

# **Advisory Committee on Mercury Pollution**

Meeting #88: Friday, December 19, 2008

Time: 9:00 am to 2:30 pm

Location: Appalachian Gap Room, Osgood Building  
Waterbury, Vermont

## **DRAFT MINUTES**

### **Members Present:**

Michael Bender, Abenaki Self-Help Association, Inc.

William Bress, Vermont Department of Health

Gary Gulka, Vermont Agency of Natural Resources, Environmental Assistance Office

Jennifer Holliday, Chittenden Solid Waste Management District

Neil Kamman, Vermont Agency of Natural Resources, Water Quality Division

Representative Cynthia Martin, Vermont State Representative

### **Guests Present:**

Lisa Carlson, Funeral Ethics Organization

William H. Lambrukos, Northeast Delta Dental

Matthew Levin, Vermonters for a Clean Environment

Anthony Otis, Public Policy Attorney, Northeast Delta Dental

Bridget Schoffelmeijer, NEMA, Auto Alliance, Dental Hygienists

Peter Taylor, Vermont State Dental Society

Karen Knaebel, Vermont Agency of Natural Resources, Environmental Assistance Office

The Committee members and interested parties gathered at the Waterbury State Complex, Osgood Building, Appalachian Gap Room. Neil Kamman called the meeting to order.

## **Meeting of Advisory Committee on Mercury Pollution (ACMP)**

### **Agenda Item 1**

Accept Minutes from November 21<sup>st</sup> Meeting

The draft minutes were approved with no changes.

### **Agenda Item 2**

Committee member concerns / public comments

Michael Bender indicated that he did not draft a recommendation for mercury emissions from crematoria for the Committee's review.

### **Agenda Item 3**

#### Discussion of Crematoria Recommendation

Gary Gulka indicated that he received a phone call from Michael Lubrant of the University of Minnesota School of Mortuary Science with an update on progress at the University concerning research on abating releases of mercury from dental amalgam during cremation. He said that several departments are collaboratively researching a non-invasive technique involving a covering placed over the teeth during cremation that would prevent mercury from volatilizing and being released in air emissions. After cremation, tooth fragments containing amalgam would be removed from the remains for proper disposal. The technique has been discussed with funeral home directors, and the University plans to test the technique using cadavers.

The Committee continued to discuss the need to re-evaluate the air permitting process for new crematoria to address localized mercury hotspots in the environment.

### **Agenda Item 4**

#### Review Committee Recommendations for Dental Filling Choices and Other Dental Recommendations

Peter Taylor requested that the Committee's draft language concerning dental brochures be modified; in particular he requested that the last two bulleted items be removed and stated that the American Dental Society reviewed these statements and disagrees with them.

Jen Holliday suggested rewording the first item, changing "known cases" to "reported cases." This wording was agreed to and a notation was added that the Vermont State Dental Society disagrees with these statements. These changes will be incorporated into the ACMP report.

In regard to dental insurance, Neil Kamman acknowledged and thanked William Lambrukos for attending the meeting and providing some suggested statutory language changes to the New Jersey legislative bill on dental insurance.

The Committee approved the draft dental insurance recommendations discussed at the last meeting.

It was agreed that the rationale section for the recommendation would include a comment that the resulting cost increase in premiums could result in loss of dental insurance coverage for some customers.

The Committee also agreed to add language in the rationale section for the dental recommendations indicating that the Committee plans to develop a fact sheet on dental filling choices that addresses mercury health and environmental concerns.

### **Agenda Item 5**

#### Update on Monitoring Recommendation – Neil Kamman

The Committee agreed that last year's recommendation on a fish tissue mercury monitoring program would be carried over to this year's report. Neil Kamman mentioned that this past year's sampling of fish for mercury included 240 fish specimens from the 15 Mile Falls reservoirs and 63 fish from inland lakes.

**Agenda Item 6**

Discuss 2009 Committee Work Plan

The draft Committee work plan for 2009 was not reviewed.

**Agenda Item 7**

Review of Report Recommendations

The Committee reviewed the lamp recommendations proposed at the previous meeting. The Committee also reviewed a memo from the state's Office of Purchasing and Contracting that outlined fluorescent lamp procurement policies and procedures. The Committee agreed on three recommendations that would be included in the report relating to mercury content limits, sustainable funding source for lamp recycling infrastructure, and phase-out of mercury-containing lamps as technically and economically feasible alternatives technologies become available. The Committee agreed that state procurement of lamps would be discussed in the rationale and the Committee would commend the Office of Purchasing and Contracting for its efforts to purchase the lowest mercury content and most energy-efficient lamps, and encourage continuation of these efforts.

**Agenda Item 8**

Set Date and Agenda for Next Meeting

The next meeting was scheduled for January 13, 9:30 to 11 am.

The agenda items include review of ACMP toxics report and ACMP annual report.

**Agenda Item 9**

Discussion of Draft Recommendations Regarding Toxics Advisory Council

The Committee agreed by consensus to editorial changes to the first paragraph of the draft recommendations on the Advisory Committee on Toxics.

The Committee also agreed to the addition of a committee member from the Agency of Agriculture, Food & Markets knowledgeable in the pesticides program.

**Summary of Motions Passed and Other Action Items Agreed to at this ACMP Meeting**

The Committee approved the draft dental insurance recommendations discussed at the November 21 meeting.

The Committee agreed that last year's recommendation on a fish tissue mercury monitoring program would be carried over to this year's report.

The Committee agreed on three recommendations that would be included in the report relating to mercury content limits, sustainable funding source for lamp recycling infrastructure, and phase-out of mercury-containing lamps as technically and economically feasible alternatives technologies become available. The Committee agreed that state procurement of lamps would be discussed in the rationale and the Committee would commend the state's Office of Purchasing and Contracting for its efforts to purchase the lowest mercury content and most energy-efficient lamps, and encourage continuation of these efforts.

The Committee agreed by consensus to editorial changes to the first paragraph of the draft recommendations on the Advisory Council on Toxics.

The Committee also agreed to the addition of a committee member from the Agency of Agriculture, Food & Markets knowledgeable in the pesticides program.

**Subcommittee Meeting of ACMP  
Advisory Council on Toxics (ACT)**

**Members Present:**

Michael Bender, Abenaki Self-Help Association, Inc.  
William Bress, Vermont Department of Health  
Elliot Burg, Vermont Attorney General's Office  
Gary Gulka, Vermont Agency of Natural Resources, Environmental Assistance Office  
Neil Kamman, Vermont Agency of Natural Resources, Water Quality Division  
Lynn Metcalf, Vermont Agency of Natural Resources, Waste Management Division

**Guests Present:**

Thomas Benoit, Vermont Agency of Natural Resources, Waste Management Division  
Charity Carbine, Vermont Public Interest Research Group  
Bridget Schoffelmeijer, NEMA, Auto Alliance, Dental Hygienists  
Karen Knaebel, Vermont Agency of Natural Resources, Environmental Assistance Office

The Subcommittee members and interested parties gathered at the Waterbury State Complex, Osgood Building, Appalachian Gap Room. Neil Kamman called the meeting to order.

**Agenda Item 1**

Continue Discussion of Report and Recommendations

The Committee reviewed the toxics report recommendation as amended by the ACMP in today's meeting and recommended minor editorial changes for clarification.

The Committee discussed the outline of the report and provided suggestions for background information to be included in the report. The Committee also reviewed the legislative charge to assure that the Committee has addressed all of the items required in the report.

The Committee agreed that it was not including a recommendation on how to improve the toxics use reduction and hazardous waste reduction programs administered by DEC.

The Committee agreed that it would list the categories cost/expenses for a toxics advisory council but would not attempt to provide actual estimated dollar amounts.

It was agreed that the Committee would finalize a name and acronym for the advisory council at its next meeting.

Gary Gulka indicated that he will be drafting the report and hoped to have a draft report available for review by the end of December or early January.