

February 4, 2019

**SENT VIA ELECTRONIC MAIL**

William Grimes  
Safe Drug Disposal Liaison  
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(408) 918-1967

Re: Submission of Revised Product Stewardship Plan for Sharps from Households

Dear Mr. Grimes:

MED-Project LLC (“MED-Project”) is submitting this letter and the revised Product Stewardship Plan for Sharps from Households (“Revised Plan”) in response to the County of Santa Clara Consumer and Environmental Protection Agency (“Agency”) Notice of Determination dated December 14, 2018. *See* Letter from Jo Zientek, Director, Consumer and Environmental Protection Agency, to Dr. Victoria Travis, National Program Director, MED-Project LLC (Dec. 14, 2018) (“County Letter”). MED-Project is committed to developing and implementing a comprehensive product stewardship program (“Program”) for the collection, transport, and disposal of Sharps from Residents of Santa Clara County (“County”) consistent with the County of Santa Clara Safe Sharps Disposal Ordinance, County of Santa Clara Ordinance Code Division B11, Chapter XXI (“Ordinance”) and the Santa Clara County Safe Sharps Disposal Regulations (“Regulations”). Please see the changes to the previously submitted plan in the attached redlined version.

As part of the Revised Plan submission, MED-Project would like to take the opportunity to explain the proposed approach to collecting, transporting, and disposing of Sharps set forth in the Revised Plan. MED-Project is seeking approval from the Director of the Agency for its proposed approach in accordance with the discretion afforded to the Director to waive strict compliance with the requirements of the Ordinance to achieve the objectives of the Ordinance. *See* Ordinance §§ B11-564(f) and B11-566(b).

**County Letter Items 1 & 11: Mail-Back Distribution Locations**

As discussed with the County, MED-Project is proposing an alternative approach in the Revised Plan to establish additional Kiosk Drop-Off Sites for the collection of Sharps beyond the requirements of the Ordinance, while also striving to establish a minimum number of Mail-Back Distribution Locations and distribute mail-back informational cards.

As communicated to the County, MED-Project will strive to establish ten Mail-Back Distribution Locations in each supervisorial district at fire stations, libraries, or other government buildings willing to serve voluntarily as Mail-Back Distribution Locations. Informational cards with instructions for ordering Mail-Back Packages through MED-Project's Call Center and/or MED-Project Website will also be offered to retail pharmacies, law enforcement agencies, clinics, hospitals, fire stations, and library locations to provide to Residents. In MED-Project's experience, sites are generally reluctant to serve as distribution locations for Mail-Back Packages due to storage constraints, employee training requirements, and the oversight necessary to support and track such activities. Sites are more likely to distribute small informational cards with instructions for how Residents may obtain Mail-Back Packages.

Additionally, as described in Plan Section V.A.2, MED-Project will strive to establish additional Kiosk Drop-Off Sites beyond what is required by the Service Convenience Goal in the Ordinance to increase the availability and convenience of this disposal option for Residents. MED-Project believes that providing additional Kiosk Drop-Off Sites beyond the baseline of one drop-off site for every 20,000 county residents per § B11-566(b)(2) would further the underlying objectives of the Ordinance to provide accessible and convenient options for Residents to dispose of Sharps.

Finally, MED-Project will consider including in the Program as a Kiosk Drop-Off Site or Mail-Back Distribution Location potential collection sites that offer to participate voluntarily and that can comply with all applicable local, state, and federal laws, regulations, other legal requirements, and MED-Project Program requirements.

### **County Letter Item 6: Sharps Disposal**

While MED-Project is proposing to only use medical waste incineration for Mail-Back Packages in response to County Letter item 6, MED-Project believes municipal solid waste combustion is a safe, environmentally responsible, and cost-effective means of disposing of Sharps waste from households. Maintaining a flexible network of disposal facilities is crucial to ensuring that the Program can operate effectively in compliance with all applicable local, state, and federal laws, regulations, and other legal requirements. MED-Project requests that the County consider the inclusion of municipal solid waste combustors in the future.

### **County Letter Item 7: Provide County Specific URL and Phone Number**

Ordinance § B11-568(a)(4) and Regulations § 7.A.iii require that all stewardship organizations provide a toll-free telephone number and website URL that is specific to the County. Initial launches of the MED-Project website and call center required Residents to navigate to a home page or home menu that provided general information about the Program and then directed Residents to disposal options specific to the County. As discussed with the County, MED-Project has modified the MED-Project Website and Call Center so that Residents can enter their zip code and be immediately directed to County-specific disposal options, without first seeing

general program information. MED-Project believes that the MED-Project Website and Call Center fulfill the objectives of Ordinance § B11-568(a)(4) and Regulations § 7.A.iii.

**County Letter Item 8: Distribution of Educational Materials**

MED-Project will annually notify identified apartment buildings with 50 or more units, workplaces with 100 or more employees, pharmacies, healthcare facilities, and veterinary facilities regarding the availability of educational materials to share with Residents about the Program, as discussed in Plan Section X.D.3. MED-Project will make a good faith effort to identify apartment buildings with 50 or more units and workplaces with 100 or more employees, including through outreach to the Chambers of Commerce identified in Appendix G, to identify covered workplaces. MED-Project will annually notify these locations of the availability of free educational materials.

**County Letter Item 10: Landfills, Transfer Stations, and Recycling Facilities**

MED-Project understands from the County that Residents are currently bringing Sharps to County household hazardous waste facilities (“HHWs”) in the County for disposal. MED-Project will offer educational materials about the Program to HHWs and other agencies that can be distributed to Residents to encourage disposal of Sharps through the Program rather than at County HHW facilities or in the household trash. The Revised Plan continues to propose offering Sharps containers to HHWs, and MED-Project will still offer Mail-Back Packages to all Residents and persons providing caretaker services to Residents through the MED-Project Website and/or Call Center, and at Mail-Back Distribution Locations established throughout the County. MED-Project believes this approach provides reasonably convenient and equitable access for Residents.

An overview of the changes to each section of the Revised Plan is set forth in the following table:

Revised Plan Section	Overview of Changes
<b>Section I. Introduction</b>	Added reference to the Safe Sharps Disposal Regulations.
<b>Section III. Definitions</b>	Updated definitions to add Mail-Back Distribution Locations in response to County Letter items 1 & 11 and align Revised Plan with current program services.
<b>Section V. Collection of Sharps</b>	Updated time to service filled kiosk to one to two business days in response to County Letter item 2.  Clarified Rapid Response to unplanned events and that Kiosk Drop-Off Site Hosts will call 911 in situations posing an immediate threat to the environment or health in response to County Letter item 3.

Revised Plan Section	Overview of Changes
<b>Section VI. Plan and Collection Goals</b>	<p>Added distribution of Sharps Containers at Take-Back Events in response to County Letter item 4.</p> <p>Added Mail-Back Distribution Locations in response to County Letter items 1 &amp; 11.</p>
<b>Section IX. Vendor, Carrier, and Disposal Facility Information</b>	<p>Removed municipal solid waste combustors as disposal facilities for Mail-Back Packages in response to County Letter item 6.</p>
<b>Section X. Educational and Outreach Programming</b>	<p>Added reach and frequency language in response to County Letter item 9.</p> <p>Clarified distribution of educational materials in response to County Letter items 8 &amp; 10.</p>
<b>Section XI. Survey</b>	<p>Aligned survey schedule to align with the Ordinance and Regulations in response to County Letter item 12.</p>
<b>Section XIII. Annual Report</b>	<p>Aligned the reporting period to the Ordinance in response to County Letter item 13.</p>
<b>Appendix A</b>	<p>Updated list of Participating Producers.</p>
<b>Appendix B</b>	<p>Added Mail-Back Distribution Location poster.</p>
<b>Appendix C</b>	<p>Updated list of interested Kiosk Drop-Off Sites in response to County Letter item 14.</p>
<b>Appendix D</b>	<p>Updated list of potential additional Kiosk Drop-Off Sites in response to County Letter item 15.</p>
<b>Appendix E</b>	<p>Updated Mail-Back Package insert.</p>
<b>Previous Appendix F</b>	<p>Removed request to incinerate Mail-Back Packages at municipal solid waste combustors in response to County Letter items 6 &amp; 16.</p>
<b>Appendix G</b>	<p>Updated Sample Contact List for Outreach and Education to the Community in response to County Letter item 17.</p>
<b>Appendix H</b>	<p>Updated Brochure.</p>

Revised Plan Section	Overview of Changes
<b>Appendix J</b>	Added Outreach and Education Plan in response to County Letter item 9.
<b>Appendix L</b>	Updated Sample Education and Outreach Call Center Script in response to County Letter item 18.
<b>Appendix M</b>	Added Mail-Back Package quantity selection menu in response to County Letter item 5.  Updated webpages to be more inclusive of Sharps collection and disposal in response to County Letter item 19.

Thank you for your consideration of the Revised Plan. As a part of the plan review process, MED-Project welcomes the opportunity to discuss the Revised Plan, including any questions you may have about the proposed approaches outlined in this letter, with the Agency at your convenience. MED-Project would be glad to provide additional information regarding the Revised Plan upon request.

We look forward to continuing to work with the Agency. Please feel free to contact me with any comments or questions.

Sincerely yours,



Dr. Victoria Travis, PharmD, MS, MBA  
National Program Director