DEPARTMENT OF ENVIRONMENT & CONSERVATION

October 2007
will be here soon

DRYCLEANER ENVIRONMENTAL RESPONSE PROGRAM
4th Floor L&C Annex
401 Church Street
Nashville, TN 37243

IMPORTANT RULE CHANGES YOU NEED TO KNOW!

There are several changes in the rules of the Drycleaner Environmental Response Program (DCERP) and the Air Pollution Control (APC) program. You should familiarize yourself with the changes and review your facility operation and make changes as needed. Making changes now will ensure you will remain in compliance. The following information was excerpted from Program Rules. We are presenting portions of the rule below as a reminder for those you are already familiar with and to introduce you to new rules for your compliance assistance. You may view the entire rule on the web at http://www.state.tn.us/environment/permits/dcerp.shtml or call 615-741-2281 and request a copy.

Issuance of Registration Certificates

(a) Certificates of Registration for each facility will be issued to the person who demonstrates ***substantial compliance***, *as determined by the department, with the Act and program regulations,* including but not limited to **applicable BMPs**; submits a **completed registration form**; **pays the annual registration fee**; and **timely submits quarterly solvent reports**.

BEST MANAGEMENT PRACTICES (BMPs) Rule 1200-1-17-.04

Class 1 BMPs, As of October 15, 1997, all drycleaning facilities shall comply with Class 1 BMPs because they are critical for the prevention of drycleaning solvent releases.

This means you must be in compliance with Air Pollution Control rules to meet this BMP

1. Compliance with Existing Regulations and Standards

Drycleaning facilities using perchloroethylene shall comply with Rule 1200-3-31-.13, Perchloroethylene Air Emission Standards for Dry Cleaning Facilities and its amendments. Rule 1200-3-31-.13, et seq., addresses the following areas: standards for air emissions and equipment controls, emissions monitoring and record keeping requirements, solvent consumption record keeping requirements, inspection, maintenance, and repair activities and documentation requirements, and new machine requirements.

2. Waste Management

As much as practicable waste containing solvent shall be recycled. No person shall place, store, or dispose of drycleaning solvent or a material or waste containing drycleaning solvent in a location or manner where such substances, either by themselves or in combination with other substances, will cause or may cause a release of drycleaning solvent either in a concentrated or diluted form to soil, sediment, ground water or surface water. Activities which are not allowed include but are not limited to:

- No person shall dispose of or place filters, diatomaceous earth, sludges, condensate water, still bottoms or other waste material containing drycleaning solvent in a dumpster or other trash receptacle, on the ground, or in any location other than appropriate labeled storage containers for these materials.

- No person shall dispose of or place filters, diatomaceous earth, sludges, condensate water, separator water, still bottoms or other waste material containing drycleaning solvent in a sanitary sewer, storm sewer, septic tank, or any other underground structure which may result in a release.
- No person shall dispose of or place filters, diatomaceous earth, sludges, condensate water, still bottoms or other waste material containing drycleaning solvent in a location or manner such that drycleaning solvent or a waste containing drycleaning solvent is released or may be released to the soil, sediment, ground water, or surface water.
- No person shall pump or transport drycleaning solvent or waste containing drycleaning solvent through underground pipes or lines which are not readily visible. Pipes or lines transporting solvent shall be placed in a trench sealed with a material impervious to PCE or the appropriate solvent(s) in use at the facility.
- No person shall store a drycleaning solvent or waste containing a drycleaning solvent in an underground storage tank without documenting that the tank construction material is appropriate for the solvent material being stored. Underground storage tanks shall undergo upgrading and release detection as required for petroleum storage tanks in Rule Chapter 1200-1-15, except deferrals listed in Rule 1200-1-15.01(1)(b) shall not apply.

Any waste containing or derived from dense non-aqueous drycleaning solvent shall be handled as follows, regardless of the drycleaning facility's amount of solvent consumption or waste generation. A permitted hazardous waste transporter as defined under Division of Solid Waste Management Rule 1200-1-11.04 shall transport the material to an authorized Treatment, Storage or Disposal Facility (TSDF) or other location approved by the Tennessee Division of Solid Waste Management (TDSWM) for such wastes. A copy of all hazardous waste and hazardous material shipping manifests shall be maintained at the drycleaning facility or a designated alternate site for inspection by the Department upon request. These records shall be maintained for a minimum period of five years.

Any waste containing or derived from light non-aqueous drycleaning solvent shall be placed in a sealed container, removed from the facility, and disposed of at an appropriate disposal facility regardless of the amount of the drycleaning facility's solvent consumption or waste generation. A record of the date, quantity of waste removed and the disposal location shall be maintained at the drycleaning facility or a designated alternate site for inspection by the Department upon request. These records shall be maintained for a minimum of five years.

If a drycleaning facility is to be closed or remain out of operation as a drycleaning facility for 90 days or more, solvent and solvent containing materials are to be properly removed from the facility.

3. Materials Storage

Solvent and solvent-containing materials shall be labeled and stored in containers that are in good condition with tightly fitting lids so as to minimize the possibility of a release. Containers should be located in a non high-traffic area of the facility and in an area that is not easily accessible to the general public.

Material Safety Data Sheets for the drycleaning solvents that may be used at the facility shall be kept at the facility and available to the Department upon request.

4. Management of Releases of Drycleaning Solvents

All drycleaning facilities shall use release prevention methods. Facilities shall ensure that any release of drycleaning solvent is immediately contained and recovered, in order to abate to the greatest extent reasonably possible, further consequences to human health and the environment.

Notification Requirements. If it becomes reasonably apparent, while conducting environmental response activities, that an interim action is warranted to abate or mitigate an imminent and substantial danger to human health or the environment, the PEP shall take such action within twenty-four (24) hours after discovery of the danger and shall notify the Department of said actions.

Certification. Effective October 15, 2007, each drycleaning facility shall be staffed by at least one person who is a Certified Environmental Drycleaner (CED) as certified by the International Fabricare Institute, or has a certification deemed equivalent by the Board to meet this requirement. In the event of termination of employment or loss of certification by the CED, the facility has six months to replace the CED.

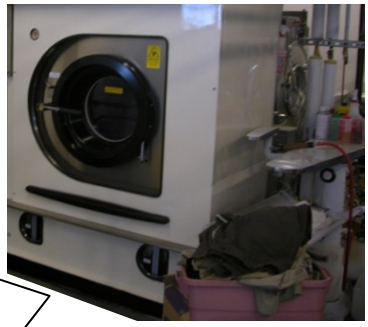
The DCERP Program is currently preparing a training class that will provide an alternative to the CED offered by IFI. The training course length is anticipated to be approximately 4 hours and will cover DCERP and APC and Solid Waste rules you need to know. The class will be taught by Program staff and will be available at locations across the State. The cost for these classes is free but note that a nominal charge may be instituted for future classes. As seating is limited please reserve your seat early by calling 615-741-2281. The following locations and times are currently scheduled.

October 15, 2007	Jackson
October 16 & 17, 2007	Memphis
October 31, 2007	Columbia
November 1, 2007	Nashville
November 6, 2007	Knoxville
November 7, 2007	Cookeville
December 4, 2007	Chattanooga

Class 2 BMPs. As of October 15, 2007, all active drycleaning facilities shall comply with Class 2 BMPs because they are critical for the prevention of drycleaning solvent releases.

1. **Containment Systems** are also known as secondary containment. The containment pan **must be installed under every machine in the State**.

- Dikes or other containment systems shall be installed under and around each drycleaning unit, solvent storage area and liquid waste storage areas.
- The system for each solvent storage and liquid waste storage area should be capable of containing a leak, spill or release of drycleaning solvent up to a quantity equal to 110% of the total amount of solvent that may be used or stored in the containment area.
- The system for each drycleaning unit should be capable of containing a leak, spill or release of drycleaning solvent up to a quantity equal to 110% of the total amount of solvent that may be stored in the largest tank within the containment area.
- To the maximum extent feasible, the sealants and other materials to be used in the construction of containment systems should not allow the transmission of drycleaning solvent.



2. Elimination of Potential Release Pathways - Flooring Integrity

To prevent the possible migration of solvents into soil, ground water or other media all cracked flooring, floor drains, or other structural conditions or defects that might act as a release pathway for solvents shall be sealed.

3. Solvent Delivery Systems. Drycleaning solvent shall be delivered to drycleaning facilities in such a manner as to minimize the possibility of spills and releases of solvent during transfer of the material. No pouring of drycleaning solvents from open buckets or other similar methods will be allowed. Delivery of drycleaning

solvents shall be adequately monitored to prevent overfills and spills. Beginning October 15, 2000, dense non-aqueous solvents or products delivered to drycleaning facilities shall be via closed, direct-coupled delivery systems.

Important Information for all Perchloroethylene Dry Cleaning System Operators from TDEC Air Pollution Control!

Please remember that **all** perchloroethylene (perc) dry cleaning systems must obtain a permit from the appropriate Air Pollution Control agency. This permit is required in addition to the annual Certificate you receive from the Dry Cleaner Environmental Response Program (DCERP). Please refer to your "Dry Cleaner's Compliance Calendar" or the TDEC website at: http://state.tn.us/environment/partners/ to determine the appropriate Air Pollution Control agency for your location.

There have been significant changes to the national standards for perchloroethylene (perc) dry cleaners, which were published by the Environmental Protection Agency (EPA) in the Federal Register on July 27, 2006. The following requirements apply to **all** perc dry cleaning systems, as specified:

All perchloroethylene dry cleaners must conduct monthly leak inspections using a halogenated hydrocarbon detector or perc gas analyzer (using a colorimetric detector tube **does not** fulfill this requirement). The date your dry cleaning system was installed determines when you must be in compliance with this new requirement. The date your system was installed is the date your machine was physically placed in your current location. Therefore, **if you move your machine to a new location, the installation date becomes the date it is placed at your new location, regardless of the manufacture date of your machine.**

- If your dry cleaning system was installed between December 1, 1991, and December 21, 2005, you must be in compliance beginning on **July 28, 2008**.

- If your dry cleaning system was installed after December 21, 2005, you must be in compliance beginning on **July 27, 2006**, or immediately upon startup of your system, whichever is later.

- If your dry cleaning system was installed after December 21, 2005, but before July 13, 2006, **and** it is located in a building with a residence, please notify your permitting authority immediately. There are several new requirements for dry cleaning systems that are located in a building with a residence.

- If your dry cleaning system was installed after July 27, 2006, you must be in compliance **immediately upon startup** of your system.

You are still required to conduct weekly (or biweekly) inspections for perceptible leaks; however, this monthly leak inspection fulfills the requirement to conduct the weekly (or biweekly) inspection scheduled for that week.

Under the new requirements, if your perc dry cleaning system is equipped with refrigeration system pressure gages, you must monitor and record the refrigeration system high pressure and low pressure during the drying phase, on a weekly basis. The high and low pressure values should be within the range specified in the manufacturer's operating instructions.

If your perc dry cleaning system is not equipped with refrigeration system pressure gauges, you shall continue to monitor and record the temperature of the air-perchloroethylene gas-vapor stream on the outlet side of the refrigerated condenser, on a weekly basis. The temperature shall be equal to or less than 7.2 °C (45 °F) before the end of the cool-down or drying cycle while the gas-vapor stream is flowing through the condenser. All new and existing perc dry cleaning systems must be in compliance with the new monitoring requirement beginning on **July 27, 2006**, or immediately upon startup, whichever is later.

All perc dry cleaning systems installed after December 21, 2005, must be equipped with a refrigerated condenser **and** a non-vented carbon adsorber (or equivalent control device).

For all perc dry cleaning systems installed after December 21, 2005, you must measure the concentration of perc in the dry cleaning drum at the end of the dry cleaning cycle weekly with a colorimetric detector tube or perc gas analyzer. [EPA has indicated that this requirement may change. Please contact your Air Pollution Control agency for information.]

Definitions that are new or have been revised:

Halogenated hydrocarbon detector means a portable device capable of detecting vapor concentrations of perc of 25 parts per million by volume and indicating a concentration of 25 parts per million by volume or greater by emitting an audible or visual signal that varies as the concentration changes.

Perc gas analyzer means a flame ionization detector, photoionization detector, or infrared analyzer capable of detecting vapor concentrations of perc of 25 parts per million by volume.

Residence means any dwelling or housing in which people reside excluding short-term housing that is occupied by the same person for a period of less than 180 days (such as a hotel room).

Vapor leak means a perc vapor concentration exceeding 25 parts per million by volume (50 parts per million by volume as methane) as indicated by a halogenated hydrocarbon detector or perc gas analyzer.

- For Information from State of Tennessee/Department of Environment & Conservation (TDEC) Air Pollution Control (APC) Regional Field offices, call 1-888-891-8332.
- To contact all local APC agencies call: Chattanooga/Hamilton Co. at 423-643-5990; Knoxville/Knox Co. at 865-215-5900; Memphis/Shelby Co. at 901-544-7775; and Nashville/Davidson Co. at 615-340-5653.
- To contact the Small Business Environmental Assistance Program (SBEAP) call 1-800-734-3619.

The purpose of the DCERP program is to provide funding and oversight for the response portion of the program that includes investigation and cleanup of sites with solvent contamination. While annual facility registration of active dry cleaning facilities is mandatory, participation in the environmental response portion of the program is voluntary. There are industry estimates that as many as 80% of dry cleaning facilities have some degree of contamination. In response we have designed our Best Management Practices to provide drycleaners with practices that will prevent pollution.

Drycleaner Environmental Response Program (DCERP)
4th Floor, L&C Annex, 401 Church Street
Nashville, TN 37243-1538
615-532-0900 Or 615-741-2281

http://www.state.tn.us/environment/permits/dcerp.shtml/ Or http://www.tennessee.gov/environment/dor/

The Tennessee DCERP program is a member of the State Coalition for the Remediation of Drycleaners (SCRD). Additional information about dry cleaner programs in other states, solvents, contamination information, technologies for cleanup and more are available at the SCRD web site at: http://www.drycleancoalition.org

We are including a replacement form on this page for those facilities that missed placed their 2007 Quarterly Solvent Purchase Log. Please remember you are **required** to submit a quarterly report for each facility in order to stay in compliance with DCERP rules and remain registered and eligible to purchase solvent.

Calendar Year 2007 Replacement Form
Drycleaner Environmental Response Program
Quarterly Solvent Purchase Log

FACILITY ID Number D-_____ FACILITY NAME: _____

FACILITY ADDRESS: _____

CITY, STATE, ZIP: _____Phone Number_____

Log Purchases from January 1, 2007 through March 31, 2007. This quarterly log is due no later than April 30, 2007.

Date	Solvent Type	Quantity (gallons)	Supplier Name

Log Purchases from April 1, 2007 through June 30, 2007. This quarterly log is due no later than July 31, 2007.

Date	Solvent Type	Quantity (gallons)	Supplier Name

Log Purchases from July 1, 2007 through September 30, 2007. This quarterly log is due no later than October 31, 2007.

Date	Solvent Type	Quantity (gallons)	Supplier Name

Log Purchases from October 1, 2007 through December 31, 2007. This quarterly log is due no later than January 31, 2008.

Date	Solvent Type	Quantity (gallons)	Supplier Name

MAIL THIS LOG REPORT EACH QUARTER TO:
Or fax report to (615) 741-1115

DCERP/DOR 4TH Floor Annex
401 Church Street
Nashville, TN 37243

Do Not cut each section apart, use this sheet all year.