



June 16, 2011

Mr. Charles R. Hoppin, Chair
Members of the State Water Resources Control Board
Joe Serna Jr. Cal/EPA Building
1001 I Street
Sacramento, CA 95814

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(415) 369-9160
www.cleanwater.org/ca

Re: Establishing an Extended Producer Responsibility Policy for Pharmaceutical Products – Support

Dear Chairman Hoppin and State Board Members Spivy-Weber and Doduc,

I am writing on behalf of Clean Water Action and our 65,000 California members to urge the State Water Resources Control Board to take a leadership role in facilitating the development of an Extended Producer Responsibility (EPR) policy for pharmaceutical products. Such a program is essential in addressing one of the most serious emerging water quality problems in California, and stopping pollution at the source. Clean Water Action believes that the State Board, working with CalRecycle, has both the opportunity and the authority to develop state level collection and product stewardship policies to stem the flow of unused medications into our wastewater streams, and ultimately our surface and groundwater.

In reality, the problem of pharmaceuticals in our water resources is not new, as the term “emerging” would suggest. Studies indicate that the presence of medicines used by humans and animals in California water poses a threat to ecosystems and potentially to the public. While it is claimed that levels of these products in our water is minimal, it is clear that the problem is continuing to grow. In fact, we know relatively little about the impacts of low dose exposures or synergistic effects as these chemicals mix in our water supplies.

One source of pharmaceuticals in our water is through the improper disposal of unwanted or out of date drugs. When flushed down the drain or toilet, they go through the sewage system and eventually into our waterways. When drugs are thrown in the trash, they pose a threat to children who find them, or are landfilled and leach into ground water. The public, however, currently lacks viable options to safely dispose of these products. Local communities lack both the infrastructure to collect these drugs and the funds to develop such programs.

It has become clear that we cannot treat our way out of the problem. Wastewater facilities were not designed to eradicate such chemicals in the waste stream. It is unclear that investment in expanded treatment technologies would be effective and the price tag for ratepayers would be prohibitively high. The answer is to prevent the pollution from entering the sewage systems and ground water, which is why Clean Water Action and other public interest groups have worked with the wastewater and water steward communities, state



legislators, and local governments such as San Francisco in efforts to establish collection programs for unwanted or out of date drug products. The results have been extremely limited. For instance, SB 966 (Simitian), which was passed by the state legislature in 2007, started out as a measure to require retailers to establish secure collection programs in accordance with drug handling laws and to educate the public about them. In the end, the bill simply required the Integrated Waste Management Board to study and recommend, by 2013, guidelines for voluntary programs, with no assurance that such collection would actually take place. This lack of progress has been due largely to resistance by manufacturers, who profit from the sale of pharmaceuticals in the California market, to take responsibility to make sure that their products do not end up in our water resources. Yet, while our aquatic environment continues to be effected and public health continues to be at risk, these same companies have established collection and EPR programs in Canada, due to that country's regulations requiring them to do so.

It is time that California insists on the same protections for its environment and residents. For this reason, we urge the State Board and CalRecycle to establish an advisory committee of stakeholders to develop an EPR program for the collection of pharmaceutical products before they enter the waste stream and environment. Of course, such a process must be judged by its results. It must be made clear from the onset that manufacturers have a central role to play in addressing this serious problem and that all stakeholders participate in good faith to launch effective, environmentally sound pharmaceutical collection and disposal programs for the public with established goals and measurable results.

On behalf of our California members, Clean Water Action thanks the Board for its interest in this issue. If, as we suggest, you establish an advisory committee of stakeholders, our organization would be happy to work with you in pursuing EPR for pharmaceuticals as a means of pollution prevention.

Sincerely,

A handwritten signature in black ink that reads "Andria Ventura". The signature is fluid and cursive.

Andria Ventura
Program Manager