



February 6, 2015

Water Docket - EPA Docket Center
EPA West Building, Room 3334
1301 Constitution Avenue, NW
Washington DC
Via email: OW-docket@epa.gov

Attention: Docket ID No. EPA-OW-2014-0693.
Comments on Effluent Limitations
Guidelines and Standards for the
Dental Category, 40 CFR Part 441.

To Whom It May Concern:

The Wastewater Advisory Committee appreciates the opportunity to comment on EPA guidelines advertised in the Federal Register Notice (Volume 79, Number 204), Wednesday, October 22, 2014), Pages 63258-63286.

The Wastewater Advisory Committee to the MWRA is made up of volunteers in engineering, environmental law, academia, finance, environmental advocacy, and other fields. We provide an independent forum for discussion of wastewater issues and consider environmental, safety, cost and technical issues in our discussions.

WAC fully supports EPA's goal of removing mercury from wastewater effluent and residuals. However, the Committee has three comments on the dental rule's applicability, implementation, and ease of use.

A. Applicability

Massachusetts currently has a model dental mercury program, on which the rule is loosely based. It is successfully removing mercury from the wastewater stream of the MWRA's treatment plants. While we have been assured that the state could continue its successful program under the draft rule, we would request EPA to be sure that wording and enforcement of this rule do not inadvertently require a new program in the state. Adding expense and paperwork to our POTWs or dental offices without significantly affecting the presence of mercury in the waters of the US is a poor use of resources.

Specifically, as proposed the USEPA proposal would not be comparable to the existing Massachusetts Department of Environmental Protection's program for the following program elements and aspects:

- USEPA is building its mercury amalgam program on their well established National Pollution Discharge Elimination System (NPDES). Yet, Massachusetts is not a delegated state under the NPDES program.
- The present USEPA proposal sets the minimum acceptable mercury amalgam separator removal efficiency at 99%, while the Massachusetts minimum is 98%.
- The present USEPA proposal requires a certification annually. Massachusetts presently requires a certification from each dental office every 5 years and is moving towards changing it to every 2 years to synchronize it with the dental registration required by the Massachusetts Department of public Health.

We are particularly concerned with language that could create Significant Industrial Users out of small dental practices. We hope that the new rules will not significantly burden offices that are incapable of completing this level of paperwork.

B. Implementation

1. Speaking of paperwork, we note that EPA is asking that all forms be filed on paper. Massachusetts currently operates its program primarily via electronic form filing. To impose a paper requirement would overwhelm Environmental Protection staff with paper forms.
2. WAC applauds EPA's requirement for a weekly clean out of separator traps. However, some high-volume dental practices may need a more regular clean out. We suggest the weekly clean out be a minimum.

C. Ease of Use

WAC applauds EPA's concern about the use of bleach in line cleaning, as this disinfectant can dissolve mercury before amalgam particles are removed from the separator traps. However, the specifications in the proposed rule are very general (non-bleach, non-chlorine containing cleaners that have a pH of 6 to 8) We suggest that EPA instead provide a list of approved disinfectants (chemicals rather than brand-name disinfectants or cleaners) that dental staff can use as a reference, as well as a list of disinfectants that are not approved for line cleaning, to the extent that such is possible.

Further, WAC is assuming that EPA will include on the list of recommended disinfectants only those that would not interfere with the operations of the MWRA's two wastewater treatment plans.

If you have any questions, please feel free to contact our executive director, Andreae Downs, at 617-378-8972 or andreae.wac@gmail.com

Sincerely,

Stephen Greene
Chair
Wastewater Advisory Committee