

STAKEHOLDERS PRESS ARB FOR MORE CONCESSIONS IN PERC PHASEOUT

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Environmentalists are calling on air board staff to further tighten a revised plan to phase out the controversial dry cleaning chemical perchloroethylene (perc), arguing the latest proposal still jeopardizes the health of citizens adjacent to dry cleaning shops. Meanwhile, dry cleaning industry representatives argue ARB staff should consider exempting from costly hazardous waste management rules dry cleaners who switch to alternative chemicals.

Environmentalists and the Air Resources Board see the phaseout of perc, a key solvent used in dry cleaning and also a listed carcinogen, as critical to reducing human exposure. ARB staff is scheduled to bring the revised ATCM to the board for consideration in January.

ARB staff Sept. 19 held an initial workshop to discuss a revised staff proposal for the board's dry cleaning airborne toxic control measure (ATCM), which phases out the use of perc in the state.

At a May board meeting, ARB members directed staff to draft a rule that completely phases out the chemical, following criticism from environmentalists of an initial May staff proposal, which would have limited perc rather than ban it.

Under the revised plan, ARB would prohibit the sale of perc machines on Jan. 1, 2008; prohibit new dry cleaning facilities that use perc from being built on Jan. 1, 2008; phase out perc-using shops located in co-residential buildings and converted perc machines by 2010; and remove all perc machines from service in the state by 2023. *A copy of the ARB staff proposal and a slide presentation are available at InsideEPA.com.*

While environmentalists are pleased with most of the proposed ARB revisions to the rule, they argue staff should further tighten the plan to reduce exposure to citizens living near existing facilities. Activists also contend staff should speed up the removal of existing perc machines by changing the staff report to more accurately reflect the lifetime expectancy of perc machines.

The ARB proposal assumes perc machines last 15 years, a very generous lifetime given previous information and research from experts, argues the Coalition for Clean Air, in e-mailed comments to ARB staff. The group cites testimony by William Fisher, chief executive officer of the International Fabricare Institute, during a 2000 hearing before a U.S. House of Representatives subcommittee discussing perc alternatives for dry

cleaners. At that time, Fisher testified the anticipated life of a perc machine to be 8-12 years. "Since then and after the fact that agencies nationwide began phasing out perc, the industry has changed its opinion of the anticipated life of a perc machine to 25 years," wrote Coalition for Clean Air representative Luis Cabrales in the e-mail.

In 2001, the South Coast air district adopted a rule to phase out perc. In its initial proposal, district staff eyed a phaseout of machines by 2011, estimating perc machines have a lifetime of 9 to 10 years. "This lifetime was ultimately increased to 15 years due to industry pressure," Cabrales contended. "ARB's proposed lifetime is based on South Coast's last rule and requires further research. ARB's proposed life is too generous. The most appropriate life expectancy estimate is an 11 years average."

Environmentalists further argue residences, sensitive receptors and businesses within a few feet of dry cleaners will continue to be unnecessarily exposed to perc until facilities reach life expectancy. "We need to be more sensitive to the health risks of residents and workers in those areas," Cabrales added. "The 300-foot buffer zone between perc dry cleaners and the boundary of any area that is zoned for residential use, or which contains a sensitive receptor, or small businesses should be treated as co-residential locations are, with perc facilities within this zone to be phased out by 2010."

At this week's workshop, representatives of the California Cleaners Association argued ARB staff must consider the significant hazardous waste disposal cost impacts on cleaners from wastewater created by the use of perc-alternative chemicals. Existing state law allows an exemption from hazardous waste facility requirements for dry cleaners using perc, but not for modern solvents used as perc alternatives.

The California Cleaners Association reports that local hazardous waste inspectors are citing dry cleaners because they are evaporating hydrocarbon separator water associated with perc-alternative processes, according to analysis of a recently failed bill, AB 2988 (Assemblyman Ted Lieu, D-Torrance).

AB 2988 would have exempted dry cleaners using perc alternatives, including hydrocarbon-based processes, from hazardous waste requirements in an effort to encourage the use of these non-perc alternatives.

California Cleaners Association representatives said this week that Lieu was pressured into dropping the measure due to opposition by the Coalition for Clean Air. They added that most of the state's small dry cleaning businesses would take a major financial hit due to costly hazardous waste management requirements, and called on ARB staff to address the issue.

ARB staffers said they have not fully analyzed the hazardous waste concerns, and agreed there may be significant cost impacts.