



## **GUIDANCE FOR DENTISTS ON WASTE DENTAL AMALGAM**

**This guidance should be read by all dentists, dental nurses, hygienists and anyone else who produces waste amalgam. It sets out new requirements for amalgam separators in all dental practices. The guidance is intended for England only, although there are similar requirements in other parts of the UK.**

### **1. INTRODUCTION**

1.1 Article 4 of the Waste Directive (75/442/EEC) requires that waste must be disposed of without endangering human health and the environment and in particular:

- without risk to water, soil, plants and animals;
- without causing a nuisance through noise or odours;
- without adversely affecting the countryside or places of special interest.

Waste amalgam<sup>1</sup> should be managed in accordance with these requirements.

### **2. AMALGAM SEPARATORS**

2.1 To meet these requirements it is Defra's view that separators will need to be fitted. Separators to BS EN ISO 11143:1999 (as amended by Cor. 1:2000) should be fitted in all practices that use amalgam, not just those that are newly built. The exact number and placing of the separators will depend on the size and configuration of the practice, but they will need to be placed in such a way to protect all routes by which amalgam may enter the drains. All dentists using amalgam should

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<sup>1</sup> Waste amalgam includes any unwanted amalgam, old fillings, teeth with fillings, grindings, surplus amalgam which cannot be reused, residues containing amalgam e.g from separators and packaging such as capsules containing such residues.

take steps to ensure that suitable separators are fitted as soon as reasonably practical.

### **3. HAZARDOUS WASTE REGULATIONS**

- 3.1 The European Waste Catalogue lists as “hazardous” amalgam waste from dental care (18 01 10\*). Hazardous Waste is subject to the requirements of the Hazardous Waste Directive (91/689/EEC). This is transposed in England by the Hazardous Waste (England and Wales) Regulations (SI 2005/894). Waste amalgam from dental care, collected by a separator or disposed of from premises other than through the separator is subject to the requirements of these Regulations.

#### ***THE REQUIREMENTS OF THE REGULATIONS***

- 3.2 The Hazardous Waste Regulations require that all hazardous waste be tracked from the point of production to the final point of disposal or recovery. Many premises that produce hazardous waste are required to be notified annually to the Environment Agency. Dentists will generally be exempt from the notification requirement as long as they produce less than 200kg of hazardous waste in any period of twelve months (although it should be noted that the 200kg limit applies to all the hazardous waste produced at a particular premises and not just to the amount of amalgam waste produced).
- 3.3 The Regulations prohibit the mixing of hazardous waste with other types of hazardous waste, with non-hazardous waste and with other substances or materials except where authorised by a permit. When hazardous waste is moved, a consignment note giving details of the waste and its hazardous properties must be prepared to accompany the waste and the waste will need to be taken to a waste management facility with an appropriate licence or permit. All those in the waste management chain from the producer right through to the consignee are required to keep records of the waste, including the method of disposal or recovery.

#### ***WHAT THESE REQUIREMENTS MEAN FOR THE DISPOSAL OF DENTAL AMALGAM***

- 3.4 To meet the requirements of the Regulations, dentists will need to do the following:

**(i) Consider whether they need to notify their premises to the Environment Agency**

- 3.5 Dental practices will be exempt from the requirement to notify if less than 200kg of hazardous waste is produced at the premises in any

twelve-month period. The 200kg threshold will apply to all the hazardous waste produced at the premises during that period, not just to amalgam. Other hazardous wastes that may be produced by dentists include computer monitors, infectious clinical waste, refrigeration equipment containing CFCs, HCFCs or HFCs<sup>2</sup>, fluorescent tubes and photochemicals. Most small dental practices are likely to be exempt.

- 3.6 If your premises need to be notified to the Environment Agency, you should do this straight away. Guidance on the process of notification is available on the Agency's web site at [Notification-Guidance](#)

**(ii) Ensure that all waste amalgam produced at the practice is correctly consigned**

- 3.7 Amalgam waste will need to be collected separately, kept separate from other waste produced by the practice and consigned to a waste management facility with a licence or permit to handle amalgam waste. Before the waste which has been separately collected is moved, you or your waste contractor or carrier will need to prepare copies of a consignment note. There are two types of consignment note. One is used for consignments moved individually from the point of production and the other is for cases where a waste carrier collects several consignments from different premises during the course of a single journey and transports them all to the same waste management facility (consignee). This is known as a multiple collection. For individual consignments, the legal responsibility for ensuring the note is completed rests with the producer, though in many cases the waste contractor or waste carrier will do it for you. For multiple collections, the waste carrier is required to complete most of the paperwork, but the producer (i.e. you) has the legal responsibility for ensuring the Annex to the consignment note is completed (although as with single consignments, the waste contractor or waste carrier may do it for you). Guidance on the completion of the consignment note can be found on the Agency's web site at [Consignment-Guidance](#).

**(iii) Ensure that the amalgam waste is not mixed with other types of waste or with other substances or materials**

- 3.8 Regulations 18 and 19 of the Hazardous Waste Regulations prohibit the mixing of any type of hazardous waste with a different category of hazardous waste and with any other substance or material. You must, therefore, ensure that your waste amalgam is kept separate and is not mixed with anything else.

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<sup>2</sup> CFCs and HCFCs are Chlorofluorocarbons and hydrochlorofluorocarbons and are ozone depleters. HFCs are hydrofluorocarbons which are potent greenhouse gases

**(iv) Keep records of amalgam waste produced and sent for disposal or recovery**

3.9 As the producer, you are required to keep a record of the quantity, nature, origin and, where relevant, the destination, frequency of collection, mode of transport and treatment method of all the hazardous waste you produce, including dental amalgam. This will need to be kept on a register and should consist of all the consignment notes relating to the waste and copies of the returns that consignees are obliged to send you confirming the receipt of the waste and the appropriate disposal and recovery operation. You will need to keep these records for three years after the consignment of the waste. More guidance on these records can be found on the Environment Agency's web site at [Records-Guidance](#)

**(v) What Happens If The Requirements Of The Regulations Are Not Met?**

3.10 The Environment Agency is responsible for enforcing the Regulations. If you fail to consign your hazardous waste correctly, mix hazardous waste with other waste (hazardous or non-hazardous) or any other substance or material without a permit, fail to meet record keeping requirements or commit any other offence under the Regulations the Environment Agency is able to prosecute you. For details of the Environment Agency's enforcement position, please see [Enforcement-Guidance](#)

**4. DUTY OF CARE**

4.1 Section 34 of the Environmental Protection Act 1990 places a duty on anyone importing, producing, carrying, keeping, treating or disposing of a controlled waste to take measures to ensure that the waste is handled and disposed of safely. You must prevent the waste causing pollution or harming anybody. You must store waste safely and ensure it cannot escape from your control. If you give waste to someone else, you must be sure they are authorised to take it and can transport, recycle or dispose of it safely. If you break this law, you can be fined an unlimited amount. Further information can be obtained at <http://www.defra.gov.uk/environment/waste/management/doc/index.htm>