

New RCRA Rule Bans Sewer Disposal of Hazardous Waste Pharmaceuticals from Healthcare Facilities



In February 2019, the U.S. EPA published “*Management Standards for Hazardous Waste Pharmaceuticals – Final Rule*” establishing new regulations under RCRA (Resource Conservation and Recovery Act) which will significantly change how the healthcare sector manages these wastes.

The purpose of this “Final Rule” is to amend existing hazardous waste pharmaceuticals standards for the healthcare industry and related reverse logistics/distributors in order to clarify requirements and provide regulatory relief, while also reducing the amount of these wastes released into the environment.

From HTMA’s perspective, one of the more significant aspects of this “Rule” is the new prohibition banning all hazardous waste pharmaceuticals from disposal to the public sewer. By disallowing this practice EPA anticipates a significant reduction in the amount of these chemicals entering U.S. waters from Publicly Owned Treatment Works (POTWs) whose treatment capabilities may be unequipped to completely remove these types of pollutants.

EPA believes reduced pharmaceutical loadings to POTWs will help address the emerging concerns involving the documented presence of these constituents in drinking and surface water, as well as their observed and suspected negative impacts on aquatic and riparian ecosystems.

In Pennsylvania, the Solid Waste Division of DEP will have primary authority and responsibility enforcing this RCRA – Final Rule after authorization is received from EPA. However, in the matter of the “sewer ban”, owners of sewer systems and treatment works could also have some involvement supporting enforcement of this prohibition.

This sewer ban becomes effective August 21, 2019. As such, disposal of hazardous waste pharmaceuticals to the HTMA sanitary sewer on or after this date, by entities defined in the Rule, would be a RCRA violation. Additionally, this could also be considered a violation of the Authority’s General Discharge Prohibitions resulting in the possibility of enforcement action by HTMA.

Although this “Final Rule” (and sewer ban) applies only to the healthcare industry and hazardous waste pharmaceuticals, the HTMA continues to encourage its residential customers to refrain from disposing their unused prescription medications “down the drain” and recommends utilizing authorized pharmaceutical “take-back” services provided by various local pharmacy outlets or other collection events periodically sponsored by the DEA or licensed waste handling services to ensure proper disposal of these materials.

Healthcare facilities are advised to review their pharmaceutical waste inventories and disposal practices to determine what impact this new rule may have on their operations. They are also instructed to comply with the new sewer disposal prohibition when it goes into effect, if applicable.

For more information about the “Final Rule” please visit EPA’s web-links below for detail summaries and FAQs, or contact HTMA’s Pretreatment Coordinator with any questions you may have.

Thank you for your interest in this issue.

<https://www.epa.gov/hwgenerators/final-rule-management-standards-hazardous-waste-pharmaceuticals-and-amendment-p075>

<https://www.epa.gov/hwgenerators/frequent-questions-about-management-standards-hazardous-waste-pharmaceuticals-and>