Clark
Cowlitz
Lewis
Skamania
Wahkiakum

Southwest Clean Air Agency
1308 NE 134th Street • Vancouver, WA 98685-2747
(360) 574-3058 • Fax: (360) 576-0925
www.swcleanair.org

FOR IMMEDIATE RELEASE Aug. 14, 2002

Southwest Clean Air Agency Demands Action from Local Dry Cleaning Facility

VANCOUVER, Wash. – In response to several years of air quality violations, the Southwest Clean Air Agency (SWCAA) announced today that it is initiating enforcement actions that could lead to a shutdown in the near future of Premier Laundry and Dry Cleaning, a dry cleaning business located at 9901 N.E. 7th Ave. in Vancouver, Wash.

Premier Laundry and Dry Cleaning has refused repeated requests by SWCAA over the last four years to provide documentation that the company is complying with the U.S. Environmental Protection Agency (EPA) national regulation for dry cleaners. Premier Laundry and Dry Cleaning is required by the U.S. EPA to monitor and keep records of perchloroethylene (PERC) purchases, report weekly temperature records, perform biweekly equipment inspections, and communicate such monitoring and record keeping to SWCAA.

Bob Elliott, executive director of the Southwest Clean Air Agency, said, "our agency has been exceedingly patient with Premier Laundry and Dry Cleaning and has given it every opportunity in recent years to demonstrate that it is complying with the U.S. EPA dry cleaning regulation." "Unfortunately," he said, "Premier Laundry and Dry Cleaning has refused to communicate with our agency and then repeatedly ignored our requests that the company prove it is in compliance with federal regulations. Consequently, SWCAA must initiate today's course of action to ensure that our community's public health is being protected."

(more)

As a result of previous and continued violations, SWCAA announced today that it is assessing a $2,000 civil penalty and requiring immediate compliance with federal, state and local air quality regulations. If SWCAA's compliance requirements are not met by Sept. 25, 2002, the agency announced it will then issue an Order of Discontinuance and petition the Superior Court of Clark County, Wash. for an injunction to terminate Premier Laundry and Dry Cleaning's operations pending resolution of all outstanding air pollution compliance issues.

Premier Laundry and Dry Cleaning has a history of violating the U.S. EPA dry cleaning regulation. In addition, they have refused to pay annual air pollution permit fees to SWCAA as well as escalating civil penalty fees since 2000 for violation of the dry cleaning regulation. These unpaid permit and civil penalty fees, totaling at least $1,650, have been sent to a collections agency. According to the Washington Department of Revenue, this business also has a record of tax delinquency and as of Dec. 13, 2001, owed over $190,000 in unpaid taxes.

PERC is listed and regulated by the U.S. EPA as a Hazardous Air Pollutant (HAP). SWCAA is the delegated authority in southwest Washington for enforcing the federal air pollution laws that apply to dry cleaners using PERC. The two largest potential sources of air emissions from the dry cleaning industry are the release of PERC vapors into the atmosphere during transfer of clothes from the washer to the dryer and the venting of the dryer exhaust air stream. To eliminate these sources of air pollution, the U. S. Environmental Protection Agency (EPA) approved regulations in 40 CFR Part 63.320 (Subpart M) that are phasing out the use of transfer machines and phasing in requirements on the installation of control devices for dryer exhaust airstreams.

PERC is a colorless, nonflammable liquid that is used primarily in dry cleaning operations. Contact with PERC liquid or vapor irritates the skin, the eyes, the nose and the throat. Breathing PERC for short periods of time can adversely affect the human nervous system. Effects range from dizziness, fatigue, headaches and sweating to lack of coordination and unconsciousness. Workers exposed repeatedly to large amounts of PERC in the air can also experience memory loss and confusion. Repeat exposure to large amounts of PERC in the air may cause cancer in humans.

In addition to air quality concerns, PERC usage is also being tracked by the U.S. EPA to ensure that this product does not end up in the nation's groundwater, and thereby causing the contamination of water supplies that are difficult to clean up. Past practices of some dry cleaning operations resulted in the disposing of spent PERC over the ground outside the dry cleaning facility leading to additional air quality impacts and ground water contamination. One former site located near Highway 99 and 78th Street in Vancouver has been engaged in active PERC groundwater cleanup for over the past three years.

Founded in 1967, the mission of the Southwest Clean Air Agency is to preserve and enhance the air quality in southwest Washington. Serving the counties of Clark, Cowlitz, Lewis, Skamania and Wahkiakum, SWCAA is responsible for protecting the public's health through the enforcement of federal, state and local air quality standards and regulations.

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August 14, 2002

Keith R. and Song Mueller
Premier Laundry & Dry Cleaning
9901 NE 7th Avenue
Vancouver, Washington 98665

RE: Notice of Violation No. 2809

Dear Mr. and Mrs. Mueller:

The purpose of this letter is to inform you that a violation of our regulation SWCAA 400 "General Regulations For Air Pollution Sources" occurred on or about:

> June 28, 2002 at 11:17 a.m. at 9901 NE 7th Avenue, Vancouver, Washington by failing to maintain and/or make available for inspection the perchloroethylene (PERC) purchases, biweekly maintenance log, and weekly temperature record in violation of 40 CFR Part 63 Subpart M, as stated in Field Notice of Violation 2809. Similar request for records were made in 1999, 2000, and 2001.

Our Agency is responsible for promoting clean air within its five county jurisdiction. Our state legislature expressed the importance of this goal in its passage of the 1991 Washington Clean Air Act. Specific provisions were included in the Washington Clean Air Act to address emissions of criteria pollutants to the ambient air. SWCAA 400 was promulgated pursuant to this Act.

After carefully reviewing the information in this case, it has been determined that a civil penalty in the amount of Two Thousand Dollars $2,000.00 should be levied for this violation. In addition, the following requirements must be met:

(1) Submit by September 13, 2002 all 40 CFR Part 63 Subpart M requirements for on-site monitoring and record keeping of perchloroethylene purchases, biweekly equipment inspections, and weekly refrigerated condenser temperature records from 1999 to date;

(2) Immediate compliance henceforth with 40 CFR Part 63 Subpart M requirements by establishing for the future on-site monitoring and record keeping of perchloroethylene purchases, biweekly equipment inspections, and weekly refrigerated condenser temperatures;

(3) A written notification to SWCAA by September 13, 2002 describing the monitoring and record keeping system established; and

(4) If these requirements are not satisfied by September 25, 2002, SWCAA will issue an Order of Discontinuance to be effective immediately, and petition the Superior Court of Clark County, Washington for an injunction to terminate operations pending resolution of all outstanding compliance and enforcement issues.

This penalty is due and payable to the Southwest Clean Air Agency upon receipt of this notice. If you believe there exists some extraordinary circumstance that the agency does not currently have knowledge of, a written request for remission or mitigation of this penalty may be filed with the Southwest Clean Air Agency within 15 days after receipt of this letter (RCW 43.21B).

An appeal of this Notice of Violation and civil penalty must be filed in writing with the Pollution Control Hearings Board of the State of Washington, P.O. Box 40903, Olympia, WA 98504-0903 within 30 days after receipt of this letter, or within 30 days after disposition of a request for remission or mitigation, for it to be considered as being filed timely. A copy of the appeal must also be received by our Agency within 30 days. Failure to comply with the above requirements or file a timely appeal of this violation will result in this matter being handled by issuance of an Order of Discontinuance.

Sincerely,

Robert D. Elliott
Executive Director

Part I: Statement of Goals, Guide Overview, and Summary of Perc Waste Sources

Section A: Statement of Goals

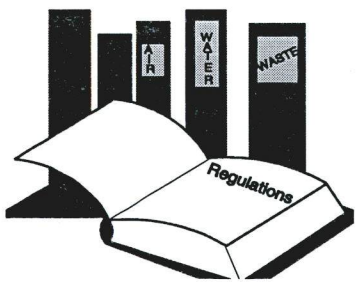
The *Plain English Guide for Perc Dry Cleaners* was developed to assist owners and operators of perchloroethylene (perc) dry cleaning facilities in understanding and complying with federal air, hazardous waste, and wastewater regulations. Your state or local government may have additional requirements. EPA regional office air/small business coordinators are listed in Appendix A to help identify your state and local contacts.

Section B: Guide Overview

Part I describes the statement of goals, guide overview, and the hazards associated with the use of perc. It also summarizes the various sources of perc waste that are produced during the dry cleaning process. **Part II** is a "step-by-step" approach to how dry cleaners comply with the regulations. **Section II-A** summarizes all the requirements and recommended actions that are discussed in this part. **Section II-B** is a simplified version of the federal environmental regulations that apply to perc dry cleaning facilities. **Section II-C** describes the guidelines and procedures for preparing your dry cleaning shop to make sure you comply with federal environmental regulations. **Section II-D** describes how to properly operate your machines and shop to stay in compliance. Remember that your state's requirements may be stricter than the federal requirements, so always check with your state agency. **Part III** lists typical questions that an inspector may ask while visiting your perc dry cleaning facility. **Appendix A** lists EPA regional office dry cleaning air coordinators and small business contacts. **Appendix B** contains the following forms used for compliance with federal air regulations:

- Initial Notification Report
- Compliance Report for Pollution Prevention
- Compliance Report for Control Requirements (necessary where compliance with an emission control device is required).

These completed forms must be submitted to the appropriate EPA regional coordinator in Appendix A.



Section C: Types and Sources of Perc Wastes

It is important for you to know the hazards associated with the use of liquid perchloroethylene (perc), and the kinds and sources of perc wastes that are produced by the dry cleaning process. Although perc is the most common cleaning solvent used in the dry cleaning industry, it is also suspected of causing cancer and has been found to be moderately toxic to people. It is classified as a pollutant in both air and water regulations. Its disposal is regulated as a hazardous waste.

Air Emissions

The two largest potential sources of air emissions from the dry cleaning industry are the release of perc vapors into the atmosphere during transfer of clothes from the washer to the dryer and the venting of the dryer exhaust airstream. To eliminate these sources of air pollution, EPA regulations are phasing out the use of transfer machines and phasing in requirements on the installation of control devices for dryer exhaust airstreams.

Hazardous Waste

Dry cleaning facilities typically generate wastes in the form of cooked powder residues, still bottom residues, spent cartridges, and button/lint trap wastes. These wastes are perc-based and have an EPA Hazardous Waste Number of F002. Dry cleaners may also occasionally dispose of unused perc and these wastes have a Hazardous Waste Number of U210. The EPA Hazardous Waste Number is needed when filling out the *Notification of Hazardous Waste Activity* form (Figure II-1, page II-24) when obtaining an EPA Identification Number for generating hazardous waste. It is also needed when filling out the *Uniform Hazardous Waste Manifest* (Figure II-6, page II-41). This Manifest must accompany each hazardous waste shipment to ensure the hazardous waste arrives at its final destination.

Wastewater

The only source of process wastewater that would be of general concern to a dry cleaner is separater water, since it contains perc. Separater water can be disposed of as a hazardous waste or treated in a mister or an evaporator. Disposal of untreated separater water into on-site disposal systems such as dry wells, cesspools, and septic tanks is prohibited. Disposal into a municipal sewer system is subject to state and local Publicly Owned Treatment Works (POTW) requirements.

OPPT Chemical Fact Sheet EPA 749-F-94-020

CHEMICALS IN THE ENVIRONMENT: PERCHLOROETHYLENE (CAS NO. 127-18-4)

prepared by
OFFICE OF POLLUTION PREVENTION AND TOXICS
U.S. ENVIRONMENTAL PROTECTION AGENCY
August 1994

Chemicals can be released to the environment as a result of their manufacture, processing, and use. EPA has developed information summaries on selected chemicals to describe how you might be exposed to these chemicals, how exposure to them might affect you and the environment, what happens to them in the environment, who regulates them, and whom to contact for additional information. EPA is committed to reducing environmental releases of chemicals through source reduction and other practices that reduce creation of pollutants.

WHAT IS PERCHLOROETHYLENE, HOW IS IT USED, AND HOW MIGHT I BE EXPOSED?

Perchloroethylene (also called PERC) is a colorless, nonflammable liquid. It does not occur naturally but is produced in large amounts (310 million pounds in 1991) by three companies in the United States. US demand for PERC declined about 35% from 1989 to 1991, and is likely to continue to fall. Solvent recycling and reduced demand for chlorofluorocarbons are major reasons for this trend. The largest US user of PERC is the dry cleaning industry. It accounts for 80% to 85% of all dry cleaning fluid used. Textile mills, chlorofluorocarbon producers, vapor degreasing and metal cleaning operations, and makers of rubber coatings also use PERC. It can be added to aerosol formulations, solvent soaps, printing inks, adhesives, sealants, polishes, lubricants, and silicones. Typewriter correction fluid and shoe polish are among the consumer products that can contain PERC.

Exposure to perchloroethylene can occur in the workplace or in the environment following releases to air, water, land, or groundwater. Exposure can also occur when people:

* use products containing PERC,
* spend time in dry cleaning facilities that use PERC,
* live above or adjacent to these dry cleaning facilities, or
* bring dry cleaned garments into their home.

PERC enters the body when breathed in with contaminated air or when consumed with contaminated food or water. It is less likely to be absorbed through skin contact. Once in the body PERC can remain, stored in fat tissue.

WHAT HAPPENS TO PERCHLOROETHYLENE IN THE ENVIRONMENT?

Perchloroethylene evaporates when exposed to air. It dissolves only slightly when mixed with water. Most direct releases of PERC to the environment are to air. It also evaporates from water and soil exposed to air. Once in air, PERC breaks down to other chemicals over several weeks. Because it is a liquid that does not bind well to soil, PERC that makes its way into the ground can move through the ground and enter groundwater. Plants and animals living in environments contaminated with PERC can store small amounts of the chemical.

HOW DOES PERCHLOROETHYLENE AFFECT HUMAN HEALTH AND THE ENVIRONMENT?

Effects of perchloroethylene on human health and the environment depend on the amount of PERC present and the length and frequency of exposure. Effects also depend on the health of a person or the condition of the environment when exposure occurs.

Breathing PERC for short periods of time can adversely affect the human nervous system. Effects range from dizziness, fatigue, headaches and sweating to incoordination and unconsciousness. Contact with PERC liquid or vapor irritates the skin, the eyes, the nose, and the throat. These effects are not likely to occur at levels of PERC that are normally found in the environment.

Breathing perchloroethylene over longer periods of time can cause liver and kidney damage in humans. Workers exposed repeatedly to large amounts of PERC in air can also experience memory loss and confusion. Laboratory studies show that PERC causes kidney and liver damage and cancer in animals exposed repeatedly by inhalation and by mouth. Repeat exposure to large amounts of PERC in air may likewise cause cancer in humans.

Perchloroethylene by itself is not likely to cause environmental harm at levels normally found in the environment. PERC can contribute to the formation of photochemical smog when it reacts with other volatile organic carbon substances in air. These reactions tend to eliminate PERC before it reaches the upper atmosphere in amounts sufficient to damage the ozone layer.

WHAT EPA PROGRAM OFFICES REGULATE PERCHLOROETHYLENE, AND UNDER WHAT LAWS IS IT REGULATED?

EPA OFFICE	LAW	PHONE NUMBER
Pollution Prevention & Toxics	Toxic Substances Control Act	(202) 554-1404
	Emergency Planning and Community Right-to-Know Act (EPCRA) Regulations (Sec. 313)	(800) 535-0202
	Toxics Release Inventory data	(202) 260-1531
Air	Clean Air Act	(919) 541-0888
Solid Waste & Emergency Response	Comprehensive Environmental Response, Compensation, and Liability Act (Superfund)/ Resource Conservation and Recovery Act / EPCRA (Sec. 304/311/312)	(800) 535-0202
Water	Clean Water Act	(202) 260-7588
	Safe Drinking Water Act (Drinking Water Standard: 0.005 mg/L)	(800) 426-4791

A technical support document can be requested from the TSCA Assistance Information Service, (202) 554-1404.

WHAT OTHER FEDERAL AGENCIES OR GROUPS CAN I CONTACT FOR INFORMATION ON PERCHLOROETHYLENE?

AGENCY/GROUP	PHONE NUMBER
Agency for Toxic Substances and Disease Registry	(404) 639-6000