposal of collected wastes

Disposing of collected wastes: Incineration is the recommended disposal option for all collected pharmaceuticals. There are two options for incineration: Waste-to-energy (WTE) facilities located within Minnesota that have been approved by the MPCA to accept pharmaceuticals collected from households and federally permitted hazardous waste (HW) incinerators outside of Minnesota. (Minnesota currently does not have any federally permitted hazardous waste incinerators). There is a state contract that may be accessed by law enforcement for disposal at HW incinerators. All collected controlled substance pharmaceuticals must be accompanied by a licensed law enforcement officer to the WTE or HW facility.

- Disposal through open burning, sewerage, land disposal, or use of a portable incineration device is prohibited by state regulations. Disposal at a WTE using anything other than a licensed Hazardous Waste incinerator outside the State of Minnesota is illegal.
- The program operator shall manage disposal in accordance with their established protocol to prevent diversion and to allow for witnessed destruction of the controlled substance portion of the collection pharmaceuticals.
- Partnering with other law enforcement collection sites to consolidate pharmaceutical waste for transport to a WTE or HW incinerator can help to save costs. Weigh waste generated at individual collection sites for accurate reporting.
- Always call prior to transporting pharmaceuticals for WTE incineration; disposal options within the State of Minnesota include:
 1. City of Red Wing Waste Campus, 1873 Bench Street, Red Wing: 651-385-3669
 2. Polk County WTE Facility, 708 8th Street NW, Fosston: 800-482-6804
 3. Pope/Douglas County WTE Facility, 2115 Jefferson Street, Alexandria: 800-972-6318
 4. Perham Resource Recovery Facility, 201 6th Avenue NE, Perham: 218-346-4404
 5. Wilmarth/Xcel Energy WTE Facility, 1040 Summit Avenue, Mankato: 612-330-2807

8. Recordkeeping

- Keep records that indicate proof of destruction, including but not limited to, a disposal receipt from either a licensed hazardous waste transporter or the final disposal facility (permitted solid waste incinerator, waste-to-energy facility, or hazardous waste facility).
- Maintain records documenting the number of pounds of all pharmaceuticals disposed of during a calendar year. It is also recommended that you provide program disposal cost and number of individuals utilizing the collection program. This information will help you communicate the success of your program to your community.
- The MPCA will e-mail each Household Pharmaceutical Consolidation Site an electronic report for submittal of collected pounds on an annual basis.

9. Advertising and marketing

- The MPCA is developing marketing materials that include a bills stuffer, poster, images, graphics and other recourses that can be customized free of charge. These materials are available on the MPCA website at: <http://www.pca.state.mn.us/sbiz10e6>.

Attachment A



Minnesota Pollution
Control Agency

520 Lafayette Road North
St. Paul, MN 55155-4194

Household Pharmaceutical Consolidation Site Application

Household Hazardous Waste Program

Doc Type: Reporting
Requirements on Page 3

Instructions: Completion and approval of this form is required prior to accepting pharmaceutical waste as a Household Pharmaceutical Consolidation Site (HPCS). The HPCS approval is exclusive to pharmaceutical wastes from households only and does not authorize the acceptance of any other waste type.

Submit completed form to: Minnesota Pollution Control Agency
504 Fairgrounds Road, Suite 200
Marshall, Minnesota 56258

or by fax to: 507-537-6001

Facility Information

Facility name: _____ *HW ID Number: _____

Mailing address: _____

City: _____ State: _____ Zip code: _____

Location address: _____

City: _____ State: _____ Zip code: _____

**Contact name: _____ Phone: _____ E-mail: _____

*** HW ID Number:** HPCS **must** obtain a Hazardous Waste (HW) Generator Identification (ID) Number as part of this application process. See <http://www.pca.state.mn.us/publications/w-hw1-02.pdf> or Notification of Regulated Waste Activity Form and Instructions, <http://www.pca.state.mn.us/publications/w-hw7-09.pdf>. There is no charge or fee associated with obtaining an HW ID number.

**** Contact name:** Designate a specific staff person to provide oversight for the HPCS; this person shall be properly trained and informed of their responsibilities to ensure a secure drop-off location and to protect the safety of all staff.

Accepting Pharmaceutical Waste

Collection area (counties or cities): _____

Date/times of operation: _____

Briefly describe the pharmaceutical storage containers which will be used:

Briefly describe security measures that will be utilized to ensure staff safety and protection of accumulated wastes:

Pharmaceutical Waste Disposal (List the transporter and end disposal facility(s) for proper pharmaceutical waste disposal.)

Transporter information:

Transporter name: _____

Address: _____

City: _____ State: _____ Zip code: _____

Disposal facility(s) information:

1. Disposal facility name: _____

Location address: _____

City: _____ State: _____ Zip code: _____

2. Disposal facility name: _____

Location address: _____

City: _____ State: _____ Zip code: _____

Certification

I certify that I am authorized to represent this HPCS, and the information provided by me on this form is correct and true. I have read and agree to follow the guidance and requirements specific to this HPCS Application.

Print name: _____ Title: _____

Signature: _____ Date: _____

Instructions and Requirements

Environmental concerns: Pharmaceutical waste which is incorrectly disposed of can pollute air, land, and water and threaten human or animal health. Household pharmaceutical waste includes all expired, unwanted, or unusable prescription or over-the-counter medications used by family members or pets. Some of these medications are hazardous wastes (HW) or controlled substances, which have specific requirements to ensure safe handling and disposal.

Regulatory requirements: Pharmaceutical collection and disposal must comply with several sets of regulations, including: Drug Enforcement Administration (DEA) regulations, Minnesota Board of Pharmacy Minn. Statutes 151.37 and 151.44, Minnesota Pollution Control Agency (MPCA), HW Minn. Rules 7045.0310, and 7045.0292, subp. 6, and all applicable metropolitan or county licensing, fee, and ordinance requirements.

Accepting waste: An entity interested in collecting household pharmaceutical waste may apply to become a Household Pharmaceutical Consolidation Site (HPCS). The HPCS may accept pharmaceutical wastes generated only from households. The HPCS may accept prescription or over-the-counter drugs for the exclusive purpose of proper disposal. Only HPCS operated by law enforcement are allowed to accept controlled substances in secure and monitored locations.

Notification: Thirty days prior to accepting pharmaceuticals for disposal:

- Complete the *Household Pharmaceutical Consolidation Site Application* form and submit to the MPCA.
- Complete and submit a *Notification of Regulated Activity* form, located at the bottom of the following MPCA webpage:
<http://www.pca.state.mn.us/index.php/waste/waste-permits-and-rules/waste-permits-and-forms/hazardous-waste-publications.html>.
- Contact an HW contractor or a MPCA-approved waste-to-energy (WTE) facility to arrange for proper waste disposal. If controlled substances will be collected, notify the DEA of your location and contact information.

Worker and site safety: All staff handling pharmaceuticals should wear personal protective equipment to prevent dermal absorption and avoid inhalation of pharmaceutical wastes.

For events: Traffic flow through the collection site should be carefully considered to ensure vehicles move quickly through the drop off area. Traffic lanes should be clearly marked and all staff directing traffic and receiving waste should wear high visibility vests.

Managing containers: Containers storing pharmaceutical wastes must be:

- Correctly labeled as "HW Pharmaceuticals".
- Contained to prevent leaks or spills; releases should immediately be controlled.
- Stored securely to prevent diversion of contents.
- For events, all containers must be securely stored indoors or shipped off-site for disposal at the end of the event day.

Transport and disposal: Controlled substances shall be transported by law enforcement only. Shipping papers are not required if the total waste quantity is less than 440 pounds per vehicle. Pharmaceuticals should be transported securely in closed containers to prevent spills. The HPCS must have prearranged to either:

- Transport with a licensed hazardous waste transporter to a hazardous waste incinerator.
- Transport by law enforcement to a WTE facility that has received approval from the MPCA for pharmaceutical incineration.

The HPCS shall comply with the disposal protocol issued by the HW incinerator or WTE facility.

Keeping records: HPCS shall report to the MPCA, by February 1, for the preceding calendar year the:

- Total number of participants in their program, if tracked.
- Total weight of the pharmaceuticals collected.
- Total weight of controlled substances collected, if recorded separately from other pharmaceuticals.
- Transporter and disposal information.

Maintain the above records, copies of all shipping papers, copies of notifications submitted to the MPCA and any reference materials that were used to establish the collection program for a minimum of 3 years.

More information: Contact the MPCA or your Metro County for more information on how to collect pharmaceuticals. Ask the operator to connect you to a staff person working on Pharmaceutical Consolidation Sites.

Minnesota Pollution Control Agency

Toll free (all offices)..... 800-657-3864
General number..... 651-296-6300
Website www.pca.state.mn.us

Minnesota Drug Enforcement Administration

612-344-4100

Metro County HW Offices

Anoka 763-422-7093
Carver 952-361-1800
Dakota 952-891-7557
Hennepin 612-348-3777
Ramsey 651-266-1199
Scott County 952-496-8475
Washington County 651-430-6655
Websites [www.co.\[county\].mn.us](http://www.co.[county].mn.us)

Minnesota Board of Pharmacy

Office: 651-201-2825 or 612-344-4130,
Fax: 612/348-1968

Attachment B

Advertisement information should include the following:

WHAT: Medicine collection event

WHERE: Police Station

WHEN: Jan 1, 01, 10 am - 3 pm

WHAT TO BRING: all over the counter and prescription pills, liquids, gels and creams.

HOW:

Bring pharmaceuticals in their original containers, if possible.

Prior to bringing in the pharmaceuticals, block out personal information with markers but keep information about the pharmaceutical contents legible.

WHAT NOT TO BRING:

No personal care products like lotions and shampoo.

No sharps. Provide information on where they can take them for proper disposal. (If you want to accept them, they will need separate disposal and collection containers.)

No mercury thermometers or other mercury containing medical devices. Provide information on where they can take them for proper disposal. (Be prepared to accept them by having a container available to place them in.)

No bio-hazardous waste will be accepted, including items contaminated with body fluids (bandaging, empty IV bags, etc.).

No chemotherapy or radioactive waste. Contact your hospital or clinic and return unused medications of this nature to them.

COST: Fees for participation (if any) or a note that the event is free.

Pharmaceuticals will immediately be rendered non-recoverable or removed from the event site for destruction at a WTE or HW incinerator (specify it if you want).

For ideas on how to further educate your community on safe and secure storage, poisoning or environmental issues, contact your local household hazardous waste program or others who can help you with messaging.