



## **Will you be affected by the new federal requirements for dental amalgam waste?**

### **Pollution Prevention Planning Notice for Dental Clinics**

#### **FACT SHEET**

*A Pollution Prevention Planning Notice was published on May 8<sup>th</sup>, 2010 in Canada Gazette Part I outlining requirements for the owners and/or operators of certain dental clinics to prepare and implement pollution prevention plans in respect of mercury releases from dental amalgam waste.*

You can read it here: <http://www.gazette.gc.ca/rp-pr/p1/2010/2010-05-08/html/notice-avis-eng.html#d104>

*Dentists who have not already adopted the best management practices set out in Appendix A of the Notice, effective May 8<sup>th</sup>, 2010, will have to prepare and implement a pollution prevention plan. The best management practices were agreed to in a Memorandum of Understanding between Environment Canada and the Canadian Dental Association in 2002.*

*Dentists who have already adopted the best management practices or whose clinics are in compliance with provincial or municipal legislation that meet the requirements of the Notice regarding mercury disposal, will not be affected by the Notice.*

#### **Q. What is this Notice about?**

This Notice is about keeping the mercury found in dental amalgam waste out of the environment. It will require dental clinics who have not implemented best management practices for dental amalgam waste before the publication of the Notice to prepare and implement a pollution prevention plan.

#### **Q. What is a Pollution Prevention Plan?**

A pollution prevention plan presents how a facility will prevent or minimize the creation of pollutants and waste. It identifies cost-effective options and shows where investment in pollution prevention would lead to cost savings.

**Q. Must my dental clinic adhere to these new requirements?**

The Notice targets dental clinics that have not implemented the best management practices prior to the publication of the Notice. Owners of dental clinics, who have been proactive and implemented those best management practices before the publication of the Notice, will not be subject to the Notice which means they will not have to prepare a pollution prevention plan nor will they have to submit the mandatory declarations. These clinics can fill out a *Notification of Non-Engagement* acknowledging that they do not meet the activity description within the Notice and as a result, will not receive future reminder letters or additional requests associated with the Notice.

**Q. Where can I find a copy of the best management practices?**

The best management practices can be found in Appendix A of the Notice published in the *Canada Gazette* Part I on May 8<sup>th</sup>, 2010: <http://www.gazette.gc.ca/rp-pr/p1/2010/2010-05-08/html/notice-avis-eng.html#d104>

They include, but are not limited to:

- Installing an ISO certified or equivalent amalgam separator;
- Contacting a waste carrier for recycling or disposal of the amalgam waste;
- Stay abreast of advances in restorative materials; and
- Avoiding the disposal of amalgam waste in the trash, down the drain, in the sharps container or with bio-medical wastes.

**Q. If I did not implement all the best management practices before the Notice was published, how do I comply with the Notice?**

Pollution Prevention Planning Notices published under section 56 of CEPA 1999 legally requires persons subject to the Notice to prepare and implement a pollution prevention plan. A Pollution Prevention Planning Notice specifies the substance to be covered in the pollution prevention plan (in this case, mercury), the persons or class of persons who are required to prepare and implement a plan (in this case dental clinics), the activities that will be considered, and the deadlines for preparing and implementing the plan. The Pollution Prevention Planning Notice also outlines the factors that must be considered when preparing and implementing the plan. In the case of the Pollution Prevention Planning Notice for Dental Amalgam Waste, the factors to be considered are the implementation of the best management practices for dental amalgam waste, such as, but not limited to, the installation of an amalgam separator and sending the mercury waste for recycling or proper disposal.

Those who are subject to the Notice must:

Task	Timeline
Prepare a pollution prevention plan and ensure that the plan meets all the requirements of the Notice	August 14, 2010
File the Schedule 1 <i>Declaration That a Pollution Prevention Plan Has Been Prepared and is Being Implemented</i>	September 13, 2010
Implement the pollution prevention plan	November 13, 2010
File the Schedule 5 <i>Declaration That a Pollution Prevention Plan has Been Implemented</i>	December 13, 2010
Keep a copy of the pollution prevention plan on-site	Ongoing
Have the pollution prevention plan available for submission if requested	Ongoing

They also must respect all the deadlines published in the Notice and ensure that the information provided in the declarations is consistent with the pollution prevention plan.

The declarations filed with Environment Canada, as required by the notice, will be publicly posted on the Pollution Prevention Planning Database ( [www.ec.gc.ca/cepaP2](http://www.ec.gc.ca/cepaP2)).

**Q. I own a dental clinic where specialized care is exclusively practiced. Do I need to prepare a pollution prevention plan?**

The Notice does not apply to dental clinics where the following specialties are exclusively practiced:

- Oral and maxillofacial radiology
- Oral and maxillofacial surgery
- Oral medicine and pathology
- Orthodontics and dentofacial orthopedics
- Periodontics;

Owners of dental clinics where specialties are exclusively practiced, i.e. no dental amalgam is used or disposed of, can fill out a *Notification of Non-Engagement* acknowledging that they do not meet the activity description within the Notice and as a result, will not receive future reminder letters or additional requests associated with the Notice.

**Q. What should my pollution prevention plan look like?**

A pollution prevention plan may be prepared in whatever format makes the most sense for the dental clinic, as long as the plan meets all the requirements in the Notice and includes information required to complete the declarations.

Environment Canada has also developed various support tools ([www.ec.gc.ca/planp2-p2plan](http://www.ec.gc.ca/planp2-p2plan)), including fact sheets and an online tutorial which provides information on pollution prevention planning processes and practices. A model pollution prevention plan is also available ([www.ec.gc.ca/planp2-p2plan/default.asp?lang=En&n=A987402D-1](http://www.ec.gc.ca/planp2-p2plan/default.asp?lang=En&n=A987402D-1)).

**Q. Is a Pollution Prevention planning Notice stringent enough to prevent mercury releases from dental amalgam waste? What are the consequences if I don't comply with these new requirements?**

The Pollution Prevention planning Notice is enforceable under the *Canadian Environmental Protection Act*, 1999. Persons who do not comply with the requirements of such a Notice are subject to enforcement actions under the *Canadian Environmental Protection Act*, 1999 and the principles set out in the *Compliance and Enforcement Policy for the Canadian Environmental Protection Act*, 1999.

**Q. How does dental amalgam enter the environment?**

When dental amalgam is washed down drains at dental clinics, it travels through municipal sewer systems to wastewater treatment plants, or directly to waterways. It is also found in sewage sludge.

Mercury can also enter the environment when amalgam waste is disposed of with municipal solid waste or biomedical waste at dental clinics.

**Q. What are the environmental or health risks associated with mercury?**

Mercury is a neurotoxin - this means it can cause damage to the brain and central nervous system. It can be converted to methylmercury, one of the most toxic forms of the substance. Methylmercury is harmful to the environment as it can build up in living organisms over time and is highly toxic to fish and wildlife. Methylmercury is known to affect learning ability and neuro-development in children.

**Q. How can I get more information and answers to specific questions?**

For more information on the Notice and best management practices with respect to dental amalgam please contact:

Environment Canada  
Waste Reduction and Management Division  
[mercury@ec.gc.ca](mailto:mercury@ec.gc.ca)  
(819) 934-6059

For more general information on pollution prevention and pollution prevention plans please contact:

Environment Canada  
Innovative Measures Section  
[LCPEPlansP2-CEPAP2Plans@ec.gc.ca](mailto:LCPEPlansP2-CEPAP2Plans@ec.gc.ca)  
819-994-0186