



Hazardous Waste Pharmaceutical Sewer Ban

Effective August 21, 2019

The US Environmental Protection Agency (EPA) has finalized a new rule for the management of hazardous waste pharmaceuticals. The rule provides a tailored set of management standards specifically designed to reduce the complexity of the Resource Conservation and Recovery Act (RCRA) regulations for hazardous waste pharmaceuticals. The majority of provisions in the rule will become effective in Idaho after State adoption.

However, as part of this new rule EPA is prohibiting disposal of hazardous waste pharmaceuticals by flushing them down the drain, known as “sewering.” The ban on sewering hazardous waste pharmaceuticals will take effect nationally on **August 21, 2019**.

Facilities Impacted by the Ban

Healthcare facilities and reverse distributors of any generator size, including Very Small Quantity Generators (VSQG), Small Quantity Generators (SQG), and Large Quantity Generators (LQG), are subject to the sewerage ban.

- EPA defines a healthcare facility as any person that is lawfully authorized to:
 - provide preventative, diagnostic, therapeutic, rehabilitative, maintenance or palliative care, and counseling, service, assessment or procedure with respect to the physical or mental condition, or functional status, of a human or animal or that affects the structure or function of the human or animal body; or
 - distribute, sell, or dispense pharmaceuticals, including over-the-counter pharmaceuticals, dietary supplements, homeopathic drugs, or prescription pharmaceuticals.
- EPA defines a reverse distributor as:
 - any person that receives and accumulates prescription pharmaceuticals that are potentially creditable hazardous waste pharmaceuticals for the purpose of facilitating or verifying manufacturer credit. Any person, including forward distributors, third-party logistics providers, and pharmaceutical manufacturers, that processes prescription pharmaceuticals for the facilitation or verification of manufacturer credit is considered a reverse distributor.

Wastes Subject to the Ban

- Hazardous waste pharmaceuticals are subject to this ban. EPA defines pharmaceutical as any drug or dietary supplement for use by humans or other animals; any electronic nicotine delivery system (e.g., electronic cigarette or vaping pen); or any liquid nicotine (e-liquid) packaged for retail sale for use in electronic nicotine delivery systems (e.g., pre-filled cartridges or vials).

- Dietary supplements, prescription drugs, over-the-counter drugs, homeopathic drugs, compounded drugs, investigational new drugs, pharmaceuticals remaining in non-empty containers, personal protective equipment contaminated with pharmaceuticals, clean-up material from spills of pharmaceuticals, and waste that is both radioactive and hazardous (mixed waste), fall under EPA's pharmaceutical definition and are subject to the ban.
- Healthcare facilities and reverse distributors must determine if their pharmaceutical waste is hazardous. Pharmaceutical waste is hazardous if it is P-listed, U-listed, ignitable, corrosive, reactive, toxic, or unevaluated. For more information on how to determine if waste is hazardous, see our website: <https://www.deq.idaho.gov/waste-mgmt-remediation/hazardous-waste/>

Managing Hazardous Waste Pharmaceuticals

- Healthcare facilities and reverse distributors must manage their hazardous waste pharmaceuticals according to hazardous waste management regulations. These include proper container, storage, accumulation, manifest, and disposal requirements.
- For more information on hazardous waste management, see our website: <https://www.deq.idaho.gov/waste-mgmt-remediation/hazardous-waste/>

Helpful Links

EPA Hazardous Waste Generators Webpage
www.epa.gov/hwgenerators

EPA New Management Standards for Hazardous Waste Pharmaceuticals
<https://www.epa.gov/hwgenerators/management-pharmaceutical-hazardous-waste#standards>

EPA Management Standards for Hazardous Waste Pharmaceuticals and Amendment to the P075 Listing to Nicotine
<https://www.federalregister.gov/documents/2019/02/22/2019-01298/management-standards-for-hazardous-waste-pharmaceuticals-and-amendment-to-the-p075-listing-for>

McCoy and Associates Management Standards for Hazardous Waste Pharmaceuticals
<https://www.mccoyseminars.com/library/rcra/wp/HWPharma.pdf>

For More Information

For specific questions, contact the DEQ Hazardous Waste Unit at (208) 373-0502 or your nearest DEQ regional office:

- Boise: (208) 373-0550
- Coeur d'Alene: (208) 769-1422
- Idaho Falls: (208) 528-2650
- Lewiston: (208) 799-4370
- Pocatello: (208) 236-6160
- Twin Falls: (208) 736-2190