

For Immediate Release

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EPA To End Bush Era Dental Mercury ‘Midnight Deal’

Washington, DC— Today, environmental groups applauded EPA’s announcement to propose a new rule requiring dentists to reduce mercury pollution.

"Dentists are the largest polluter of mercury to wastewater," said Michael Bender, director of the Mercury Policy Project and a steering committee member of the National Mercury Products Campaign.ⁱ "We welcome EPA’s proposal to end the Bush-era midnight deal allowing dentists to pollute until they enacted voluntary pollution prevention initiatives - which never substantially materialized."

Clear evidence of the failure of voluntary programs had been well documented by a 2008 congressional report which cited numerous cases where the programs didn’t realize significant compliance.ⁱⁱ Since then, a coalition of state government organizations has found that amalgam separator installation rates are low unless there is a mandatory component.ⁱⁱⁱ

Twelve states have mandated best management practices and amalgam separators at dental clinics, which can eliminate 95%-99% of dental mercury releases to wastewater. Yet in states where amalgam separators aren’t mandated, compliance is low. Only 13% of the separators installed have been sold in non-regulated states from 2004 through 2009, according to an amalgam separator manufacturer’s May 2010 congressional testimony.

Unfortunately, the American Dental Association continues to ignore the latest science on mercury from EPA’s website, which states that: ‘When amalgam enters the water, microorganisms can change it into methylmercury, a highly toxic form that builds up in fish.’^{iv} Methylmercury is a well documented neurotoxicant which can cause adverse effects on the developing brain. Yet ADA’s website continues to deny this, stating: ‘Dental amalgam has little effect on the environment...[and] this amount is not in the form [of mercury] found in fish, which is the greatest concern.’^v

“EPA’s proposal will not only clean up dental mercury pollution here at home, but also highlights the need to reduce amalgam impacts internationally,” said Bender. “Global mercury negotiations are currently underway,^{vi} and the annual use of over 300 tons of dental mercury globally is getting increasing scrutiny.”

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For more information:

MPP report on “Midnight Deal”:

<http://mercurypolicy.org/wp-content/uploads/2010/05/dentalmercurymidnightdealreportforweb.pdf>

www.mercurypolicy.org

ⁱ The Campaign is comprised of over 20 state and national environmental groups.

ⁱⁱ Staff report of the Domestic Policy Subcommittee Majority Staff Oversight and Government Reform Committee, September 10, 2008.

ⁱⁱⁱ Letter from Mark McDermid, Quicksilver Caucus, Lead ECOS Representative to the EPA Water Docket ID No. EPA-HQ-OW-2008-0517, March 31, 2010.

^{iv} <http://www.epa.gov/mercury/dentalamalgam.html>

^v <http://www.ada.org/1540.aspx>

^{vi} <http://www.unep.org/hazardoussubstances/Mercury/tabid/434/language/en-US/Default.aspx>