

North Carolina Dental Society

Regulatory Compliance Update: Amalgam Separators

On June 9, 2017, the EPA issued a final rule governing the management of dental amalgam discharges into sewer systems. The rule requires the following:

- **All dentals facilities in practice prior to July 14, 2017 must complete, certify and submit a One-Time Compliance Report document to the “Control Authority” no later than October 12, 2020 stating that either:**
 - (1) their dental practice is exclusively one of the types of practices that are exempted in the rule (oral pathology, oral and maxillofacial radiology, oral and maxillofacial surgery, orthodontics, periodontics, or prosthodontics) and thus does not discharge amalgam and does not require an amalgam separator or BMPs; OR
 - (2) their dental practice does not place dental amalgam and does not remove amalgam except in limited emergency, or unplanned, unanticipated circumstances, and thus does not discharge amalgam and does not require an amalgam separator or BMPs; OR
 - (3) their dental practice does place and remove amalgam **and prior to July 14, 2020 the practice:**
 - (a) has installed an amalgam separator meeting ISO 11143:2008 specifications or ANSI/ADA 108-2009 specifications
 - (b) is inspecting the amalgam separator in accordance with the manufacturer’s operating manual to ensure proper operation and maintenance of the separator(s) and to confirm that all amalgam process wastewater is flowing through the amalgam retaining portion of the amalgam separator(s).
 - (c) is following the 2 required Best Management Practices (BMPs) [no discharge of waste amalgam and no oxidizing cleaners used to clean dental wastewater lines]
- **Any new dentist/dental practice that opens on or after July 14, 2017 must comply with the certification and/or amalgam separator installation prior to discharging dental wastewater.**
 - They must comply immediately and do not get the 3-year compliance period that the existing dental practices get.
 - Their One-Time Compliance Report is due no later than 90 days following introduction of wastewater into a Publicly Owned Treatment Plant (municipal WWTP)
- **Transfer of ownership** – Any transfer of ownership of a dental practice requires a new One-Time Compliance Report be submitted to the WWTP within 90 days after the transfer.
- **Recordkeeping Requirements:** Submit and retain a copy of the One-Time Compliance Report as long as the dental practice is in operation or until ownership is transferred.
- **Recordkeeping Requirements:** Maintain and retain for a minimum of 3 years...
 - Documentation of date, person conducting the amalgam separator inspection, results of inspection and any follow-up actions if needed
 - Documentation of amalgam container replacement, including the date as applicable
 - Documentation of all dates that collected amalgam is picked up or shipped for proper disposal, and the name of the permitted facility or licensed treatment, storage or disposal facility receiving the amalgam retaining containers
 - Documentation of repair or replacement of an amalgam separator including date, person making the repair or replacement and a description including make and model
 - Maintain the amalgam separator manufacturer’s operation manual in either physical or electronic form

Link to the rule: <https://www.epa.gov/eg/dental-effluent-guidelines>

POTW = Publicly Owned Treatment Works or municipal wastewater treatment plant

Control Authority for most dental practices in larger cities = Local POTW Pretreatment Program Administrator

Note: For dentists located in a town that does not have a Pretreatment Program, the State of North Carolina Department of Environmental Quality is the Control Authority.