



August 13, 2010

Department of Resources Recycling and Recovery (CalRecycle)
Jeffrey Lin
Supervisor, Special Materials Analysis Section
Research and Applied Technology Branch
Statewide Technical & Analytical Resources Division
1001 I Street, P.O. Box 4025, MS-13A
Sacramento, CA 95812

Submitted Via Email

Re: SB966 Pharmaceutical Drug Waste Disposal Program Workshop

Thank you for the opportunity to comment on the Pharmaceutical Drug Waste Disposal Program. Stericycle, Inc. takes matters regarding the proper handling and disposal of pharmaceutical drugs very seriously and has been involved in home generated take back program efforts throughout the United States and Canada. Stericycle, Inc. is the country's leading full service medical waste transportation, treatment and disposal company. We had reviewed the information in the *Evaluation of Home-Generated Pharmaceutical Programs in California - CalRecycle Background Paper for July 20, 2010 Workshop*. We believe that the information provided therein is an excellent evaluation of the program and effectively captures the States efforts through the process of fulfilling the requirements under SB966.

We would like to offer the following for consideration and look forward to the potential opportunity to further discuss these with the Department:

- CalRecycle may want to consider the Ontario Canada program developed by the Ontario Ministry of the Environment.
- Drug Enforcement Agency (DEA) Controlled Substance Issues: As stated in the background paper, certain regulatory restrictions are in the way of potentially more viable programs. New developments have occurred with the Federal Bills as follows:
 - H.B. 1191 and 1359 is now H.B. 5809 and is in the final phases of passing the House of Representatives.
 - S. 1291 is now S. 3397 and has passed the Senate.
 - We believe that these bills will be passed together and will go for signature allowing DEA to move forward with promulgating the regulations needed to allow home generated programs to be developed.
 - This is still likely a year or more in the future. CalRecycle may want to take this into consideration while making its recommendation to the legislature. We would recommend looking at short term and long term options which can be flexible to accommodate upcoming changes.
- Department of Transportation (DOT) Issues: While DOT recognizes the exemption for transportation of hazardous materials by home generators', they do not allow the extension of this exemption from business to business. This may be something further to consider and discuss with the DOT.
- Environmental Protection Agency (EPA) Issues: As discussed in the background paper, EPA consideration is not needed for home generated waste as they are exempt, however this will need to be specifically identified for facilities such as the pharmacies as to the extension of that exemption. Unlike DOT, this is not as clearly defined. If the pharmacies remain conditionally exempt small quantity generators, they may be able to continue to operate programs without the overly burdensome requirements for EPA reporting, or the State could consider passing legislation/regulations which would specifically exempt them with certain conditions or criteria.

We appreciate the efforts of the Department and look forward to the opportunity to work together on this very important matter. Please feel free to contact me if you have any further questions at 847-943-6685 or shoboy@stericycle.com

Respectfully submitted,

Selin Hoboy
Vice President – Legislative and Regulatory Affairs
Stericycle, Inc.