

## DENTAL OFFICE COMMERCIAL/OPERATIONAL WASTEWATERS

### Frequently Asked Questions (FAQ)

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#### 1. What I am required to do to comply with the Michigan Department of Environment, Great Lakes, and Energy (EGLE) regulations that apply to commercial/operational wastewaters?

Dental commercial/operational wastewaters are classified as a medical waste (and may even be a hazardous waste) and cannot be discharged to an onsite septic system designed for sanitary wastewaters. If a sanitary sewer is not available, dental commercial/operational wastewaters must be accumulated and transported to a disposal facility authorized to accept dental commercial/operational wastewaters. All dental commercial/operational wastewaters that must be accumulated and transported for disposal must be managed to meet the Part 138, Medical Waste Regulatory Act, of the Public Health Code, 1978 PA 368, as amended (Medical Waste Regulatory Act) and its rules. Dental offices that generate more than 20 gallons of dental commercial/operational wastewaters monthly must also manage the dental commercial/operational wastewaters in accordance with the hazardous waste regulations.

See the [Medical Waste Pocket Guide](#), which summarizes the primary requirements for managing medical waste and the [Summary of Hazardous Waste Generator Accumulation Requirements](#), which summarizes all of the requirements for managing hazardous waste.

Accumulated commercial/operational wastewaters must be sent for disposal at least every 90 days. Other helpful medical waste resources include the [template Medical Waste Management Plan](#) and [inspection checklist](#) available at [Michigan.gov/EGLEMedWaste](http://Michigan.gov/EGLEMedWaste). To learn more about the hazardous waste regulations, see the [Michigan Guide to Environmental, Health and Safety Regulations, Chapter 2](#) and the [Hazardous Waste and Liquid Industrial By-products Recorded Webinar Series](#).

## 2. What resources are available to understand whether my commercial/operational wastewaters must be managed to meet the hazardous waste regulations, in addition to the medical waste regulation?

Dental offices that manage common dental office wastes to meet the [universal waste](#) standards and generate less than 20 gallons of commercial/operational wastewaters monthly are expected to be exempt from the hazardous waste regulations. Commercial/operational wastewaters exempted from hazardous waste regulations must be managed to meet the medical waste regulations.

Dental offices that generate 20 gallons or more of commercial/operational wastewaters monthly are expected to generate more than 220 pounds of non-acute hazardous waste monthly. As a result, dental offices generating 20 gallons or more of commercial/operational wastewaters monthly are expected to be a small quantity generator of hazardous waste that is required to manage commercial/operational wastewaters in accordance with the hazardous waste regulations.

To learn more about what waste streams are subject to hazardous waste regulation and how they need to be managed, view the [Waste Characterization and Generator Status](#) and [Universal Waste](#) recorded webinars available as part of the [Hazardous Waste and Liquid Industrial By-products Recorded Webinar Series](#).

## 3. Who is allowed to haul my commercial/operational wastewaters to a disposal location?

All commercial/operational wastewaters must be transported in accordance with the Medical Waste Regulatory Act and U.S. Department of Transportation requirements for medical waste. See EGLE's [Medical Waste Transport Requirements Summary guidance document](#) for additional information on transporting medical waste in Michigan.

Dental offices that generate more than 20 gallons of commercial/operational wastewaters monthly have additional handling and transportation requirements because they must also be managed to meet the hazardous waste regulations. Commercial/operational wastewaters from dental offices generating more than 20 gallons of commercial/operational wastewaters monthly must be transported by an EGLE permitted and registered hazardous waste transporter and the transport must be documented on a Uniform Manifest submitted to the U.S. Environmental Protection Agency e-Manifest system. To learn more on hazardous waste transport, see the [Michigan Transport, Manifesting and NEW e-Manifesting Regulations](#) recorded webinar.

Neither a septage waste transporter license or a liquid industrial by-products transporter license is needed to pick up and deliver commercial/operational dental wastewaters to a wastewater treatment plant or location if the dental office only generates 20 or less gallons of the wastewater monthly. This is because there is no transporter license required to transport medical waste. However, although a septage waste hauler or liquid industrial by-products hauler may transport the embalming wastewater, the following constraints apply when commercial/operational dental wastewaters are handled:

- The commercial/operational dental wastewater may not be land applied. The Medical Waste Regulatory Act prohibits the release of this material into the environment prior to required treatment.
- Any septage waste hauler transport vehicle used to transport commercial/operational dental wastewaters must be decontaminated prior to transporting septage for land application.
- The commercial/operational dental wastewater must be transported to an authorized wastewater treatment plant or a receiving location with authorization to dispose of the commercial/operational dental wastewaters to their wastewater treatment plant.
- The commercial/operational dental wastewater must be transported without storage or mixing.
- A specific authorization must be obtained from the receiving facility and that authorization shall be provided to EGLE's Septage Waste Program if a septage waste hauler is used to transport or the EGLE Liquid Industrial By-products Transportation Program if a liquid industrial by-products transporter is used for transport.

#### 4. [Where can my commercial/operational wastewaters go?](#)

Most treated dental commercial/operational wastewaters are discharged directly to the sanitary sewer with approval from the receiving [wastewater treatment plant](#). If direct discharge to the sanitary sewer is not an option and your site generates less than 20 gallons of dental commercial/operational wastewaters monthly, contact the wastewater treatment plant(s) in your area to see if they can assist. You can also check with your existing medical waste and/or universal waste vendor to see if they can assist with proper disposal.

If your site generates 20 or more gallons of commercial/operational wastewaters monthly, the commercial/operational wastewaters must be managed to meet the hazardous waste regulations. The commercial/operational wastewaters subject to hazardous waste regulation must be sent to a licensed hazardous waste treatment, storage, or disposal facility. To locate options for hazardous waste disposal, see the list of [vendors that assist with municipal household hazardous waste collection and disposal](#) or the list of [vendors that specialize in pharmaceutical waste disposal](#). Consider these [questions when talking with potential transport and disposal vendors](#).

Any vendor will need your waste characterization and generator status determination information to evaluate whether they can accept your wastewater. So, be prepared with that information prior to contacting potential vendors.

#### 5. [Who regulates the installation and maintenance of my amalgam separator?](#)

Both the Department of Licensing and Regulatory Affairs (LARA) and EGLE's Water Resources Division regulate commercial/operational wastewater discharges in Michigan. Sites that have access to municipal wastewater treatment are also regulated by the local wastewater treatment plant receiving the wastewater. For authorization to discharge to the sanitary sewer, contact your local wastewater treatment plant. Keep a record detailing the authorization on file to verify the disposal is permitted. If the authorization is not provided in writing, the disposal record should include details of who authorized the discharge of what type of wastewaters, the date the authorization was granted, and how long the authorization is effective.

The Department of Licensing and Regulatory Affairs general [dentistry rules](#) require dental offices install amalgam separators on all wastewater drains receiving amalgam wastewaters. The amalgam separators must have a verified amalgam removal efficiency of 95 percent or more. The amalgam separators were to be installed on all wastewater drains receiving amalgam wastewaters by no later than December 31, 2013. The amalgam separators must be sized to accommodate the maximum dental amalgam wastewater flow from the dentist office. Under the dentistry rules, the amalgam separator must be installed, operated, and

maintained according to the manufacturer specifications. Specific records must be kept verifying timely installation and proper operation and maintenance of the amalgam separators. These records must be maintained on file for at least three years and made available when requested by an authorized state or local official.

In June 2017, the U.S. Environmental Protection Agency issued similar [new federal pretreatment standards for dental offices](#). They require existing dental offices nationally to install amalgam separators on all wastewater drains receiving amalgam wastewaters by no later than July 14, 2020. New dental offices must meet the new standards immediately. For additional information on the federal pretreatment requirements, please see the [Frequently Asked Questions on the Dental Office Category Rule, Chapter 3](#) of the [Michigan Guide to Environmental Health and Safety](#), and contact the [EGLE Industrial Pretreatment contact](#) for your area.

**6. Why do I need to change things now? I haven't had any problems with my septic tank or drain field and the Local Health Department permitted it years ago.**

While no problems may be present on the surface, the discharge of medical waste that contains mercury to an onsite septic system is in direct violation of several state and local regulations. An onsite septic system is designed to handle bathroom, kitchen, and household laundry wastewater strengths and flows. Proper treatment of the components of medical waste (pathogens) cannot be guaranteed. The use of an onsite septic system for disposal of commercial-generated operational wastewaters may be putting public health and the environment at risk. State and local regulations have likely been updated since the installation of some onsite septic systems and this serves as information to help all facilities come into compliance.

**7. Is a handwashing sink that we also clean or rinse instruments in considered a source of medical waste?**

A handwashing sink used to clean and rinse instruments that were used in dental procedures is being used to collect a non-domestic wastewater which may contain medical waste and amalgam. Wastewaters from the sink should be accumulated and transported for disposal or the practice of using it to clean and rinse instruments should be discontinued. The dentistry regulation and the new federal pretreatment requirements apply to all wastewater drains receiving amalgam wastewaters. Sites that have access to municipal wastewater treatment are also regulated by the local wastewater treatment plant receiving the wastewater. For authorization to discharge to the sanitary sewer, contact your local wastewater treatment plant. Keep a record detailing the authorization on file to verify the disposal is permitted. If the authorization is not provided in writing, the disposal record should include details of who authorized the discharge of what type of wastewaters, the date the authorization was granted, and how long the authorization is effective.

**8. Does EGLE have standards for holding tanks? Are they reviewed and approved on a case-by-case basis or do we just have to meet the standards?**

EGLE does not review or approve tank or containers selections for accumulating medical waste or hazardous waste. The performance standard that must be met is that the tanks and containers must contain the waste and prevent its release.

The Department of Licensing and Regulatory Affairs [dentistry rules](#) define a holding tank as a closed, watertight, sealed structure designed and used to receive and store wastewater. Holding tanks are designed and constructed for ultimate disposal of collected wastewater at another site.

The medical waste regulations define storage as meaning the containment of medical waste in a manner that does not constitute disposal of the medical waste.

Collected commercial/operational wastewaters from dental offices generating less than 20 gallons per month must be accumulated in tanks or containers that are compatible with the waste and capable to contain the wastewater. They must be labeled with a biohazard symbol or the words “medical waste” or “pathological waste” in letters not less than 1 inch high. They must be stored in a manner that prevents putrefaction and prevents infectious agents from coming in contact with the air or with individuals. If medical waste is stored outside, it must be stored in a secured area or locked in a container that weighs more than 500 pounds. Actions must be taken to prevent access by vermin or unauthorized individuals. Accumulated medical waste must be shipped for disposal within 90 days of the date medical waste as first placed in the tank or container.

Collected commercial/operational wastewaters from dental offices generating 20 gallons or more per month have additional requirement under the hazardous waste regulations. Hazardous waste tanks must be labeled “Hazardous Waste” and marked with accumulation start date, which in this case is the same as the date waste was first placed in the container. The tank must have controls and practices to prevent spills and overflows. Tanks also have to be certified by a professional engineer and inspected daily. Containers have to be inspected weekly to ensure there are no leaks. When leaks are found they have to be corrected, contained and cleaned-up. All containers must be kept closed except when adding or removing waste from the container. When offered for hazardous waste for transport, the container must meet the U.S. DOT regulations.

Additional regulations are triggered based on the amount of wastewater generated, so a means to measure the number of gallons or the weight of the tank or container contents is needed. Containers could be weighed monthly and compared to the 220-pound trigger for being subject to the hazardous waste regulations. Tanks could be installed with a sight glass that designated the number of gallons in the tank or a flow meter.

For additional details on tank installation, design, and operation, please see EGLE’s [Liquid Industrial By-Products Holding Tanks Guidance](#). For more information on transporting medical waste, please see the Summary of Transport Requirements for Michigan Medical Waste Producers.

## 9. Does EGLE have standards for containers?

When used to accumulate commercial/operational dental wastewaters from dental office generating 20 or less gallons of commercial/operation dental wastewaters monthly, the containers or totes must:

- Be spill, leak, puncture-proof, and impervious to moisture;
- Have sufficient strength sufficient to resist ripping, tearing, breaking, or bursting under normal conditions of storage, handling, or handling;
- Be secured so as to prevent leakage during storage, handling, or transport;
- Kept closed except during active addition of waste to container;
- Meet the U.S. Department of Transportation regulations;
- Be labeling with the date when waste is first added to the container; and
- Marked with a biohazard symbol during storage and handling.

## 10. When must the onsite septic system requirements be met?

Sites that currently discharge commercial/operational wastewaters to onsite septic systems need to discontinue the discharge as soon as possible. As detailed in the memo to [rural medical waste producers](#) and the Dental Offices with Onsite Septic Systems [card](#), commercial-generated (operational) wastewaters need to be diverted to a sealed holding tank or other mechanism approved for use by EGLE. See question 4 for details on where the collected wastewaters can go and question 8 for details on installation of tanks for containing wastewaters. Failure to meet the onsite septic system requirements is a violation of state regulations and could result in EGLE seeking escalated enforcement action against the facility.

**11. Is handling and disposal of sharps that are managed separately from amalgam wastewaters required to be address separately in the Medical Waste Management Plan and documented separately for verifying proper handling and disposal?**

Yes, the handling and disposal of sharps should be addressed separately in the Medical Waste Management Plan. The plan should include details of the records that will be maintained to demonstrate proper management of commercial/operational wastewaters consistent with the dentistry rules. If the facility has a third-party contract with a medical waste disposal company to remove their sharps, the name of the company and the method of treatment prior to disposal should be indicated in the [Medical Waste Management Plan](#). If the facility has an agreement to take the sharps to a hospital or other medical facility for disposal, this should be indicated in the plan as well. Please refer to the medical waste [inspection checklist](#) for additional information. This checklist is used by the Medical Waste Regulatory Program and Local Health Departments during inspections.

**12. Am I allowed to install the commercial/operational wastewater holding tank in my garage or basement?**

As long as the tank is secure and access is limited to only those authorized and your disposal vendor is able to remove the content of the tank for disposal, you could locate an commercial/operational wastewater tank in a garage or basement assuming it was allowed under local ordinance. For additional details on specific tank requirements, please see question 8.

**13. What additional resources are available to assist with understanding the EGLE regulations that apply to commercial/operational wastewaters from dental offices with?**

The following resources are available

- October 29, 2018, [EGLE memo](#) sent to dental offices regarding the facility wastewater disposal requirements for onsite wastewater systems.
- [Dental Offices with Onsite Septic Systems card](#)
- WMRPD Policy and Procedure Number WMRPD-368-138-03 revised March 20, 2018, [Frequently Asked Questions Regarding Medical Waste](#)
- WMRPD Policy and Procedure Number OMRPD-368-138-01 reformatted July 5, 2013, [Dental Amalgam Waste Removal Systems](#)
- [Medical Waste Disposal Services Vendor List](#)
- The [Michigan Guide to Environmental Health and Safety Regulations](#)

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