



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

DEC 12 2002

Ms. Elizabeth Paul
Air Techniques
70 Cantiague Rock Road
Hicksville, New York 11801

Ref. No. 02-0299

Dear Ms. Paul:

This responds to your recent letter concerning requirements for shipping regulated medical waste under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask about requirements related to shipping waste material, including bone and tooth fragments and amalgam and silver filling, generated by dentists' offices.

Your letter describes a device for transporting dental wastes for processing and disposal. You note that the contents of the device are treated with a disinfectant solution before the device is sealed. Medical waste that has been treated or disinfected so as to neutralize or inactivate any infectious material is not regulated under the HMR (see § 173.134(b)(8)).

If the waste amalgam generated from a dentist's office contains mercury, it may be regulated as a hazardous substance under the HMR. A hazardous substance is a material, including its mixtures and solutions, that is listed in Appendix A to § 172.101 and is in a quantity in one package that equals or exceeds the reportable quantity (RQ) listed in Appendix A. The RQ for mercury is 1 pound. Thus, if your device contains 1 pound or more of mercury, then it must be transported in accordance with the HMR requirements applicable to hazardous substances.

I hope this information is helpful. If you have further questions, please do not hesitate to contact this office.

Sincerely,

Edward T. Mazzullo
Director, Office of Hazardous Materials Standards



020299

173.134



CORPORATE HEADQUARTERS
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516/433-7676 Fax 516/433-7683

Gorsky
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Infectious Substances
02-0299 WESTERN DIVISION
1591 Sunland Lane, Costa Mesa, CA 92626
714/435-7930 Fax 714/435-1163

Mr. Edward T. Mazzullo
Director of Standards
U. S. DOT Rspa CDHM-10
400 7th Street
Southwest Washington DC, 20590-0001

Dear Mr Mazzullo:

Dentists use a suction system in order to remove waste while drilling with water to repair or replace a tooth. Waste may include bone and tooth fragments as well as amalgam and silver filling that is being replaced.

Waste particles mixed with water are transported into our device. Utilizing a sedimentation process, waste particles become trapped on horizontally mounted plates inside the device. A volumetric flow-rate restrictor is incorporated into the device that controls the flow of water, thereby allowing enough time for the particles to fall and adhere to the plates.

There are 67 of these horizontally mounted plates within the device. The plates are constructed of stainless steel and the outer case is molded from plastic. The device is approximately 16 inches long, by 9 inches wide, by 9 inches tall. The device weighs approximately 15 pounds empty, 22 pounds filled with water and can weigh as much as 24 pounds filled with water and other collected waste particles.

The device will be treated with disinfectant solution and sealed prior to removal. For shipment to a processor the device is to be placed in a sealed plastic bag, then placed in a Styrofoam carton and lastly a cardboard carton.

Regards,

A handwritten signature in cursive script that reads 'Elizabeth Paul'.

516-241-5513

Elizabeth Paul