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N.J.A.C. 7:14A-1 et seq.

POLLUTANT DISCHARGE ELIMINATION SYSTEM

Selected Portions Establishing Requirements for Indirect Users – Dental Facilities

From

SUBCHAPTER 1. ABBREVIATIONS, ACRONYMS, AND DEFINITIONS

And

SUBCHAPTER 21. REQUIREMENTS FOR INDIRECT USERS

Statutory authority: N.J.S.A. 13:1B-3 et seq., 13:1D-1 et seq., 13:1E-1 et seq., 26-2C-1 et seq., 58:10-23.11 et seq., 58:10A-1 et seq., 58:11-49 et seq., 58:11-64 et seq., 58:11A-1 et seq., and 58:12A-1 et seq.

Date last amended: October 1, 2007

For regulatory history and effective dates see the New Jersey Administrative Code
Table of Contents

Subchapter 1. Abbreviations, Acronyms, and Definitions

7:14A-1.2 Definitions

As used in this chapter, the following words and terms shall have the following meanings:

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"*Amalgam separator*" is a device to remove amalgam and its metal constituents from dental facility wastewater.

"*Amalgam waste*" means and includes:

1. Non-contact amalgam (amalgam scrap that has not been in contact with patient);
2. Contact amalgam (including but not limited to extracted teeth containing amalgam);
3. Amalgam sludge captured by chairside traps, vacuum pump filters, screens, and other amalgam trapping devices;
4. Used capsules containing amalgam; and
5. Leaking or unusable amalgam capsules.

...

"*Dental facility*" means any dental clinic, dental office, or dental practice, including hospitals, dental schools, and community health centers.

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"*ISO 11143*" is the International Organization for Standardization's standard for amalgam separators and specifically means ISO 11143:1999. The standard is available from the ISO at <http://www.iso.org>.

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Subchapter 21. Requirements for indirect users

7:14A-21.12 Requirements for Dental Facilities

- (a) This section establishes best management practices and regulatory requirements for owners of dental facilities that generate amalgam waste through the removal or placement of amalgams. The requirements of this section do not apply to a dental facility at which no dentistry is practiced other than any of the following specialties:

1. Orthodontics;
2. Periodontics;

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3. Endodontics;
 4. Oral and Maxillofacial Surgery;
 5. Oral and Maxillofacial Radiology; and
 6. Oral and Maxillofacial Pathology.
- (b) Except as provided under (c) below, an owner of any dental facility that generates amalgam waste shall be exempt from the requirement to obtain a NJPDES-SIU permit from the Department or the delegated local agency for the discharge of wastewater into a local agency's treatment works, provided the owner complies with following requirements:
1. The owner of a dental facility shall implement the Best Management Practice described in (d) below no later than October 1, 2008;
 2. The owner of the dental facility shall install an amalgam separator to serve every dental chair in the facility where amalgam waste is generated. The amalgam separator must be adequately sized for the maximum expected flow rate. The amalgam separator shall be installed no later than October 1, 2009. The separator shall conform with the ISO 11143 protocol. Each dental facility constructed on or after October 1, 2007 shall include an installed amalgam separator that conforms with the ISO 11143 protocol. A separator shall be deemed to meet the required ISO protocol if it conforms to the ISO 11143 protocol issued in 1999 or later; and
 3. The owner of a dental facility subject to this section shall register and certify compliance with the requirements of (b)1 and 2 above. This registration and certification shall be submitted annually to the Department on forms or in the format provided by the Department.
- (c) If a local agency conducts a headworks analysis pursuant to N.J.A.C. 7:14A-19.7(a) and determines that additional mercury control measures are necessary to ensure compliance with its NJPDES permit, then the control authority shall impose additional mercury control measures on dischargers to the local agency's treatment works, including, as appropriate, dental facilities subject to this section. Where additional mercury control measures are necessary, all dental facilities discharging to such local agency shall apply for an NJPDES-SIU permit.
- (d) Best management practices require a dental facility to, at a minimum:
1. Use mercury-free material when appropriate;
 2. Eliminate all use of bulk elemental mercury;
 3. Use precapsulated alloys only;

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4. Recycle used disposable capsules containing amalgam;
 5. Maintain and operate the amalgam separator when installed according to its manufacturer's specifications;
 6. Install chair-side traps in both the vacuum system and cuspidor of each operatory where restoration work is done;
 7. Change and clean chair-side traps frequently;
 8. Not rinse traps or vacuum pump filters over drains or in the sinks;
 9. Not throw or place the disposable trap, sludge from reusable trap, or vacuum pump filter or contents with regular garbage;
 10. Not throw or place the disposable trap, sludge from reusable trap, or vacuum pump filter or contents into sharps containers or biohazard bag;
 11. Not flush amalgam waste down the drain;
 12. Use only non-bleach, non-chlorine cleaners to clean vacuum system lines;
 13. Appropriately disinfect and store amalgam pieces from removal and restoration with amalgam waste;
 14. Store amalgam waste in airtight containers;
 15. Have a licensed recycling contractor, mail-in service or hazardous waste hauler remove amalgam waste;
 16. Recycle all amalgam waste containing mercury;
 17. Train staff in the proper handling, management, and disposal of mercury containing material; and
 18. Keep records to document that the BMP requirements are being met.
- (e) Those dental facilities that generate amalgam waste and do not comply with the requirements of (b)1 and 2 above shall apply for a NJPDES-SIU permit from the Department or the DLA in accordance with the following:
1. No later than October 1, 2008, when a dental facility fails to comply with (b)1 above; or
 2. No later than October 1, 2009, when a dental facility fails to comply with (b)2 above.