# Virginia Department of Environmental Quality - Office of VPDES Permitting

# Instructions for the Virginia Dental Rule Compliance Form

## What is the Dental Rule?

To help prevent mercury, a neurotoxin, from entering wastewater, a new federal rule requires dental practices that insert or remove amalgam fillings to install an amalgam separator to capture waste amalgam. The purpose of this Dental Rule is to reduce the amount of mercury-containing amalgam that is discharged by dental offices by having dental offices collect it with amalgam separators or similar amalgam-removing devices.

The requirement to have an amalgam removal device and perform the two Best Management Practices (BMPs) applies to offices where the practice of dentistry is performed, and amalgam is applied or removed. It includes dental schools and clinics, as well as home offices.

The full text for the rule can be found at [40 CFR Part 411](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-N/part-441).

## Who Needs to Fill Out the Form?

Dental offices that place or remove amalgam must operate and maintain an amalgam separator and must not discharge scrap amalgam or use certain kinds of line cleaners. Existing and new sources under the rule must submit a one-time compliance report to their pretreatment Control Authority. **This includes all dental offices that are new, existing, or for which operations details (owner, specialty, expansion, etc.) have changed. The form must be submitted by all applicable dental offices whether the office is exempt from the rule or not.**

Your Control Authority is either a local wastewater utility or Virginia DEQ.

The Compliance Form can be found at <https://www.deq.virginia.gov/permits/water/surface-waters-vpdes/dental-rule>.

If your facility exclusively practices one or more of the below dental specialties, the rule does not apply to your facility. This means that none of the requirements of the rule, including one-time form submission, are applicable to your facility. If your facility practices one or more of these specialties in addition to other dental work, the rule is still applicable, and a form must be submitted on the behalf of the facility.

The Dental Rule is not applicable to facilities that solely practice one or more of the following:

* Oral Pathology
* Oral and Maxillofacial Radiology
* Oral and Maxillofacial Surgery
* Orthodontics
* Periodontics
* Prosthodontics

## Form Instructions

### Part 1. General Information

1. Facility Information: This includes the name and location of the facility the form is referring to.
2. Owner/Responsible Party Information: This is the information of the individual that is responsible for the facility, including the owner of the facility.
3. Facility Contact Information: This is the information of the individual on the premises that could be contacted for inquiries related to this form, including inspection scheduling.
4. Additional Information, if necessary: This section is for any additional information the facility would like to provide to be considered.

### Part 2. Dental Rule Applicability

1. Dental Rule Applicability: This section determines which of the sections of the compliance form will be required.
	1. Option 1 describes facilities that are subject to the rule, and regularly use, work with, or remove dental amalgam. See 40 CFR Part 441 for more information.
	2. Option 2 describes facilities that are exempt from the rule, as they do not regularly place, work with, or remove dental amalgam. For facilities that meet the conditions of Option 2, submittal of the form is still required. Parts 3, 4, and 5 can be left blank.
	3. Option 3 is for facilities that meet the conditions of either option 1 or 2 and have submitted previously but need to update their Part 1 information (Facility Contact, Owner, Facility Location, etc.). In the case of Option 3, the entire form should still be completed, but the information can be transferred from the previous form to the current form by the facility.
2. Prior Discharges: Select which option applies to your facility.

### Part 3. Description of Amalgam Separating Equipment

1. Amalgam Wastewater Production: List the total number of chairs at your facility, whether they place, work with, or remove amalgam or not. Then, list the number of chairs where amalgam is or may be placed, worked with, or removed. The total number of chairs should always be greater than or equal to the number of chairs where amalgam may be placed, worked with, or removed.
2. Amalgam Separation or Equivalent Devices: Provide a brief description of the devices that are currently installed and/or in operation at the facility. Note if any devices are installed but not operational. Then, select if the separation devices are in compliance with ISO 11143 or ANSI/ADA 109-2009, or if they were installed previously and will be replaced prior to June 14, 2027. This is a requirement of the Dental Rule, and all devices will need to be compliant by this date. Lastly, provide the information in the table for each individual separation device.

### Part 4. Operation and Maintenance

1. Operation and Maintenance Provider: Firstly, the authorized representative needs to certify that the amalgam separator or equivalent device is designed, installed, and will be operated in accordance with the regulation. Then, select if either a contractor provides maintenance and operation services, or if operation and maintenance is a responsibility of the facility itself. If a third-party service is used, provide their information.

### Part 5. Best Management Practices (BMP) Certification

The authorized representative needs to read and certify that the BMPs listed are implemented and will continue to be followed.

### Part 6. Certification

 Provide the information for the authorized representative and provide a signature and date.

## Form Submission

Once the form has been completed, please email the form to dentalrule@deq.virginia.gov. Any additional questions or comments can be directed to this email address as well.