

## New Federal Rule Includes Hazardous Waste Pharmaceuticals Sewering Ban

In December 2018, the EPA Acting Administrator signed the final rule, titled, "[Management Standards for Hazardous Waste Pharmaceuticals and Amendment to the P075 Listing for Nicotine](#)". This final rule allows for cost savings and streamlined standards for handling hazardous waste pharmaceuticals to better fit the healthcare industry while maintaining protection of human health and the environment.

This final rule includes a sewerage ban on hazardous waste pharmaceuticals which prohibits healthcare facilities and pharmaceutical reverse distributors from sewerage such waste.

The rule and sewerage ban go into effect nationwide on **August 21, 2019**, independent of the status of state regulations. This action is intended to address issues pertaining to the presence of pharmaceuticals in drinking and surface waters, as well as the negative impacts to aquatic and riparian ecosystems. EPA projects that this rule will improve our drinking and surface water quality by reducing pharmaceuticals entering our waterways by 1,644 to 2,300 tons annually nationwide. EPA and the Department strongly recommend not sewerage any waste pharmaceutical (i.e., hazardous or non-hazardous) from any source or location as a best management practice.

The DNR is communicating with healthcare facilities and pharmaceutical reverse distributors in Wisconsin regarding changes needed to comply with the sewerage ban. Healthcare facilities are defined as any entity that is lawfully authorized to:

1. 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
2. distribute, sell, or dispense pharmaceuticals, including over-the-counter pharmaceuticals, dietary supplements, homeopathic drugs, or prescription pharmaceuticals.

This definition includes, but is not limited to, wholesale distributors, third-party logistics providers that serve as forward distributors, military medical logistics facilities, hospitals, psychiatric hospitals, ambulatory surgical centers, health clinics, physicians' offices, optical and dental providers, chiropractors, long-term care facilities, ambulance services, pharmacies, long-term care pharmacies, mail-order pharmacies, retailers of pharmaceuticals, veterinary clinics, and veterinary hospitals.

See the following for a definition of pharmaceutical reverse distributor:

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

This new rule **does not** apply to pharmaceutical manufacturers (unless they act as reverse distributors), production facilities or other generators of hazardous waste pharmaceuticals.

**NOTE:** Publicly-owned wastewater treatment works (POTWs) and other wastewater treatment facilities should review any sewer use agreements with healthcare facilities and pharmaceutical reverse distributors to determine whether changes are required due to the ban on hazardous waste pharmaceuticals. The "sewer-able seven" - calcium salts, dextrose, lactated ringer's, magnesium salts, potassium salts, saline and sterile water – are not hazardous wastes and are not included in the sewerage ban.