

9441.1989(31)

JUN 30 1989

Dr. William H. McBeath
Executive Director
American Public Health Association
1015 Fifteenth Street, N.W.
Washington, D.C. 20005

Dear Dr. McBeath:

Thank you for your letter of June 7, 1989, in which you requested information regarding the disposal of dental amalgam. More specifically, you requested that the Environmental Protection Agency (EPA) send you information on:

1. "a recent EPA ruling concerning dental amalgam";
2. how EPA determined that amalgam is a hazardous substance;
3. the extent of improper recycling of amalgam; and
4. any plans EPA may be making to develop rules for the disposal of amalgam and to educate dentists about "the environmental technology that is applicable and effective in the recycling and disposal of dental amalgam."

First, we believe that your reference to a recent EPA ruling concerning dental amalgam may be explained by the enclosed letter of May 17, 1989, from Robert W. Dellinger of EPA to Phyllis A. Shay.

As a secondary material that is being disposed of, amalgam is defined as a solid waste under the Resource Conservation and Recovery Act (RCRA). EPA defines as hazardous any solid waste that has been listed as a hazardous waste or that meets any of the four hazardous characteristics: ignitability, corrosivity, reactivity, and extraction procedure (EP) toxicity. Dental amalgam is not specifically listed as hazardous waste under

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Federal regulations. Therefore, the generator of waste dental amalgam is responsible for determining whether it exhibits any of the four hazardous characteristics. Since dental amalgam contains mercury and silver, it may exhibit EP toxicity.

Please bear in mind that many State and local regulatory agencies have their own hazardous waste regulations, which may differ from Federal regulations. We strongly encourage generators of waste to contact their State regulatory agencies to determine what, if any, State regulations are applicable.

We have neither received information on nor examined the extent of improper recycling of dental amalgam that may be occurring. At this time, we do not plan to develop specific rules for the disposal of dental amalgam. We believe that the past enclosed guidance on the hazardous waste regulatory requirements provides sufficient information to enable small quantity generators to comply with the requirements.

Thank you for your interest in hazardous waste management. If you have further questions about the identification of waste you may call the RCRA Hotline at 1-800-424-9346, Edwin Abrams, of my staff, at (202) 475-8551.

Sincerely yours,

Jonathan Z. Cannon
Acting Assistant Administrator

Enclosures

OS-305/DELLINGER/J.OCALLAGHAN - 382-4646/LS/6-26-89/CONTROL
NO: AX892155/DUE DATE: 6-23-89/DISK #29/NAME: MCBEATH
FOLLOW-UP RESPONSE

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