

USD Ordinance 36.04 Section 2.02

2.02 Requirements for Dental Facilities that Remove or Place Amalgam Fillings

- (a) All owners and operators of dental facilities that remove or place amalgam fillings shall comply with the following waste management practices:
- (1) No person shall rinse chair-side traps, vacuum screens, or amalgam separator equipment in a sink or other connection to the community sewer per 40CFR441.30(b)(1). Such traps, vacuum screens or amalgam separator equipment must be recycled or disposed of in an appropriate manner according to recycler or equipment manufacturer.
 - (2) Amalgam waste and other hazardous solutions shall be properly collected, packaged, labeled, stored, managed, and disposed.
 - (3) Dental unit water lines, chair-side traps, and vacuum lines that discharge amalgam process wastewater to a community sewer must not be cleaned with oxidizing or acidic cleaners, including but not limited to bleach, chlorine, iodine and peroxide that have a pH lower than 6 or greater than 8 per 40CFR441.30(b)(2).
 - (4) Owners and operators of dental facilities shall ensure that all staff members who handle amalgam waste are trained in the proper handling, management and disposal of mercury-containing material and other hazardous solutions and shall maintain training records that will be made available for inspection by an employee of the District during normal business hours.
 - (5) The use of bulk mercury is prohibited. Only pre-capsulated dental amalgam is allowed.
- (b) All owners and operators of dental vacuum suction systems, except as set forth in subsection (c) of this section, shall comply with the following:
- (1) Install amalgam separator device compliant with 40CFR441.30 (existing offices) or 40CFR441.40 (new offices). Amalgam separator device must achieve at least a 95 percent removal efficiency. No bypass of separator device or related plumbing shall be allowed.
 - (2) Per 40CFR441.50, a One-Time Compliance Report must be submitted to the District from existing offices by no later than October 12, 2020, or 90 days after a transfer of ownership. For new offices, a One-Time Compliance Report must be submitted to the District no later than 90 days following the introduction of wastewater into the community sewer.
 - (3) Amalgam separators shall be installed, operated and maintained in accordance with manufacturer recommendations per 40CFR441.30 (existing offices) or 40CFR441.40 (new offices).
 - (4) Dental Dischargers or an agent or representative of the dental discharger must maintain for a minimum of three years and make available for immediate inspection the following documentation per 40CFR441.50(b):
 - Documentation of the date, person(s) conducting the inspection, and results of each inspection of the amalgam separator(s) and a summary of follow-up actions, if needed.
 - Documentation of amalgam retaining container replacement (including installation date, as applicable).
 - Documentation of all dates that collected dental amalgam is picked up or shipped for proper disposal in accordance with 40 CFR 261.5(g)(3), and the name of the permitted or licensed treatment, storage or disposal facility receiving the amalgam waste.
 - Documentation of any repair or replacement of an amalgam separator, including the date, person(s) making the repair or replacement, and a description of the repair or replacement (including make and model).
 - Dischargers or an agent or representative of the dental discharger must maintain and make available for inspection in either physical or electronic form the manufacturers operating manual for the current device.
- (c) Specialty dental offices where the practice of dentistry consists exclusively of one or more of the following are exempt from this requirement (Section 2.02) per 40CFR441.10(c), provided that the District receives written certification that removal or placement of amalgam fillings does not take place:
- Orthodontics
 - Periodontics
 - Oral and Maxillofacial Surgery
 - Oral and Maxillofacial Radiology
 - Oral Pathology or Oral Medicine
 - Prosthodontics