



May 1, 2023

Chris Smith
President
The Drug Takeback Solutions Foundation
P.O. Box 997
Winston-Salem, NC 27102

Sent via e-mail

Re: CalRecycle's Completeness Determination of The Foundation's 2022 Annual Report and 2024 Annual Program Budget for Home-Generated Sharps Waste

Dear Chris Smith:

The Department of Resources Recycling and Recovery (CalRecycle) received The Drug Takeback Solution's Foundation's (The Foundation) 2022 annual report and 2024 annual program budget for home-generated sharps waste on March 31, 2023, titled, *The Drug Takeback Solutions Foundation State of California Home-Generated Sharps Waste 2022 Annual Report and Annual Program Budget for Home-Generated Sharps Waste Stewardship Program*, respectively, the latter of which included an independent financial audit of The Foundation's stewardship program titled, *Drug Takeback Solutions Foundation Financial Statements, Year Ended December 31, 2022*. Public Resources Code (PRC) section 42033.2(d)(1) and Title 14 of the California Code of Regulations (14 CCR) section 18973.1(b) require CalRecycle to determine if the annual report and annual program budget are complete and notify The Foundation of its determinations within 30 days of receipt (i.e., by May 1, 2023).

Staff reviewed The Foundation's 2022 annual report and 2024 annual program budget for home-generated sharps waste for completeness pursuant to the requirements in PRC sections 42033.2(a) through (c) and 14 CCR sections 18973, 18973.1(b), 18973.5, and 18973.6 and found the annual report complete and the annual program budget incomplete.

PRC section 42033.2(a)(2) requires a program operator to submit, by March 31, 2023, a written program budget for the upcoming calendar year, which includes anticipated costs as separate line items and a reserve level pursuant to 14 CCR sections 18973.6(b) and (c) for the upcoming calendar year 2024. A program budget for calendar year 2024 is required. The Foundation submitted a program budget for calendar year 2023. Therefore, the annual program budget for home-generated sharps waste is incomplete.

While not required, CalRecycle is providing additional information, for illustrative purposes only, that The Foundation can consider when preparing a revised annual program budget (see Attachment 1).

The annual report completeness determination is separate from the compliance determination CalRecycle will now conduct pursuant to 14 CCR sections 18973.1(d) through (f). CalRecycle has 90 days from the date of the annual report submittal to review for compliance with all statutory and regulatory requirements and approve, conditionally approve, or disapprove the annual report (i.e., by June 29, 2023).

The annual program budget 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 14 CCR sections 18973.1(d) through (f). The Foundation must resubmit its 2024 annual program budget for home-generated sharps waste to CalRecycle within 30 days of CalRecycle's notification that its annual program budget is incomplete. If CalRecycle determines, upon resubmittal, that The Foundation's annual program budget is complete, CalRecycle shall have 90 days from the date of receipt of the resubmitted 2024 annual program budget to review for compliance with all statutory and regulatory requirements and approve, conditionally approve, or disapprove the annual program budget.

Questions regarding this letter may be directed to pharmasharps@calrecycle.ca.gov.

Regards,

Signed by: Rachel Machi Wagoner, Director

Dated: April 28, 2023

Attachment 1. Staff Observations regarding in The Foundation's Annual Program Budget for Sharps, for Illustrative Purposes Only

Cc: Jason Smyth, Supervisor, Pharmaceutical and Sharps Unit

Morgan Buchan, Environmental Scientist, Pharmaceutical and Sharps Unit

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

Number	Regulation Reference	Comment
1	14 CCR 18973(a)	Ensure all submitted documents are 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 14 CCR 18973(a).