

Comparison of New Jersey and EPA Dental Rules

Highlighting = Where Rules Differ

	New Jersey, N.J.A.C.7:14A-21.12	Federal, 40 CFR 441
<b>Issued Compliance</b>	10/1/2007 With BMP 10/1/2008 Seperator 10/1/2009	6/14/2017 Existing: 7/14/2020 New: 7/14/2017
<b>Exemptions</b>	Orthodontics Periodontics Oral and Maxillofacial Surgery Oral and Maxillofacial Radiology Oral and Maxillofacial Pathology Endodontics	Orthodontics Periodontics Oral and Maxillofacial Surgery Oral and Maxillofacial Radiology Oral Pathology Prosthodontics Mobile Unit Limited (less than 5% of the procedures)
<b>Requirements</b>	Registration	
	Annual Certification	One-Time Compliance Report Due October 12, 2020 for existing Due 90 days after transfer of ownership or commencement of discharge for new sources
	Separator	
	ISO 11143 (1999 or later) 95% removal	ISO 11143 (2008) 95% removal existing ones grand fathered till replacement Must be sized for the maximum discharge rate Must be accompanied with manufacture's manual  Must be operated and maintained per manufacture's recommendation  Must be inspected per manufacture's O&M including confirmation that process wastewater is flowing through the seperator
<a href="#">See BMP Lists</a>	Best Management Practices	
	18 items Use only non-bleach, non-chlorine cleaners	2 Items Must not be cleaned with oxidizing or acidic cleaners
<b>Information</b>	<b>NJDEP Requires:</b> Facility name, physical address, contact information Names of the owners/operators Make and Model of the seperator Certification that installed seperator meets the requirements Certification of compliance with BMP Name of place where amalgam waste was sent	<b>USEPA -- Required in <i>One-Time Compliance Report</i> :</b> Facility name, physical address, contact information Names of the owners/operators Make and Model of the seperator Certification that installed seperator meets the requirements Certification of compliance with BMP Total number of chairs/# of chairs served by seperator Name of the third party service provider or practice employed for proper O&M  <b>Information required to retain for 3 years and make available either electronically or physically:</b> Date person conducting the inspection and result of each inspection  Documentation of amalgam retaining container replacement including date Date amalgam picked up for proper disposal and the name of the permitted licensed TSD facility receiving the amalgam retaining containers  Documentation of repair or replacement of the separator including name of the person making the repairs/replacement and description of repair/replacement and the date

## Comparison of New Jersey and EPA Best Management Practices

The State of New Jersey has adopted 18 Best Management Practices (BMPs) in our Dental Rule. They spell out in detail the minimum requirements for the proper handling and disposal of Amalgam. The USEPA has only adopted two BMPs in their rule. The table below compares these requirements. Yellow highlighted items are equivalent to USEPA BMP 1 and tan equivalent to EPA BMP 2. Some of NJDEPs BMPs are covered elsewhere within the USEPA Rule.

NJDEP BMPs		EPA Equiv
1.	Use mercury-free material when appropriate;	
2.	Eliminate all use of bulk elemental mercury;	
3.	Use precapsulated alloys only;	
4.	Recycle used disposable capsules containing amalgam;	EPA BMP 1
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;	EPA BMP 1
10.	Not throw or place the disposable trap, sludge from reusable trap, or vacuum pump filter or contents into sharps containers or biohazard bag;	EPA BMP 1
11.	Not flush amalgam waste down the drain;	EPA BMP 1
12.	Use only non-bleach, non-chlorine cleaners to clean vacuum system lines;	EPA BMP 2
13.	Appropriately disinfect and store amalgam pieces from removal and restoration with amalgam waste;	EPA BMP 1
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;	EPA BMP 1
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.	

USEPA BMPs	
(1)	Waste amalgam including, but not limited to, dental amalgam from chair-side traps, screens, vacuum pump filters, dental tools, cuspidors, or collection devices, must not be discharged to a POTW.
(2)	Dental unit water lines, chair-side traps, and vacuum lines that discharge amalgam process wastewater to a POTW must not be cleaned with oxidizing or acidic cleaners, including but not limited to bleach, chlorine, iodine and peroxide that have a pH lower than 6 or greater than 8.