



County of Santa Cruz

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BOARD OF SUPERVISORS

701 OCEAN STREET, SUITE 500, SANTA CRUZ, CA 95060-4069
(831) 454-2200 • FAX: (831) 454-3262 TDD: (831) 454-2123

JOHN LEOPOLD
FIRST DISTRICT

ZACH FRIEND
SECOND DISTRICT

RYAN COONERTY
THIRD DISTRICT

GREG CAPUT
FOURTH DISTRICT

BRUCE MCPHERSON
FIFTH DISTRICT

AGENDA: 9/1/15

August 25, 2015

BOARD OF SUPERVISORS
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

RE: ORDINANCE REQUIRING MANUFACTURERS AND PRODUCERS OF PRESCRIPTION AND NONPRESCRIPTION DRUGS AND SHARPS TO DEVELOP PRODUCT STEWARDSHIP TAKE-BACK PROGRAMS TO COLLECT AND DISPOSE OF UNUSED/UNWANTED PHARMACEUTICAL AND SHARPS WASTE

Dear Members of the Board:

In April the Board approved a letter opposing Assembly Bill 45 which addressed household hazardous waste disposal and placed all of our disposal programs at risk by requiring that the County establish door-to-door service as the principal means of handling these wastes. Assembly Bill 45 would put the financial burden of disposal of hazardous waste on the County and place additional limitations on hazardous waste disposal.

We believe that communities like Santa Cruz County could benefit from manufacturers of all materials, including hazardous materials and pharmaceuticals, recognizing the full life cycle of their products and taking responsibility not only for manufacturing their product, but for disposal as well.

A Mayo Clinic study issued in June 2013 found that nearly 70 percent of Americans take one prescription drug, up from 48 percent in 2007-2008. According to the Centers for Disease Control and Prevention, health care providers in the United States wrote 259 million prescriptions for painkillers in 2012, enough for every American adult to have a bottle of pills. Municipal wastewater treatment plants are not designed to treat complex drug compounds that end up in the sewer system after being flushed down toilets. Drug can also pass through wastewater treatment systems and contaminate receiving waters.

An Environmental Protection Agency report on drinking water released in December 2013 found samples of at least 25 different drugs, including medication to treat heart

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conditions, in supplies coming out of wastewater treatment plants. Scientists examined samples from 50 large wastewater plants testing for 56 drugs. Medication to treat high blood pressure was not only the most commonly traced drug, but also found in the highest quantities. Properly disposing of leftover, expired, and unwanted drugs would reduce the quantity of drugs that wind up in the Monterey Bay and other receiving waters.

Proper drug disposal could also impact the number of people who become addicted to prescription drugs. Results from the 2013 National Survey on Drug Use and Health indicate that about 15.3 million people ages 12 and older used prescription drugs non-medically in the past year, and 6.5 million did so in the past month. Seventy percent (70%) of those addicted to prescription drugs say they first accessed drugs by taking them from friends and family who kept them unlocked in the house. Locally, 54% of deaths related to overdose involved prescription drugs.

For these reasons, we propose that the Department of Public Works draft a manufacturer take-back ordinance to address household pharmaceuticals. Communities like Alameda, San Francisco County, King County in Washington, and San Mateo County have all developed ordinances that require pharmaceutical companies to establish an Extended Producer Responsibility (EPR) plan, also called a Product Stewardship plan, to address the proper disposal of this household hazardous waste.

Santa Cruz County has passed producer responsibility resolutions in the past to address similar hazardous consumer products in 2002 for televisions, computer monitors, and non-hazardous electronics products; in 2007 for fluorescent lamps, electronic waste, and other household hazardous waste; and in 2009 for a broad range of problem products, including packaging materials. California has passed four significant product stewardship laws for mercury thermostats, carpet, paint, and mattresses. All four laws require producers to establish and fund product stewardship programs for their waste stream.

To date, there is no voluntary or mandatory statewide product stewardship program for unwanted drugs in California. In 2013, the California State Senate passed a bill, Senate Bill 1014, that would have created a voluntary program to collect and properly dispose of home-generated pharmaceutical waste, but the California Assembly did not take up the bill for a vote. There is considerable demand in Santa Cruz County for a permanent drug stewardship program. Since 2008, the Santa Cruz County Public Works Department has operated a pilot program for the collection of controlled and non-controlled substances. The program consists of 22 drop-off locations, including 12 retail pharmacies collecting non-controlled substances and 4 police stations within the county collecting both controlled and non-controlled substances. The pilot program collects an average of 1,000 pounds of controlled and non-controlled substances per month, and to date has collected over 63,000 pounds. The pilot program does not offer a sufficient number of convenient disposal options for all county residents. Moreover, none of the

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pilot program's cost is covered by industry funding, with the financial burden unsustainably falling on local government.

Therefore, we recommend that the Board take the following actions:

1. Direct the Public Works Department to draft an ordinance which requires manufacturers and producers of prescription and nonprescription drugs and sharps to develop product stewardship take-back programs to collect and dispose of unused/unwanted pharmaceutical and sharps waste from county residents;
2. Direct the Public Works Department to initiate stakeholder engagement with the pharmaceutical industry and other stakeholders to solicit feedback on the ordinance, communicate the need to provide safe, convenient, and sustainably financed take-back options for consumers to properly dispose of pharmaceutical and sharps waste, and generate awareness about the collection program that will be created; and
3. Direct the Public Works Department to return to the Board on or before November 3, 2015, with a recommended ordinance for Board consideration.


 JOHN LEOPOLD, Supervisor
 First District

Sincerely,


 RYAN COONERTY, Supervisor
 Third District

JL/RC:ted

cc: Public Works Department
 California Product Stewardship Council
 Clean Water Action/Clean Water Fund
 Sierra Club
 Democratic Women's Club
 People's Democratic Club
 Commission on the Environment
 Hazardous Materials Advisory Commission
 Environmental Health
 City of Capitola
 City of Santa Cruz
 City of Scotts Valley
 City of Watsonville