

Summary of Memo regarding Management of Household Pharmaceuticals Collected by Law Enforcement During Take-Back Events and Programs

Background

- Law enforcement offices across the country are working to combat the opioid crisis.
- One tool they are using is collecting unwanted drugs from households to keep them from being accessed for illicit purposes.
- Twice a year, the Drug Enforcement Administration (DEA) sponsors *National Prescription Drug Take Back days*. Since its inception in September 2010, DEA has collected a total of nearly 10 million pounds of unwanted drugs.
- We strongly encourage law enforcement to participate in the DEA National Prescription Drug Take Back days, because when they do, drugs are safely removed from households and ultimately destroyed in an environmentally protective manner while preserving local law enforcement resources.
- *Law enforcement may also choose to collect unwanted household drugs at other times*. EPA supports these efforts and wants to ensure that they are conducted in a manner that is protective of public health and the environment. This memorandum is directed at law enforcement agencies that choose to operate household drug collection programs outside of the DEA's *National Prescription Drug Take Back days*.
- EPA coordinated with DEA, Department of Transportation (DOT) and the U.S. Postal Service (USPS), to provide law enforcement agencies with specific information they can use on how best to manage household drugs collected in take-back programs, so that the public can benefit from these critical programs.

Major Points in the Guidance Memorandum

- The memorandum describes cost-effective options that comply with the EPA, DEA, and DOT or USPS regulations that law enforcement can use to transport collected household drugs to incinerators. In summary, this memorandum explains:
 - Cost-effective methods for shipping the collected household drugs to a DEA registered reverse distributor, rather than having law enforcement officials transport them to an incinerator.
 - Emissions from burning collected household drugs via open burning or in burn barrels (with or without fans), may pose serious health risks to law enforcement officers and members of the surrounding communities.
 - There are a number of additional types of solid or hazardous waste incineration units regulated under the Clean Air Act that can lawfully destroy collected household pharmaceuticals beyond those in EPA's previous recommendation.

Impact on law enforcement

- EPA expects law enforcement will be encouraged to learn:
 - That they are not required to have two police officers drive the collected pharmaceuticals to an incinerator
 - How cost effective it is for law enforcement to mail collected household pharmaceuticals to a DEA registered entity who will ensure this waste is combusted in an appropriate incinerator.
- Some law enforcement departments have already invested in burn barrels with fans and may not be pleased with our discouragement of that practice. However, law enforcement might be surprised to learn that burning collected household pharmaceuticals in barrels with fans may pose serious health risks to law enforcement officers and members of the surrounding community and is not an environmentally sound way to dispose of this waste.