

ORDINANCE NO. _____
AN ORDINANCE CREATING STANDARDS FOR
AMALGAM SEPARATORS

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do hereby ordain as follows:

SECTION 1: Whitewater Municipal Code Chapter 16.14, Sections 16.14.56 and 16.14.57, are hereby created to read as follows:

16.14.56 Amalgam Separators – General Conditions

This section applies to any dental office that places or removes amalgam. If work in a dental office is limited to work that does not involve placing or removing amalgam, such as orthodontics, periodontics, oral and maxillo-facial surgery, endodontics, or prosthodontics, then this ordinance does not apply. Within the shortest reasonable time, but not later than 6 months from the passage of this ordinance, every vacuum system where amalgam is placed or removed shall include an amalgam separator that meets the criteria of the International Standards Organization (ISO 11143). Dental offices shall install, operate, and maintain the amalgam separator according to instructions provided by the manufacturer. The amalgam separator shall have a design and capacity appropriate for the size and type of vacuum system. In addition, all dental offices shall implement best management practices for amalgam as established by the Wisconsin Dental Association (WDA).

- (1) On or before 1 year from the passage of this ordinance, each dental office shall submit a report to the city clerk that certifies the implementation of the management practices established by the WDA and identifies the contractors used to remove amalgam waste within the last twelve months.
- (2) On or before 3 months from the passage of this ordinance, each dental office shall provide a schedule for the installation of the required amalgam separator(s).
- (3) On or before 6 months from the passage of this ordinance, each dental office shall provide a report providing the following information:
 - A. If installation of the amalgam separator is complete, then the report shall identify the installation date, the manufacturer and the model name.
 - B. If installation of the amalgam separator is incomplete, then the report shall briefly explain the delay, provide an installation schedule, and identify the manufacturer and the model name of the amalgam separator that will be installed.
- (4) If a dental office has provided a report according to sub. (3)B, then the dental office shall notify the City of Whitewater within five days after completion of the installation.
- (5) The City shall provide form(s) for reporting the information required by subs. (1) and (3).

- (6) Dental offices shall obtain records for each shipment from the contractors used to remove amalgam waste showing: the volume or mass of amalgam waste shipped; the name and address of the destination, and the name and address of the contractor. Dental offices shall maintain these records for a minimum of five years. Dental offices shall make these records available to the City for inspection and copying upon request from the City.
- (7) Dental offices shall allow the City to inspect the vacuum system, amalgam separator, and amalgam waste storage areas upon request.
- (8) Inspections shall occur during the normal operating schedule of the dental office. The City shall inspect dental offices according to appointments made in advance, as long as this advance notice does not impede enforcement of this section.
- (9) If a dental office is implementing the management practices required by sub.(1) and is operating and maintaining the amalgam separator as required, the numerical discharge limit for mercury established in any other section of this chapter does not apply.

16.14.57 Amalgam Separators – Maintenance

To maintain proper discharge quality from amalgam separators, a maintenance report will be required to be submitted on an annual basis on or before May 1st of each year. This report shall contain a summary of any issues related to the amalgam unit maintenance and operation, including dates and names of contractor(s) doing the service, along with all relevant receipts generated in the recycling of amalgam waste in the previous 12 months. Examples of these receipts would be: 1) vendor providing the recycling container, 2) vendor providing the recycling service (certification of recycling), 3) initial recipient of amalgam waste.