



Proposed Rule 1165.1

Control of Emissions from Incineration of Contraband



Working Group Meeting No. 1
October 08, 2026 – 2:00 pm

Zoom URL: <https://aqmd.zoomgov.com/j/1655317016>

Dial In: 1 669 216 1590

Webinar ID: 165 531 7016 (applies to all)

Agenda

- 
- South Coast AQMD Background
 - Contraband Incineration Background
 - Existing Regulatory Landscape
 - Proposed Rule Considerations
 - Rule Development Process & Next Steps



SOUTH COAST AQMD BACKGROUND

South Coast Air Quality Management District (South Coast AQMD)

- Local air pollution control agency for all of Orange County and large portions of Los Angeles County, Riverside County, and San Bernardino County
 - Largest of the 35 local air agencies in California with 17 million residents
 - 45% of California population
 - 10,743 square miles
- Responsibilities include:
 - Regulating emissions from stationary sources
 - Permitting and inspecting over 28,400 facilities
 - Developing and implementing plans to meet state/federal air quality standards
 - Administering over \$100 million of incentive funding annually



Key South Coast AQMD Activities



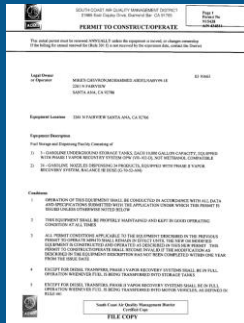
Air Quality Management Plan

- Blueprint to attain air standards



Rules and Regulations

- Reduce emissions from facilities or equipment



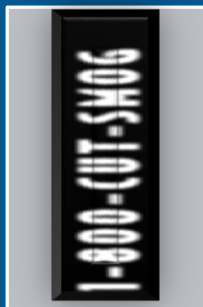
Permits to Operate

- Issue permits to limit equipment/ facility emissions



Compliance Inspections

- Periodic inspections to enforce rules and permits



Complaint Investigations

- Respond to air quality concerns from the public



Ambient Air Monitoring

- Quantify air quality including special studies (e.g. MATES)
- Monitor toxics and air emissions at facility fencelines



CONTRABAND INCINERATION BACKGROUND

Background



- Contraband are goods that are unlawful to produce, possess, import, export, or transport
 - May include guns, clothing, weapons, controlled substances i.e. illegal drugs, etc.
- Various police agencies in Southern California seize contraband for evidence and destroy them after trials are over
- Focus is on incineration of illegal drugs
 - Other goods such as guns are usually destroyed via other means such as shredding

Holding & Transport of Illegal Drugs

- Seized illegal drugs are typically stored until court proceedings are done and/or when storage area is approaching capacity
- Illegal drugs then transported for disposal, typically via incineration off-site
- Based on a site visit, illegal drugs needing disposal reached 3,500 pounds over approximately 3 years



Source: [Metro Wire](#)

Illegal Drug Destruction

- Drug Enforcement Administration (DEA) requires illegal drugs to be destroyed to a non-retrievable state to prevent diversion to illicit purposes and protect public health and safety¹
 - Non-retrievable means rendering contraband to unavailable and unusable state²
 - Flexible on destruction method used
- Incineration is a popular destruction method
 - Other destruction methods include chemical degradation and encapsulation



¹ Title 21, Ch. II, Part 1317

² Title 21, Ch. II, Part 1300

SERRF

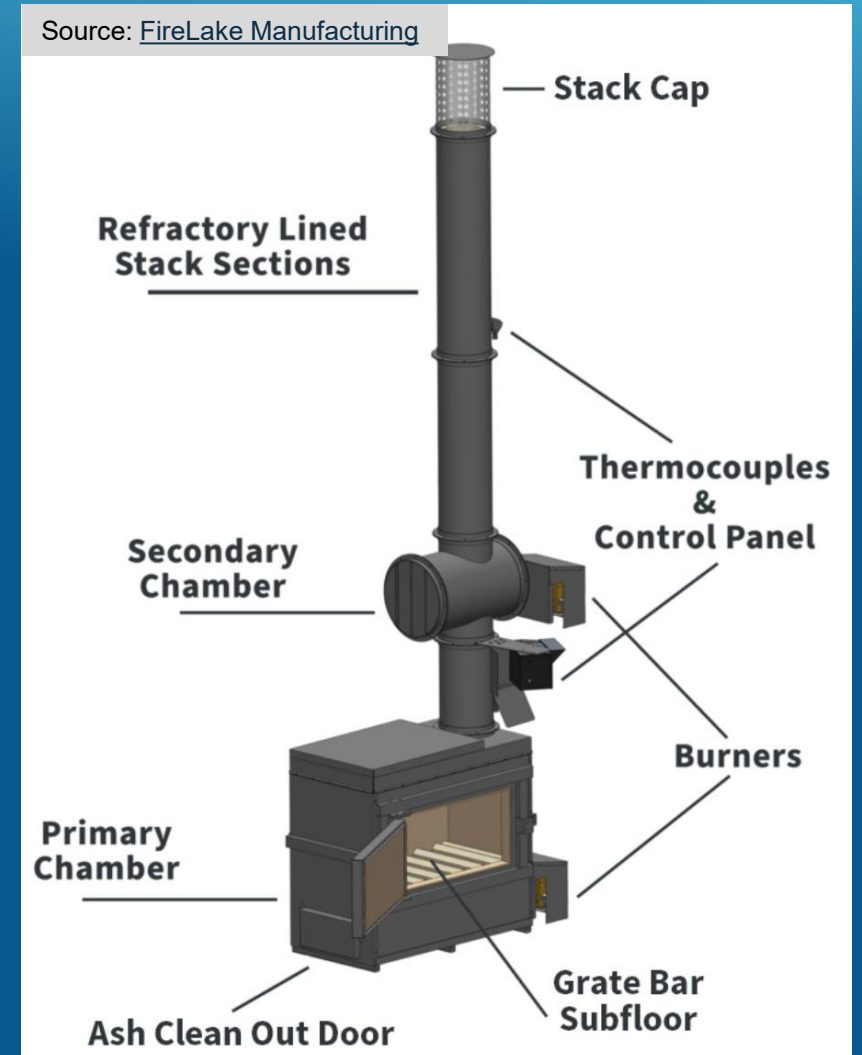
- Primary incineration site used by local police agencies was Southeast Resource Recovery Facility (SERRF) in Long Beach
- SERRF was a waste-to-energy municipal solid waste incineration facility with emission controls
 - Shut down in January 2024
 - Resulted in seized contraband accumulation in various locations
- After shutdown of SERRF, police agencies seeking alternatives for contraband incineration



Source: [Press-Telegram](#)

Incineration

- Incineration is the process of burning substances at high temperatures to reduce the volume of the waste by removing combustible matter
- Benefits to incineration include:
 - Irretrievable destruction of substances
 - Leaves behind ash in a reduced volume
 - Reduced smoke pollution and toxic emissions compared to open burning



Stationary Contraband Incinerators

- Stationary contraband incinerators typically have primary chamber to ignite and combust material and secondary chamber to further control emissions including VOCs, CO, and toxic air contaminants
- Resulting incinerator emissions can be routed to air pollution controls such as scrubbers, baghouses, and ammonia injection
- ‘Authority to Construct’ for a stationary contraband incinerator in Needles, CA issued by Mojave Desert AQMD
- Not installed yet



MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
14306 Park Avenue, Victorville, CA 92392-2310
760.245.1661 -- 800.635.4617 -- FAX 760.245.2022

AUTHORITY TO CONSTRUCT I014386

If construction is not completed by the expiration date of this permit, it may be renewed for one additional year upon payment of applicable fees. Any additional extension will require the written approval of the Air Pollution Control Officer. This Authority to Construct may serve as a temporary Permit to Operate provided the APCO is given prior notice of intent to operate and the Permit to Operate is not specifically denied.

EXPIRES LAST DAY OF: JUNE 2023

OWNER OR OPERATOR (Co.#2743) Department of General Services 707 3rd 4th Street West Sacramento, CA 95605	EQUIPMENT LOCATION (Fac.#4165) CA Dept. of Food & Agriculture 0.8 mi W of Goffs Rd. Interchange Needles, CA 95605
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Descriptions:
OSWI (OTHER SOLID WASTE INCINERATOR)*, LPG consisting of: A Firelake Manufacturing refractory lined dual chamber contraband incinerator, Model P77-3 SC8, 122" L x 73" W x 148" H. Consisting of three (3) burners for an aggregated unit rating of 2.8 MMBtu/hr, primary chamber volume of 77 cubic feet, secondary afterburner volume of 8 cubic feet. Maximum burn rate of 2540 lb/hr.

*Please note: This combustion unit is not subject to the New Source Performance Standards (NSPS) for OSWI (40 CFR 60, Subpart EEEE), as this unit is solely used to combust contraband or prohibited goods and is owned/operated by a government agency [40 CFR 60.2887(p)].

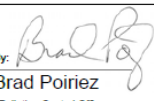
CONDITIONS

1. This Other Solid Waste Incinerator (OSWI) shall be installed, operated and maintained in strict accordance with those recommendations of the manufacturer/supplier and/or sound engineering principles which produce the minimum emissions of air contaminants. Unless otherwise noted, this equipment shall also be operated in accordance with all data and specifications submitted with the application for this permit.
[District Rule 1302]
2. This OSWI shall be fired on commercial grade Liquefied Petroleum Gas (LPG) fuel only.
[District Rule 1302(C)(2)(a)]

Fee Schedule: 4 () Rating: 20,435 square feet NAICS: 926140 SCC: 50300101 Location/Coordinates: +34.81319, -115.20590

This permit does not authorize the emission of air contaminants in excess of those allowed by law, including Division 26 of the Health and Safety Code of the State of California and the Rules and Regulations of the District. This permit cannot be construed as permission to violate existing laws, ordinances, statutes or regulations of this or other governmental agencies. This permit must be renewed by the expiration date above. If billing for renewal fee required by Rule 301(c) is not received by expiration date above, please contact the District.

Department of General Services
707 3rd 4th Street
West Sacramento, CA 95605

By: 
Brad Poiriez
Air Pollution Control Officer

Page 1 of 3 Permit: I014386 Issue Date: 09/29/2022

Mobile Contraband Incinerators



- Mobile contraband incinerators can be used to destroy drugs and other paraphernalia
 - May be used at different sites
 - Vary in size from small drums to mounted on flatbed trailers
 - Have lower throughput capacities than stationary incinerators
- Larger units are equipped with primary and secondary combustion chambers for more complete combustion
- Smaller units have a single combustion chamber and may not include secondary burning

Other Considerations for Incineration

Emissions from burning of fuel and combustion of packaging and contaminants

- High temperatures would be required to ensure destruction of volatiles
- Metals and other non-volatiles, if present, would not be incinerated
- Must comply with Rule 1147 – NO_x Reductions from Miscellaneous Sources
- Also subject to Rule 1303 – Best Available Control Technology Requirements

Materials may be hazardous pre-incineration or post-incineration

- Improper handling, including ash, may result in toxic exposure

2025 Billings Montana Incident

- Animal shelter employees exposed to methamphetamine-based smoke emissions¹
- Exemplifies possible negative outcome of incomplete combustion

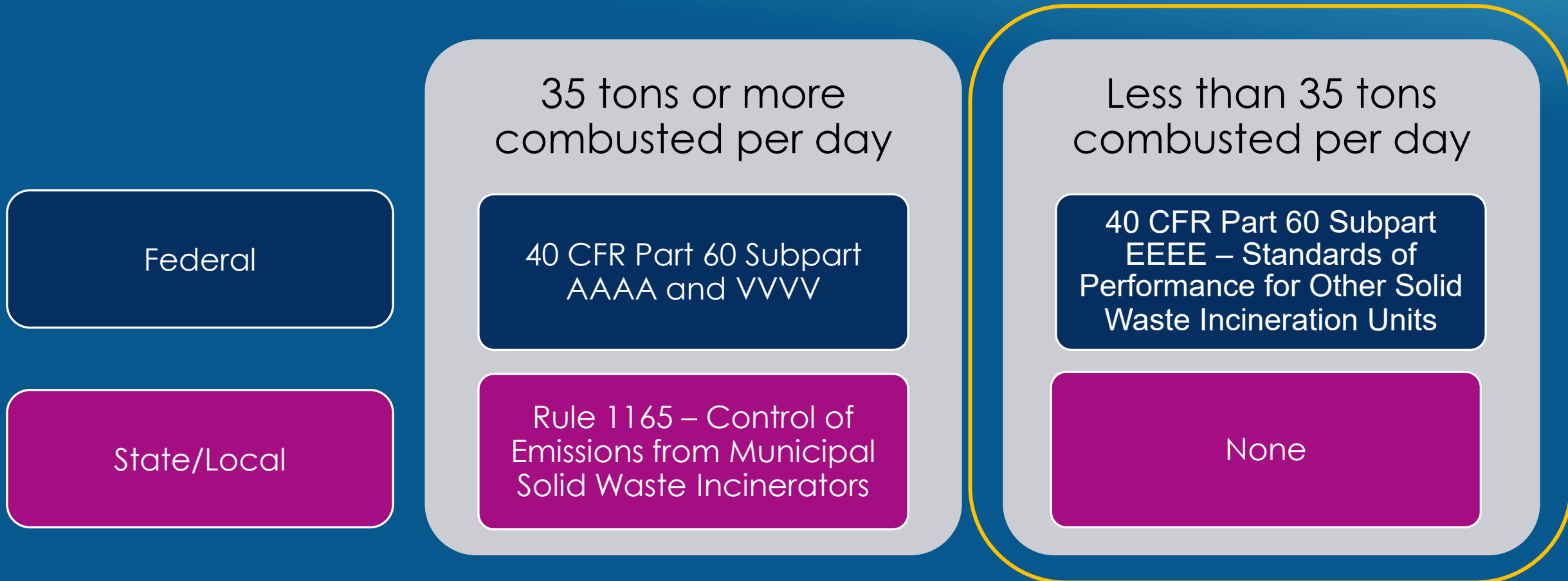
¹ <https://dailymontanan.com/2025/09/19/fbi-drug-burn-mishap-target-of-deq-investigation/>



EXISTING REGULATORY LANDSCAPE

Solid Waste Incineration

- Incineration of illegal drugs considered municipal solid waste incineration at small throughputs, typically 1-2 tons per year



Other Solid Waste Incineration Units (OSWIU)

- 40 CFR Part 60 Subpart EEEE (Subpart 4E)
 - Standards of Performance for Other Solid Waste Incineration Units (OSWIU)
 - Applies to very small municipal waste combustion units, institutional waste incineration units, and air curtain incinerators
- Subpart 4E excludes government agencies such as police, customs, agricultural inspection, or similar agencies that exclusively incinerate contraband
 - No other federal regulation on solid waste incineration applies
- Non-government agencies would be subject to Subpart 4E and must obtain a Title V permit



Source: [AGRM](#)

OSWIU Requirements



- Subpart 4E requirements for non-government agency applicants include:
 - Siting analysis
 - Waste management plan
 - Training
 - Recordkeeping
 - Initial performance testing then periodic source testing
 - Maintain records for at least 5 years that include temperature readings
 - Submit annual and deviation reports

Hazardous Waste Incineration

- If illegal drugs meets characteristics of hazardous waste, additional regulations may apply
- 40 CFR Part 264 Subpart O – Incinerators and 40 CFR Part 63 Subpart EEE – NESHAP* from Hazardous Waste Combustors applies to operators of hazardous waste incinerators
 - Conduct waste analysis of waste feed to determine applicability
 - If waste feed deemed hazardous, then must meet 99.99% destruction and removal efficiency
 - Also meet particulate and toxic metal emission limits
 - Control CO, maintain proper combustion temperatures, and regulate feed rates
- CA Public Resources Code Section §21151.1 Environment Impact Report (EIR) requirement for hazardous waste incineration
 - EIR contains information on potential effects, measures to mitigate those effects, and analysis of alternatives to the project
 - May require a Resource Conservation and Recovery Act (RCRA) permit

Toxic Air Contaminants (TACs)

- South Coast AQMD Rule 1401 – New Source Review of Toxic Air Contaminants (TACs) requires evaluation of emissions of TACs
- Rule 1401 has some exemptions for certain equipment such as emergency internal combustion engines, wood products stripping, and gas stations
 - Contraband incinerators are not exempt from Rule 1401
- Contraband may contain or be contaminated with toxic metals that would not be destroyed in incineration process



Evaluation of Toxic Air Contaminants



- Because of the variety of illegal drugs and packaging evaluation of toxic air contaminants is a challenge
 - Metals from storage containers and illegal drugs, and dioxins from plastics used to hold these illegal drugs need to be considered
 - Toxic metals not destroyed in incineration process
- Testing of exhaust stacks of contraband incinerators for toxics needed to:
 - Determine quantity of toxics that are emitted
 - Used to calculate emission factors
 - Establish appropriate limits on throughputs
 - Ensure compliance with all applicable regulatory requirements
- Emission data needed to demonstrate compliance with South Coast AQMD Rule 1401

Proposed Rule 1165.1



Source: [Positive Choices](#)

- Must ensure government agency operated contraband incinerator units:
 - Operate effectively without visible emissions and do not cause public nuisance
 - Do not pose acute, chronic, or carcinogen health risks to surrounding communities
- PR 1165.1 would provide a pathway for government agencies to incinerate illegal drugs in a safe manner and meet South Coast AQMD expectations
- Staff is seeking emissions data to propose potential rule concepts



PROPOSED RULE CONSIDERATIONS

Early Rule Concepts

Source: [Northwest Industrial Equipment](#)



- Purpose
 - Control emissions of volatile organic compounds (VOCs) and particulate matter (PM), and limit toxic emissions
 - Allow proper disposal of illegal drugs by law enforcement without endangering public, including sensitive receptors
- Applicability
 - Contraband incinerators

The background of the slide is a photograph of a desk covered with crumpled white paper and documents, suggesting a process of iteration or development. A semi-transparent blue filter is applied over the entire image. Centered on this background is the main title in white, bold, sans-serif capital letters.

RULE DEVELOPMENT PROCESS AND NEXT STEPS

Rule Development Process

Information Gathering – Meet with Stakeholders



Define Rule Objective and Scope

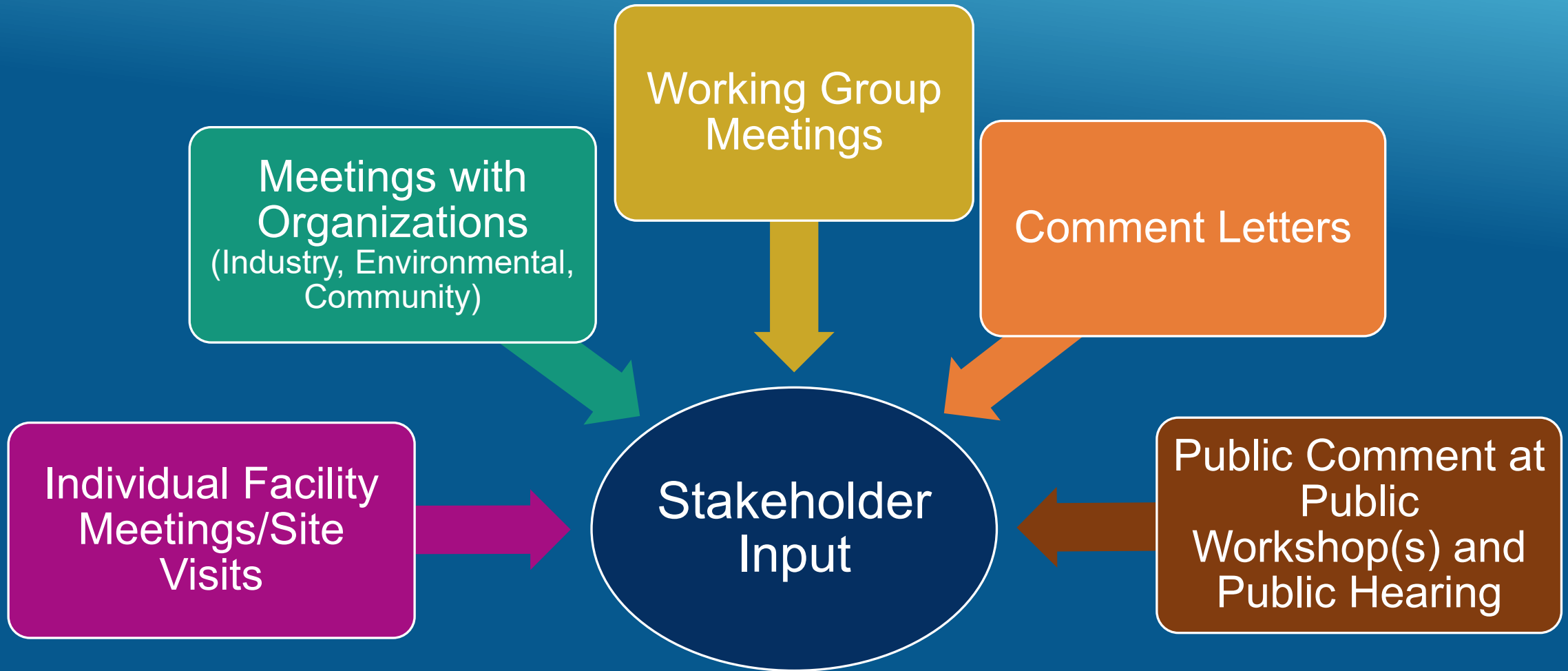


Develop Rule Concepts



Draft Proposed Rule Language

Stakeholder Input



Next Steps

Staff will continue with rule development process, which will include:

Continue
information
gathering

Site visits of
affected facilities

Meetings with
stakeholders

Rule concepts

Tentative Proposed Rule Schedule for PR 1165.1



Additional time may be necessary to incorporate stakeholder feedback

Staff Contacts

South Coast AQMD staff is available to assist you with any questions or comments



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