



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Mail Code 401-2C  
Solid and Hazardous Waste Management Program  
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CHRIS CHRISTIE  
*Governor*

BOB MARTIN  
*Commissioner*

KIM GUADAGNO  
*Lt. Governor*

Sharon M. Joyce, Acting Director  
Office of the Attorney General  
Department of Law and Public Safety  
Division of Consumer Affairs  
124 Halsey Street, 7<sup>th</sup> Floor  
P.O. Box 45027  
Newark, NJ 07101

APR 12 2012

RE: "Project Medicine Drop" Program – Regulatory Interpretation

Dear Ms. Joyce,

The Solid and Hazardous Waste Management Program acknowledges receipt of a letter signed by Linda McGloin of your staff dated April 9, 2012, sent via email dated April 10, 2012. The letter describes a "Project Medicine Drop" program undertaken by the Division of Consumer Affairs (DCA) in collaboration with local police departments and Covanta Energy whereby:

- DCA will provide lockable metal drop-off boxes at the participating local police departments and sheriff's offices;
- Drop-off boxes shall be clearly marked to indicate that only household pharmaceuticals are to be deposited and will list types of pharmaceutical waste that may be deposited and types that are prohibited;
- Members of the public will deposit their unused or expired household pharmaceutical waste in the drop-off boxes 24 hours a day, seven days a week, 365 days a year;
- The police departments and sheriff's offices will be responsible to keep the boxes secure, and accessible to the public and will ensure proper transportation and disposal of the household medication; and
- Covanta Energy will provide free services under its "RX4Safety" program. Under this program, Covanta Energy will accept the household medication at one of its permitted Resource Recovery Facilities (RRFs) in New Jersey for incineration.

In order to conduct the above operation within New Jersey's regulatory framework, DCA requested the Department's guidance on the following:

1. Whether Covanta Energy facilities may, under the existing solid and hazardous waste regulations, accept household waste drugs collected by local police departments and sheriffs' offices under the above program, and

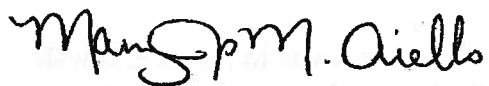
2. What documents, if any, should be kept relating to the above program.

In response to question #1, please be advised that 40 CFR 261.4(b)1 excludes household wastes from being hazardous waste and states that "a resource recovery facility managing municipal solid waste shall not be deemed to be treating, storing, disposing of, or otherwise managing hazardous wastes for the purposes of regulation under this subtitle, if such facility receives and burns only household waste (from single and multiple dwellings, hotels, motels, and other residential sources)". Therefore, Covanta Energy's permitted RRFs may accept and burn the household pharmaceutical wastes received under the DCA's "Project Medicine Drop" program in compliance with the requirements of its respective solid waste facility permits.

In response to question #2, please be advised that normally, transportation of any wastes from collection points to Covanta facilities would be required to be performed by a licensed solid waste transporter. However, if the police department/sheriff's office intends to transport the collected pharmaceutical waste using its own vehicles, the Department will, upon request, issue a letter to the police department/sheriff's office authorizing a one-day exception from the registration requirements and also a letter to Covanta authorizing them to accept the waste from the unregistered entity, on the day of the event. The exception letters will be needed every time the waste pharmaceuticals are transported and must accompany the shipment and a copy be kept on file by the police department/sheriff's office as part of record keeping. In order to obtain an exception letter, the local police department/sheriff's office must contact the Department's Solid Waste Enforcement, Vehicle Registration Section at 609-292-6305 at least seven days in advance of the expected day of the event.

If you have any questions or would like additional information, please contact Zafar Billah, Section Chief of the Bureau of Landfill and Hazardous Waste Permitting, at (609) 984-6985.

Sincerely,



Mary Jo M. Aiello, Director  
Solid and Hazardous Waste Management Program

C: Angelene Taccini, NJDEP  
Larry Ragonese, NJDEP  
Neal Buccino, DCA  
John Castner, SWC&E  
Robert Confer, BLHWP  
John Barry, BSWC&E  
Michael Gage, BSWC&E  
Zafar Billah, BLHWP  
Herb Gross, BLHWP

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## Waffenschmidt,John

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**From:** Weinstein, Sarah (DEP) [Sarah.Weinstein@state.ma.us]  
**Sent:** Friday, August 20, 2010 5:54 PM  
**To:** DellaVecchia,Larry; Morris,Margretta; Frotton,John; Waffenschmidt,John  
**Cc:** Paterson, James (DEP)  
**Subject:** Massachusetts HHW Collection Waiver for Participants in DEA's National Drug Take Back Day

Hi all – I'm very pleased to let you know that MassDEP will provide waivers from our household hazardous waste collection event requirements for municipalities that are participating in the US DEA's National Drug Take Back Day on September 25, 2010.

Our hazardous waste waiver regulations allow us to issue waivers only for specific activities and waste streams at particular locations, so each participating town will need to send us a simple application, and (if it's complete) they will get a short approval letter in return, which they can show to their disposal facility. The application (which asks for very basic information about the event, the person in charge, and the location) and an updated fact sheet for municipalities that are planning collection events will be available on our web site on Monday afternoon (8/23) at:

<http://www.mass.gov/dep/toxics/ppc.htm#disposal>.

Please note that we will be contacting each of the municipalities that are already listed on DEA's web site to let them know about the waiver and the requirements that would apply if they don't obtain a waiver. We'll start next week with the towns that are already listed, and will check the site every few days to make sure that we are providing this information to towns that sign up later. We are also letting our local recycling contacts (who are usually very plugged into the planning for local events to collect various types of waste material) to let them know about the waiver, but in case the word doesn't get to everyone who needs to know, we would appreciate it Covanta would let any Massachusetts towns that inquire about the event know that they will need a waiver unless they plan to comply with our household hazardous waste collection requirements.

If you have any questions about this during the week of 8/23, please contact Jim Paterson (who is cc'd on this email, and can be reached by phone at 617/556-1096). I'll be back in the office on 8/30 and would be happy to talk then if there are any issues.

We hope this helps make the September 25 a successful collection event.

Regards,  
Sarah

Sarah Weinstein  
Deputy Assistant Commissioner  
MassDEP Bureau of Waste Prevention  
Telephone: 617/574-6862