



# City of Philadelphia

City Council  
Chief Clerk's Office  
402 City Hall  
Philadelphia, PA 19107

**BILL NO. 080026**

---

**Introduced January 24, 2008**

---

**Councilmember Reynolds Brown**

---

**Referred to the  
Committee on the Environment**

---

## **AN ORDINANCE**

Amending Chapter 9-3100 of The Philadelphia Code, entitled "Use of Mercury in Dentistry," by requiring dental offices to install, operate and maintain separator systems that permit the recycling of mercury waste, adding definitions and making certain technical changes, all under certain terms and conditions.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. Chapter 9-3100 of The Philadelphia Code is hereby amended to read as follows:

### CHAPTER 9-3100. USE OF MERCURY IN DENTISTRY.

\* \* \*

§ 9-3101. Definitions. For purposes of this Chapter, the following definitions shall apply:

*(1) Amalgam Separator System. Equipment designed to remove dental amalgam particles from the wastewater of a dental office.*

[(1)] (2) \* \* \*

[(2)] (3) \* \* \*

[(3)] (4) \* \* \*

\* \* \*

# City of Philadelphia

BILL NO. 080026 continued

## §9-3104. Amalgam Separator System.

(1) *Applicability.* Any dental office, that in the course of treating its patients, places, removes or modifies dental amalgam, shall install an amalgam separator system in the wastewater line, in accordance with the requirements of this Section.

(a) *For dental offices that begin operating on or after January 1, 2009, the amalgam separator system shall be installed prior to beginning operations.*

(b) *For dental offices with operations in existence prior to January 1, 2009, the amalgam separator system shall be installed no later than January 1, 2010.*

## (2) *Installation, Operation and Maintenance.*

(a) *Installation, operation and maintenance of an amalgam separator system shall be in accordance with the manufacturer's recommendations and with all applicable state and local codes.*

(b) *Dental offices shall demonstrate proper operation and maintenance of amalgam separator systems by maintaining, for a period of three (3) years, all shipping records for replacement filters sent to licensed recyclers and written documentation that demonstrates that the system has been properly inspected and maintained. Such records and documentation shall be readily available for inspection by the Department upon request.*

(c) *Wastewater containing dental amalgam particles shall pass through the amalgam separator system prior to discharge to either the City water and sewage system or a private septic or waste disposal system.*

(d) *The amalgam separator system shall remove dental amalgam from the waste stream prior to its discharge with a removal efficiency of ninety-five percent (95%), as determined through testing in accordance with standards contained in "ISO 11143, Dental Equipment--Amalgam Separators," published by the International Organization for Standardization, in effect on the date the system is installed.*

(e) *All dental amalgam removed through an amalgam separator system shall be disposed of in compliance with regulations promulgated by the Department.*

# City of Philadelphia

BILL NO. 080026 continued

*(f) Once an amalgam separator system has been installed, the dental office shall provide the following information, in writing, to the Department, no later than thirty (30) days after installation:*

*(.1) The type of system installed and the method used to dispose of waste collected from such system;*

*(.2) Certification that the system meets all requirements of this Section; and*

*(.3) The date upon which the system became operational.*

*If an amalgam separator system is connected to the City water and sewage system, the dental office shall also provide such information to the Water Department, no later than thirty (30) days after installation.*

*(g) The Department, after receiving proper notification of the installation of an amalgam separator system and after being satisfied that it meets the requirements of this Section, shall provide the dental office with written confirmation of receipt of evidence of compliance with this Section in a format suitable for display by the dental office. The confirmation of compliance shall be displayed in a prominent location in the dental office.*

*(3) Regulations. The Board of Health shall promulgate regulations for the Department, setting forth acceptable methods for the disposal of waste, containing dental amalgam, collected from an amalgam separator system, and such other regulations it deems appropriate for the implementation of this Section.*

[§9-3104.] § 9-3105. Exemptions.

(1) The following dental offices shall be exempt from the requirements of [Section 9-3103] *this Chapter*:

:

(a) Any dental [practice] *office* limited to oral and maxillofacial surgery, oral medicine, oral pathology, orthodontics, periodontics or radiology[.];

(b) Any dental *office* scheduled to cease operating as a dental office within six (6) months of the applicable installation date as set forth in subsections 9-3104(1)(a) and (b).

# City of Philadelphia

*BILL NO. 080026 continued*

---

**Explanation:**

[Brackets] indicate matter deleted.

*Italics* indicate new matter added.