



GAIL FARBER, CHAIR  
MARGARET CLARK, VICE - CHAIR

LOS ANGELES COUNTY  
SOLID WASTE MANAGEMENT COMMITTEE/  
INTEGRATED WASTE MANAGEMENT TASK FORCE  
900 SOUTH FREMONT AVENUE, ALHAMBRA, CALIFORNIA 91803-1331  
P.O. BOX 1460, ALHAMBRA, CALIFORNIA 91802-1460  
[www.lacountyiswmtf.org](http://www.lacountyiswmtf.org)

April 7, 2016

The Honorable Luis A. Alejo, Chair  
Environmental Safety and Toxic Materials Committee  
State Capitol, Room 2206  
Sacramento, California 95814

Dear Assembly Member Alejo:

**ASSEMBLY BILL 2039 (AMENDED APRIL 5, 2016)  
SOLID WASTE: HOME-GENERATED SHARPS**

The Los Angeles County Integrated Waste Management Committee/Task Force (Task Force) is pleased to **support** Assembly Bill 2039 (AB 2039), as amended April 5, 2016. If enacted, this legislation would, among other things, require a producer of home-generated sharps, or a stewardship organization designated by sharps producers, to submit a home-generated sharps collection stewardship plan to the Department of Resources Recycling and Recovery (CalRecycle) that would provide for the development and implementation of a recovery program to reduce the generation of, and manage the end of life of, home-generated sharps.

The bill also requires manufacturers of medications which are usually intended to be injected to submit a plan which describes how they support the safe collection and proper disposal of home-generated sharps waste which is similar to voluntary measures required by SB 486 (Simitian, 2009). SB 486 requires pharmaceutical manufacturers that sell or distribute medications that are self-injected to submit a plan describing how that manufacturer supports the safe collection and disposal of sharps. Unfortunately, the volunteer program has been a failure as substantiated by the SB 486 third-party reviewers which evaluate and grade the plans. The last grading in 2012 listed 31 plan submittals of which 20 were "F" grades.

Although it has been illegal to dispose of home-generated sharps waste in trash or recycling containers since 2008, the problem remains pervasive. A study by the United State Environmental Protection Agency approximates some 3 billion home-generated sharps are used annually by an estimated 8 million self-injectors, nationwide, who are not always aware of safe disposal methods. As AB 2039 indicates, a CalRecycle study estimates 43 percent of these self-injectors dispose of their used/unwanted sharps with their other municipal solid waste. This practice presents a dangerous and hazardous threat to sanitation handling professionals Statewide. Used sharps can carry infectious and even deadly diseases. There are many cases in recent years of solid waste workers and the general public coming

into contact with illegally disposed sharps. As identified in Section 1(a) of the bill's language, improper disposal of unused/unwanted sharps can pose a serious health risk to waste workers, janitors, and the broader public at-large. Unintended puncture by an improperly disposed sharp can, and at times does, result in the transmission of severely harmful, even fatal, diseases including HIV, hepatitis, tetanus, and syphilis, not to mention the stress this kind of event imposes on the individual as they await the results of blood and other medical tests to determine any potential diagnosis.

It is also expected that potential hazardous threats to sanitation handling professionals will be significantly increased due to California's mandatory 75 percent recycling goal as established by AB 341 (Chesbro, 2011). Achieving the 75 percent goal requires a substantial increase in hand sorting and separation of solid waste from recyclables. The hand sorting involves workers standing on either side of a quickly moving conveyor belt that is carrying waste through a facility and then grabbing recyclables as they quickly pass by. Needless to say, this will potentially increase injuries to sanitation workers from improperly disposed hypodermic needles, pen needles, lancets, and other such items.

AB 2039's goal is to increase access for proper disposal of home-generated sharps, reduce injuries to sanitation workers by home-generated sharps, and alleviate the financial burden on local governments. AB 2039 would establish minimum collection rates for a statewide home-generated sharps collection program and require the producer or designated stewardship organization to submit an annual report to CalRecycle describing the program activities for the previous calendar year. The Task Force is pleased to see this component of the legislation amended to require these minimum collection rates to be measured by the total weight of sharps collected, as opposed to the untenable goal previously stated of measuring these rates by the total number of sharps collected. The report would include a list of specific recommendations proposed by a stakeholder advisory committee created pursuant to the bill which would be comprised of members from the environmental community, solid waste haulers, local government, retailers, and other key stakeholders. Moreover, the legislation also mandates program efforts to advance education and outreach activities on safe and responsible sharps disposal.

The Task Force has been an ardent supporter of Extended Producer Responsibility (EPR) legislation as a way to alleviate the burden imposed upon local governments in managing products at the end of their useful life while shifting a reasonable proportion of that responsibility over to the manufacturers and producers of those products. EPR also seeks to incentivize producers to redesign products to be less toxic and/or easier to safely dispose. The Task Force is already on record as supporting AB 2039 (as amended on March 17, 2016) in a letter addressed to your committee dated March 30, 2016 (enclosed). The Task Force agrees with and is encouraged by the bill's most recent amendments to, among other things, require procedures for compliance with state and federal law; identify the bill's beneficial

implications on public health and safety; and refine the legislation's definition of "stewardship organization."

AB 2039 stands to ensure the pharmaceutical industry and sharps producers will share in the responsibility for safe home-generated sharps collection by requiring these industries to provide meaningful contributions to collection and education costs. It is hoped that placing the responsibility on both the pharmaceutical industry and sharps producers will incentivize the former to develop medications that could replace injectable medications while incentivizing the latter to create sharps which eliminate the possibility of accidental punctures.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 939 [AB 939], as amended), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and the 88 cities in Los Angeles County with a combined population in excess of ten million. Consistent with these responsibilities and to ensure a coordinated, cost-effective and environmentally sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a countywide basis. The Task Force membership includes representatives of the League of California Cities-Los Angeles County Division, County of Los Angeles Board of Supervisors, City of Los Angeles, the waste management industry, environmental groups, the public, and a number of other governmental agencies.

Based on the foregoing, the Task Force **supports** AB 2039, as this legislation serves as an effective medium to achieve the aims discussed herewith. If you have any questions, please contact Mr. Mike Mohajer of the Task Force at [MikeMohajer@yahoo.com](mailto:MikeMohajer@yahoo.com) or (909) 592-1147.

Sincerely,



Margaret Clark, Vice-Chair  
Los Angeles County Solid Waste Management Committee/  
Integrated Waste management Task Force and  
Mayor, City of Rosemead

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cc: Assembly Member Philip Ting  
Each Member of the Environmental Safety and Toxic Materials Committee  
Committee Chief Consultant, Carroll Mortensen  
California State Association of Counties  
League of California Cities, Los Angeles County Division

The Honorable Luis A. Alejo

April 7, 2016

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Each Member of the County of Los Angeles Board of Supervisors

San Gabriel Valley Council of Governments

South Bay Cities Council of Governments

Gateway Cities Council of Governments

Westside Cities Council of Governments

Each City Mayor and City Manager in the County of Los Angeles

Los Angeles County Department of Public Health

Each Member of the Los Angeles County Integrated Waste Management Task Force



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March 30, 2016

The Honorable Luis A. Alejo, Chair  
Environmental Safety and Toxic Materials Committee  
State Capitol, Room 2206  
Sacramento, California 95814

Dear Assembly Member Alejo:

**ASSEMBLY BILL 2039 (AMENDED MARCH 17, 2016)  
SOLID WASTE: HOME-GENERATED SHARPS**

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The bill also requires manufacturers of medications which are usually intended to be injected to submit a plan which describes how they support the safe collection and proper disposal of home-generated sharps waste, which is similar to voluntary measures required by SB 486 (Simitian, 2009). SB 486 requires pharmaceutical manufacturers that sell or distribute medications that are self-injected to submit a plan describing how that manufacturer supports the safe collection and disposal of sharps. Unfortunately, the volunteer program has been a failure as substantiated by the SB 486 third-party reviewers which evaluate and grade the plans. The last grading in 2012 listed 31 plan submittals of which 20 were "F" grades.

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League of California Cities-Los Angeles County Division, County of Los Angeles Board of Supervisors, City of Los Angeles, the waste management industry, environmental groups, the public, and a number of other governmental agencies.

Although it has been illegal to dispose of home-generated sharps waste in trash or recycling containers since 2008, the problem remains pervasive. This practice presents a dangerous and hazardous threat to sanitation handling professionals Statewide. Used sharps can carry infectious and even deadly diseases. There are many cases in recent years of solid waste workers and the general public coming into contact with illegally disposed sharps. Being punctured by a used sharp is a painful and stressful experience for the victim and their family, involving many medical visits and blood tests to determine if a long-term or even life-threatening disease has been transmitted from the puncture wound. It is also expected that potential hazardous threats to sanitation handling professionals will be significantly increased due to California's mandatory 75 percent recycling goal as established by AB 341 (Chesbro, 2011). Achieving the 75 percent goal requires a substantial increase in hand sorting and separation of solid waste from recyclables. The hand sorting involves workers standing on either side of a quickly moving conveyor belt that is carrying waste through a facility and then grabbing recyclables as they quickly pass by. Needless to say, this will potentially increase injuries to sanitation workers from improperly disposed hypodermic needles, pen needles, lancets, and other such items.

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Margaret Clark, Vice-Chair  
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Integrated Waste management Task Force and  
Mayor, City of Rosemead

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cc: Assembly Member Philip Ting  
Each Member of the Environmental Safety and Toxic Materials Committee  
Committee Chief Consultant, Caroll Mortensen  
California State Association of Counties  
League of California Cities, Los Angeles County Division  
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Each City Mayor and City Manager in the County of Los Angeles  
Los Angeles County Department of Public Health  
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