

Requiring the Installation of Dental Amalgam Separator Systems in Dental Offices

This Act requires a dental office that, in the course of treating its patients, adds, removes or modifies dental amalgam, to install an amalgam separator system in the wastewater line in accordance. Wastewater containing dental amalgam particles must pass through the amalgam separator system prior to discharge to either a publicly owned treatment works or a private septic or waste disposal system, and waste containing dental amalgam must be collected from the amalgam separator system and disposed of in a manner satisfactory to the state department or health or environment. An "amalgam separator system" is a device that removes dental amalgam from the waste stream prior to its discharge into either the local public wastewater system or a private septic system located at the dental facility and that meets a minimum removal efficiency of 95% if installed prior to March 20, 2003 or 98% if installed on or after March 20, 2003, as determined through testing in accordance with standards contained in "ISO 11143, Dental Equipment - Amalgam Separators," published by the International Organization for Standardization, in effect on the date the system is installed

Submitted as:

Maine

[Chapter 301 of 2003](#)

Status: Enacted into law in 2003.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title.*] This Act may be cited as "An Act to Require the Installation of
2 Dental Amalgam Separator Systems in Dental Offices."
3

4 Section 2. [*Definitions.*] As used in this Act:

5 (1) "Amalgam separator system" means a device that removes dental amalgam from the
6 waste stream prior to its discharge into either the local public wastewater system or a private
7 septic system located at the dental facility and that meets a minimum removal efficiency of 95%
8 if installed prior to March 20, 2003 or 98% if installed on or after March 20, 2003, as determined
9 through testing in accordance with standards contained in "ISO 11143, Dental Equipment -
10 Amalgam Separators," published by the International Organization for Standardization, in effect
11 on the date the system is installed.

12 (2) "Dental amalgam" means a mixture of silver and mercury used to restore dental
13 integrity.

14 (3) "Dental office" means any dental clinic, dental office or dental practice, but does not
15 include the practice of oral and maxillofacial surgery.

16 (4) "Department" means [insert department].
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18 Section 3. [*Amalgam Separator System Required.*] No later than [December 31, 2004], a
19 dental office that, in the course of treating its patients, adds, removes or modifies dental amalgam
20 must install an amalgam separator system in the wastewater line in accordance with the
21 following:

22 A. Wastewater containing dental amalgam particles must pass through the
23 amalgam separator system prior to discharge to either a publicly owned treatment works or a
24 private septic or waste disposal system, and waste containing dental amalgam must be collected
25 from the amalgam separator system and disposed of in a manner satisfactory to the [department];

26 B. Once the amalgam separator system has been installed, the dental office must
27 notify the [department] in writing:

28 (I) Of the type of system installed;

29 (II) That the system is certified as meeting the standards required in
30 accordance with [insert citation];

31 (III) Of the date upon which the system became operational; and

32 (IV) Of the method of disposing of the material after removal from the
33 separator system.

34 C. If the amalgam separator system is connected to a publicly owned treatment
35 works, the dental office shall provide the same notification to the director or chief engineer of
36 that facility;

37 D. Installation, operation and maintenance of an approved amalgam separator
38 system by a dentist in accordance with manufacturer's recommendations must fulfill the
39 requirements of this section. A dentist must demonstrate proper operation and maintenance by
40 maintaining, for a period of [3 years], all shipping records for replacement filters sent to licensed
41 recyclers and written documentation that demonstrates that the system has been properly
42 inspected and maintained; and

43 E. The [department], after receiving proper notification of the installation of the
44 amalgam separator system and after being satisfied that it meets the requirements of this section,
45 must provide the dentist or the dental practice with written confirmation of receipt of evidence of
46 compliance with this section in a format suitable for display by the dental office.
47

48 Section 4. [*Plan to Reduce Mercury Pollution from Dental Procedures and Related*
49 *Sources.*] By [July 15, 2002], the [department] shall work with dentists and other interested
50 parties to develop a pollution prevention plan for mercury from dental procedures that provides
51 for reasonable measures to reduce mercury pollution from dental procedures and related sources.
52 The plan must include options and strategies for implementing source reduction.

53
54 Section 5. [*Severability.*] [Insert severability clause.]

55
56 Section 6. [*Repealer.*] [Insert repealer clause.]

57
58 Section 7. [*Effective Date.*] [Insert effective date.]