

# PROPER DISPOSAL OF ILLEGAL DRUGS AND OTHER CONTRABAND BY LAW ENFORCEMENT



Department of  
Environmental  
Conservation



Under New York State regulations, illegal drugs and other contraband items seized by law enforcement agencies that are no longer needed as evidence are considered solid waste. Old uniforms, confidential files, and other materials generated by law enforcement agencies are also solid waste. DEC regulates the disposal of solid waste based on the methods used to dispose of it.

In some cases, it may be desirable to burn or incinerate these items. DEC regulations at 6 NYCRR 215.3(h) allow the open burning of explosive, dangerous, or contraband materials by law enforcement agencies on an emergency basis. Importantly, the routine disposal of evidence or other materials no longer needed is not an emergency, and therefore not allowed under this provision.

Devices such as cyclonic burn barrels or other similar equipment are considered incinerators by definition and require DEC permits before construction and operation. Devices such as cyclonic burn barrels do not meet the stringent emissions control requirements of DEC incinerator regulations.

DEC encourages law enforcement agencies to contact a permitted municipal waste combustion facility for the routine disposal of contraband items whenever incineration is desired. Unlike cyclonic burn barrels, these facilities are equipped with emission controls designed to protect public health and the environment. These permitted facilities often work with law enforcement agencies and are prepared to accommodate special handling procedures as needed with advance notice. A list of permitted facilities is available from DEC upon request.

Law enforcement agencies with questions on the incineration of illegal substances are encouraged to contact DEC's Division of Air Resources at (518) 402-8403 or [dar.web@dec.ny.gov](mailto:dar.web@dec.ny.gov)