

January 23, 2017

DIRECTIVE:	JOB CORPS INFORMATION NOTICE NO. 16-22
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TO: ALL JOB CORPS NATIONAL OFFICE STAFF
ALL JOB CORPS REGIONAL OFFICE STAFF
ALL JOB CORPS CENTER DIRECTORS
ALL JOB CORPS CENTER OPERATORS
ALL NATIONAL TRAINING AND SUPPORT CONTRACTORS
ALL OUTREACH, ADMISSIONS, AND CTS CONTRACTORS

FROM: LENITA JACOBS-SIMMONS
National Director
Office of Job Corps

SUBJECT: Complying with Environmental Protection Agency's Final Rule on Effluent Limitations Guidelines and Standards for the Dental Category

1. Purpose. To provide the Job Corps community with the Environmental Protection Agency's (EPA) Final Rule on Effluent Limitations Guidelines and Standards for the Dental Category.
2. Background. The EPA promulgates national effluent limitations guidelines and standards of performance for major industrial categories of pollutants including mercury, a toxic pollutant. The agency administrator signed the final rule guidelines December 15, 2016. The purpose of this final rule is to set a uniform national standard to reduce the discharge of mercury-containing dental amalgam¹ into Publicly Owned Treatment Works (POTWs) in the United States.

Mercury is present in all dental amalgam. Preparation of dental amalgam, removal of old amalgam fillings from cavities, and placement of new amalgam fillings all generate amalgam waste. Suctioning waste amalgam from chair-side traps and flushing vacuum pump filters with corrosive chemicals present opportunities for dental amalgam discharge. Mercury from waste amalgam can make its way into the environment from the POTW through the incineration, landfilling, land application of sludge, or surface-water discharge. Capturing mercury-laden waste amalgam at the dental office prevents it from being released into the environment.

The EPA rule is effective 30 days after publication in the *Federal Register*. The EPA also will publish a technical amendment to 40 CFR part 9 to display the Office of Management and Budget (OMB) control number for the approved information collection activities in this final rule. At this point, the information collection requirements will be enforceable. By the end of 2019, dentists will be expected to comply with this rule. Dentists who do not place or remove

¹ Dental amalgam is a cavity-filling material made by combining mercury with other metals such as silver, copper and tin.

amalgam fillings are exempt from the rule but will still need to certify such in a One-time Compliance Report to their Control Authority.

3. Action. Job Corps centers and Center Operators with onsite dental facilities shall:
 - a. Install or continue to operate an existing amalgam capture device such as a separator² for its lifetime or 10 years (whichever comes first) as a performance standard. The current International Organization for Standardization (ISO) Standard for Dental Amalgam Separators is ISO 11143.
 - b. Implement the Best Management Practice (BMP) which prohibits the use of line cleaners containing chlorine or bleach which may lead to the dissolution of solid mercury when cleaning chair-side traps and vacuum lines.
 - c. Implement the BMP which prohibits flushing waste amalgam from chair-side traps, screens, vacuum pump filters, and dental tools into drains.
 - d. Submit a One-Time Compliance Report to their Control Authority that demonstrates compliance with the performance standard and two BMPs.
 - e. Conduct ongoing operation and maintenance, and keep associated records.
 - f. Reference American National Standards Institute (ANSI) / American Dental Association (ADA) Specification 109: Procedures for Storing Dental Amalgam Waste and Requirements for Amalgam Waste Storage/Shipment Containers.
 - g. Dispose of amalgam waste through a properly licensed recycler.

The EPA does not expect these new federal requirements to conflict with existing state or local requirements. Rather, the EPA concludes that this final rule imposes only incremental additional requirements (e.g., One-Time Compliance Report) on dental offices

The summary below is the EPA’s estimate of costs for dental facilities. The EPA’s cost methodology assumes dental offices would use the required BMPs in combination with 2008 ISO 11143 amalgam separators to comply with the rule.

Summary of Model Facility Costs (2016) for Dental Offices		
Cost Element	1 or 2 Chairs in the Model Dental Office	3, 4, or 5 Chairs in the Model Dental Office
One-Time Separator Purchase	\$437	\$697
One-Time Installation	\$235	\$276
One-Time Compliance Report	\$23	\$23
Annual Replacement Parts	\$275	\$386
Annual Separator Maintenance	\$115	\$115
Annual Recycling	\$91	\$91
Annual Visual Inspection	\$18	\$18
Annual Record-keeping	\$62	\$62

² An amalgam separator is a collection device designed to capture and remove dental amalgam from the amalgam process wastewater of a dental facility.

4. Resources.

- *Federal Register* notice on EPA's Effluent Guidelines Web site: www.epa.gov/eg/dental-effluent-guidelines. In addition, the final rule will be available at www.regulations.gov under Docket ID: EPA-HQ-OW-20140693.
- American Dental Association Best Management Practices for Amalgam Waste: http://www.ada.org/~media/ADA/Member%20Center/Files/topics_amalgamwaste_brochure.ashx
- EPA Office of Water Fact Sheet – Effluent Limitations Guidelines and Standards for Dental Offices, EPA 820-F-16-014, December 2016: https://www.epa.gov/sites/production/files/2016-12/documents/dental-elg_final_fact-sheet_12-2016.pdf

5. Expiration Date. Until superseded.

6. Inquiries. Inquiries should be directed to Johnetta Davis at (202) 693-8010, or davis.johnetta@dol.gov; or Heather Edmonds at (202) 693-3774 or edmonds.heather@dol.gov.