

1 H.11

2 Introduced by Representative Deen of Westminster

3 Referred to Committee on

4 Date:

5 Subject: Conservation; water resources; discharges

6 Statement of purpose: This bill proposes to clarify that the discharge of
7 pharmaceutical waste to state waters is prohibited unless such a discharge is
8 permitted by the agency of natural resources. The bill would also require the
9 secretary of natural resources, after consultation with the secretary of human
10 services, to report to the general assembly with a recommended state program
11 for the take-back, collection, and disposal of unused or discarded
12 pharmaceuticals.

13 An act relating to the discharge of pharmaceutical waste to state waters

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 Sec. 1. 10 V.S.A. § 1251 is amended to read:

16 § 1251. DEFINITIONS

17 Whenever used or referred to in this chapter, unless a different meaning
18 clearly appears from the context:

19 * * *

1 (12) "Waste" means effluent, sewage or any substance or material,
2 liquid, gaseous, solid or radioactive, including heated liquids or pharmaceutical
3 waste, whether or not harmful or deleterious to waters; provided however, the
4 term "sewage" as used in this chapter shall not include the rinse or process
5 water from a cheese manufacturing process.

6 (13) "Waters" includes all rivers, streams, creeks, brooks, reservoirs,
7 ponds, lakes, springs and all bodies of surface waters, artificial or natural,
8 which are contained within, flow through or border upon the state or any
9 portion of it.

10 * * *

11 (15) "Indirect discharge" means any discharge to groundwater, whether
12 subsurface, land-based or otherwise.

13 * * *

14 (18) "Pharmaceutical waste" means an unused or discarded over-the-
15 counter drug or an unused or discarded drug that was dispensed by a health
16 care provider, as that term is defined by 18 V.S.A. § 9402(7).

17 Sec. 2. ANR REPORT ON PHARMACEUTICAL TAKE-BACK,
18 COLLECTION, AND DISPOSAL PROGRAM

19 On or before January 15, 2012, the secretary of natural resources, after
20 consultation with the secretary of human services and other interested parties,
21 shall report to the house committee on fish, wildlife and water resources, the

1 senate committee on natural resources and energy, the house committee on
2 human services, and the senate committee on health and welfare with
3 recommendations for establishing and implementing a state-based program for
4 the take-back, collection, and disposal of unused or discarded pharmaceuticals.

5 The report shall include:

6 (1) A summary of the state and federal statutes or rules that address the
7 handling and disposal of unused or discarded pharmaceuticals;

8 (2) A summary of any licenses, permits, waivers, or approvals that the
9 state may need to obtain from the federal government in order to establish and
10 implement a pharmaceutical take-back, collection, and disposal program;

11 (3) A summary of the take-back, collection, and disposal program that
12 the secretary recommends, including:

13 (A) a recommended state agency, department, or other entity to
14 administer the program; and

15 (B) an analysis of the efficacy and feasibility of methods for the
16 collection of unused or discarded pharmaceuticals, including mail-back
17 programs and collection repositories; and

18 (4) A proposed source of funding for the recommended take-back,
19 collection, and disposal program.

20 Sec. 3. EFFECTIVE DATE

21 This act shall take effect on July 1, 2011.