



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF WATER

June 4, 2020

Jeanie Kennedy  
Manager, Dental Practice & Policy  
Academy of General Dentistry  
560 W. Lake St., Sixth Floor  
Chicago, IL 60661-6600  
(312) 440-4347  
Jeanie.Kennedy@agd.org

Re: Request to delay amalgam separator rule

Dear Ms. Kennedy,

Thank you for your April 16, 2020 letter regarding the Environmental Protection Agency's rule entitled "Effluent Limitations Guidelines and Standards for the Dental Category," 82 FR 27176 (June 14, 2017). Your email requests the EPA delay the start date of implementation for the amalgam separator rule due to the exigent circumstances of the COVID-19 pandemic.

EPA's Office of Water has considered your and other requests concerning the rule's July 2020 compliance date. During the rulemaking that culminated in the 2017 amalgam separator rule, the Agency fully considered costs to covered dental offices and dental offices have had nearly three years to comply with the rule. To extend the compliance period would require EPA to undertake a new Administrative Procedure Act rulemaking and the Agency does not have the data on current economic impacts to support such an undertaking. The Agency therefore does not plan to conduct a new rulemaking to extend the July 14, 2020 compliance date.

Where a covered dental office is unable to comply with the amalgam separator rule as a result of the COVID-19 outbreak, that office should contact its pretreatment control authority concerning the circumstances. Pretreatment program contacts by EPA Regional Office and State, including information on identifying your control authority may be found here: <https://www.epa.gov/eg/dental-effluent-guidelines>.

Again, thank you for your letter. If you have further questions concerning the amalgam separator rule, please contact me at [wood.robert@epa.gov](mailto:wood.robert@epa.gov), 202-566-1822, or your staff may contact Paul Shriner at [shriner.paul@epa.gov](mailto:shriner.paul@epa.gov), 202-566-1076

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Wood".

Robert Wood, Director  
Engineering and Analysis Division