



**SF Environment**  
**Our home. Our city. Our planet.**  
A Department of the City and County of San Francisco

London N. Breed  
Mayor

Deborah O. Raphael  
Director

July 28, 2020

San Francisco MED-Project, LLC  
Victoria Travis, National Program Director  
1800 M Street, NW, Suite 400 S  
Washington, DC 20036

By e-mail to: [sanfrancisco@med-project.org](mailto:sanfrancisco@med-project.org)

Re: Additional Information Requested

Dear Dr. Travis:

This letter responds to certain elements of MED-Project's request to the Director of the San Francisco Department of the Environment ("Department") dated March 14, 2020 for consideration and approval of substantive changes to the November 1, 2018 approved MED-Project Stewardship Plan for San Francisco under San Francisco Environment Code Chapter 22, the Safe Drug Disposal Stewardship Ordinance ("Chapter 22" or "Ordinance"). Specifically, among other elements, your March 14 letter requests approval of five (5) disposal facilities permitted as Large Municipal Waste Combustors (LMWC) and two (2) disposal facilities permitted as Hospital Medical Infectious Waste Incinerators (HMIWI) to supplement four (4) incineration facilities permitted as Hazardous Waste Disposal Facilities.

Disposal of drugs covered by the Ordinance must comport with the following provisions of Environment Code section 2207:

(a) Covered Drugs collected under a Stewardship Plan must be disposed of at a permitted hazardous waste disposal facility as defined by the United States Environmental Protection Agency under 40 C.F.R. parts 264 and 265.

(b) The Director may grant approval for a Stewardship Plan to dispose of some or all collected Covered Drugs at a permitted large municipal waste combustor, as defined by the United States Environmental Protection Agency under 40 C.F.R. parts 60 and 62, if the Director deems the use of a hazardous waste disposal facility described under subsection (a) of this Section 2207 to be infeasible for the Stewardship Plan based on cost, logistics or other considerations.

(c) A Stewardship Plan may petition the Director for approval to use final disposal technologies that provide superior environmental and human health protection than

provided by the disposal technologies in subsections (a) and (b) of this Section 2207, or equivalent protection at lesser cost. The proposed technology must provide equivalent or superior protection in each of the following areas: (1) monitoring of any emissions or waste; (2) worker health and safety; (3) reduction or elimination of air, water or land emissions contributing to persistent, bio-accumulative, and toxic pollution; and (4) overall impact on the environment and human health.

Under Section 2212(a), the Director must provide prior written approval of any substantive change to an approved stewardship plan prior to implementation of the change. As you are aware, the Director is issuing concurrent with this letter a Revised Notice of Determination to approve MED-Project's request as to the four above-mentioned facilities that are permitted as Hazardous Waste Disposal Facilities, in accordance with Section 2207(a) above, as well as additional non-disposal service providers and MED-Project's proposed new collection model.

However, the attachments to your March 14 request letter (Attachment B, Petition to Approve Municipal Waste Combustors, and Attachment C, Petition to Approve Medical Waste Incineration), do not provide the Director with sufficient information to render a determination regarding approval of the following disposal facilities proposed in MED-Project's March 14 request:

- Covanta – Marion, Oregon
- Curtis Bay Energy, LP
- Huntsville Solid Waste Disposal Authority
- Indianapolis Resource Recovery Facility (operating as Covanta – Indianapolis, IN)
- Lancaster County Waste to Energy Facility
- Stericycle – Warren, Ohio
- York County Resource Recovery Facility

These facilities do not satisfy Section 2207(a) because they are not permitted hazardous waste disposal facilities as defined. Thus these proposed facilities must satisfy either section 2207(b) or section 2207(c), subject to the Director's discretion, in order to receive the Director's approval. Under section 2207(b), the Director may approve a proposal to dispose of covered drugs at a LMWC based on whether disposal at a permitted hazardous waste facility under section 2207(a) is infeasible based on "cost, logistics or other considerations." Under section 2207(c), the Director may consider a petition that proposes disposal methods which "provide superior environmental and human health protection than provided by the disposal technologies in subsections (a) and (b) of this Section 2207, or equivalent protection at lesser cost." Section 2207(c) establishes four criteria to guide the Director's discretionary determination of whether such a petition and supporting information demonstrate that the proposed disposal method would provide "superior environmental and human health protection," or "equivalent protection at a lesser cost."

Accordingly, in order to reach a determination on approval of the above facilities, the Director requests that MED-Project furnish additional information pertinent to these criteria under Sections 2207(b) and 2207(c) of the Ordinance. To evaluate any supplemental submission MED-Project may wish to provide in response to this request, the Director seeks the following information on both hazardous waste permitted facilities approved under Section 2207(a) and the above listed non-hazardous waste permitted facilities:

#### Cost

- Relative cost to dispose at each LMWC and HMIWI facility versus each hazardous waste facility. While dollar amounts are not required if unavailable, please provide the most specific information possible, such as an average for each type of facility with an indication of range.

#### Logistics

- Facility limitations or prohibitions on specific medicine dosage forms with supporting documentation by each permitted hazardous waste facility operator.
- Distance and related greenhouse gas emissions to transport to each facility from San Francisco may also be appropriate for this parameter.
- Any information regarding supply chain efficiency issues MED-Project may wish to provide.

#### Monitoring of any emissions or waste

- Emission control equipment utilized.
- Estimates of emissions of all regulated pollutants to air and, if applicable, to water.
- Destruction & removal efficiency of each combustion unit and the method(s) used to calculate
- Management methods and quantities of residuals generated – including, but not limited to, ash and wastewater. All residuals generated must be discussed.

#### Worker health and safety

- Copy of OSHA 300 logs for past three years.
- Participation, if any, in a State or Federal OSHA Voluntary Participation Program (VPP) and results of the most recent self-audit completed within the past five years.

#### Reduction or elimination of air, water, or land emissions contributing to persistent, bio-accumulative, and toxic (PBT) pollution

- Toxic Inventory Release (TRI) reporting results from all approved and proposed facilities for the past three years.

#### Overall impact on the environment and human health

- EPA's Risk Screening Environmental Indicators (RSEI) score for all approved and proposed facilities for the past three years.

The Department recognizes that some LMWC and HMIWI facilities may not collect exactly the same information as permitted hazardous waste facilities due to differences in State and Federal regulation of combustion facilities. We welcome MED-Project's suggestions of alternative data to illuminate pertinent information about these facilities in relation to each of these parameters, in addition to or in lieu of the information requested above. We believe review of this information will further our mutual goal of utilizing the most environmentally protective disposal facilities in the most efficient manner possible.

We look forward to working with you on this important initiative and thank you for your efforts to provide safe and convenient medicine disposal to San Francisco residents.

Sincerely,

A handwritten signature in black ink that reads "Maggie Johnson". The signature is written in a cursive, flowing style.

Maggie Johnson  
Senior Residential Toxics Reduction Coordinator