



Collecting pharmaceuticals from households and schools: requirements for law enforcement agencies

Discarded pharmaceuticals from households and schools present risks to human health and the environment if improperly managed. This fact sheet will discuss the hazardous waste requirements for these wastes administered by the Minnesota Pollution Control Agency (MPCA) and the Metropolitan Counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington (Metro Counties).

Discarded pharmaceuticals include: *controlled substances* regulated by the U.S. Drug Enforcement Administration (DEA), which include all drugs listed as a Schedule II, III, IV, or V controlled substance; prescription or *legend drugs* regulated by the Minnesota Board of Pharmacy (Board), which include any drugs that require a prescription to dispense; and over-the-counter (OTC) medications. Drugs collected from households and schools must be assumed to include both controlled substances and legend drugs unless sorted.

In addition to the DEA and Board requirements, all collected pharmaceuticals must be assumed to be household hazardous wastes in Minnesota unless evaluated as non-hazardous. See MPCA fact sheet #w-hw4-45a, Evaluating Pharmaceuticals, at: <https://www.pca.state.mn.us/sites/default/files/w-hw4-45a.pdf>.

Note: Illicit drugs and pharmaceuticals seized by law enforcement agencies in the course of investigations are not considered household wastes in Minnesota and are subject to more stringent requirements. See MPCA fact sheet #w-hw4-13, Managing Wastes at Law Enforcement Agencies, at <https://www.pca.state.mn.us/sites/default/files/w-hw4-13.pdf>.

Who can collect discarded pharmaceuticals?

In Minnesota, only two types of entities may voluntarily collect discarded pharmaceuticals that include controlled substances and legend drugs from households, long-term care facilities, or schools:

- Law enforcement agencies operated by government entities.
- Pharmacies licensed by the Board and authorized by the DEA.

The collection requirements for law enforcement agencies and pharmacies are different. This fact sheet will discuss the collection requirements for law enforcement agencies. Collection requirements for pharmacies are discussed in MPCA fact sheet #w-hhw2-07, Collecting Pharmaceuticals from Households and Long Term Care Facilities, at: <https://www.pca.state.mn.us/sites/default/files/w-hhw2-07.pdf>.

Collection of discarded pharmaceuticals from households and schools is voluntary for law enforcement agencies in Minnesota and will not change the agency's hazardous waste generator 'size' or increase its annual fees.

How does an agency get approval to collect pharmaceuticals?

A law enforcement agency that would like to collect discarded pharmaceuticals must complete these steps:

- Notify the Minneapolis Field Office of the DEA. See [More information](#) on page 4.
- Ensure it has obtained a Hazardous Waste Identification Number (HWID) from the MPCA for each permanent collection site. The HWID for the site must include *Household hazardous waste collection* as a Regulated Waste Activity. See the instructions for Item 1 on page 2 of MPCA form #w-hhw2-04, at: <https://www.pca.state.mn.us/sites/default/files/w-hhw2-04.doc>.
- Submit a Household Pharmaceutical Collection Site License Application, MPCA form #w-hhw2-04, at: <https://www.pca.state.mn.us/sites/default/files/w-hhw2-04.doc>.

Where can law enforcement agencies collect pharmaceuticals?

Law enforcement agencies may set up permanent collection boxes anywhere inside their own permanent site where they can ensure security.

Law enforcement agencies may also set up temporary collection events at any site where their officers will be present during the entire time of the event, and may pick up abandoned household pharmaceuticals from schools for transport back to an agency's permanent collection box. HWIDs are not needed for temporary collection event sites.

However, law enforcement agencies may not pick up pharmaceuticals already collected by pharmacies.

Who can put pharmaceuticals into law enforcement collection boxes?

Either members of the public or law enforcement officers may place household pharmaceuticals into collection boxes. Detainees voluntarily surrendering pharmaceuticals may place them into collection boxes.

Agencies are commonly asked who can bring discarded pharmaceuticals to a collection box or event:

- If the pharmaceuticals include any controlled substances, then only the prescription-holder, a member of their immediate household, the executor of their property if they are deceased, or law enforcement agencies may bring the controlled substances to the collection box. School staff may not transport abandoned student controlled substances to a law enforcement collection box by themselves.
- If the pharmaceuticals include only legend drugs and over-the-counter (OTC) medications, then the prescription-holder may designate any person to bring the pharmaceuticals to the collection box. School staff may transport abandoned student legend drugs and OTC medications to a collection box or law enforcement agencies may transport them to a collection box on their behalf.

Law enforcement agencies may not dispose of illicit drugs or pharmaceuticals seized in the course of investigations into their collection boxes. These regulated hazardous waste must be managed separately. See MPCA fact sheet #w-hw4-13, Managing Wastes at Law Enforcement Agencies, at <https://www.pca.state.mn.us/sites/default/files/w-hw4-13.pdf>.

Businesses may not dispose of their pharmaceutical wastes into law enforcement collection boxes. However, the MPCA considers that residential care facilities with a capacity of six or less are households for waste disposal purposes, and may dispose of their residents' pharmaceuticals at law enforcement collection boxes.

Law enforcement agencies may not bring discarded pharmaceuticals they have collected to a pharmacy, nor may law enforcement agencies pick up collected pharmaceuticals from a pharmacy for disposal.

Can medication containers be put in collection boxes?

Medication containers, such as pharmacy vials, pill bottles, and dispensing jars may be placed into collection boxes if the agency decides to allow it, or households may be asked to empty their containers into a collection box. Emptied household containers may be managed as normal solid waste, however the MPCA recommends that all patient-identifying information be removed from them or obliterated.

How must collected pharmaceuticals be disposed?

Agencies may transport collected household pharmaceuticals to any permitted solid waste incinerator that has agreed to accept the waste. A list of Minnesota incinerators that have notified the MPCA that they will accept non-hazardous law enforcement wastes and more information on disposal may be found in MPCA fact sheet #w-hw4-13, Managing Wastes at Law Enforcement Agencies, at <https://www.pca.state.mn.us/sites/default/files/w-hw4-13.pdf>.

Agencies may also transfer collected household pharmaceuticals to a DEA-Registrant reverse distributor for subsequent solid waste incineration.

Law enforcement agencies in Minnesota may not burn collected household pharmaceuticals themselves. See MPCA fact sheet #w-hw4-13, Managing Wastes at Law Enforcement Agencies, at <https://www.pca.state.mn.us/sites/default/files/w-hw4-13.pdf>.

Agencies may treat collected household pharmaceuticals using products intended to render them non-retrievable, but must still manage the treated wastes by solid waste incineration. Treated household pharmaceuticals may not be disposed into the normal solid waste unless they are evaluated as non-hazardous. See MPCA fact sheet #w-hw4-13, Managing Wastes at Law Enforcement Agencies, at <https://www.pca.state.mn.us/sites/default/files/w-hw4-13.pdf>.

Household pharmaceuticals collected by law enforcement may not be taken to a pharmacy operating a Household Pharmaceutical Collection Site for consolidation with their collected wastes.

How must collected pharmaceuticals be transported?

Household pharmaceuticals collected by law enforcement agencies may be transported in the custody of law enforcement officers to an incinerator or to another law enforcement agency for consolidation and subsequent transport to an incinerator. No hazardous waste manifest is required for the transport.

Agencies may also ship collected household pharmaceuticals to an incinerator using a DEA-Registrant reverse distributor as the transporter. You must ensure that the transporter has obtained Special Permit SP-20255 from the U. S. Department of Transportation (DOT). If you are using a common carrier to ship collected household pharmaceuticals to a DEA-Registrant reverse distributor, then you must obtain the Special Permit from the DOT yourself before shipping the liners. No hazardous waste manifest is required for the transport.

What records must I keep and submit?

The MPCA recommends that you keep complete chain of custody and disposal documentation for collected household pharmaceuticals.

Annually, you must submit MPCA form #w-hhw2-05, Household Pharmaceutical Collection Program Annual Report, available at: <https://www.pca.state.mn.us/sites/default/files/w-hhw2-05.pdf>, by March 31st each year.

What about sharps?

Law enforcement agencies may choose to voluntarily collect household sharps or not. No approval from your Metro County or the MPCA is required. If an agency desires not to collect sharps, the MPCA recommends that clear signage at the collection box be posted, along with directions to the nearest household sharps collection site, or, if there are no local household sharps collection sites, directions for households to dispose of their sharps as safely as possible themselves, using the guidance presented in MPCA fact sheet #w-hhw4-67, Safe Disposal Options for Needles and Syringes, at <https://www.pca.state.mn.us/sites/default/files/w-hhw4-67.pdf>.

Unfortunately, even with clear signage, some sharps likely will be abandoned in or near household pharmaceutical collection boxes. You may find guidance for disposal of voluntarily collected or abandoned sharps in MPCA fact sheet #w-hw4-13, Managing Wastes at Law Enforcement Agencies, at <https://www.pca.state.mn.us/sites/default/files/w-hw4-13.pdf>.

What about other wastes & items that aren't pharmaceuticals?

Many law enforcement agencies find that some households will bring in other wastes and items for disposal with their pharmaceuticals other than sharps, such as mercury thermometers, paint, and electronics. If you find non-pharmaceutical wastes in your collection box or abandoned in your facility, you may transport these wastes to a Household Hazardous Waste (HHW) Collection Program that has agreed to accept them. Contact your county solid waste or environmental department to locate your local HHW Collection Programs.

The MPCA recommends that clear signage and supervision of the collection box is the most effective step to minimize inadvertent collection of other wastes. The MPCA suggests that your signs instruct that only Schedule II-V controlled substances, prescription drugs, and over-the-counter medications should be placed into your collection box. Providing location and contact information for local collection sites of other household hazardous wastes that might otherwise be deposited into your collection box, such as thermometers, compact fluorescent lamps (CFLs), and aerosol cans, can also significantly reduce inadvertent collection of these items.

You may find sample signage and other planning and educational materials for household pharmaceutical collection events and the Take It to the Box program on the MPCA's Medication Disposal Toolkit webpage at <https://www.pca.state.mn.us/waste/medication-disposal-toolkit>.

More information

Guidance in this fact sheet was compiled from the Minnesota Statutes, Chapter 151; and Minnesota Rules, 7045; and incorporates regulatory interpretation decisions made by the MPCA on September 10, 2010, and June 8, 2016. To review Minnesota laws, visit the Office of the Revisor of Statutes at: <https://www.revisor.mn.gov/pubs>.

The MPCA's Small Business Environmental Assistance Program offers free, confidential compliance assistance. Immediately report all hazardous waste spills to the Minnesota Duty Officer.

Metro County Hazardous Waste Offices

Anoka	763-422-7093
.....	https://www.anokacounty.us/
Carver	952-361-1800
.....	http://www.co.carver.mn.us/
Dakota	952-891-7557
.....	https://www.co.dakota.mn.us/
Hennepin	612-348-3777
.....	http://www.hennepin.us/
Ramsey	651-266-1199
.....	https://www.ramseycounty.us/
Scott	952-496-8177
.....	http://www.scottcountymn.gov/
Washington	651-430-6655
.....	https://www.co.washington.mn.us/

Minnesota Duty Officer

Toll free	1-800-422-0798
Statewide	651-649-5451

Minnesota Pollution Control Agency

Toll free	1-800-657-3864
Statewide	651-296-6300
.....	https://www.pca.state.mn.us/

Small Business Environmental Assistance Program

Toll free	1-800-657-3938
Statewide	651-282-6143
.....	https://www.pca.state.mn.us/sbeap/

Minnesota Board of Pharmacy

Statewide	651-201-2825
.....	https://mn.gov/boards/pharmacy/

U.S. Drug Enforcement Administration

Toll free	1-800-882-9539
Minneapolis Field Office	612-344-4143
.....	http://www.deadiversion.usdoj.gov/

U.S. Department of Transportation

Hazardous Materials	1-800-467-4922
.....	http://www.phmsa.dot.gov/