



Maricopa County
Air Quality Department

Number: **PP-2010-001-R**

Title: **Permitting of Illegal Drug Incineration**

Author: *Eric Funderburk*

Issue Date: *August 16, 2010*

Revision Date: *N/A*

Review Date: *July 31, 2011*

Approved by:

Max Porter, Interim Director

Purpose

Law enforcement agencies typically dispose of illegal drugs through incineration by either burning them onsite in a cyclonic burner or by sending them to a private facility with thermal processes capable of destroying the drugs (such as a cement plant) or a dedicated drug burning facility. The purpose of this memo is to clarify whether this activity is covered under department rules and whether an air permit or permit modification is required.

Applicability

This policy applies to the disposal of illegal drugs by incineration as defined in Rule 313 § 211. This policy does not apply to open outdoor fires or open burning as defined in Rule 314 §209.

Definitions

Illegal drugs are those considered to be controlled substances that are prohibited by state and federal law.

Discussion

The Arizona Department of Environmental Quality (ADEQ) has evaluated small incinerators (e.g., 55 gallon cyclonic barrel burners) used for the purpose of drug burning and determined them to be exempt. ADEQ has determined that facilities that burn drugs on an intermittent basis for police agencies are not subject to the permit revision process. ADEQ has deemed this activity to represent a community service that does not require any notifications, revisions or recordkeeping.

The United States Environmental Protection Agency (EPA) Region 9 has indicated that it is a common practice for law enforcement agencies to take illegal drugs to be incinerated at cement plants since process temperatures are considered to be high enough that no additional emissions or adverse health effects are thought to occur.

Statement of Policy

Incineration of illegal drugs by law enforcement agencies, and at permitted facilities within Maricopa County is considered an exempt activity if the incineration was requested by a government agency and the activity does not otherwise require a modification to an existing air quality permit or a change to the equipment list.

If an air permit is not otherwise required, the department will not require a permit for law enforcement agencies to incinerate illegal drugs when the sole source of emissions is due to the incineration of illegal drugs.

Dedicated businesses who incinerate illegal drugs are subject to the normal permitting requirements under department rules, i.e. an air permit is required if emissions of PM-10 exceed the 3 lb/day permitting threshold under Rule 220, Section 303.3.c(7)(j).

Reference

This document supercedes the previous policy, Incineration of Illegal Drugs, issued on December 3, 2008.