

Kansas Department of Health and Environment
Bureau of Waste Management Policy 06-04

Related to

Medicinal Nitroglycerine

November 21, 2006

Purpose

The purpose of this policy is to allow generator flexibility when managing medicinal nitroglycerine in finished dosage.

Background

Nitroglycerine in finished dosage forms, such as tablets or capsules, has been regulated under the Resource Conservation and Recovery Act (RCRA) as a 40 CFR 261.33 listed hazardous waste (P081) because it constitutes a formulation containing nitroglycerine as the sole active ingredient. Under the revised mixture and derived-from rules [40 CFR 261.3(g)(1)] which went into effect under federal regulation on February 1, 2002, a waste that has been listed solely for the characteristic of ignitability, corrosivity, or reactivity is not regulated as a hazardous waste if it does not exhibit any hazardous waste characteristic. Moreover, if the waste does not exhibit a characteristic at the point of generation, it is considered to have never been a hazardous waste and does not need to meet land disposal restrictions (LDRs). Because P081 is listed solely for reactivity, and because EPA presumes that medicinal nitroglycerine in finished dosage forms is not reactive, it would not be listed as hazardous waste under the new federal rules, and also would not be subject to LDRs. The new rules took immediate effect in states that have not been authorized to carry out the base hazardous waste program. Kansas has been authorized to carry out the base hazardous waste program and therefore this rule will not take effect in Kansas until the 2002 federal regulations are adopted by the State.

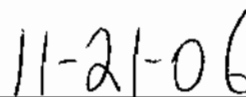
Action

The State intends to adopt the current, more flexible Federal regulations including the mixture and derived-from rules [40 CFR 261.3(g)(1)]. However, in the interim, Kansas will allow generators to manage medicinal nitroglycerine in finished dosages as a non-hazardous waste.

This policy shall remain in effect until it is revoked or it is rendered obsolete by the aforementioned change in the Kansas hazardous waste regulations.



William L. Bider
Director, Bureau of Waste Management



Date