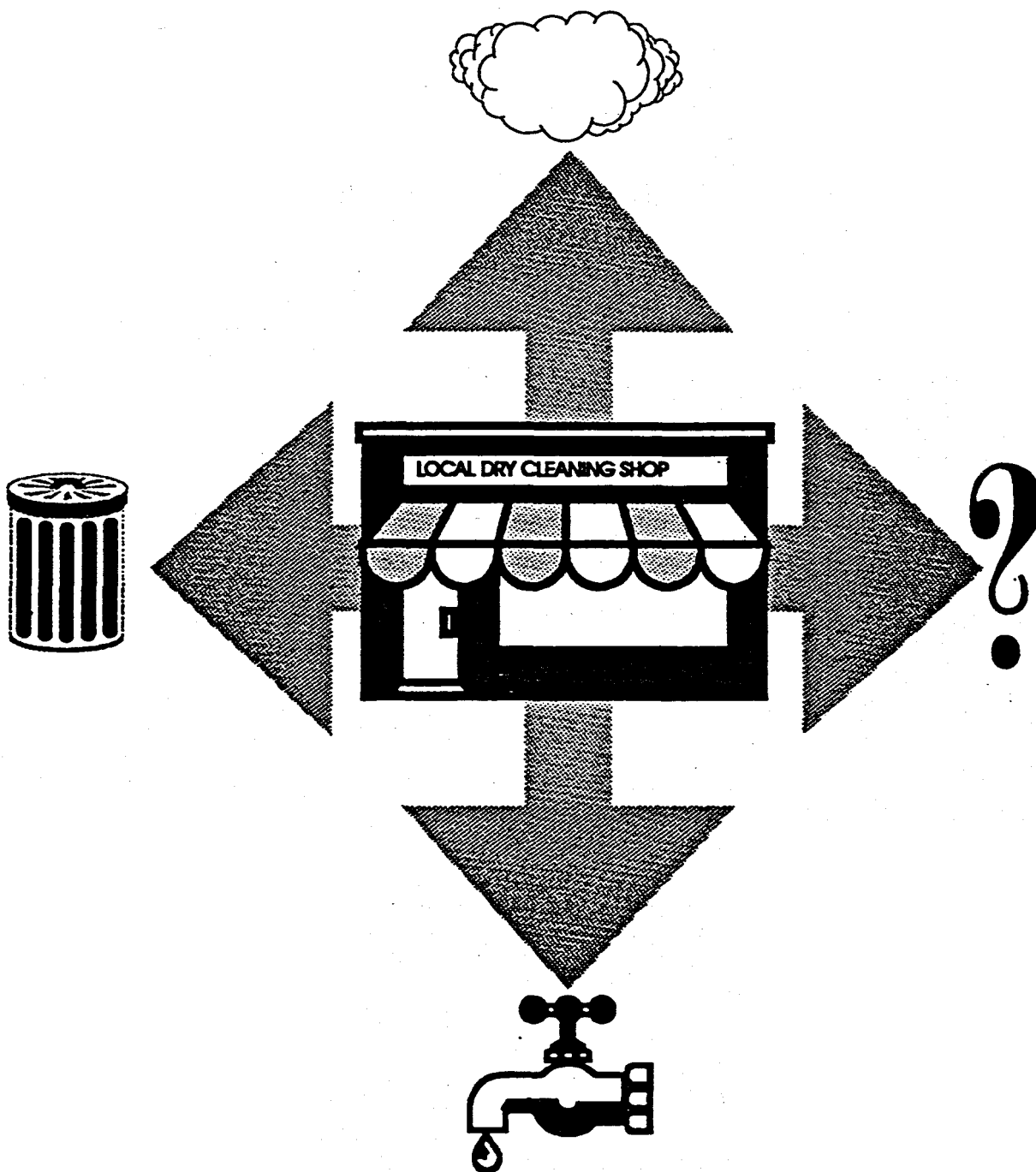




Dry Cleaning Sector Compliance Strategy



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I. BACKGROUND

A. Introduction

This compliance strategy will address the perchloroethylene (perc) dry cleaning industry. Perc is the predominant cleaning solvent used by the vast majority of the dry cleaning industry. This industry is subject to environmental regulations to prevent and reduce releases of perchloroethylene to various media such as air, surface water, groundwater, and soil. The strategy, therefore, takes a multi-media approach and covers various regulations including: the Clean Air Act (CAA), Resource Conservation and Recovery Act (RCRA), Clean Water Act (CWA) and Safe Drinking Water Act (SDWA). We discuss these requirements in more detail below.

B. Compliance Goals

The main goal of this compliance strategy is to equip compliance assistance providers with tools to plan for and provide assistance to the dry cleaning community. The compliance assistance providers include Federal, state and local regulators, and non-regulatory entities, such as the Small Business Technical Assistance Programs (SBTAPs) and Small Business Development Centers (SBDCs). We believe this strategy presents a comprehensive approach to the needs of the commercial dry cleaning industry and of environmental regulators and other compliance assistance providers. By describing the compliance issues pertaining to the dry cleaning sector, the strategy enhances the compliance assistance providers' ability to understand the characteristics and needs of the dry cleaning industry and to be more responsive to these needs. The use of sector-specific tools to provide compliance assistance will enhance compliance by increasing the dry cleaning community's understanding of pertinent environmental requirements and the sector's potential impact on human health and the environment.

The Strategy also seeks to assist providers in identifying how to target facilities for compliance assistance and/or traditional enforcement. While regulators can use the strategy to more effectively incorporate compliance assistance for dry cleaners into traditional enforcement, non-regulating entities, such as SBTAPs and SBDCs, can use the strategy to target those dry cleaners in the most need of assistance out of the thousands of cleaners in their area. These targeting techniques can be used to reach dry cleaners who are not members of trade associations and typically have less access to environmental information. The strategy encourages providers to consider the impact of the dry cleaning sector when selecting community-based initiatives and targeting compliance assistance and enforcement efforts in that community. Also, the strategy apprises the providers concerning other Agency policies related to compliance

and enforcement, such as the Enforcement Response Policy for Treatment of Information Obtained through Clean Air Act Section 507 Small Business Assistance Programs and the Policy on Compliance Incentives for Small Businesses. Armed with an understanding of these policies and targeting techniques, the providers will increase compliance assurance among the dry cleaning sector.

The strategy focuses on building partnerships at different levels. The strategy starts by building partnerships between the Agency and compliance assistance providers by equipping the providers with information and opening the lines of communication. The next level of partnership is between the providers and the dry cleaning community. As compliance assistance providers become better equipped to serve the dry cleaning community, a stronger partnership is built. Dry cleaners and trade associations are more receptive to providers who are knowledgeable about the industry and aware of their concerns. The building of partnerships is facilitated by increased communications among the Regions, States, and others as they share their successes and shortfalls in providing assistance to increase compliance within the dry cleaning community.

The strategy will increase the compliance assistance providers' awareness of the sector-specific tools, so they can make them more available to the dry cleaning community. The strategy describes several recent products that are directed towards enhancing the compliance of the dry cleaning sector. It also contains a list of on-going and planned sector-specific projects. Some of these tasks maximize benefits from the resources available for compliance outreach. We also identify the offices that may be best suited to lead these activities with contacts, if available. Due to resource constraints, it is not possible to undertake all these activities simultaneously; accordingly, the compliance strategy prioritizes the tasks.

Although there remains a lot of work to be done in the dry cleaning sector, it is an area where there has already been outreach by trade associations, states and universities. Accordingly, one of the guiding principles in implementing this compliance strategy is to identify where work has been completed and build on that work - not duplicate it.

C. Characteristics of the Perc Dry Cleaning Industry

A defining characteristic of the regulated perc dry cleaning community is the large number of facilities that are in operation. Typical estimates of facilities that handle perc range from 25,000 to 35,000, but estimates have ranged as high as 47,000. The large number of facilities means that considerable effort is required to reach the owners and operators to ensure that they understand and comply with the environmental

requirements to which they are subject. Given the size of the regulated community, it is unlikely that dry cleaners will be inspected at sufficiently regular intervals to accurately determine and ensure compliance.

Although the environmental statutes define "small businesses" differently, ninety percent of the dry cleaners could be classified as such under any of these statutes.¹ Small dry cleaners can be distinguished from their larger counterpart, industrial launderers/dry cleaning facilities, because they employ no more than a hundred people. Moreover, it is not uncommon for a small dry cleaner to be owned and operated by a single family, otherwise known as a "Mom & Pop" business. The majority of these small cleaners have gross annual revenues under \$115,000 and operate under a small profit margin. Currently, the start up cost for a commercial dry cleaner is almost \$115,000.

Small commercial cleaners are less likely than their larger counterparts to become members of and participate in dry cleaning trade associations which often educate their members. The larger trade associations for dry cleaners, such as the International Fabricare Institute (IFI) and the Neighborhood Cleaners Association (NCA), are located in the Northeastern region of the United States. Their membership rolls are not particularly representative of the smaller dry cleaning establishments. In addition, members of these organizations do not reflect the large, and still growing, number of Korean dry cleaners in the industry. Small dry cleaners not involved in trade associations often fall through the cracks. They are unaware of the various environmental regulations with which they must comply and lack connections to associations that could provide outreach and education. Furthermore, because EPA and the state environmental agencies may lack knowledge of these businesses' existence, they may be out of the system entirely.

A large percentage of owner/operators do not speak English as their first language. In fact, thirty percent of the cleaners are owned/operated by Koreans. A smaller percentage of the dry cleaners speak Spanish as their primary language. This poses unique problems. Conventional outreach to national dry cleaning trade associations is not an effective means of communicating with these non-English-speaking groups since the groups generally are not members of these associations. Furthermore, the

¹Under the Clean Air Act a source emitting hazardous air pollutants (HAPs) can be designated a small business if it employs no more than 100 employees and emits less than a specific amount of HAPs. RCRA doesn't have a designation for small businesses, but a facility can be classified as a small quantity generator. This is elaborated upon under "Regulatory Requirements for RCRA."

literature published and circulated by the trade associations are typically in English and thus ineffective. There are, however, several local Korean trade associations with which Federal and state regulators can collaborate. OC will need to establish relationships with and coordinate with these associations.

Dry cleaners tend to be located in highly populated urban and suburban areas because the perc dry cleaning industry is a service industry that thrives on being accessible to its customers. Their close proximity to the population means that any releases to the environment will have a larger impact on the public than if the business were located in a less congested area. All these characteristics have played a role in shaping this compliance strategy to address the perc dry cleaning industry.

D. Regulatory Requirements for Perc Dry Cleaning Sector

Clean Air Act (CAA)

Dry cleaners are regulated under the Clean Air Act due to their use of perc. Perc is listed as one of the 189 hazardous air pollutants (HAPs) under the 1990 Clean Air Act Amendments (CAAA) that must be regulated to reduce air toxic emissions. The most recent regulation affecting the industry, the National Emission Standards for Hazardous Air Pollutants (NESHAP) for perc dry cleaners (58 FR 49354), was promulgated on September 22, 1993. The NESHAP for perc dry cleaners affects facilities that are "major" sources and "area" sources. The CAAA of 1990 define "major" sources of HAPs as any source (facility) that emits 10 tons/year of any single HAP or 25 tons/year of any combination of the 189 HAPs listed in CAA. Very few dry cleaners are classified as major sources. The CAAA of 1990 also define an "area" source as any source of HAPs that is not a "major" source. Although most perc dry cleaners do not meet the threshold requirement to constitute a "major" source, they are nonetheless subject to the CAA regulation as area sources. The NESHAP for perc dry cleaners further distinguishes between large and small area sources based upon the volume of perc these sources use.

The NESHAP regulation sets standards to reduce the perc emissions from dry cleaning facilities. The regulation requires dry cleaning facilities which are major sources and large area sources to: employ pollution prevention and good housekeeping practices, comply with record keeping, monitoring, and reporting requirements and install and maintain control equipment. Small area sources also are subject to the same NESHAP requirements to reduce perc emissions by employing pollution prevention measures. The small area sources are not required to install control equipment.

Good housekeeping practices require all dry cleaners to

perform weekly maintenance and monitoring of their machinery. The cleaners are required to record these activities in a log and maintain the information for five years. They also have a record keeping requirement to maintain an account of their monthly perc usage. The reporting requirement for existing dry cleaning establishments required them to submit an initial notification report to the Agency by June 1994.

The requirement for installing control equipment is dependent on the amount of perc that a facility uses during a twelve month period and whether an owner had the dry cleaning machine in operation on the proposal date of the NESHAP regulation for perc dry cleaning (December 9, 1991). If a dry cleaning facility uses 140 gallons/year or less, it is considered a small area source and is not required to install air pollution control equipment. If a dry cleaning machine was in operation before the rule's proposal date, the machine is an "existing" unit. Otherwise, it is a "new" machine. Any existing regulated machines must have installed the required control equipment by September 1996, which is three years after the rule's promulgation. All dry cleaners who want to install new dry cleaning machines on or after the proposal date, must operate the dry cleaning unit using the control equipment specified in the regulations. No three year period to come into compliance applies as does for existing dry cleaning machines.

The amendments to the NESHAP were published in the Federal Register on September 19, 1996, as part of a settlement agreement with the IFI in the U.S. Court of Appeals for the District of Columbia Circuit (60 FR 52000, October 4, 1995). The amendment addresses two issues. The first issue concerns transfer machines purchased or installed between proposal and promulgation of the NESHAP. These machines had been banned in the final rule, but were not banned in the proposed rule. Under the amendment "new" transfer machines installed after proposal (December 9, 1991) and before promulgation (i.e., September 22, 1993) follow the regulations for "existing" transfer machines. The "new" transfer machines installed after promulgation are not allowed to operate.

The second issue concerns exceedances of the perc consumption limits that determine a source's classification. To monitor the status of a source, the NESHAP requires dry cleaners to calculate their annual perc consumption levels each month by totaling the amount of perc purchased at their facilities for the previous 12 months. IFI objected to a single exceedance of the perc consumption limits serving to reclassify a dry cleaning facility, since an isolated exceedance could be due to unusual and unique circumstances beyond the control of the dry cleaner (e.g., the slight possibility of two peak cleaning seasons, such as Easter and Passover, occurring twice during a twelve month period). To address this concern, the Agency issued a policy that episodic exceedances of the consumption limits will

not automatically reclassify a source from small area to large area or large area to major. Episodic exceedances are exceedances that occur no more than once in a three year period.

Under Section 507 of the 1990 Amendments to the Clean Air Act, each state is required to establish a small business stationary source technical and environmental compliance program which includes the appointment of state small business ombudsman. Section 507 defines small businesses as non-major sources employing 100 or fewer people, with limited amounts of air pollutant emissions. Accordingly, most perc dry cleaners would be considered small businesses, able to take advantage of these technical and compliance assistance programs. The Section 507 program will provide information on regulatory compliance assistance, pollution prevention, and accidental releases and their prevention.

As of January 1996, forty-seven State and Territorial Small Business Ombudsmen are in place and effectively interacting with small businesses. Forty-eight State and Territorial Small Business Assistance Programs are providing advice and technical assistance to small businesses subject to the provisions of the CAAA of 1990. Twenty-nine of the State programs have expanded to include multi-media information and assistance to help businesses comply with all environmental statutes and regulations.

Resource Conservation and Recovery Act (RCRA)

Under RCRA, dry cleaning establishments are regulated based upon the amount of hazardous waste (perc) they generate and whether they treat, store or dispose of the waste on-site. Perc dry cleaning facilities typically generate hazardous F002 and U210 wastes from still residues, cooked powder residues and spent cartridge filters, which are then sent off-site for treatment and disposal. Under RCRA, there are three categories of hazardous waste generators: conditionally exempt small quantity generators (CESQGs) (40 CFR Part 261.5), small quantity generators (SQGs) (40 CFR Part 262) and large quantity generators (LQGs) (40 CFR Part 262). The majority of dry cleaning establishments, based on their use of perc, would qualify as either CESQGs or SQGs. CESQGs generate 100 kg or less of hazardous waste per month. SQGs generate between 100 and 1000 kg of hazardous waste or 1 kg of acutely hazardous waste in a calendar month. Dry cleaners can be large quantity generators (LQGs) if they generate over 1,000 kg of hazardous waste a month.

Each month a dry cleaner must determine its generator category as a CESQG, SQG or LQG to know the requirements to which it is subject. All large and small quantity generators must obtain an EPA Identification Number, select an authorized hazardous waste transporter, and select a designated treatment

facility. RCRA regulates how the dry cleaners must store, handle, ship and finally dispose of their perc waste. The cleaners must keep records on waste generation, submit reports of their waste handling activities, and track the transport and disposal of their waste. CESQGs have considerably fewer requirements they must follow.

Clean Water Act (CWA)

Under the CWA, if a perc dry cleaning facility is a direct discharger into surface waters, the facility is required to have its own National Pollutant Discharge Elimination System (NPDES) permit. A direct discharger is a facility that releases directly into navigable waters, while an indirect discharger empties its waste water into a publicly-owned treatment works (POTW) waterway system.

The more likely scenario is that the perc dry cleaner is an indirect discharger. The 15,000 POTWs nationwide treat the flow from the indirect dischargers before releasing it directly into navigable waters. POTWs are required to obtain NPDES permits and may be required to implement a pretreatment program.

When a perc dry cleaning facility is an indirect discharger of toxic industrial waste to one of the 1542 POTWs with a pretreatment program, it will be subject to the standards set by the POTW. Section 401.26 of the CWA lists perc, under the name tetrachloroethylene, as a toxic pollutant. A POTW with a design flow (capacity) greater than 5 million gallons per day (mgd) is required to establish a pretreatment program as part of the POTW's NPDES permit (40 CFR Part 403). The State or Region can still require POTWs with less than 5 mgd design flow to establish a pretreatment program. The standards in the POTW pretreatment program to which a perc dry cleaner would be subject are the National Prohibited Discharge Standards, State and local limits, and hazardous waste notification. Under 403.12(p) of the CWA industrial users must notify the POTW, the EPA Regional Waste Management Division Director, and the State hazardous waste agency in writing of any discharge into the POTW of a substance, which, if otherwise disposed of, would be considered hazardous waste under 40 CFR 261. The de minimis exemption for waste discharge is 15 kg/month. The discharge of perc would qualify as a hazardous waste discharge, so if a dry cleaner discharges more than 15 kg/month of perc into the sewer system, it must notify the required parties. Another type of standard in the pretreatment program is the categorical standard, which is industry-specific. EPA has not developed national categorical standards for perc dry cleaners.

The majority of POTWs do not require perc dry cleaning facilities discharging to their treatment plants to obtain operating permits. A few POTWs, however, issue permits and

monitor the perc dry cleaners operating in their service area. For example, in California the East Bay Municipal Utility District and the District in Orange County have set guidelines for their dry cleaners which minimize air emissions, wastewater, and hazardous waste generated. This multi-media approach is accomplished by prohibiting the discharge of process waste containing solvent to the sanitary sewer or, alternatively, by setting discharge limits and requiring the operation of dry-to-dry cleaning units with refrigerator condensers which don't generate wastewater.

Safe Drinking Water Act (SDWA)

The perc dry cleaning industry may be subject to some requirements promulgated under the Safe Drinking Water Act (SDWA), including Underground Injection Control (UIC) provisions, development of local wellhead protection programs, and emergency provisions under the SDWA.

Underground Injection

Under the authority of the Act, underground injection of waste is controlled to protect aquifers that are or may reasonably be expected to be sources of drinking water. The SDWA prohibits any underground injection that may result in the presence of a contaminant in underground water that supplies, or reasonably can be expected to supply, any public water system if that contaminant may cause a violation of any primary drinking water regulation.

Injection wells are used to discharge or dispose of fluids underground. The injection wells are basically man-made or improved "holes" in the ground deeper than their widest surface dimension. The EPA has grouped injection wells into five categories. Class I, Class II and Class III wells inject fluids below underground sources of drinking water (USDW). Class IV and Class V wells inject fluids into or above USDW. Class IV wells are prohibited. Some Class V wells are technologically advanced wastewater disposal systems used by industry, but most are "low-tech" holes in the ground. Their simple construction provides little or no protection against possible ground water contamination, so it is important to control what goes into them.

EPA believes that of all the different kinds of Class V wells, those wells used to inject industrial and commercial wastes present the greatest danger to USDW. Although these wells are illegal, many of them are still in existence because they have not been properly closed. In many cases, these industrial wastes are disposed of via septic systems, designed for the treatment of sanitary wastes. In the case of dry cleaners, disposal of perc wastes into a septic system would result in a high potential that USDW may be endangered. The disposal of perc

(or other industrial) waste into a septic or other underground waste disposal system may subject the cleaners to UIC program requirements. Depending on the severity of the contamination, the business may be required to cease its practices, remedy the soil surrounding the leach field, or in some cases, apply for a permit and demonstrate that its practices would not result in endangerment of USDWs.

Wellhead Protection

The Wellhead Protection (WHP) Program responds to a critical groundwater protection need. If a State designs a WHP program, it is implemented at the local level by having communities identify and manage groundwater recharge areas tied to specific wells or well fields. Wellhead protection measures include zoning and comprehensive land use planning and restrictions in major cities, towns, and communities. Dry cleaning establishments, located within wellhead protection areas may be subject to additional state or local requirements designed to minimize contamination of wells used for drinking water. In addition, process modifications, waste minimization, monitoring and recycling are encouraged under the WHP program.

SDWA Emergency Powers

Section 1431 of the SDWA provides EPA with the enforcement authority to issue an order or to file a judicial action whenever EPA has information that a contaminant, which is present in or likely to enter a Public Water System Supervision (PWSS) Program or an underground source of drinking water, may present an imminent and substantial endangerment to the health of persons. This section of the SDWA may impact a perc dry cleaning facility if perc is discharged into the sewage system, permeates the concrete pipelines, and enters the groundwater. The Central Valley Regional Water Quality Control Board in Sacramento, CA investigated sources of perc in numerous municipal water supply wells in California's Central Valley. The investigations revealed higher concentrations of perc in soil samples near perc dry cleaners.

E. Implementation of Regulatory Programs Applicable to Perc Dry Cleaners & Measures of Success

A determination as to which entity constitutes the implementing entity for the dry cleaning sector depends on the statutory requirements for authorization of a state program and whether a particular state has been authorized for the applicable part of the program. The air regulations for dry cleaners are currently being implemented and enforced by the EPA. States have the option of applying for authority to implement and enforce the NESHAP dry cleaning regulation. At this time, however, California is the only state approved for delegation of the

NESHAP dry cleaning regulation for non-major sources. This notice was published in the Federal Register on May 21, 1996 961 FR 25397).

Under RCRA, the LQG, SQG and CESQG requirements are part of the "base" RCRA program. In general, the base RCRA program is implemented and enforced by the States. At this time, all states except for Alaska, Hawaii, Iowa and Wyoming have been delegated authority to implement the base program. In the states which do not have delegated authority, the Agency implements the program.

In the pretreatment program of the CWA, the POTW is responsible for inspecting and enforcing against POTW users who are discharging waste water into the public water system. Either EPA or the State can enforce against the POTW for not complying with its NPDES permit. If the State is approved to administer the NPDES program, then it is the enforcing entity. For States not approved, EPA is the enforcing entity.

Whether the implementing entity is the Federal, State or local agency, tracking the compliance status of the regulated community is an integral part of a successful program. The EPA currently uses various databases, such as AIRS, RCRIS, TRI, IDEA, to track the environmental information on industries. These databases or tracking systems can be used to measure the success of environmental programs. As a measurement tool, a tracking system is only as accurate as the information it contains. It is, therefore, crucial that the implementing entity input accurate and current information into the tracking system to ensure that this measurement tool is a reliable reflection of the effectiveness of the compliance and enforcement efforts. The tracking systems are also valuable tools in helping the Agency/states determine which sectors, communities, and/or specific media to prioritize or target for compliance assistance. To assist in sound decision making, the information contained in these databases must be accurate and current. This requires a commitment from the implementing entity to input and update the dry cleaning information.

II. TARGETING

The limited resources under which environmental regulatory agencies operate and the public's demand for prudent, efficient use of their tax dollars require that these regulatory agencies target their compliance and enforcement efforts to obtain the maximum environmental benefit from those resources.

A. The Community, Sector and Media Approaches

There are numerous ways in which a regulatory agency can focus its limited resources. The 1996/1997 MOA Guidance to the

Regions identifies three such approaches: community based, sector-based and media-based priorities.

Regions can work with States to propose high priority communities, ecosystems, or places for multi-media enforcement and compliance initiatives. Pertinent factors in determining priorities include: low rates of compliance, industry specific criteria, media specific criteria, environmental justice concerns, pollution output models for specific geographic areas and citizen complaints.

The Agency can also identify specific industry sectors which are national and/or Regional priorities. These sectors are selected based on factors such as high noncompliance rates, high volume TRI releases, significant presence and impact in Regions and feedback provided through Headquarters/Regional in-house expertise.

Yet a third way to identify priorities may depend on media-specific environmental and noncompliance problems. Media specific priorities may be identified by the Water, Toxics, Pesticides and EPCRA, RCRA, Air and/or Superfund programs. These priorities can be addressed in conjunction with community-based and sector based activities.

Once selected, a strategy for the community, sector or media based priority is developed to address the environmental and/or noncompliance problems using various enforcement and compliance assurance tools deemed appropriate. The strategy, in general, should take multi-media considerations into account. It may also involve working with multiple agencies, as appropriate (e.g., Department of Transportation, State agencies, OSHA).

B. Dry Cleaning as a Priority Sector

EPA has decided to target perc dry cleaners as a "priority sector" under the FY 96/97 Memorandum of Agreement. Regions, therefore, will be required to direct some of their enforcement and compliance efforts to these dry cleaners. The following discussion addresses some of the considerations in identifying dry cleaners as enforcement/compliance targets.

In the past, under the Agency's media specific approach, perc dry cleaning facilities were targeted for air quality because reductions in perc, then a listed VOC, could be credited to the state's ozone non-attainment planning. In 1992, EPA proposed removing perc from the list of VOCs because of its negligible photochemical reactivity and its insignificant impact on ozone formation. The Agency published the final rule excluding perc from the list of VOCs on February 7, 1996 (61 FR 4588). Although agencies do not target perc dry cleaners in an effort to bring ozone non-attainment areas into compliance,

regulatory agencies are encouraged to target dry cleaners in any non-attainment area as a means to improve the overall air quality of that area. Furthermore, these cleaners should still be targeted for air quality considerations, as perc is a listed hazardous air pollutant (HAP) due to its toxicity and its status as a possible carcinogen.

While the physical size of a local dry cleaner or its individual environmental impact upon a community may be small (e.g., dry cleaners may be SQGs under RCRA), the cumulative impact from several uncontrolled cleaners may warrant the attention of the Agency and the community and serve as a criterion in determining whether a community is an enforcement and compliance assistance priority.

In addition, the perc dry cleaning industry is a service industry. Like other service industries, such as gasoline stations or grocery stores, dry cleaning facilities will be located in areas convenient to their customers' homes or places of employment. The location of dry cleaners in highly populated areas should be taken into account when selecting targeting priorities.

Although dry cleaners are not typically located in lower income areas or areas populated by minorities, a large number of dry cleaners are Korean. It may be difficult for Korean-speaking dry cleaners to understand and take steps to comply with complicated, technical environmental requirements written in English. Cultural and language barriers are yet other reasons to focus resources on this particular industry sector.

These considerations, as well as anecdotal information from Regional and State inspectors, were important in shaping the Agency's decision to target dry cleaners as a priority sector.

III. SELECTION OF TOOLS FOR ENFORCEMENT & COMPLIANCE ASSURANCE

A. Selection Based on Characteristics of Dry Cleaners

The selection of tools for enforcement and compliance assurance activities are integrally intertwined with the Agency's overall targeting priorities. In a particular sector, the selection of tools will also depend on: the characteristics of the industry in particular geographic locations, what constitute "typical" violations in the sector and the availability of enforcement/compliance resources.

Some of the pertinent characteristics of the perc dry cleaning industry that may affect selection of tools include: the large number of small, mom and pop dry cleaners; the Agency's/States' inability to identify and inspect the large number of facilities; small profit margins which limit a dry

cleaner's ability to hire environmental consultants, or pay typical penalties issued under the authority of the CAA and/or RCRA; a lack of understanding or misinterpretation of environmental requirements; and language/cultural barriers. These characteristics suggest that compliance assistance tools may be more effective in achieving compliance than relying only on traditional enforcement mechanisms.

Regional inspectors whom we queried said that the most typical violations among perc dry cleaners include: record keeping violations (especially not maintaining records on-site) and notification violations. Facilities that do not notify the Agency that they are handling perc may also be out of compliance due to the way they are operating. In addition, they pose problems because the Agency may not even know that these entities exist. They are out of the enforcement/compliance system entirely. These characteristics indicate that traditional enforcement targeting would be inadequate to address the universe of perc dry cleaning facilities.

B. Enforcement Versus Compliance Assistance

The characteristics discussed above make traditional enforcement through inspections, enforcement actions and high penalties difficult and of limited effectiveness. Dry cleaners know that regulators have other large industries to address and that small dry cleaners are not likely to be inspected. Consequently, when a dry cleaner weighs the immediate benefits against the costs to obtain compliance, particularly when profit margins are narrow, compliance may not appear to be the "wise" business choice.

These characteristics indicate that direct compliance assistance coupled with some enforcement may be the more effective way to bring small dry cleaners into compliance. A more detailed discussion on compliance assistance tools appears below. An effective enforcement presence, however, may be established through a limited number of random inspections which are conducted periodically and are well-publicized (covered in the media and in trade publications). The large number of small businesses and relatively low profit margins may warrant the selection of Notices of Violations (NOVs) rather than administrative/civil actions and field citations rather than higher penalties, especially for minor violations such as record keeping deficiencies.

C. Flexible Agency Policies Geared Towards Small Businesses

The Office of Enforcement and Compliance Assurance issued the CAA Section 507 Enforcement Policy (507 Policy) on August 12, 1994. Section 507 of the CAA requires States to establish Small Business Assistance Programs (SBAPs) to provide stationary source

technical and environmental compliance assistance to small businesses. A "small" business is defined under Section 507 as having 100 or fewer employees and being a minor source. Most dry cleaners would qualify as small businesses. The Section 507 Enforcement Policy sets forth the Agency's guidelines for implementing the Section 507 program.

Under the 507 Policy, penalties against small businesses can be waived; however, the business must seek assistance from a non-confidential State SBAP and correct any violations within an appropriate period of time. States with SBAPs which are independent from the State's enforcement program can provide technical assistance on a confidential basis to small businesses which come to the SBAP for assistance. It is not possible, however, to mitigate penalties under this second option.

Signed on May 20, 1996, the Agency's Final Policy on Compliance Incentives for Small Businesses ("SBP") presents another approach to improving compliance in the dry cleaning sector without taking formal enforcement actions and issuing penalties. While the Section 507 Policy is single media, focusing on air regulations, the SBP is a multi-media policy and addresses violations under all environmental statutes and regulations that EPA administers, except for corrective action programs and the Public Water Supply System Program under the Safe Drinking Water Act.

A small business under the SBP is defined as having 100 or fewer employees across all facilities and operations owned by the entity. Unlike the 507 Policy, there is no limitation on the amount of pollutants produced by the small business. Most dry cleaners would qualify as "small" under this policy.

The SBP, in part, implements President Clinton's Executive Memorandum on Regulatory Reform 60 FR 20621 (April 26, 1995). Under the SBP, Agency/States can exercise discretion to waive the imposition of all or a portion of a penalty when a violation is corrected within a time period appropriate to the violation in question, where there has been a good faith effort to comply with applicable regulations, and there are no repeat violations. The policy does not apply where the violation involves criminal wrongdoing, the violation has caused serious harm or presents an imminent or substantial endangerment to public health or the environment, or presents a significant threat to health, safety or the environment. Under the SBP, good faith is demonstrated when a facility has received compliance assistance from a government or government supported program and the violations have been detected during the on-site compliance assistance. If the compliance assistance is confidential, then the small business can disclose the violation to the appropriate agency to get the benefits of the SBP. Alternatively, a small business can demonstrate good faith by conducting an environmental audit and

promptly disclosing all violations to EPA or the appropriate state regulatory agency and correcting the violations.

Both the 507 Policy and SBP encourage dry cleaners to obtain compliance assistance without the threat of facing an enforcement action with high penalties that might put the dry cleaner out of business. For more information on the SBP, contact Karin Leff (202) 564-7068 or David Hindin (202) 564-6004. For more information on the 507 Policy, contact Karin Leff.

D. Creative Ways to Promote Compliance through Partnering

In these days of regulatory reinvention, it is fruitful to explore innovative approaches to enforcement and compliance assurance. Partnering with industry and other environmental stakeholders is one such approach. What follows are descriptions of innovative ways to encourage compliance.

Dry cleaning trade associations may offer programs to help dry cleaners become "Certified Environmental Dry Cleaners," or the like. Although regulators may elect not to "endorse" these programs, it may be appropriate to educate trade association about what the Agency or State would like to see in such a program.

Some trade associations are sources of useful and accurate information and guidance on regulatory compliance. Regions and/or states can evaluate the quality of the information and, if appropriate, disseminate this material on inspections, share it with State Small Business Development Centers or Small Business Assistance Programs.

Similarly, larger dry cleaners, who are well-informed about regulatory compliance issues, may be willing to mentor smaller, less sophisticated cleaners. This education can be undertaken as part of a Supplemental Environmental Project (SEP) in an enforcement settlement, or it could be undertaken in an innovative partnership with a Federal or State regulator, such as EPA's Environmental Leadership Program (ELP) (Contact: Tai-ming Chang 202-564-5081). One other innovative way to promote compliance may be to require dry cleaners to attend dry cleaning workshops that are periodically offered by trade associations or State agencies rather than to pay a fine. Currently, these workshops are not well-attended.

These innovative approaches to compliance assurance are not sufficient, in and of themselves, to constitute a vigilant and effective enforcement and compliance program. Coupled with traditional enforcement tools and more mainstream compliance assurance activities, however, these projects can tap the resources and expertise in the regulated community to leverage government resources.

IV. TASKS

This compliance strategy identifies compliance assistance, compliance monitoring and enforcement activities. Some of the activities have been completed while others are ongoing or planned/proposed. We have prioritized the latter category based upon each project's relationship to the OC mission, resources and each project's usefulness to the regulated community and other regulatory agencies.

A. Matrix of Tasks

The tasks for the compliance strategy are listed below in a matrix that identifies the status of the task and the lead office. A brief description of each task and its priority, if applicable, follows.

IMPLEMENTATION TASKS & RESPONSIBLE PARTIES

<u>Tasks</u>	<u>Office</u>	<u>Status</u>
Compendium of Educational Materials	CCSMD	Completed
Communication Strategy	CCSMD	Completed
Generic Dry Cleaning Equipment Owner's Manual	OAQPS	Completed
Multi-media Inspection Manual	CCSMD	Completed
Multi-process Wet Cleaning Project	OPPTS	Completed
Regulation Translations	OAQPS	Completed
Profile of Dry Cleaning Industry	METD	Completed
Plain English Guide for Perc Dry Cleaners	CCSMD	Completed
Satellite Training for Dry Cleaners	OAQPS	Completed
Certification Program Review	CCSMD/OAQPS	Ongoing
Delegation to States	Regions	Ongoing
Penalty Policy/Matrix	ORE/Air	Ongoing
Plain Korean Guide for Perc Dry Cleaners	CCSMD	Ongoing
Plain Spanish Guide for Dry Cleaners	CCSMD	Ongoing
Stakeholder Meetings	CCSMD	Ongoing
Stakeholders' List	CCSMD	Ongoing
Dry Cleaner Inventory	CCSMD	Proposed
Regional Teleconference	CCSMD	Proposed
Supplemental Enforcement Projects	CCSMD	Proposed

B. Description of Tasks

1. Completed Activities

Communication Strategy

A vital part of the compliance strategy for the dry cleaning industry is disseminating the information generated and collected by the Agency. An communication strategy delineates effective methods of distributing the products of the tasks discussed throughout this compliance strategy. The products include: the Plain English Guide for Perc Dry Cleaners, the Plain Korean Guide for Perc Dry Cleaners, Multi-media inspection manual, and compendium of educational materials. This material could be distributed through trade associations, Korean community associations, perc distributors, dry cleaning vendors, dry cleaning newsletters, Small Business Association, Section 507 compliance assistance visits, and meetings with industry and, possibly through inspections. Recipients would be targeted by using the dry cleaning Stakeholders' List and Inventory.

Estimated Date of Implementation: FY1996

Lead: CCSMD

Contact: Fran Jones (202) 564-7043

Priority: High

Compendium of Educational Materials

CCSMD has compiled a multi-media compendium of existing educational environmental materials for the perc dry cleaning industry. Many public and private entities including international and local trade associations, Federal and State regulatory agencies, universities, Small Business Associations, cooperative extension services, environmental advocacy organizations, and other stakeholders have developed relevant materials. The compendium includes lists of informational contacts, Regional and State activities, pamphlets, regulation translations, regulation summaries, operator checklists, inspections checklists, videotapes, and other resources.

The compendium can be an effective tool in reducing the effort spent on developing redundant educational materials, so these efforts can then be spent on evaluating and distributing materials and information. The resources listed in the multi-media compendium can be evaluated to ensure their accuracy, ability to target special audiences (small business owners, Koreans, Spanish-speaking owner/operators), readability and effectiveness. Also the compendium affords us the opportunity to evaluate the linkage between Office of Compliance's national

efforts and the existing efforts by EPA Regions and States. The target audience of the compendium is the Regions, States, entities providing compliance assistance, and other stakeholders searching for environmental information about the dry cleaning sector. The Communication Strategy (described earlier in this section) addresses issues of distributing the compendium and information on other dry cleaning related projects. CCSMD has recently updated the information contained in the Compendium.

Estimated Date of Implementation: FY1996

Lead: CCSMD

Contact: Doug Jamieson (202) 564-7041
Joyce Chandler (20) 564-7073

Priority: High

Generic Dry Cleaning Equipment Owner's Manual

OAQPS developed the Perchloroethylene Dry Cleaning Facilities - General Recommended Operating and Maintenance Practices for Dry Cleaning Equipment (EPA-4531R-94-073), issued October 1994, as a compliance assistance outreach tool for perc dry cleaners. The NESHAP for perc dry cleaners required that owners of dry cleaning equipment and control devices follow the manufacturer's operation and maintenance instructions. Owners/operators are also required to retain a copy of the manufacturer's instructions for operation and maintenance at the facility.

OAQPS recognized that some dry cleaners operate older equipment and may no longer have the manufacturer's instructions. They developed this Generic Dry Cleaning Equipment Owner's Manual for dry cleaners who, after reasonable effort, could not obtain a copy of the manufacturer's instructions for their specific equipment.

Proper maintenance and operation of equipment can be one of the first and easiest steps to help achieve compliance and undertake pollution prevention. This compliance tool, therefore, will serve multiple purposes. This document will be included in the Compendium of Educational Materials to be developed by CCSMD and is referenced in the Plain English Guide for Perc Dry Cleaners. The Owner's Manual was sent to the Regions and trade associations. It is available through the EPA library located in Research Triangle Park, NC. Copies can be obtained by calling (919) 541-2777.

Estimated Date of Completion: Completed

Lead: Office of Air Quality Planning & Standards

Contact: George Smith (919) 541-1549

Priority: N/A

Multi-media Inspection Manual

The multi-media inspection manual assists field personnel in State, local and EPA Regional offices in understanding all the environmental regulations that impact the perc dry cleaners. This manual enables the regulators to perform multi-media inspections and audits to determine the compliance status of facilities. The field personnel, in turn, can be more responsive to the needs and questions of the regulated community. The inspection manual also covers other subjects directly related to compliance and enforcement activities such as the CAA Section 507 policy, the EPA Policy on Environmental Audits, 60 Federal Register 66706 (December 22, 1995) and inspection targeting efforts. The inspection manual and related training are useful tools for field staff in performing multi-media audits and/or inspections at dry cleaning facilities.

Estimated Date of Implementation: Completed

Lead: CCSMD

Contact: Douglas Jamieson (202) 564-7041

Priority: High

Multi-process Wet Cleaning Project

The ultimate goal of the dry cleaning regulations is to reduce and/or eliminate releases of perc into the environment. One way a dry cleaner can comply with the regulation is by reducing or eliminating his use of perc. The investigation of an alternative cleaning process may be the means of achieving compliance in this manner. The Office of Pollution Prevention and Toxics (OPPTS) under the Design for the Environment (DfE) program formed a partnership with the dry cleaning industry to conduct a study comparing the cost and performance of an alternative cleaning process for clothes that are typically dry cleaned with perc. The alternative process was an aqueous-based cleaning process that relies on heat, steam, pressing and soap to clean clothes. The project involved a short term, high volume test in November and December 1992, during which nearly 1500 garments were cleaned either by the traditional perc dry cleaning process or the multi-process wet cleaning. The results were then evaluated by the dry cleaners and the customers. DfE found that, under certain circumstances, the wet cleaning process is technically feasible and economically competitive with perc dry cleaning. Information obtained from this study may encourage cleaners to use the wet cleaning process and, thus, reduce perc

usage and releases into the environment. CCSMD will include the results of the "Wet Cleaning" study in the Compendium of Educational Materials.

Estimated Date of Completion: Completed

Lead: Office of Pollution Prevention and Toxic Substances
(OPPTS)

Contact: Ohad Jehassi (202)260-8617

Priority: N/A

Regulation Translations

One of the early tasks completed by OAQPS in developing the NESHAP perc dry cleaning regulation was a translation of its Federal Register notice into other languages. The regulation was translated into Korean, French, Chinese, Vietnamese and Spanish. OAQPS' awareness of the multi-cultural nature of the dry cleaning industry prompted them to provide a translation of the dry cleaning air regulation to assist a large segment of cleaners. An estimated thirty percent of the dry cleaners are Korean speaking and another significant portion are Spanish speaking. The other languages represent a smaller share of the regulated dry cleaning community. The Korean version of the regulation has been the translation requested most often.

While this task has been completed by OAQPS, the Agency could also translate the RCRA, CWA and SDWA regulations into other languages particularly Korean and Spanish. CCSMD has translated the Plain English Guide, containing multi-media dry cleaning requirements, into Korean. In the future, the Guide will be translated into Spanish.

Estimated Date of Completion: Completed

Lead: OAQPS for Development
Small Business Ombudsman Office for Distribution

Contact: George Smith (919) 541-1549
Karen Brown (703) 305-7015 Distribution

Priority: N/A

Plain English Guide for Perc Dry Cleaners

To assist the perchloroethylene (perc) dry cleaners in complying with the various environmental regulations, CCSMD has developed a readable version of these requirements - a Plain English Guide for Perc Dry Cleaners: A Step-by-Step Approach to

Understanding Federal Environmental Regulations. We are targeting this guidance at the small businesses which make up a significant portion of the dry cleaning industry. These businesses may not ordinarily have the resources to read and interpret the numerous and changing environmental regulations in the Code of Federal Regulations. Although dry cleaning trade associations keep their members abreast of regulations impacting the industry, many of the smaller dry cleaners do not belong to these organizations. This guidance explains the environmental requirements under the CAA, RCRA, SDWA, and CWA using a comprehensive, step-by-step approach. The Plain English Guide also includes commonly asked questions and answers concerning the regulations and their implementation and a quick reference checklist of activities that an owner/operator may perform to comply with the regulations. CCSMD conducted a field test of the Plain English Version with dry cleaners with input from the key stakeholders. The State of Minnesota has also used the document in their compliance outreach efforts to the dry cleaning sector and provided CCSMD with feedback from the dry cleaners. The details for distributing the final document are outlined in the Communication Strategy.

Estimated Date of Completion: Completed

Lead: CCSMD

Contact: Joyce Chandler (202) 564-7073

Priority: High

Profile of the Dry Cleaning Industry

The Manufacturing, Energy and Transportation Division (METD) of the Office of Compliance has developed a series of notebooks that profile different industrial sectors. One of the sectors featured is the dry cleaning industry. The initial goal of the project were to provide Federal and State regulators with more knowledge of specific industrial sectors and their processes. This goal was expanded; the Profile also serves as an informational tool for the regulated and academic community. The notebook includes an environmental compliance profile based on EPA database information. CCSMD reviewed and commented on the dry cleaning sector notebook and coordinated the external review. The "review team" included a trade association, a state representative and the EPA Design for the Environment program. CCSMD helped METD identify the stakeholders to whom the notebook should be distributed.

Estimated Date of Completion: Completed

Lead: METD

Contact: Greg Waldrip (202) 564-7024

Priority: METD - High CCSMD - Medium

Satellite Training for Dry Cleaners

On May 12, 1992 the Tennessee Department of Environment, Tennessee Valley Authority, UT Center for Industrial Services, EPA's Office of Small Business Ombudsman, and OAQPS conducted a four hour satellite training course on the perc air regulations that was broadcast live to down link sites throughout the country. The purpose of the broadcast was to inform perc dry cleaners on strategies for compliance, risk reduction and pollution prevention. Multiple down link sites nationwide minimized the travel cost for the cleaners who typically would not attend such a course because of the expense. The training was interactive; the participants were allotted time to call the panelist to ask questions. OAQPS has made a videotape version of the satellite training, along with the written companion guide, available to States and local agencies. These agencies have used this videotape as a compliance assistance tool by making it available to their dry cleaners. Dry cleaners can contact their State and local agencies for the videotape. Others can purchase the two set videotape for \$45 by contacting Jane Davis of the University of Tennessee at (615) 974-1313.

Estimated Date of Completion: Completed

Lead: OAQPS

Contact: Janyce Riess (919) 541-2353

Priority: N/A

2. Ongoing Activities

Certification Program Review

An informed dry cleaner is better able to comply with the requirements than a misinformed one. Part of this compliance strategy is geared towards supporting trade associations in their outreach activities to educate their industry stakeholders. In 1994, the International Fabricare Institute (IFI) offered an environmental certification examination for dry cleaners. IFI invited Office of Compliance and the Office of Air Quality Planning & Standards to represent EPA on an Advisory Committee for the Environmental Certification Program. The Office of Compliance provided advice to IFI by participating in a two-day brainstorming session that was held in October to discuss the certification program.

A program certifying the environmental knowledge of owners

and operators of the dry cleaning business provides a means and motivation for them to increase their knowledge and understanding of the environmental requirements while augmenting compliance. Currently certification programs for perc dry cleaners are voluntary. CCSMD will 1) investigate which programs currently exist and are being developed; 2) evaluate whether to assist/give input to the burgeoning certification programs; 3) assess whether the Agency should give its stamp of approval to certification programs; and 4) investigate whether CCSMD should develop a certification program of its own, or in conjunction with DfE or other EPA offices.

Estimated Date of Completion: Ongoing

Lead: DfE with CCSMD support

Contact: Joyce Chandler (202) 564-7073

Priority: Medium

Delegation to States

Many compliance monitoring and enforcement activities are performed by State and local regulators. Under the CAA Section 112(1), States can be delegated the authority to enforce the dry cleaning Air NESHAP. "Each State may develop and submit to the Administrator for approval a program for the implementation and enforcement (including a review of enforcement delegations previously granted) of emission standards and other requirements for air pollutants subject to this section..." EPA then has the responsibility to review the plan for approval or disapproval within a designated time.

This delegation process is just beginning due to the recent promulgation of the dry cleaning requirements. CCSMD will support the Regional Offices in their review of State applications for delegated authority. At this time, CCSMD has reviewed and commented on California's proposal.

Estimated Date of Completion: Ongoing task as State submits proposal

Lead: Regions with CCSMD support

Contact: Joyce Chandler (202) 564-7073

Priority: Low

Penalty Policy/Matrix

The Regions have requested that OECA issue a penalty policy for violations of the CAA for the perc dry cleaning industry.

The general penalty policy for stationary source air emissions was developed when the regulated community consisted of a limited number of large businesses with high revenues. The newly regulated dry cleaning industry, however, consists of a large number of small businesses with low revenues. The Agency almost always has to reduce the civil penalty based on the inability of these businesses to pay. This inability of small dry cleaners to pay penalties in general justifies a penalty policy specifically for these small businesses. OECA will incorporate aspects of the Section 507 Enforcement Response Policy into the penalty policy.

The Air Enforcement Division (AED) in the Office of Regulatory Enforcement (ORE) received comments on their draft CAA penalty policy for dry cleaners from the Regions. CCSMD has solicited the support of the RCRA Enforcement Division and the Multi-media Division in ORE to explore making the dry cleaning penalty policy a multi-media policy.

Estimated Date of Implementation: FY1997

Lead: ORE-Air

Contact: Rhonda Maddox (202) 564-7026

Priority: ORE - High CCSMD - Low

Plain Korean Guide for Perc Dry Cleaners

Upon finalizing the Plain English Guide for Perc Dry Cleaners: A Step-by-Step Approach to Understanding Federal Environmental Regulations (described in the Ongoing Activities section), CCSMD has funded a project to translate the document into Korean. Both the Korean and English versions of the document will be field tested before distribution. Details on distributing the document to the Korean dry cleaners will be delineated in the Information Dissemination Plan (described above in this section). The Plain Korean Guide for Perc Dry Cleaners will serve as an effective compliance assistance tool in OECA's outreach to the Korean dry cleaning community.

Estimated Date of Implementation: early FY1997

Lead: CCSMD

Contact: Joyce Chandler (202) 564-7073

Priority: High

Plain Spanish Version of Requirements

Plans to translate the Plain English Version of the

Environmental Requirements for Perchloroethylene Dry Cleaners (described in the Completed Activities section) into Korean has been well received by the dry cleaning trade association, regulatory agencies, and others conducting outreach activities to the dry cleaning community. CCSMD has received requests for a Plain Spanish Version and thus will translate the document into Spanish. Details on distributing the document to the Spanish dry cleaners will be delineated in the Information Dissemination Plan (described above in this section). The Plain Spanish Version of the Environmental Requirements for Perchloroethylene Dry Cleaners will serve as an effective compliance assistance tool in OECA's outreach to the Spanish-speaking dry cleaning community.

Estimated Date of Implementation: FY1997

Lead: CCSMD

Contact: Joyce Chandler (202) 564-7073

Priority: High

Stakeholders' List

Another goal of the compliance strategy is to compile a list of stakeholders in the perc dry cleaning industrial sector. Stakeholders are those who have a vested interest in the perc dry cleaning sector. Not only do the stakeholders include the owners and operators of dry cleaning facilities contained in the dry cleaners inventory described below, but they also include the manufacturers and distributors of perc, trade associations, Korean community groups, equipment vendors, small business associations, and others. By identifying all stakeholders and understanding their concerns, we can develop a comprehensive understanding of the industry and render better compliance assistance. The stakeholder list will include the name of the organization, the contact person, telephone number, address, and function. CCSMD has already started accumulating the names of stakeholders as we work with the industry.

Estimated Date of Implementation: FY1995

Lead: CCSMD

Contact: Joyce Chandler (202) 564-7073

Priority: Medium

Stakeholder Meetings

CCSMD has been meeting with individual stakeholders of the perc dry cleaning industry. During these meetings, CCSMD informs the stakeholder of OC's mission to assist the industrial sector

in complying with environmental regulations and to promote pollution prevention. CCSMD and the stakeholder discuss how the OC can further assist the dry cleaning sector with environmental concerns. CCSMD has met with the International Fabricare Institute (IFI) and toured their research facility. CCSMD has met with the Korean Drycleaners Association of Greater Washington to discuss potential compliance outreach projects for the Korean drycleaning community. CCSMD will continue to hold face-to-face meetings with various stakeholders in the future.

Estimated Date of Completion: Ongoing

Lead: CCSMD

Contact: Joyce Chandler (202) 564-7073

Priority: High

3. Future Activities

Dry Cleaner Inventory

A reliable inventory identifying the regulated community and its compliance status is a critical tool for enforcement and compliance assistance. At this time, there is no reliable, accurate list of perc dry cleaners since perc dry cleaners are often small businesses/generators/sources/users not captured under regulatory reporting and other requirements. Currently, EPA estimates that the number of perc dry cleaners ranges from 25,000 to 35,000 nationwide. These estimates are based on data from the census bureau, trade associations, perc distributors, equipment vendors, and others. A reliable inventory will narrow down the estimates and provide EPA with a more accurate list of dry cleaners who can be targeted for compliance activities.

As a first step, we will access the RCRIS, Toxic Release Inventory (TRI), the PCS, the AIRS and other EPA databases to identify perc dry cleaning facilities. These databases will likely contain information on only the largest dry cleaning facilities. To identify the thousands of smaller dry cleaners, we will verify the initial notification reports submitted to the Regions in June 1994 as required by the NESHAP regulation. Once we have developed a comprehensive inventory, it will be made available to OAQPS, Regions, States and local governments as a compliance tool for identifying the regulated community.

Estimated Date of Implementation: FY1996

Lead: CCSMD

Contact: Joyce Chandler (202) 564-7073

Priority: High

Regional Teleconference

One of the goals of the compliance strategy is to build an effective network within the Agency to supply compliance assistance to the dry cleaning sector and State regulating agencies on a multi-media basis. This will be accomplished by establishing a group of knowledgeable individuals throughout the Agency in Headquarters and the Regions who will hold a regular teleconference to discuss and resolve compliance and enforcement issues affecting the dry cleaning industry. The teleconference calls will held begin in the upcoming months.

Estimated Date of Implementation: Ongoing

Lead: CCSMD

Contact: Joyce Chandler (202) 564-7073

Priority: High

Supplemental Environmental Projects

CCSMD will investigate possible Supplemental Environmental Projects (SEPs) for EPA settlements with dry cleaning stakeholders and discuss with ORE-Multi-Media whether these SEPs should be included in the National SEP database. ORE-Multi-Media is developing a National SEPs Data Base for various sectors. The data base will be a compilation of recent SEPs and will include information on violations, estimated cost, technical details and the expected environmental impacts of the projects. It will contain guidance on selecting and implementing a SEP and model language for settlements. SEPs are environmentally beneficial projects which a defendant agrees to undertake in settlement of an environmental enforcement action, but which the defendant is not otherwise legally required to perform. The information contained in the database will be made available to the Regions and States.

One possible future project is to promote broader implementation of water pretreatment programs for dry cleaners. CCSMD will evaluate the pretreatment program in California that regulates dry cleaners and will consider how the principles of the California program can be transferred to other entities. We will also work with DfE on incorporating pollution prevention options into SEPs.

Estimated Date of Implementation: Future

Lead: CCSMD/ORE-Multi-media

Contact: Joyce Chandler (202) 564-7073 CCSMD
Jerry Kraus (202) 564-6047 ORE-Multi-media

Priority: Low

V. CONCLUSION

This compliance strategy responds to the various environmental issues currently presented by the perc dry cleaning industry. The strategy will continue to evolve as we learn more about the industry and how to better assist it in its compliance needs.

Key Stakeholders-Dry Cleaning Sector

ACTWU

Health and Safety Department
15 Union Square
New York, NY 10003
Contact: Mr. Eric Frumin
PH: 211/242-0700 FX: 212/255-7230

Consumer Policy Institute
101 Truman Avenue
Yonkers, NY 10703
Ms. Barbara Warren
PH: 914/378-2455 FX: N/A

The Dow Chemical Company
2020 Dow Center
Midland, MI 48674
Contact: Ms. Janet C. Hickman
PH: 517/636-0465 FX: 517/636-8933

Environmental Protection Agency
Design for the Environment
401 M Street, SW
Washington, DC 20460
Contact: Mr. Ohad Jehassi, Mail Code 7406
PH: 202/260-6911 FX: 202/260-0981

Environment Canada
Great Lakes Environment Office
25 St. Claire Street, East
Toronto, Ontario M4T1M2 CANADA
Contact: Mr. Marcus Ginder
PH: 416/973-1162 FX: 416/973-7438

Greenpeace
1017 West Jackson Boulevard
Chicago, IL 60607
Contact: Ms. Bonnie Rice
PH: 312/666-3305 FX: 312/226-2714

Halogenated Solvents Industry Alliance
2001 L Street, NW
Washington, DC 20036
Contact: Mr. Peter Voytek
PH: 202/775-2790 FX: 202/775-722

International Fabricare Institute
12251 Tech Road
Silver Spring, MD 20904
Contact: Ms. Mary Scalco
PH: 301/622-1900 FX: 301/236-9320

The Johnson Group
8044 Montgomery Road, Suite 170
Cincinnati, OH 45236
Contact: Ms. Janet Grove
PH: 513/891-4551
FX: 513/985-5464

The Korean Drycleaning Association of Greater Washington
13840-A Braddock Road
Centerville, VA 22020

The Korean Drycleaning Times
145 Madison Avenue, 6th floor
New York, NY 10016
PH: 212/545-1815
FX: 212/545-1386

Langley Parisian
P.O. Box 91128
Hamilton, Ontario L8N 4G3 CANADA
Contact: Mr. K.C. (Ken) Adamson
PH: 905/522-4651
FX: 905/529-5956

National Federation of Korean Dry Cleaners
5901 Eastern Avenue
Hyattsville, MD 20703
Contact: Mr Joseph Yoon
PH: 301/559-1323
FX: N/A

Neighborhood Cleaners Association
252 West 29th Street
New York, NY 10001
Contact: Mr. William Seitz
PH: 211/967-3002
FX: 221/967-2240

Occupational Health Foundation
1126 16th Street, NW, Suite 413
Washington, DC 20036
Contact: Mr. Charles Austin
PH: 202/887-1980
FX: 202/887-0191

R.R. Street & Company
184 Shuman Boulevard
Naperville, IL 60563
Contact: Mr. Manfred Wentz
PH: 708/416-4244
FX: 708/416-4150

Toxics Use Reduction Institute
University of Massachusetts, Lowell
1 University Avenue
Lowell, MA 01854-2851
Contact: Ms. Jodie Siegel
PH: 508/934-3275
FX: 508/453-2332

The Key Stakeholders List consists, in part, of the core
workgroup members from EPA's Design for Environment program.