

Tarleton State University
Controlled Substance and Precursor Chemicals
Procurement, Sales, Surplus & Security Guide

October 2017

In 1989, the Texas legislature enacted a bill requiring control of chemical precursors and laboratory apparatus. Codified in the Health & Safety Code, Subtitle C, Chapter 481, chemical precursor and chemical laboratory apparatus are defined in §481.002 DEFINITIONS. The law then provides exceptions for higher education in §481.0621 but requires that the Texas Higher Education Coordinating Board (THECB) adopt a memorandum of understanding that establishes the responsibilities of higher education. The MOU is renewed every 10 years, with the latest MOU signed June 13, 2006.

The table below lists controlled chemicals and apparatus:

Precursor Chemicals	Laboratory Apparatus
1. Methylamine	A. Condensers
2. Ethylamine	B. Distilling apparatus
3. D-lysergic acid	C. Vacuum dryers
4. Ergotamine tartrate	D. Three-necked flasks
5. Diethyl malonate	E. Distilling flasks
6. Malonic acid	F. Tableting machines
7. Ethyl malonate	G. Encapsulating machines
8. Barbituric acid	H. Filter funnels, buchner funnels, and separatory funnels
9. Piperidine	I. Erlenmyer flasks, two-necked flasks, single neck flasks, round-bottom flasks, Florence flasks, thermometer flasks, and filtering flasks
10. N-acetylanthranilic acid	J. Soxhlet extractors
11. Pyrrolidine	K. Transformers
12. Phenylacetic acid	L. Flask heaters
13. Anthranilic acid	M. Heating mantles
14. Hypophosphorus acid	N. Adapter tubes
15. Ephedrine	
16. Pseudoephedrine	
17. Norpseudoephedrine	
18. Phenylpropanolamine	
19. Red phosphorus	

1. GENERAL

This guide sets forth requirements for maintaining purchasing records, guidance on disposal, and acceptable security of precursor chemicals and specific laboratory apparatus pursuant to the Memorandum of Understanding (MOU) between the Texas Department of Public Safety (DPS) and the Texas Higher Education Coordinating Board (THECB).

2. PURCHASING & RECORD-KEEPING REQUIREMENTS FOR PURCHASES

The Office of Risk Management & Compliance will be notified upon any request to purchase controlled substances or precursor chemicals through the university purchasing system.

Printed or electronic purchase order records of items listed above must be retained for a period of time as specified in Section 5.3 of the Texas A&M University System Records Retention Schedule – found [HERE](#). Upon request, the responsible party, i.e., a Principal Investigator or other Tarleton employee who purchases controlled items listed above, is responsible for making these records available to the Texas Department of Public Safety (DPS). Purchasing records may be obtained from a variety of sources:

- a. Tarleton employees who purchase controlled items listed in the table above (the responsible party) using the Buy A&M or TexanBuy system may query the respective system for invoice and purchase records.
- b. Purchase records for purchases made prior to implementation of the TexanBuy system may be accessed through Laserfische.
- c. Purchase records for purchases made using a payment card should be retained by the cardholder (typically the department).
- d. Tarleton employees who accept or receive controlled items from the above list (e.g., transfer from colleagues or brought/transferred from another institution) are responsible for retaining records of receipt including date of receipt, amount received and person or entity from whom the item was received.

All Stockroom personnel must be provided a copy of this procedure.

3. PROCEDURES FOR DISPOSAL OF CONTROLLED ITEMS

Precursor chemicals identified in this procedure and controlled substances, whether used or unused, should be disposed in accordance with the Tarleton Hazardous Waste Management program, which can be found at:

<http://www.tarleton.edu/safety/programs/HazWasteMgmt.pdf>

Risk Management & Compliance (RMC) will provide guidance and consultation to the Supervisor of the University's Surplus Properties to enable that department to prevent apparatus listed in this procedure from being transferred or sold through that department except as follows:

If the responsible party (or Surplus Properties) wishes to transfer the items listed in these guidelines, RMC must be contacted for review and approval. The responsible party (or Surplus Properties) shall then report to DPS on a Nar-22 form, every sale, furnishing or transfer of a controlled item leaving Tarleton State University. This information must then be reported by the responsible party (or Surplus Properties) to DPS within 30 days of the furnishing or transfer of the controlled items. This report shall include the name, address, telephone number, permit number, driver license number and date of birth of the recipient of the controlled items.

4. SECURITY PROCEDURES GOVERNING THE USE OF CONTROLLED ITEMS

The responsible party is required to provide reasonable security, as set forth in this section, for the controlled items listed in this rule and the means by which the controlled items can be stored in accordance with recommendations of the manufacturer, the requirement of the Texas Commission on Environmental Quality (TCEQ) or the U.S. Environmental Protection Agency (EPA), if applicable.

- 4.1 Specific locations (e.g., research/teaching areas, storage areas or stockrooms assigned to the responsible party) should establish reasonable security appropriate for the area where controlled items are utilized or stored.
- 4.2 All doors must be locked when the room containing controlled items is not occupied.
- 4.3 Controlled substances shall be secured as specified by the possessing department's SOP.
- 4.4 Authorized personnel must be alert to any unauthorized personnel entering laboratories containing controlled items, and appropriate action must be taken to assure the security of the controlled items when visitors are present.
- 4.5 Authorized personnel must be alert and attentive to the disappearance of any controlled items and must report losses to the University Police (UPD) and RMC immediately (within the next business day) upon the discovery of the loss. The responsible party should also forward a report to DPS (form NAR-91b) within 5 days after submitting the report to UPD.
- 4.6 The UPD and RMC is available to assist in evaluating and making recommendations regarding site security.

5. REPORTS

Any readily discernable discrepancy, loss, pilferage or theft of materials identified in this rule must be reported to UPD and RMC within five (5) business days of the date of discovery. UPD and the Office of Risk Management & Compliance will assist the responsible party with forwarding the required report (form NAR-91b) to the Texas Department of Public Safety within five (5) additional days.