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November 8, 2010

Meghan Hessenauer
Engineering and Analysis Division
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Via email: unusedpharms@epa.gov

Re: Draft *Best Management Practices for Unused Pharmaceuticals at Health Care Facilities*

Dear Ms. Hessenauer:

The National Association of Clean Water Agencies (NACWA) appreciates the opportunity to comment on the draft guidance document, *Best Management Practices (BMPs) for Unused Pharmaceuticals at Health Care Facilities*. NACWA represents the interests of nearly 300 public clean water agencies nationwide, and many of NACWA's members are actively involved in efforts to reduce the quantities of potential pollutants, such as pharmaceuticals, that are discharged into the sewer system.

NACWA has supported the development of BMPs for disposal of unused pharmaceuticals in previous comments on the 2008 and 2010 *Preliminary Effluent Guidelines Program Plans*, and the Association is pleased that EPA has moved forward with the BMPs. The draft BMPs correctly emphasize that health care facilities should minimize their pharmaceutical disposal by reducing the amount of unused pharmaceuticals through improved dispensing practices, inventory rotation, and replacement of pharmaceutical samples with vouchers. NACWA appreciates that the BMPs attempt to discourage disposal of unused pharmaceuticals into the sewer system, but EPA should take a stronger position in the BMPs to eliminate down-the-drain disposal of unused pharmaceuticals. To achieve this, NACWA recommends the following changes to the BMPs:

- On page 23, section 4.5.1 of the draft BMPs states, "Facilities may use disposal down the drain sewer (or flushing) as an acceptable destruction option for controlled substances. **However, EPA recommends that health care facilities use other destruction options (see below).**" The paragraph



quoted above should instead state, "Disposal down the drain sewer (or flushing) is NOT an acceptable destruction option for controlled substances. Recommended destruction options are below." This statement should also be included prominently at the beginning of any summaries of the BMPs, such as a Frequently Asked Questions (FAQs) document or flowchart of disposal practices.

- To avoid confusion about recommended disposal practices, this sentence in the second paragraph of Section 1.2 should be removed: "Health care facilities may dispose of unused pharmaceuticals, especially residues, down the drain (e.g., intravenous (IV) bags emptied into the sink.)"
- Again, to avoid confusion about recommended disposal practices, the words "reduce and" should be removed from this sentence in Section 4, at the top of page 10: "However, EPA is recommending BMPs in this guidance to reduce and avoid drain disposal." Instead, it should read, "However, EPA is recommending BMPs in this guidance to avoid drain disposal."
- The title of the table in Appendix B should be changed to "Sample unused pharmaceutical tracking sheet to identify the unused pharmaceuticals generated and how they are currently managed." This will clarify that the examples listed in the "Disposal Method" column do not indicate practices recommended in the BMPs.

The BMPs recommend in Section 4.4 that nonhazardous pharmaceuticals "should be disposed in a solid waste landfill or incinerated in a solid waste incinerator." Landfill leachate is often sent to wastewater treatment plants for treatment, and pharmaceuticals have been detected in landfill leachate. Disposal in a landfill does not necessarily prevent the unused pharmaceuticals from reaching wastewater treatment plants. NACWA requests that the BMPs be revised to indicate that incineration is the preferred method of disposal.

EPA should carefully consider how the BMP document is presented when it is finalized. A short summary or fact sheet of the BMPs, along with a flow chart or table that summarizes unused pharmaceutical reduction and disposal processes, would be a useful reference tool for health care facilities. A FAQ document would also be helpful. The BMPs and related documents should be distributed to wastewater utilities to aid them in outreach to health care facilities in their service areas.

NACWA appreciates the opportunity to comment on the draft BMPs. Please contact me at 202/296-9836 or cfinley@nacwa.org if you have any questions or would like to discuss these comments further.

Sincerely,



Cynthia A. Finley
Director, Regulatory Affairs