

June 10, 2009



**Saskatchewan
Ministry of
Environment**

June 10, 2009

Members
College of Dental Surgeons of Saskatchewan

Dear Members of the College of Dental Surgeons:

Re : Proposed Notice Regarding Pollution Prevention Planning in Respect of Mercury Releases from Dental Amalgam Waste

*****Members can achieve immediate compliance by having a Canadian Wide Standard amalgam separator installed in their office. Members that USE or REMOVE amalgam should have a separator installed immediately. If a member does not have a separator installed, they will be subject to an Environment Canada request to draft a pollution prevention plan as noted in the paragraphs below.*****

The Saskatchewan Ministry of Environment and the College of Dental Surgeons of Saskatchewan would like to provide you with the following information on Environment Canada's proposed notice regarding pollution prevention planning in respect of mercury releases from dental amalgam waste.

The Canada-wide Standard (CWS) for mercury from Dental Amalgam Waste was endorsed in 2001. The CWS is the application of "best management practices" to achieve a 95% reduction in mercury releases from dental amalgam waste discharges to the environment, by 2005, from a base year of 2000. Following the endorsement, the Canadian Dental Association and Environment Canada signed a Memorandum of Understanding in 2002, committing to actions for the voluntary implementation of the CWS.

In 2007, as part of a progress and compliance report, a national survey of dentists was conducted that showed 70% of dentists in Canada met the CWS, with Saskatchewan respondents achieving 91% compliance. Therefore, it was concluded that the CWS was not achieved by voluntary implementation and the report recommended that Environment Canada take further actions under the Canadian Environmental Protection Act to assist jurisdictions in achieving the Canada-wide Standard target.

As such, Environment Canada published a Proposed Notice, requiring comments be received by June 18, 2009, outlining requirements for dental facilities that **have not** implemented all of the best management practices set out in the "*Memorandum of Understanding Respecting the Implementation of the Canada-wide Standard on Mercury for Dental Amalgam Waste*" (**installation of an amalgam separator**), to prepare and implement a pollution prevention plan for mercury releases from dental amalgam waste.

A **Final Notice** requiring the preparation and implementation of pollution prevention plans for mercury releases from dental amalgam waste will be published in Part I of the Canada Gazette after considering comments received by June 18, 2009. This **Final Notice** will provide detail on the timelines that offices will have to reach compliance. Remember, this only applies to those offices that **use or remove** amalgam and **do not use** an amalgam separator.

Pollution prevention is the use of processes, practices, materials, products, substances or energy that avoid or minimize the creation of pollutants and waste and reduce the overall risk to the environment or human health. Pollution prevention planning is a systematic, comprehensive method of identifying and implementing pollution prevention options to minimize or avoid the creation of pollutants or waste. The plan would also identify recycling, treatment and other measures needed to meet environmental goals.

It should be noted that not preparing a pollution prevention plan, as required by the **Final Notice**, is an offence under CEPA and may be prosecuted. In addition, it is an offence to provide false or misleading information, results, or samples, or to file a document that contains false or misleading information.

As stated above, the proposed pollution prevention planning requirements applies only to those dental facilities that **use or remove** amalgam and **have not** implemented the use of an amalgam separator. Those dental facilities that implement 'best management practices' prior to the deadline required in the **Final Notice** will also **not be required** to provide pollution prevention plans.

Further information on the documents mentioned above can be found at:

- *Canada-wide Standard (CWS) for mercury from Dental Amalgam Waste*
- *CWS progress reports*
http://www.ccme.ca/ourwork/water.html?category_id=118

- *Memorandum of Understanding Respecting the Implementation of the Canada-wide Standard on Mercury for Dental Amalgam Waste*
- *Best Management Practices*
<http://www.ec.gc.ca/MERCURY/DA/EN/da-damou.cfm>

- *Proposed Notice Regarding Pollution Prevention Planning in Respect of Mercury Releases from Dental Amalgam Waste*
<http://www.gazette.gc.ca/rp-pr/p1/2009/2009-04-18/html/notice-avis-eng.html>

- *Pollution Prevention Planning Provisions*
- *Pollution Prevention Planning Provisions – Frequently Asked Questions.*
- *Pollution Prevention Planning Handbook.*
www.ec.gc.ca/nopp

- *Environment Canada's Compliance and Enforcement Policy for the Canadian Environmental Protection Act, 1999*
www.ec.gc.ca/ceparegistry/documents/policies/candepolicy/toc.cfm

The Saskatchewan Ministry of Environment and the College of Dental Surgeons of Saskatchewan will work with those dental facilities that have not implemented all of the best management practices set out in the Memorandum of Understanding to ensure the CWS targets are met in Saskatchewan.

Should you have any questions or require further information please do not hesitate to contact either person below.

June 10, 2009

Sincerely,

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