**Summary of Issues**

 **Confiscated Drug Initiative (CDI)**

**INTERNAL DRAFT 3/27/19**

As we continue to explore this voluntary initiative, here is a summary of some of the barriers and incentives of interest to CKRC members raised through the internal survey CKRC conducted.

**Make-up, Packaging, Handling of Confiscated Drugs (Barrier)**

1. Scope – Pharmaceuticals NOT biological wastes (sharps), clear expectations of what companies will take so there are no negative impacts to production process and product. Volume capabilities would vary on a site-specific basis.
2. System in place to be sure pharmaceuticals are separated and packaged correctly in the appropriate forms for the particular facilities. If the confiscated items do not meet the designated categories of what is acceptable, it does not go to the facilities.
3. Perhaps EPA could find grant money through the police authorities to help prepare and package the confiscated drugs to help get them into the facility in the proper form for destruction? Grant money could also be used to set up an environmental lab person at the law enforcement facilities to train and oversee proper packaging of materials.

**Regulatory/Legal (Barriers/Incentives)**

1. Avoid RCRA on the front end– FBI/Law Enforcement are not generators of the confiscated drugs and should not be subject to RCRA. Use a bill of lading instead of a manifest? Not desirable to enter these confiscated drugs into the country’s hazardous waste problem. Once the drugs reach the facility, the proper testing and acceptance procedures remain in place.
2. Non-EEE kilns would need assistance to be sure material is exempt from NHSM.
3. Comfort letters stating that burning confiscated drugs meets the non-hazardous waste criteria. States that the CDI program is automatically exempt and participation does not pull the facility under CISWI.
4. Obtain a favorable status for this CDI process under 40 CFR 266.100(c), 261.4, and/or 261.6. List confiscated pharmaceuticals/drugs going to CDI facilities as exempt (like used oil).
5. Designate a community-specific CDI effort as an acceptable Supplemental Environmental Project (SEP)

**Public Perception (Barrier/Incentive)**

1. Strong Endorsement by EPA (good process, safety, avoids undesirable forms of disposal, helps law enforcement, etc.) Effective PR campaign and support.
2. All Levels based on needs/wants of various participating companies
* USEPA (Administrator?), Regional, State, Local
* Written, visits, roll out events
1. EPA Communication/Support to educate/Reassure communities and employees.