



40 CFR Part 441 – Effluent Limitations Guidelines and Standards for the Dental Category

Link to the rule:

<https://www.epa.gov/eg/dental-effluent-guidelines>

Definitions:

- POTW = Publicly Owned Treatment Works (municipal wastewater treatment plant and sanitary sewer collection system). MSD is the POTW for anyone with sewer service in Buncombe County and the Cane Creek Sewer Service Area in Henderson County.
- Control Authority (CA) = For dental practices in larger cities, the local POTW Pretreatment Program Administrator is the CA. MSD is the POTW for anyone with sewer service in Buncombe County and the Cane Creek Sewer Service Area in Henderson County.

Applicable to all dental offices

With the following exemptions:

- exclusively practice oral pathology, oral and maxillofacial radiology, oral and maxillofacial surgery, orthodontics, periodontics or prosthodontics;
- or are mobile units;
- or do not discharge to a POTW.
- Partial exemption to facilities that do not place dental amalgam at all AND only remove amalgam 5% or less of the total number of procedures conducted annually (One-Time Compliance Report is required)

Existing Source Requirements

Equipment

- Amalgam separators meeting ISO 11143 standards and sized as required in rule must be installed by July 14, 2020.
- If amalgam separator is currently in use, but does not meet the ISO 11143 standard and/or sizing requirements, it may continue to be used until replacement required or July 14, 2027, whichever is sooner.
- Inspections, operations and maintenance per the manufacturer's instructions are required.
- Repairs within 10 days of discovery are required.
- Other amalgam removal devices are permissible, but must meet the requirements in 441.30(a)(2).

Best Management Practices (BMPs)

- Waste amalgam may not be discharged to a POTW.
- Plumbing that discharges amalgam process wastewater must not be cleaned with oxidizing or acidic cleaners*, including but not limited to bleach, chlorine, iodine and peroxide outside of pH range of 6-8 standard units. * These cleaners dissolve mercury.



Reporting and Record-keeping

- Submit One-Time Compliance Report by October 12, 2020 and keep a copy on-site for life of facility.
- Records required to be kept for three years: inspection documentation, amalgam retaining container replacements, dental amalgam pick-up or shipment documentation, repair/replacement of amalgam separator replacement, and the operating manual for the current separator in use (for maintenance purposes, dentists may want to consider retaining the operator manual for the life of the separator).
- Transfer of Ownership notification. If a dental discharger transfers ownership of the facility, the new owner must submit a new One-Time Compliance Report to the Control Authority no later than 90 days after the transfer.

New Source Requirements

Any new dentist/dental practice that opens on or after July 14, 2017 is considered a “new source” and must comply with the Rule (amalgam separator, BMPs, record keeping) prior to discharging dental wastewater to a POTW.

- “New Sources” must comply immediately with all of the requirements upon opening the practice and do not get the 3 year compliance period allowed for an “existing source.”
- The New Source One-Time Compliance Report is due no later than 90 days following introduction of wastewater into a POTW