



## CITY OF MANTECA ENVIRONMENTAL COMPLIANCE DENTAL AMALGAM REDUCTION PROGRAM FREQUENTLY ASKED QUESTIONS (FAQS)

*The following are common questions pertaining to the new (July 2017) Dental Amalgam Regulation: (Code of Federal Regulations (CFR,) Title 40, Part 441):*

**1. Is my practice required to submit a One-Time Compliance Report to the City of Manteca Environmental Compliance Department as part of CFR, Title 40, Part, 441?**

All dental practices that discharge wastewater to the City of Manteca's sanitary sewer system are required to submit a Dental Amalgam One-Time Compliance Report and submit it to the City of Manteca's Environmental Compliance Department. The form maybe found at [www.cityofmanteca.com](http://www.cityofmanteca.com) under our Public Works Department.

**2. By what date must my practice submit the Dental Amalgam One-Time Compliance Report?**

Existing Dental Office: Dental facilities under current ownership before **July 14<sup>th</sup> 2017**: Submit the Dental Amalgam One-Time Compliance Report no later than **October 12<sup>th</sup> 2020**.

New Dental Office: Dental facilities newly connected to the City of Manteca's sanitary sewer after **July 14<sup>th</sup> 2017** and those facilities that have had a **transfer of ownership after July 14<sup>th</sup> 2017**: Submit the Dental Amalgam One-Time compliance Report **within 90 days of commencement of discharge**.

**3. Is there a possibility that my practice is exempt from CFR Title 40, Part 441?**

Yes, All applicable dental practices that discharge wastewater to the City of Manteca's Sanitary sewer system are required to submit a Dental Amalgam One-Time Compliance Report however; your facility is exempt from eh regulation CFR, Title, 40 Part 441 if:

- Your practice exclusively practices one or more of the following specialties: oral pathology, oral and maxillofacial radiology, oral and maxillofacial surgery, orthodontics, periodontics, or prosthodontics **OR**;
- The practice is a mobile unit as defined in CFR, Title, 40 Part 441.20(h) **OR**;
- The practice is a dental discharger that (1) **does not place** dental amalgam, and (2) does not remove amalgam except in limited emergency or unplanned, unanticipated circumstances. Limited emergency or unplanned, unanticipated circumstances are defined as less than 5% of the total restorative procedures performed.

**4. My practice is not exempt from CFR, Title 40, Part 441. By what date must my practice be in compliance with CFR, Title 40, Part 441?**

Existing Dental Office: Dental facilities under current ownership **before July 14<sup>th</sup> 2017**: Comply with CFR, Title 40, Part 441 by **July 14<sup>th</sup> 2020**.

New Dental Office: Dental facilities newly connected to the City of Manteca's sewer system after **July 14<sup>th</sup> 2017** and those facilities that have had a **transfer of ownership after July 14<sup>th</sup> 2017**: Comply **immediately** with CFR, Title 40, Part 441.

**5. Is my practice required to operate any special equipment to be in compliance with CFR, Title 40, Part 441?**

All dental dischargers who are subject to the regulation must operate and maintain an amalgam separator (s) or equivalent device to remove mercury waste from wastewater. The amalgam separator (s) or equivalent device must meet the ANSI/ADA Specification for Amalgam Separators (2011) or the ISO 11143 Standard (2008) to be compliant with CFR, Title 40, Part 441. City of Manteca recommends your practice contact the amalgam separator or equivalent device manufacturer to determine device compliance with CFR, Title 40, Part 441.

**6. I have a properly working, existing amalgam separator (s) or equivalent device installed in my practice that does not meet the ANSI/ADA Specification for Amalgam Separators (2011) or the ISO 11143 Standard (2008). Must I replace it to be compliant with CFR, Title 40, Part 441?**

CFR, Title 40, Part 441 allows dental dischargers that have installed and were using an amalgam separator prior to **June 14<sup>th</sup>, 2017** that does not meet the standards of the rule (ANSI/ADA Specification for Amalgam Separators (2011) or the ISO 11143 Standard (2008)) to **temporarily** continue to use it until **June 14<sup>th</sup>, 2027** if it is functioning properly and does not need to be replaced. Your practice must install an amalgam separator or equivalent device that meets the standards of the rule (ANSI/ADA Specification for Amalgam Separators (2011) or the ISO 11143 Standard (2008)) if the existing device fails and must be replaced or no later than June 14<sup>th</sup>, 2027. This is referred to as a "grandfathering" provision or clause. The practice must still file a One-Time Compliance Report certifying such by **October 12<sup>th</sup>, 2020**.

If a dental discharger covered by the grandfather clause transfers ownership, the new owner may continue using the grandfathered separator until **June 14<sup>th</sup>, 2027** if it is functioning properly and does not need to be replaced. The new owner must still file the One-Time Compliance Report.

**7. My practice is not exempt from CFR, Title 40, Part 441 and does not currently have an amalgam separator installed. By what date must my practice install and have in operation an approved amalgam separator or equivalent device?**

Existing Dental Office: Dental facilities under current ownership before **July 14<sup>th</sup> 2017**: comply with CFR, Title 40, Part 441 by **July 14<sup>th</sup> 2020**.

New Dental Office: Dental facilities newly connected to the City of Manteca's sewer system after **July 14<sup>th</sup>, 2017** and those facilities that have had a transfer of ownership after **July 14<sup>th</sup>, 2017**: Comply immediately with CFR, Title 40, Part 441.

**8. What record keeping requirements are required by CFR, Title 40, Part 441?**

Your facility must maintain the One-Time Compliance Report as long as the practice is in business or until ownership is transferred. Your facility must also maintain the following documents for a minimum of three years:

- Inspection records
- Documentation of amalgam retaining unit replacement
- Disposal records
- Documentation of any repair or replacement of the amalgam separator
- Manufacturer's operating manual

**9. Are there any other requirements of my practice other than operating and maintaining an amalgam separator (s) or equivalent device per manufacturer recommendation to be in compliance with CFR, Title 40, Part 441?**

CFR, Title 40, Part 441 also requires dental dischargers adopt two Best Management Practices (BMP's) commonly used in the dental industry to reduce dental amalgam discharges. The two required BMP's are:

1. The use of oxidizing line cleaners which can solubilize bound mercury is prohibited. This includes but is not limited to, bleach, chlorine, iodine and peroxide that have a pH lower than 6 or greater than 8.5.
2. Flushing waste dental amalgam directly into any drain that is not connected to an amalgam separator is prohibited. Flushing waste amalgam from chairside traps, screens, vacuum pump filters, dental tools, or collection devices into drains not connected to an amalgam separator presents additional opportunities for mercury to be discharged from the dental office.