

REQUEST FOR APPROVAL

To: Rachel Machi Wagoner
Director

From: Zoe Heller
Deputy Director, Materials Management and Local Assistance
Division
Acting Deputy Director, Policy Development and Analysis Office

Request Date: October 11, 2022

Decision Subject: Consideration of UltiMed's Revised 2021 Annual Report for Home-Generated Sharps Waste

Action By: October 27, 2022

Summary of Request

UltiMed, Inc. (UltiMed) submitted a revised 2021 annual report, titled, *Pharmaceutical and Sharps Waste Stewardship 2021 Annual Report (Revised 2021 Annual Report)* on July 29, 2022, as required by statute. This Request for Approval presents staff's analysis and compliance recommendation regarding UltiMed's *Revised 2021 Annual Report*.

Background

UltiMed submitted a home-generated sharps waste stewardship plan as an individual sharps manufacturer for 12 of its products, which combines sharps products with a sharps waste container and mail-back materials.

On December 27, 2021, the Department of Resources Recycling and Recovery (CalRecycle) conditionally approved UltiMed's *UltiMed Sharps Stewardship Plan (Plan)* pursuant to Public Resources Code (PRC) section 42032(d)(1) and Title 14, California Code of Regulations (14 CCR) section 18973.1(e) and (g). UltiMed's *Revised 2021 Annual Report* covers the period of time its *Plan* was conditionally approved in calendar year 2021 (December 27, 2021, through December 31, 2021).

PRC section 42033.2(a)(1) states that, on or before March 31, 2022, and each year thereafter, a program operator shall submit to CalRecycle a report that describes the stewardship program activities during the previous reporting year. UltiMed submitted its *Pharmaceutical and Sharps Waste Stewardship 2021 Annual Report (2021 Annual Report)*, on March 31, 2022. CalRecycle conditionally approved the *2021 Annual Report* and notified UltiMed on June 23, 2022. CalRecycle provided UltiMed 60 days to submit a revised 2021 annual report that addressed the condition specified in the June 23, 2022, Request for Approval.

UltiMed submitted its *Revised 2021 Annual Report* on July 29, 2022. Staff's analysis of UltiMed's *Revised 2021 Annual Report* is summarized below.

Staff Analysis

The condition in the June 23, 2022, Request for Approval that CalRecycle required UltiMed to address is listed below, followed by a summary of staff's analysis of UltiMed's *Revised 2021 Annual Report* submitted on July 29, 2022.

1. Accessibility

Requirement: CalRecycle required the *Revised 2021 Annual Report* to meet the following condition pursuant to 14 CCR section 18973(a):

- a. The document is required to comply 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, pursuant to 14 CCR section 18973(a).

Result: Condition 1(a) met

UltiMed's *Revised 2021 Annual Report* corrected accessibility errors to make it compliant with section 7405 of the Government Code and with the Web Content Accessibility Guidelines 2.0.

Summary of Staff Analysis

CalRecycle staff reviewed UltiMed's *Revised 2021 Annual Report*, which describes UltiMed's program activities in its 2021 reporting period (December 27, 2021, through December 31, 2021), and found it met all material requirements pursuant to PRC sections 42033.2(a)(1) and 42033.2(b) and 14 CCR section 18973.5, and UltiMed's conditionally approved *Plan*.

Action

Based on the information and analysis in this Request for Approval, I hereby approve UltiMed's *Revised 2021 Annual Report*.

Signed by: Rachel Machi Wagoner, Director

Dated: October 18, 2022

Attachments:

Documents listed below are posted to CalRecycle's website. To request the UltiMed *2021 Annual Report* (March 31, 2022), please submit a [Public Records Act request](https://www2.calrecycle.ca.gov/Forms/ContactUs/PublicRecordsRequest/) (<https://www2.calrecycle.ca.gov/Forms/ContactUs/PublicRecordsRequest/>).

1. [UltiMed Sharps Stewardship Plan](https://www2.calrecycle.ca.gov/Docs/Web/119760) (October 11, 2021)
<https://www2.calrecycle.ca.gov/Docs/Web/119760>
2. [Consideration of UltiMed's Revised 2021 Annual Report for Home-Generated Sharps Waste](https://www2.calrecycle.ca.gov/Docs/Web/121680) (June 23, 2022)
<https://www2.calrecycle.ca.gov/Docs/Web/121680>
3. [Pharmaceutical and Sharps Waste Stewardship 2021 Annual Report](https://www2.calrecycle.ca.gov/Docs/Web/121968) (July 29, 2021)
<https://www2.calrecycle.ca.gov/Docs/Web/121968>