



# Department of Environmental Protection

## IMPORTANT NOTICE: DENTAL AMALGAM/MERCURY RECYCLING PROGRAM CHANGES

The MassDEP certification forms will be available on eDEP beginning **February 1, 2020**.

The Massachusetts Department of Environmental Protection (MassDEP) would like to inform you about **important changes** to the implementation of 310 CMR 73.00: *Amalgam Wastewater and Recycling Regulations for Dental Facilities*.

Many dental facilities discharge wastewater to a publicly owned treatment facility (also known as a POTW). In conjunction with the newly promulgated EPA dental amalgam regulations, several POTWs now require or will begin to require dental facilities to comply with new local requirements. In response to the EPA and local requirements, MassDEP is also making changes to 310 CMR 73.00. Highlights of these changes are explained below and illustrated in the flow chart on the second page of this document.

Dental facilities will be categorized into three groups:

**1. Exempt Dental Facilities.** Facilities that **do not** place or remove mercury amalgam. Dental facilities that perform oral or maxillofacial surgery, orthodontics, or periodontics are generally not subject to these regulations and are not required to submit a compliance certification form or pay a fee.

**2. EPA/POTW Regulated Dental Facilities.** Facilities that place or remove mercury amalgam AND submit an **annual or biennial** compliance certification form to a wastewater treatment operator (POTW) will now be exempt from the portion of the MassDEP dental amalgam regulations that require a biennial certification every even numbered year. These facilities shall meet both requirements below:

2.1. Complete the MassDEP compliance form online through eDEP. Question A8 pertains to annual or biennial certification to a POTW. If you have submitted an annual or biennial certification to your POTW within the last 18 months, please check the box next to the question. This check certifies that you have submitted your form to your POTW. For Question 9, select the POTW to which you certified from the dropdown list (e.g., Upper Blackstone Wastewater Treatment Facility). This will be the final MassDEP compliance form for this facility. No fee is paid to MassDEP for this final certification.

2.2. Continue to meet the requirements set forth by your POTW and the EPA.

**3. MassDEP Regulated Dental Facilities.** Facilities that place or remove mercury amalgam and do not meet the criteria of the other categories shall complete the requirements below:

3.1. Submit a compliance certification form to MassDEP within 60 days of initial separator system installation and by March 31 of every even-numbered year thereafter (310 CMR 73.00).

3.2. Submit a one-time compliance form with the EPA (40 CFR 441). The completed compliance form is sent directly to the EPA, or to your POTW.

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For more information about forms, deadlines, and other requirements, see the flow chart on the second page of this document or visit <https://www.mass.gov/guides/massdep-dental-amalgammercury-recycling-program>. If you have questions, contact **Lee Andrews** at 617-292-5647 or **Jacob Greene** at 617-292-5580. Leave your name, phone number, dental facility ID or Regulated Object (RO) number, facility location, and a brief message.

# 2020 Dental Compliance Certification

Do you own or operate a Dental Practice?

Yes

Do you place or remove mercury amalgam fillings?

Yes

You shall submit a compliance certification form to MassDEP within 60 days of initial separator system installation and by March 31<sup>st</sup> of every even-numbered year thereafter (310 CMR 73.00).

AND

You shall also submit a one-time compliance form with the EPA (40 CFR 441). This compliance is completed directly with the EPA, or with your wastewater treatment operator (POTW).

No

Dental facilities that perform oral or maxillofacial surgery, orthodontics, or periodontics are generally not subject to these regulations and are not required to submit a certification form to the MassDEP or the EPA.

Does your POTW require annual or biennial compliance certification?

Yes

You shall submit annual or biennial compliance certification form with your wastewater treatment operator (POTW);

AND

You shall check the box in the MassDEP eDEP compliance form indicating that you certify annually or biennially with your POTW/wastewater treatment operator. You will now be exempt from the MassDEP regulations (310 CMR 73.00).

No

You shall submit the one-time compliance certification form with your local POTW or the EPA (40 CFR 441);

AND

You shall continue to submit a compliance certification form to the MassDEP by March 31<sup>st</sup> of every even-numbered year (310 CMR 73.00).