

HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 704

By COMMITTEE ON ENERGY AND THE ENVIRONMENT

May 22

1 On page 1 of the printed A-engrossed bill, delete lines 3 through 15 and insert:

2 “Whereas the primary component of amalgam dental fillings is elemental mercury, a toxin
3 known to cause serious health harm; and

4 “Whereas amalgam is a source of mercury in the environment and amalgam that passes through
5 the wastewater drain lines of dental offices is a source of mercury in wastewater treatment plants;
6 and

7 “Whereas solid waste containing mercury is removed from wastewater treatment plants and is
8 often spread as a soil amendment on cropland; and

9 “Whereas best management practices for dental wastes developed by the Oregon Dental Asso-
10 ciation in 1998 in conjunction with the City of Portland, the Oregon Association of Clean Water
11 Agencies and the Department of Environmental Quality are effective pollution prevention practices
12 for preventing amalgam waste from entering the air, sewage systems, waterways and garbage; now,
13 therefore,”.

14 Delete lines 17 through 26 and delete page 2 and insert:

15 “**SECTION 1. Section 2 of this 2007 Act is added to and made a part of ORS chapter 679.**

16 “**SECTION 2. (1) A dentist who places in or removes from the human oral cavity dental
17 materials containing mercury shall:**

18 “(a) Implement and maintain best management practices of dental wastes as developed
19 by the Oregon Dental Association to prevent amalgam waste and mercury from entering the
20 air, sewage systems, waterways and garbage;

21 “(b) Have an amalgam separator installed on a wastewater drain in a dental facility
22 where the dentist practices if dental materials containing amalgam pass through the
23 wastewater drain. The amalgam separator must be verified by the manufacturer to remove
24 at least 95 percent of the amalgam that passes through the drain on which it is installed;

25 “(c) Maintain an amalgam separator installed as required by this subsection in accord-
26 ance with the manufacturer’s recommendations; and

27 “(d) Place all dental waste materials containing mercury in a vapor-proof container that
28 is clearly labeled as containing mercury and dispose of the materials in accordance with best
29 management practices of dental wastes recommended by the Oregon Dental Association.
30 Disposal may not be by incineration that would result in the release of mercury into the air.

31 “(2) Each dental office shall keep proof of installation of an amalgam separator and
32 maintain an amalgam separator maintenance log that the office shall make available for in-
33 spection by the Oregon Board of Dentistry. The board may inspect maintenance logs from a
34 period of up to three years prior to the date of inspection.

35 “**SECTION 3. Each dental facility constructed on or after the effective date of this 2007**

1 Act shall have amalgam separators that meet the requirements of section 2 (1)(b) of this 2007
2 Act.

3 SECTION 4. A dentist who follows the guidelines for best management of dental wastes
4 recommended by the Oregon Dental Association and who is certified by a special district that
5 manages wastewater treatment as following those guidelines is exempt from the require-
6 ments of section 2 (1)(b), (c) and (d) of this 2007 Act until January 1, 2011.”.

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