

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

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Legislative Document

No. 697

H.P. 514

House of Representatives, February 14, 2003

### **An Act To Require the Installation of Dental Amalgam Separator Systems in Dental Offices**

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Reference to the Committee on Natural Resources suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative COWGER of Hallowell.  
Cosponsored by Senator MARTIN of Aroostook and  
Representatives: ANNIS of Dover-Foxcroft, DAIGLE of Arundel, HUTTON of Bowdoinham,  
KOFFMAN of Bar Harbor, SAVIELLO of Wilton, THOMPSON of China, TWOMEY of  
Biddeford, Senator: EDMONDS of Cumberland.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 38 MRSA §1661, sub-§§1-A and 1-B** are enacted to read:

6 1-A. Amalgam separator system. "Amalgam separator system"  
8 means a device that removes dental amalgam from the waste stream  
10 prior to its discharge into the local wastewater disposal system  
and that meets the standards published by an international  
organization for standardization that are in effect on the  
effective date of this subsection.

12 1-B. Dental amalgam. "Dental amalgam" means a mixture of  
14 silver and mercury used to restore dental integrity.

16 **Sec. 2. 38 MRSA §1667**, as enacted by PL 1999, c. 779, §2, is  
repealed and the following enacted in its place:

18 **§1667. Dental procedures**

20 1. Prevention plan. By July 15, 2002, the department shall  
22 work with dentists and other interested parties to develop a  
pollution prevention plan for mercury from dental procedures that  
24 provides for reasonable measures to reduce mercury pollution from  
dental procedures and related sources. The plan must include  
options and strategies for implementing source reduction.

26 2. Dental office defined. For purposes of this section,  
28 "dental office" means any dental clinic, dental office or dental  
practice, but does not include the practice of oral and  
30 maxillofacial surgery.

32 3. Amalgam separator system required. No later than  
34 December 31, 2004, a dental office that, in the course of  
treating its patients, adds, removes or modifies dental amalgam  
36 must install an amalgam separator system in the wastewater line  
in accordance with the following:

38 A. Wastewater containing dental amalgam particles must pass  
40 through the amalgam separator system prior to discharge to  
either a publicly owned treatment works or a private septic  
42 or waste disposal system, and waste containing dental  
amalgam must be collected from the amalgam separator system  
44 and disposed of in a manner satisfactory to the department;

46 B. Once the amalgam separator system has been installed,  
the dental office must notify the department in writing:

48 (1) Of the type of system installed;

- 2           (2) That the system is certified as meeting the  
3           standards required in accordance with section 1661,  
4           subsection 1-A;
- 5           (3) Of the date upon which the system became  
6           operational; and
- 7           (4) Of the method of disposing of the material after  
8           removal from the separator system.

9           If the amalgam separator system is connected to a publicly  
10           owned treatment works, the dental office shall provide the  
11           same notification to the director or chief engineer of that  
12           facility.

13           C. Installation, operation and maintenance of an approved  
14           amalgam separator system by a dentist in accordance with  
15           manufacturer's recommendations must fulfill the requirements  
16           of this section.

17           D. The department, after receiving proper notification of  
18           the installation of the amalgam separator system and after  
19           being satisfied that it meets the requirements of this  
20           section must provide the dentist or the dental practice with  
21           written confirmation of receipt of evidence of compliance  
22           with this section in a format suitable for display by the  
23           dental office.

24           **Sec. 3. Standards.** For purposes of the Maine Revised  
25           Statutes, Title 38, section 1661, subsection 1-A, amalgam  
26           separator systems must meet the standards contained in  
27           "ISO-1114:1999, Dental Equipment - Amalgam Separators," published  
28           by the International Organization for Standardization and in  
29           effect on the effective date of this Act.

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**SUMMARY**

39           This bill requires the installation of amalgam separator  
40           systems in dental offices that add, remove or modify dental  
41           amalgam. These systems must comply with the standards of the  
42           International Organization for Standardization, ISO 11143:1999.  
43           Dentists must notify the Department of Environmental Protection  
44           of their installations and must also notify the director or chief  
45           engineer of a publicly owned treatment works if their wastewater  
46           is discharged into a publicly owned treatment works. Dentists  
47           need not comply with these requirements until December 31, 2004.

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