



May 2, 2022

Jim Erickson  
President and CEO  
UltiMed, Inc  
350 Highway 7, Suite 100  
Excelsior, MN 55331

Sent via e-mail

**Re: CalRecycle's Completeness Determination of UltiMed's Annual Program Budget**

Dear Mr. Erickson:

The Department of Resources Recycling and Recovery (CalRecycle) received UltiMed, Inc's (UltiMed) annual program budget on March 31, 2022, as part of its 2021 annual report, titled, *Pharmaceutical and Sharps Waste Stewardship 2021 Annual Report*. The California Code of Regulations (CCR), Title 14, section 18973.1(b) requires CalRecycle to determine if the annual program budget is complete and notify UltiMed of its determination within 30 days of receipt.

Staff reviewed UltiMed's annual program budget for completeness pursuant to the requirements in the Public Resources Code (PRC) section 42033.2(a)(2) and 42033.2(c) and CCR sections 18973.1(b) and 18973.6 and found the annual program budget incomplete. PRC sections 42033.2(a) and (a)(2) require a program operator to submit, by March 31, 2022, a written program budget for the upcoming calendar year. A program budget for calendar year 2023 is required. UltiMed submitted a program budget for calendar year 2022. Therefore, the entirety of the submitted annual program budget is incomplete. However, CalRecycle evaluated the information in the 2022 budget and is providing information, for illustrative purposes only, that UltiMed can consider when preparing its revised annual program budget (see Attachment 1).

This completeness determination is separate from the compliance determination that CalRecycle will conduct once it receives an annual program budget it determines is complete pursuant to CCR sections 18973.1(d) through (f).

UltiMed must resubmit its 2023 annual program budget to CalRecycle within 30 days of CalRecycle's notification that its annual program budget is incomplete. If CalRecycle determines, upon resubmittal, that UltiMed's 2023 annual program budget is complete, CalRecycle shall have 90 days from the date of receipt of the resubmitted annual program budget to review for compliance with all statutory and regulatory requirements and approve, conditionally approve, or disapprove the 2023 annual program budget.

Questions regarding this letter may be directed to [pharmasharps@calrecycle.ca.gov](mailto:pharmasharps@calrecycle.ca.gov).

**Re: CalRecycle's Completeness Determination of UltiMed's Annual Program Budget**

Regards,

Signed by: Rachel Machi Wagoner, Director

Dated: May 2, 2022

Attachment 1. Staff Observations regarding UltiMed's Annual Program Budget, for Illustrative Purposes Only

Cc: Jason Smyth, Supervisor, Pharmaceutical and Sharps Unit  
Becky Haworth, Environmental Scientist, Pharmaceutical and Sharps Unit  
Morgan Buchan, Environmental Scientist, Pharmaceutical and Sharps Unit

**Attachment 1. Staff Observations regarding UltiMed’s Annual Program Budget, for Illustrative Purposes Only**

Number	Statute / Regulation Reference	Comment
1	CCR section 18973.6(d), PRC section 42033.2(c)(2)	Include recommended funding level necessary to cover the stewardship plan's budgeted costs and to operate the stewardship program <i>over a multi-year period</i> . Only one year of budgeted costs was included.
2	CCR section 18973.6(f), PRC section 42033.2(c)(1)	If applicable, include the independent financial audit of the stewardship program. Otherwise, clarify why an audit was not appropriate.
3	CCR section 18973(a)	Ensure the document is in compliance with section 7405 of the Government Code, and the Web Content Accessibility Guidelines 2.0 published in 2008 by the Web Accessibility Initiative of the World Wide Web Consortium at a minimum Level AA success criteria to allow for posting on the department’s website pursuant to CCR 18973(a).