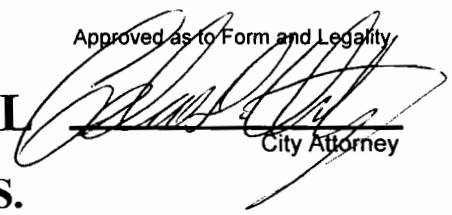


FILED
OFFICE OF THE CITY CLERK
OAKLAND
2009 JUN 17 PM 9:56

Approved as to Form and Legality

OAKLAND CITY COUNCIL

RESOLUTION No. 82106 C.M.S.



City Attorney

**RESOLUTION IN SUPPORT OF SENATE BILL (SB) 486 (SIMITIAN) –
“MEDICAL WASTE: SHARPS WASTE” THAT WOULD REQUIRE
PHARMACEUTICAL MANUFACTURERS WHOSE PRODUCTS ARE
INJECTED AT HOME THROUGH THE USE OF HYPODERMIC NEEDLES
OR SIMILAR DEVICES TO PROVIDE A PLAN TO THE CALIFORNIA
INTEGRATED WASTE MANAGEMENT BOARD DESCRIBING THE SAFE
DISPOSAL OPTIONS FOR THE HOME-GENERATED USED NEEDLES**

WHEREAS, improper management of used sharps poses a health risk to the public and solid waste workers through needle stick and injuries; and

WHEREAS, regulations governing the disposal of sharps protect solid waste and other workers, and the general public from needle stick injuries and illness; and

WHEREAS, Senate Bill (SB) 372 of 1995 amended the Medical Waste Management Act to define “home-generated sharps” and to allow hospitals and other healthcare facilities to accept them from their patients; and

WHEREAS, SB 1362 of 2004 established the Safe Needle Disposal Act and allowed existing city and county household hazardous waste programs to accept sharps waste generated from homes; and

WHEREAS, SB 1305 of January 2008 amended the Medical Waste Management Act and made it unlawful for home-generated sharps to be disposed into either the municipal solid waste stream or any container used for collection of recyclable materials; and

WHEREAS, currently Oakland residents have to transport their used sharps to the Alameda County Household Hazardous Waste (HHW) facility and medical facilities and since both disposal options require transporting the used sharps to the disposal site; and

WHEREAS, disposing of home generated used-sharps at the HHW facility and other medical facilities creates a challenge for the elderly and frail residents and those with no transportation; and

WHEREAS, SB 486 would expand the scope for safe disposal of used sharps by requiring a pharmaceutical manufacturer whose self-injected medication is administered for home use to provide the California Integrated Waste Management Board (CIWMB) with a plan that includes a description of programs that residents can use to safely and conveniently dispose of used sharps; and

WHEREAS, the CIWMB will provide oversight by reviewing, approving and monitoring the plans; and

WHEREAS, in 2007 the City Council adopted Resolution #80390 C.M.S. to support extended producer responsibility legislation that would hold manufacturers responsible for the management of post-consumer waste products; and

WHEREAS, enacting SB 486 will ensure the cooperation of the pharmaceutical industry in the development of a safe needle disposal program in California and further the Council goals; therefore be it

RESOLVED: that the City of Oakland declares its support for SB 486 (Simitian); and be it

FURTHER RESOLVED: That the City Council hereby directs the City Administrator to advocate for enacting SB 486 with the California State Legislature.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 30 2009, 20

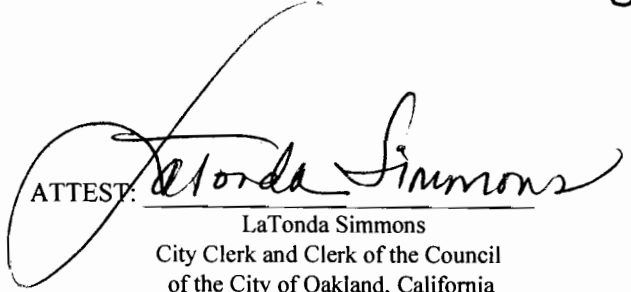
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California