

April 27, 2015

Commission on Health and Safety and Workers Compensation (CHSWC)
1515 Clay Street, 17th floor
Oakland, CA 94612

RE: Request Commission Not to Adopt the Sharps Study

Dear Commissioners:

I am the Executive Director of the California Product Stewardship Council (CPSC), a non-profit organization which formed in 2006 and is comprised of local governments and their associations, businesses, the general public and other entities, working with product manufacturers and partnering with them to encourage a producer responsibility approach to product management.

On behalf of the CPSC Board of Directors, I am writing to first express our appreciation for the Commission taking the time and resources to report on needle sticks in non-healthcare environments. However, we also have serious concern about the draft report titled “Infection Risk from “Sharps” Injuries for Non-Healthcare Workers” and ask that it not be adopted by the Commission without further research. We have been working on the issue of needle sticks in the solid waste industry for many years and have posted a lot of information on our webpage that contradict the results of this study <http://calpsc.org/products/sharps/>.

The report uses three methods of questionable accuracy to come to its conclusions. In addition, it does not use contemporary data on the needle stick incidence rates and costs gathered directly from California’s counties and waste companies. The report states, “We used three approaches to assessing the risk posed by sharps to workers in the non-healthcare occupations:”

1- “A review of research literature to identify estimates of the frequency of sharps injuries resulting in infections to non-healthcare workers”

As previously mentioned the 31 literature sources mentioned at the end of the report have virtually no relevance to the current situation, particularly as it pertains to California’s waste workers.

2- “An evaluation of the risk to non-healthcare workers based on assembling estimates to the risk at each stage of the process that leads from an infected person to disease in a injured worker,”

There was no evaluation of the growing risk to workers caused by contemporary methods used in the waste management industry. There is virtually no data from the contemporary waste industry.

3- “A thorough review of sharps injuries in California workers’ compensation data was performed.”

The report admits that “some fraction of claims administrators do not comply with reporting” of the data used to populate the WCIS data base. The report also stated OSHPD data “only identify needle sticks that are handled through emergency rooms. A substantial fraction of occupational needlesticks will be treated in other settings.” The firsthand information of those in the waste industry indicate accidental needle stick injury rates and costs considerably higher than what is indicated in the WCIS and OSHPD data bases.

The report does acknowledge, “The lower risk over all non-healthcare sectors does mask some sectors with higher risk. Food service & accommodations, education and waste management are areas where the risk is substantially and significantly above the average for non-healthcare workers.” It also says, “Some observers have raised concerns about waste management workers. The occupational categories group waste handlers with other related occupations and may obscure higher risk for this more narrow group of workers.”

Additionally, the report minimizes the medical cost, sick leave and trauma to waste workers. The cost of line stoppages was not mentioned. Again, why didn’t the authors of the report gain this information directly for industry and county government sources who have the most knowledge of the current situation?

The pictures below from the City of Burbank exemplify the problem. Improperly disposed used sharps in Burbank curbside recycling bins were collected over an eight month period. During this time, two workers (10% of the staff) were stuck by needles and had to undergo medical testing for infectious diseases. Some of these containers hold thousands of needles, with only a small percent packaged safely.



This article titled [Sorting, Recycling Workers on Pins and Needles](#) by Jennifer Bonnett, Lodi News-Sentinel, 3/25/2015, outlines that the Lodi waste sorting facility issues with needles in trash. That facility alone had five needle stick incidents last year and the City is considering local action to protect the workers.

It can be predicted that the report will be the prime line of defense used by those who are happy with the status quo resulting in needle sticks of solid waste workers. The report can be easily attacked by those

in government and industry with direct actual knowledge of California's accidental needle stick situation and we urge you to go back and look at today's situation in the waste industry especially and not just a cursory review of older data.

We would ask the following of the commission:

- 1) Not adopt the study at this time.
- 2) Refocus the study and identify occupations where clusters of needle stick injuries occur so that the legislature can tailor its legislative response.
- 3) Put the final study out for public comment again before adoption.

Please feel free to contact me and we would appreciate any discussion of enhancing the research to ensure a final report is complete to recommend adoption in the future.

Sincerely,



Heidi Sanborn, Executive Director
California Product Stewardship Council