



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

Ref: 8ENF-W-NW

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

Dr. Scott Lybrook
Lybrook Dental

(b) (6)

Re: Inspection Report for Lybrook Dental Facility, NPDES Identification No. CODP00002

Dear Dr. Lybrook:

On April 13, 2022, representatives of the U.S. Environmental Protection Agency inspected Lybrook Dental located in Fruita, Colorado, to evaluate compliance with the Dental Office Point Source Category (40 CFR 441). The inspection was conducted under the authority of Section 308 of the Clean Water Act (Act). Enclosed is a report of the inspection.

Inspection findings are summarized within the enclosed inspection report in a table titled "Findings, Corrective Actions and Recommendations." Within **thirty (30) days** of receipt of this report, please provide the EPA with a summary of corrective action taken to address finding 1 and any information that may change the findings or content of the report. This summary should be sent to:

Emilio Llamozas
EPA Region 8
Llamozas.emilio@epa.gov

Please contact me at 303-312-6407 or llamozas.emilio@epa.gov if you have any questions regarding this letter or the enclosed report.

Sincerely,

EMILIO
LLAMOZAS

Digitally signed by EMILIO
LLAMOZAS
Date: 2022.05.27 10:47:33 -06'00'

Emilio Llamozas
NPDES and Wetlands Enforcement Section
Enforcement and Compliance Assurance Division

Enclosures:

- 1) NPDES Pretreatment Industrial User Inspection Report
- 2) Photo Log

cc: Jon Wallace, Colorado Department of Public Health and Environment (via email)

NPDES Pretreatment Industrial User Inspection Report
Dental Office Point Source Category
40 CFR Part 441

National Database Information	
Inspection Date: April 13, 2022	Inspection Type: Dental Discharger
Entry/Exit Time: 9:40 am / 10:45 am	NPDES ID Number: COPD00002
NAICS Code: 621210 Offices of Dentist	Inspection ID: 202204 COPD00002
Lead inspector and affiliation: Emilio Llamozas / EPA Region 8	
Inspector and affiliation: Kristin Ratajczak / EPA Region 8	
Inspector and affiliation: Edward Simas / EPA Region 3	

Facility Location Information (Name/Location/ Mailing Address)	
Site/Facility Name & Location: Lybrook Dental 551 Kokopelli Drive Suite A Fruita, Colorado 81521	Mail Report to: Dr. Scott Lybrook (b) (6)

Contact Information	
	Name(s)/Title
Facility Contacts: <i>(indicate primary lead and present during inspection)</i>	Dr. Scott Lybrook, Owner, Lybrook Dental
Authorized Official(s)	Dr. Scott Lybrook, Owner, Lybrook Dental

POTW Information	
Publicly Owned Treatment Works (POTW) and NPDES ID If N/A, the Dental Point Source Category does not apply	City of Fruita POTW (CO0048854)
Direct Implementation (Y/N)	Yes
Ultimate Receiving Water(s)	Colorado River

Areas Evaluated During Inspection		
Permit	<u>Self-Monitoring Program</u>	<u>Pretreatment</u>
<u>Records</u>	Compliance Schedule	Pollution Prevention
<u>Facility Site Review</u>	Laboratory	Stormwater
Effluent/Receiving Waters	<u>Operations and Maintenance</u>	Combined Sewer Overflow
Flow Measurement	Sludge Handling/Disposal	Sanitary Sewer Overflow

Report Review and Signature		
Drafter Name	Address/Phone Number	Date
Emilio Llamozas	U.S. EPA Region 8 1595 Wynkoop Street 8ENF-W-NW Denver, Colorado 80202	5/25/2022
	303-312-6407	
Reviewer Name	Address/Phone Number	Date
Kristin Ratajczak	U.S. EPA Region 8 1595 Wynkoop Street 8ENF-W-NW Denver, Colorado 80202	5/25/2022
	303-312-6310	
Supervisor Signature/Name	Address/Phone Number	Date
 Digitally signed by Boeglin, Michael Date: 2022.05.27 10:26:44 -06'00'	U.S. EPA Region 8 1595 Wynkoop Street 8ENF-W-NW Denver, Colorado 80202	5/27/2022
	Michael Boeglin 303-312-6250	

Inspection Narrative and Site Description

Introduction

The inspection was conducted at Lybrook Dental (facility) to evaluate compliance with the Dental Office Point Source Category (40 CFR Part 441). The facility discharges its wastewater to the City of Fruita POTW (NPDES Permit No. CO0048854), which does not have an approved pretreatment program. The EPA is responsible for implementing the pretreatment regulations within the State of Colorado and is the control authority for industrial users that discharge wastewater to POTWs without an approved pretreatment program.

On April 13, 2022, U.S. Environmental Protection Agency (EPA) Region 8 inspectors Emilio Llamozas and Kristin Ratajczak and EPA Region 3 inspector in training, Edward Simas (jointly referred to as inspectors) met with Dr. Scott Lybrook, owner of Lybrook Dental. The inspectors presented their credentials, and held an opening conference to explain the purpose of the inspection. Inspectors proceeded to ask questions to the facility representative, inspect the facility, and review records to evaluate compliance with applicable regulations. Throughout the inspection, inspectors noted their observations in a bound checklist. Photographs taken during the inspection are included in the attached photo log.

Facility Description

Lybrook Dental practices general dentistry, and places and/or removes mercury amalgam. The facility began operation in June 2006 and meets the definition of an existing source, as defined in 40 CFR Part 441.20. The facility operates 8:00 AM – 5:00 PM Monday through Thursday. At the time of the inspection, seven chairs were available for use at the facility. Four of the seven chairs were used for mercury amalgam placement or removal and plumbed to the amalgam separator.

Amalgam Separator Description

The amalgam separator in use at the facility, a Ramvac Solmetex Hg5 (separator), was located in a utility closet in the back of the practice. Records indicated the separator was installed in 2006. The separator was ISO 11143 compliant and sized appropriately for the number of chairs plumbed to the separator. At the time of the inspection, the cannister in use had been installed in March 2021 and the separator was approximately 30% full of solids (photo 113).

Operations and Maintenance

Dr. Lybrook indicated the inspections of the separator cannister were performed on a weekly basis; however, inspection records were not kept. The collection container for the amalgam separator was last replaced in March 2021 and needed to be replaced since the Operation and Maintenance Manual (O&M Manual) for the separator requires that collection containers be replaced every year or when the collection container is full, whichever comes first. At the time of the inspection, the facility was using Slug Buster / DC3 Multi-Purpose Enzymatic Cleaner (photos 114 and 115) to clean the lines, which has pH between 6-8 if used according to the directions in the product's safety data sheet (SDS). A facility representative indicated that three to four pumps of the Slug Buster are diluted in three quarts of water. The Slug Buster mixture is then used to clean the lines.

Conclusion

On April 13, 2022, the inspectors held a closing conference with Dr. Lybrook where they discussed preliminary findings. On April 25, 2022, the EPA sent an email to Dr. Lybrook with the preliminary findings from the inspection. On May 17, 2022, Dr. Lybrook sent an email to the EPA explaining the

facility's compliance efforts. Discussion of relevant information from the May 17, 2022, correspondence has been included in the section below.

Findings, Corrective Actions and Recommendations

Finding #1: The amalgam separator container had not been replaced since March 2021.

The collection container for the amalgam separator was last replaced in March 2021 (photo 113). The O&M Manual for the amalgam separator requires that collection containers be replaced every year or when the collection container is full, whichever comes first. Therefore, the collection container for the amalgam separator needs to be replaced because it has been over a year since the last replacement.

Regulatory requirement:

40 CFR Part 441.30(a)(1)(vi) requires the amalgam retaining units to be replaced in accordance with the manufacturer's schedule as specified in the manufacturer's operating manual or when the amalgam retaining unit has reached the maximum level, as specified by the manufacturer in the operating manual, at which the amalgam separator can perform to the specified efficiency, whichever comes first.

Corrective Action:

On May 17, 2022, Dr. Lybrook provided documentation indicating that a new NXT Hg5 amalgam separator system and canister were ordered from Solmetex on April 26, 2022, due to the fact that Solmetex has discontinued the Ramvac/Syclone system that was present at Lybrook Dental.

Provide the EPA with photos and the date of installation of the new Solmetex NXT Hg5 amalgam separator that was ordered on April 26, 2022.

Finding #2: Records of weekly inspections of the amalgam separator were not kept.

During the inspection, the facility representative stated that weekly inspections of the amalgam separator were completed; however, there were no records kept of the inspections. 40 CFR 441.50(b)(1) requires the retention of inspection records. The O&M Manual for the new Solmetex NXT Hg5 amalgam separator has a template for the weekly inspection documentation. See link below:

<https://solmetex.com/wp-content/uploads/2018/10/visualinspectionlog.pdf>

Regulatory requirement:

40 CFR Part 441.30(a)(1)(iv) requires amalgam separators to be inspected in accordance with the manufacturer's operating manual.

40 CFR Part 441.50(b)(1) requires inspection records to be kept.

Corrective Action:

On May 17, 2022, Dr. Lybrook indicated that weekly inspection of the amalgam separator are being documented as of April 25, 2022. No additional action is needed regarding this finding.

Finding #3: The facility had not submitted its One-Time Compliance Report form.

At the time of the inspection, the facility had not submitted its One-Time Compliance Report Form. The One-Time Compliance Report Form needs to be submitted to the EPA and a record of the report needs

to be kept at the facility. On April 13, 2022, EPA sent a blank One-Time Compliance Report Form to the facility for completion.

Regulatory requirement:

40 CFR Part 441.50(a)(1) requires existing sources to submit a One-Time Compliance Report to the control authority no later than October 12, 2020, to include the contents listed in 40 CFR Part 441.50(3).

40 CFR Part 441.50(a)(5) requires dental dischargers to maintain its One-Time compliance Report as long as it's subject to regulation or until ownership is transferred.

Corrective Action:

On May 17, 2022, Dr. Lybrook indicated that he had submitted the One-Time Compliance Report Form in the past to the City of Grand Junction because the Colorado Dental Association website had the City of Grand Junction as one of One-Time Compliance Report Form contacts. He indicated that the City of Fruita was not listed on the Colorado Dental Association website so he thought he had to send it to the City of Grand Junction. After, the April 13, 2022 EPA inspection, Dr. Lybrook understood that the EPA is the control authority for Dental Dischargers in Fruita and has since submitted the One-Time Compliance Report Form to the EPA via USPS and a copy was made and kept with the facility's files. No additional action is needed regarding this finding.

Finding #4: There was a discrepancy in a certificate of receipt for the May 6, 2021 amalgam recycled container.

The May 6, 2021 Solmetex certificate of receipt for the recycled container indicated that one container was recycled and the weight was 0 pounds. The facility representative indicated that the container was not empty when it was sent to Solmetex.

Regulatory requirement:

40 CFR Part 441.50(b)(3) requires dental dischargers to maintain records of all dates that collected dental amalgam is picked up or shipped for proper disposal, including the name of the permitted or licensed treatment, storage, or disposal facility receiving the amalgam retaining containers.

Corrective Action:

On May 17, 2022, Dr. Lybrook indicated that he followed up with Solmetex regarding the May 6, 2021 receipt for the recycled container. Solmetex explained that weight was recorded incorrectly and provided an updated certificate of receipt for that canister with a weight of 8 pounds. No additional action is needed regarding this finding.