

# County of Santa Clara

Consumer and Environmental Protection Agency  
Household Hazardous Waste Division  
1553 Berger Drive, Bldg 1, Suite 200  
San Jose, CA 95112  
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www.hhw.org

## 5/24/2023 FINAL NOTICE OF DETERMINATION

Safe Drug Disposal Ordinance

Ordinance No. NS-517.91, Ordinance Code Division B11, Chapter XX

DATE: 5/24/2023

To: Plan Operator - Inmar Intelligence  
Nick Massaro, Manager, Consumer Drug Take Back Solutions  
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Winston Salem, NC 27101  
336-770-1992  
Nicholas.Massaro@inmar.com

FROM: Edgar Nolasco  
Director  
Consumer and Environmental Protection Agency  
County Santa Clara  
1553 Berger Drive, Suite 200  
San Jose, CA 95112

SUBJECT: Notice of Determination – Conditional Approval of Inmar Intelligence revised Stewardship Plan submitted on April 14, 2023

### DETERMINATION:

Pursuant to Division B11, Chapter XX of the County of Santa Clara (“County”) Ordinance Code (Ordinance No. NS-517.91) (“Ordinance”), and regulations adopted by the Director pursuant to Section B11-552(a) of the Ordinance (“Regulations”), the Director of the County of Santa Clara Consumer and Environmental Protection Agency (“Director”) conditionally approves the revised Stewardship Plan (“Plan”) submitted on April 14, 2023, subject to the following corrections/conditions of approval (“Conditions”):

1. All applicable federal and local regulatory citations shown in the Plan must be clarified by inserting the following terms:
  - a. “Title 21 CFR”
  - b. “County Ordinance” or “Ordinance”
  - c. “Section” or Section Symbol, “§”

Some examples of acceptable regulatory citations in the Plan are:

- a. Title 21 CFR §1317
  - b. Title 21 CFR Section 1317
  - c. County Ordinance Section B11-545
  - d. Ordinance §B11-545
2. In Section II, two additional terms shall be defined in Definitions Section:
- a. “CFR” – Code of Federal Regulation
  - b. “County Ordinance or Ordinance” – Santa Clara County Ordinance No. NS-517.91 and codified in Chapter XX of Division B11 of Santa Clara County Code of Ordinances and consisted of §§ B11-539 – B11-555.
3. In Section IV. A, Subsection “Service Standards” of the Plan incorrectly referenced the wrong Section and shall be corrected to be Section IV. C. (Handling and Disposal).
- a. “Detailed FedEx contact information can be found in Section VI.”
  - b. “Inmar will periodically monitor all Packaged Container FedEx shipment tracking numbers from Kiosk Drop-off Sites to the designated reverse distributor as designated in Section VI.”
4. An extra close quotation mark shall be removed in the first sentence of the last paragraph on Page 18 preceding the Table in Section IV. C.
5. The Table in Section IV. C. must be updated as followed:
- a. Veolia ES Technical Solutions, L.L.C. has a facility phone number listed as 281-216-9618. However, the County was not able to establish contact with this company for verification with this phone number.
  - b. All transporters, including TransChem Environmental, Covanta Environmental Solutions Carriers II LLC DBA Covanta Environmental Solutions, and FedEx, shall be listed with records of any penalties, violations, or regulatory orders received in the previous five years pursuant to Ordinance §B11-542(c).

Safety Measurement System (SMS) of Federal Motor Carrier Safety Administration (FMCSA) has the following website for the public to retrieve any transporter’s penalties, violations, and enforcement cases by clicking “SEE YOUR DATA” icon:



<https://ai.fmcsa.dot.gov/SMS/Search/Index.aspx>

Records of each transporter in the previous five years shall be attached to the Plan for verification.

- c. Healthcare Medical Waste Services has the following issues:
  - i. The County contacted the Operations Manager and was informed that this company did not have any business relationship with Inmar.
  - ii. A group of number, 50412500.02, was listed but did not provide further detail. If this group of number represents a regulatory permit or license number. A copy of the permit or license must be attached to the Plan.
  - iii. This facility was listed as “Autoclave – Sharps Waste Containers.”

Similar to the County's Safe Drugs Disposal Ordinance, Section B11-567(b) of County's Ordinance No. NS-517.92 on Safe Sharps Disposal Ordinance specifies, “each Stewardship Plan must dispose of all Consumer-Generated Sharps Waste by incineration at a medical waste or hazardous waste facility in compliance with all federal, state, and local laws.”

Autoclave is not an option as disposal method for sharps waste under any Stewardship Plan. Therefore, this facility is not approved to be used in the County for sharps waste, including the Auto-Injector devices.

- d. Covanta Environmental Solutions DBA Chesapeake Waste Solutions has an incorrect EPA ID. The correct EPA ID shall be three letters + 9 digits, which is PAR000533521.
- e. Curtis Bay Medical Waste Services has the following issues:
  - i. Both EPA ID Profile and Refuse Disposal Permit show that this business shall be named as “Curtis Bay Energy.”
  - ii. The Refuse Disposal Permit No. shall be 2022-WMI-0036.
- f. USDOT# 508337 verifies that the business shall be named as Covanta Environmental Solutions Carriers II LLC DBA Covanta Environmental Solutions.
- g. Biologic Hayward has the following issues:
  - i. EPA ID Profile and a list of Registered Medical Waste Transfer Stations and Treatment Facilities (TSOST) from California Department of Public

Health shows that this business shall be named as “Biologic Environmental Services & Waste Solutions.”

- ii. The type of service this company provides on Sharps Fulfillment and Destruction is unclear to the County. The TSOST Permit shows that this facility is an autoclave facility. Therefore, the County does not approve this facility for use with the same reason listed in Item 5. c. iii. above.
6. In Subsection Transport of Section V, the last paragraph has the incorrect reference. The correct reference shall be Section IV. A., not Section III(A).
7. In Section VI, the training material shall have the correct information, including but not limited to, the blue color collection kiosk, which is missing in the following document:  
  
<https://safemedicinedrop.com/wp-content/uploads/2021/08/CDTB-Visual-Instructions.pdf>  
  
The blue color collection kiosk is the only approved kiosk in the County to meet the single system of promotion pursuant to Ordinance Section B11-547(a)(4).
8. In Section VIII. C., the first sentence has a missing word, “in,” between the website <https://med-project.org> and the words, “the Required Languages.” The sentence shall be written as followed:  
  
“The current County-approved Plan Operator operates the website <https://med-project.org> in the Required Languages.”
9. In Section X, the third sentence references incorrectly to Section VI in the Plan. The correct reference shall be Section VIII in the Plan.
10. In Section XI,
  - a. Subsection ii. has a formatting issue, which has over indentation. This Subsection should align with Subsection i.
  - b. The last sentence of Subsection 2 has the incorrect reference. The correct reference shall be Section IV. A., not Section III(A).
11. In Section Target Sites of Appendix D (Standard Mail-Back Envelope Sites),
  - a. Western Dental Service, Inc. located at 780 1<sup>st</sup> Street in Gilroy was listed twice.
  - b. A question mark, “?,” was listed for San Jose Medical Group Morgan Hill Pediatrics. If this is a typo, please update the list.
  - c. BASS Medical Group located at 16130 Juan Hernandez Drive, Ste 104 in Morgan Hill was listed twice.

- d. Western Dental Service, Inc. located at 48 E Santa Clara Street in San Jose was listed twice.
- e. Excel MSO, LLC located at 882 N. Hillview Drive in Milpitas was listed twice.
- f. Western Dental Service, Inc. located at 1871 Camden Avenue in San Jose was listed twice.
- g. San Jose Medical Group located at 2585 Samaritan Drive in San Jose was listed 15x.
- h. Western Dental Service, Inc. located at 2825 El Camino Real in Santa Clara was listed twice.

Any duplicate must be removed from Appendix D.

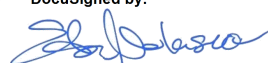
- 12. All page numbers must be updated after changes made from Items 1 through Item 11 listed above.
- 13. Pursuant to Ordinance Section B11-543(d), Inmar shall submit a revised Stewardship Plan conforming to the required changes in this Notice within 60 days of receipt of this conditional approval Notice.

Failure to operate the Plan as Conditionally Approved in compliance with the Ordinance, Regulations, and all conditions set forth in this Notice of Determination within 90 days of issuance of this Notice of Determination, unless an extension has been approved by the Director, shall cause Producers represented by the Inmar Plan to be out of compliance with the Ordinance and subject to the Ordinance's enforcement provisions.

Please address all communications to:

Safe Drug Disposal Liaison  
County of Santa Clara  
1553 Berger Drive Suite 200  
San Jose, CA 95112  
[sccsafemeds@cep.sccgov.org](mailto:sccsafemeds@cep.sccgov.org)  
(408) 918-1967

Sincerely,

DocuSigned by:  
  
9A7F52EB1925473...

Edgar Nolasco  
Director  
Consumer and Environmental Protection Agency