

**From:** Lester, Cheryl [CLester@sandiego.gov]  
**Sent:** Friday, August 13, 2010 2:08 PM  
**To:** Lucy, Burke  
**Cc:** Pratt, Linda Giannelli; Blair, Tom  
**Subject:** Comments on Home-Generated Pharmaceuticals Program Proposals

Hi Lucy Burke,

The City of San Diego would like to thank CalRecycle for the July 12, 2010 Report, *Evaluation of Home-Generated Pharmaceutical Programs in California* (Report). This detailed review was very helpful in developing a full perspective of the quality and types of programs that exist in California to collect home-generated pharmaceutical waste.

The City would like to provide the following comments on this Report so they may be included in the feedback CalRecycle will give in a report to the California Legislature in December 2010.

After listening on-line to the July 20, 2010, Calrecycle Workshop and reviewing the potential options listed in the Report, the City offers the following comments:

#### Controlled Substance Pharmaceuticals Focus

During the Workshop, discussion focused several times on the concerns of Controlled Substances and their proper management. If CalRecycle and the Legislature are most concerned with the management of Controlled Substances, then it is our opinion that future regulations should be focused only on the modification of the Model Program Criteria so the collection of Controlled Substances is in a safe, convenient, and cost effective manner.

Existing programs may already be able to accommodate Controlled Substance collection. As discussed in the Workshop, pharmacy collection, police station drop boxes, police monitored collection events, and mail back programs are existing programs that may be able to conform to the Model Program Criteria if some practical adjustments to the Model Program Criteria were implemented. During the Workshop, these programs were acknowledged as generally being operated in a safe manner with only one incident of a potential misuse of collected pharmaceuticals. With that type of record so far, I draw the conclusion that those programs are being operated in a safe manner, even if they do not conform to all of the Model Program elements.

In regards to cost effectiveness, these programs may continue to improve as more participation occurs and flexible requirements are included in the Model Program Criteria.

#### Prefer Option 1: Continue Current Practices

The Report did not have any detailed information on the environmental impacts of commonly disposed of home-generated pharmaceuticals. The Workshop participants also stated that no evaluation has been done to determine the environmental risk associated with pharmaceuticals that residents typically dispose of to the trash. The Report states that excretion is "a major pathway for pharmaceuticals to reach the environment," and the City has not seen data implying that the disposal to the trash of home-generated pharmaceuticals are also a "major pathway."

The Report alludes to a potential environmental impact from landfill leachate containing pharmaceutical components that reach a storm drain or sewer system. In San Diego, the regulations do not allow any leachate from our Miramar Landfill to be discharged to the storm drain or sewer system.

With minimal funding presently available and a lack of documented environmental concerns related to the disposal of pharmaceuticals to a landfill, Option 1 seems to be the best short term solution and is preferred by the City of San Diego's Household Hazardous Waste Program.

Until a study shows there are significant effects from the disposal of home-generated pharmaceuticals to the landfill, the City is reluctant to support any new program or regulations that would detract funding from the

collection and proper disposal of known hazardous substances such as paints, pesticides, and cleaners.

An additional reason to remain with Option 1 is due to the potential passage of two bills in the federal legislature, Safe Drug Disposal Act of 2009 (HR 1191 and S 1336) and Secure & Responsible Drug Disposal Act of 2009 (HR 1359 and S 1292). If the state passed regulations for any prescriptive program at this time, it could be in conflict with the final passage of these laws or any pending EPA regulation promulgation. Parallel federal and state regulatory oversight ensures better compliance and more effective programs.

We appreciate the opportunity to provide comments on this important topic.  
Respectfully,

Cheryl Lester

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