

THE UNIVERSITY OF TEXAS AT DALLAS
NUMBERED POLICY MEMORANDA

POLICY MEMORANDUM 01-III.27-84

Issued: July 17, 2001

**CONTROLLED ITEMS, PRECURSOR CHEMICALS,
AND CHEMICAL LABORATORY APPARATUS**

In October, 1995, the Texas Department of Public Safety and the Texas Higher Education Coordinating Board signed a Memorandum of Understanding (MOU) that, in accord with Health and Safety Code, Section 481.002, Subdivisions (51), (53), (77), and (80), establishes procedures for maintaining controlled substances (controlled substances are addressed in Policy Memorandum 97-III.27-77), controlled substance analogs, chemical precursors, and chemical laboratory apparatus used in educational or research activities at institutions of higher education. The objective of the MOU is to heighten the awareness regarding the potential problem of the diversion of laboratory chemicals and apparatus to illegal drug operations. The list includes many common pieces of laboratory equipment in addition to possible precursors for the manufacture of illicit drugs.

The procedures required for implementation of the MOU at The University of Texas at Dallas (UTD) are described below. The objective of these implementation procedures is to define an institutional policy for the use of controlled items (chemical precursors and certain laboratory apparatus) on the UTD campus. These procedures shall become effective immediately. Full compliance with this policy is required.

The following is a list of the controlled items whose purchase, use and disposal must be monitored. Since the purpose of the policy is to minimize or eliminate diversion of precursor chemicals and laboratory apparatus for the manufacture of illicit drugs, a minimum size for such apparatus is defined. Items below this minimum are deemed of little use for such illicit operations and need not be monitored.

A. List of Precursor Items

Precursor Chemicals

1. Methylamine
2. Ethylamine
3. D-lysergic acid
4. Ergotamine tartrate
5. Diethyl malonate
6. Malonic acid

Laboratory Apparatus

- A. Condensers
- B. Distilling apparatus
- C. Vacuum dryers
- D. Three-necked flasks (>2000 ml)
- E. Distilling flasks (> 2000 ml)
- F. Tableting machines

- | | | | |
|-----|---------------------|----|---|
| 7. | Ethyl malonate | G. | Encapsulating machines |
| 8. | Barbituric acid | H. | Filter funnels (> 10 cm dia.), Buchner funnels (>10 cm dia.) and separatory funnels (> 2000 ml) |
| 9. | Piperidine | I. | Erlenmeyer flasks, two-necked flasks |
| 10. | N-acetylanthranilic | | single neck flasks, round bottom flasks, |
| 10. | Pyrrolidine | | thermometer flasks, and filtering flasks |
| 12. | Phenylacetic acid | | (all > 2000 ml) |
| 13. | Anthranilic acid | J. | Soxhlet extractors (> 500 ml capacity) |
| 14. | Ephedrine | K. | Variac Transformers |
| 15. | Pseudoephedrine | L. | Flask heaters (> 2000 ml) |
| 16. | Norpseudoephedrine | M. | Heating mantles (> 2000 ml) |
| 17. | Phenylpropanolamine | N. | Adaptor tubes |

The MOU which was signed by the Director of the Texas Department of Public Safety (DPS) and the Commissioner of the Texas Higher Education Coordinating Board, commits the University to establishing procedures that specify: (1) personal responsibility for secure use of controlled items, (2) record-keeping requirements for purchases, (3) procedures for disposal of unused controlled items, (4) security procedures governing use of the controlled items, and (5) a liaison between the University and DPS. Full text of the MOU is available at the Safety Office 972/883-2113.

B. Responsibility

Any person, herein called the Responsible Party (RP), who wishes to purchase or accept controlled items must bear full responsibility for establishing security measures regarding their purchase, acceptance, use, and ultimate disposal. If the controlled items are to be used in a research program supervised by an individual faculty member, the Principal Investigator (PI) becomes the RP and must assume full responsibility. If the controlled items are to be used in a teaching laboratory or in a demonstration for an organized class, the Head of the department through which the academic course is offered becomes the RP.

C. Purchase Orders

The UTD Department of Procurement Management will put in place a purchasing and record keeping program to assist in tracking controlled items. These records can be obtained upon request by the RP (as defined above) or by any state or federal agency so authorized by law. All orders for a controlled item must be submitted by the RP to Procurement Management on a purchase requisition form. **RPs may not order any of the controlled items utilizing the Purchasing Credit Card system.** The controlled items on the purchase requisition or SOS form must be highlighted and followed by a statement that the item ordered is a controlled item. The location of use or storage of the item must be included on the purchase requisition or SOS form. Furnishing these items of information to Procurement Management will enable them to maintain the records as required.

D. Surplus Property

The University will not place any of the controlled items on the MOU list into surplus property sales. Any RP wishing to dispose of controlled items should contact the Safety Office. All precursor chemicals will be disposed of through the University's hazardous waste program; any laboratory apparatus listed on the MOU that is no longer needed for its original purposes will be destroyed by the Safety Office. The Supervisor of the University's Surplus Property will inform the Safety Office of all sales at least two weeks in advance. The Safety Office will send a representative to Surplus Property in order to identify any items included on the MOU list. These items will be picked up by Safety Office personnel and disposed of properly.

E. Security Procedures Governing Use of Controlled Items

Controlled item security consists of site security, operational security, written inventory monitoring, and loss reporting procedures. The responsible individual is also required to provide means by which the controlled items can be stored in accordance with recommendations of the manufacturer and the Texas Natural Resource Conservation Commission (TNRCC). The procedures for storage and handling of controlled items must also adhere to all applicable state and federal laws.

F. Security

The UTD Police Department is available to assist in evaluating and making recommendations regarding site security.

1. Specific locations (e.g. a laboratory or storage area assigned to the RP) should be established where controlled items are utilized and /or stored.
2. All doors and windows must be locked when any room containing controlled items (or any rooms providing access to such a room) is not occupied.
3. Access to rooms containing controlled items must be restricted to personnel so authorized by the RP, and key control must be established so that only those so authorized can have access to the site. University Key Control Services stands ready to assist the RP in establishing assurance over keyed access to their assigned laboratories or storage areas.

G. Operational Security

1. Written procedures must be established by each RP to assure the proper use of controlled items in laboratories and storerooms. These procedures should be available for inspection by DPS and Safety Office personnel at any time.
2. Personnel authorized by the RP to use, handle, or store the controlled items must be alert to any unauthorized personnel entering laboratories containing controlled items, and

appropriate actions must be taken to assure the security of the controlled items when visitors are present.

H. Inventory and Reporting Loss

1. Written prudent procedures must be established by the RP to monitor quantitatively the consumption and use of the controlled items. These procedures should be available for inspection by DPS and Safety Office personnel at any time.
2. Personnel authorized by the RP to use, handle, or store the controlled items must be alert and attentive to the disappearance of any controlled items and to report losses to the UTD Police Department and UTD Safety Office immediately (within the next business day) upon the discovery of the loss.

I. Designation of a University Liaison

The UTD Safety Office is designated as the liaison between the Department of Public Safety and the University.

The Memorandum of Understanding signed by the Texas Department of Public Safety and the Texas Higher Education Coordinating Board is available for review in the Safety Office.