Memorandum of Understanding Between the Minnesota Dental Association and The Minnesota Pollution Control Agency for the Statewide Reduction of Mercury from Dental Practices

This Memorandum of Understanding is between the Minnesota Dental Association (MDA) and the State of Minnesota, acting through its Commissioner of the Pollution Control Agency (MPCA).

Whereas, Mercury is a known toxin and mercury contamination of fish is a well-documented problem in Minnesota lakes and streams and the leading cause of impairment of Minnesota surface water quality.

Whereas, the mass of dental amalgam mercury is a source of release to the environment through wastewater and volatilization into air.

Whereas, Minnesota dentists and dental practices over the last several years have significantly reduced the release of mercury from dental amalgam.

Whereas, today's dentists increasingly focus on preventive motivation, a healthier population, and fewer dental restorations of any kind. In addition, there has been a clear and persistent decline in the use of amalgam, and this trend is expected to continue.

Whereas, to protect human health and the environment, the MPCA has established goals of reducing mercury in the environment that will require all sources to reduce their releases to the air, water and waste streams.

Therefore, it is understood that the pragmatic goals at this point in time are for all dentists to:

1. Be mindful of potential environmental impacts associated with professional activities.
2. Understand and openly discuss choices and alternatives with dental patients, as fundamental demonstrations of professionalism and informed consent.
3. Take actions to minimize the release of mercury to the environment, including installation of amalgam separators on wastewater systems and adherence to established best management practices for air, water and waste releases.
In furtherance of these goals, the MDA and MPCA agree to actions as follows:

**MDA Actions**

1. By 12/31/08, work to meet the goal of 100% compliance with Minnesota dentists to voluntarily install and maintain amalgam separators and adherence to established best practices.
2. Provide continuing education and information to its members on reducing volatilization to air and capturing mercury and maintaining the usefulness of its separators, and product alternatives.
3. Provide data to track progress in reducing release of mercury to the environment via volatilization to air and discharge to wastewater. The MDA will share data which includes a) the number of dentists educated on alternatives to amalgam and discussing alternatives with clients, b) data regarding the number of dental clinics and the number with adequate wastewater separators, and c) the use of amalgam and alternatives.

**MPCA Responsibilities.**

1. By 12/31/07, work with the MDA to establish criteria and a process to identify approved amalgam separator models which considers wastewater flow rates and treatment effectiveness. The list will be periodically updated.
2. Assist the MDA with educational efforts to discuss mercury and its impact on Minnesota’s lakes, streams and aquatic life and human health, and alternatives to amalgam.
3. By 12/31/07, provide timely clarification of regulatory expectations regarding management of amalgam including, but not limited to, wastewater discharges to individual sewage treatment systems and handling of solid residuals.
4. By 6/30/08, explore use of this agreement and MDA actions as a pollution prevention plan for municipal wastewater discharges.

**Joint MDA/MPCA Responsibilities.**

1. Work with suppliers, manufacturers, educational institutions and other interested parties to reduce the use of mercury in dental products and procedures where pragmatic alternatives exist.
2. Work to improve confidence of air emissions estimates in MPCA’s Mercury Emissions Inventory and identify opportunities for reductions.
3. Work with employers, insurance providers and others to explore changes to insurance coverage that would reduce barriers to non-mercury restorations by providing equivalent compensation and coverage.
4. Annually evaluate progress in each party meeting the objectives of this agreement.
Terms and Conditions.

This is a voluntary agreement and can be nullified by either party at any time.

Authorized Representatives

a. The MPCA’s Authorized Representative for purposes of administration of this Memorandum of Understanding is:

Brad Moore  
Commissioner  
520 Lafayette Road  
St. Paul, MN 55155

b. The MDA’s Authorized Representative for purposes of administration of the Memorandum of Understanding is:

Richard W. Diercks  
Executive Director  
Minnesota Dental Association  
1335 Industrial Boulevard  
Minneapolis, MN 55413-4801

In witness whereof, the parties have caused this agreement to be duly executed.

MDA  
By ____________________________  
Date 6/16/07

MPCA  
By ____________________________  
Date 8/13/07