

January 5, 2024

SENT VIA ELECTRONIC MAIL

Heather Forshey
Director, Environmental Health Services
San Mateo County Health
2000 Alameda de las Pulgas
Suite 100
San Mateo, CA 94403
hforshey@smcgov.gov
pollutionprevention@smcgov.gov

Re: Second Notice of Determination Commitment Letter

Dear Ms. Forshey:

MED-Project LLC (“MED-Project”) appreciates the receipt of the San Mateo County Environmental Health Services (“Department” or “County”) second Notice of Determination (“Second NOD”) regarding, and approval of, MED-Project’s Stewardship Plan for Unwanted Medicine from Households (“Stewardship Plan” or “Plan”) submitted on April 14, 2023, and revised on September 18, 2023 (“Revised Plan”).

MED-Project has served the residents of San Mateo County by collecting over 250,000 pounds of unwanted medicine through a network of 48 collection receptacles and 10 mail-back distribution sites located across the county and unwanted medicine mail-back packages requested by residents via the website and call center. The MED-Project website and call center serve residents 24 hours per day, every day of the year. MED-Project’s outreach and education efforts have thus far resulted in over 43 million impressions to County of San Mateo residents, stemming from its comprehensive education and outreach program.

In this letter, MED-Project responds to the Department’s statement that the conditional approval is contingent upon MED-Project providing a letter that commits to revise and resubmit the Revised Plan to meet unmet conditions described in the Second NOD, and adding a goal in accordance with Section III.4.b.of the guidance document provided by the Director, Guidance for the Implementation of a Single System of Promotion and Program, as published on May 31, 2023 (the “Guidance” or “Guidance Document”). MED-Project is providing this response to meet the San Mateo Safe Medicine Disposal Ordinance (“Ordinance”) and, where appropriate and in good faith, address the Guidance.

Below, we identify the unmet conditions identified in the Second NOD and provide MED-Project’s response.

Condition #3 (Second NOD)

MED-Project's Stewardship Plan must specify the Stewardship Organization's and the drop-off site host's responsibilities for training based on the collection method, as described in Section III.2. of the Guidance Document.

MED-Project Response to Condition #3:

MED-Project will submit a revised plan that specifies the Stewardship Organization's and the drop-off site host's responsibilities for training based on collection method. MED-Project notes that the host sites operate under a United States Department of Transportation ("DOT") Special Permit regulating the packaging and transport of household-generated unwanted medicine boxes and liners and are not subject to the training detailed in 49 CFR 172.704 Subpart H (See DOT Special Permit 20255 Provision 4, REGULATIONS FROM WHICH EXEMPTED: 49 CFR Parts 171-180 except as specified herein). MED-Project will specify that the site host must adhere to the requirements specified in a DOT Special Permit, including providing staff that are trained on the DOT Special Permit requirements.

Condition #4 (Second NOD)

MED-Project is allowed to use the Disposal Facilities listed in Appendix X of the Revised Plan and must submit updated information required in Section 4.116.070(c) of the Ordinance to maintain approval for the four-year Stewardship Plan update.

MED-Project Response to Condition #4:

MED-Project will submit updated information under the Ordinance, including under Section 4.116.070(c).

Condition #6 (Second NOD)

MED-Project must directly provide outreach material to pharmacies, healthcare facilities, veterinary facilities, and other interested parties. Businesses shall be encouraged to display and keep this material visible and available for their customers. The Guidance Document further explains different printed material options that could be more suitable for each business. MED-Project shall ensure outreach material is available through periodic checks and respond to requests for replenishment.

MED-Project Response to Condition #6:

MED-Project will revise the plan to specify that outreach materials will be provided to licensed pharmacies, healthcare facilities, and veterinary facilities at least annually with a communication that encourages visibility and availability for their customers and will periodically check and respond to requests for replenishment. MED-Project will also

specify in the revised plan that it will provide outreach materials to any other interested parties who request materials.

Unnumbered Condition (Second NOD)

MED-Project was required to revise the plan goals per the guidance provided by the Department. Section VI of the Revised Plan, "Plan and Collection Goals," fails to include the goal described in section III. 4. B of the Guidance Document.

MED-Project Response to Unnumbered Condition

MED-Project will revise the plan to include a goal to achieve 50% awareness of the collection program of the total survey participants.

* * *

MED-Project again appreciates the conditional approval of its April 19, 2023, Stewardship Plan as revised on September 18, 2023, and will submit a revised plan by March 21, 2024, as required by the Second NOD. MED-Project looks forward to continuing to operate a safe and effective drug takeback program for the residents of San Mateo County.

Sincerely yours,



Dr. Victoria Travis, PharmD, MS, MBA
National Program Director
MED-Project LLC

CC: Louise F. Rogers, Chief, San Mateo County Health
Charles Ice, Deputy Director, San Mateo County Environmental Health
Liliana Mejia, Program Supervisor, San Mateo County Environmental Health