April 15, 2020

The Honorable Andrew Wheeler
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Wheeler:

On behalf of our 163,000 members, we would like to thank you for exercising your discretionary authority to be flexible in enforcing certain federal environmental compliance obligations during the novel coronavirus (COVID-19) outbreak. Your temporary enforcement discretion policy will help a number of dentists whose practices have been substantially impacted by this extraordinary public health crisis.

As you know, most dentists have until July 14 to install an amalgam separator. The requirement is part of an Environmental Protection Agency (EPA) regulation requiring dentists to reduce discharges of amalgam restorations into publicly owned wastewater systems.

The ADA worked with EPA for nearly a decade to come up with a rule that was fair and reasonable and consistent with our own Best Management Practices for Amalgam Waste. We have also spent years working with EPA and state and local wastewater control authorities to make compliance as fast and seamless and inexpensive as possible.

It is difficult to justify spending thousands of dollars to install a separator by July 14 when many dentists have had to either close their offices or operate on a very limited schedule. In fact, many dentists are struggling just to pay their bills.

No one should have to choose between keeping their staff on payroll, paying for an expensive piece of new equipment, or closing their business entirely. We therefore appreciate your willingness to be flexible in enforcing certain federal environmental compliance obligations during the COVID-19 outbreak.

Again, thank you for your understanding and flexibility during this difficult time. If you have any questions, please contact Mr. Robert J. Burns at 202-789-5176 or burnsr@ada.org.

Sincerely,

/s/   /s/

Chad P. Gehani, D.D.S.   Kathleen T. O'Loughlin, D.M.D., M.P.H.
President   Executive Director

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