Proposed Higher Hazard Designation for PCE:
Questions and Answers about Implications for Dry Cleaners.

Toxics Use Reduction Institute
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The following questions were raised at the Administrative Council's discussion of a proposed higher hazard designation for perchloroethylene (PCE).

1. Given that dry cleaners are already covered under the environmental results program (ERP), what would be the benefit of including them in the TURA program as well?

The ERP program provides an efficient means to ensure that dry cleaners comply with existing regulations and use best management practices. The TURA program complements the ERP program, requiring facilities to identify options, assess alternatives, and examine the financial implications of adopting safer alternatives. Under ERP, dry cleaners have achieved high levels of compliance with existing requirements. Experience has shown that participation in the TURA program not only facilitates compliance with other health and environmental regulations, but also frequently leads facilities to adopt cost-saving innovations.

2. What would be the business impact of the higher hazard designation for dry cleaners that meet the 1,000 pound threshold and the 10 employee threshold?

In 2002, dry cleaning facilities in Massachusetts had average receipts of $380,695 per plant and had an average of 7.4 paid employees. TURA compliance costs could range from about $3,400 to $5,600. Participation in the TURA program can also facilitate the identification and adoption of cost saving options; facilities that shift to wet cleaning may save 23% to 48% in monthly process-dependent operating costs. Please see the detailed financial information in the separate memo on this topic.

3. What fees does California collect from garment cleaners that use PCE?

The California Air Resources Board assesses a fee on the distributors that sell PCE to dry cleaners. The fee is designed both to create an incentive for cleaners to shift to safer alternatives, and to fund services to help cleaners in making the transition.

The fee was set at $3 per gallon in 2004, and increases one dollar per gallon per year from 2005 to 2013. Thus, for example, a facility using 100 gallons of PCE would pay $600 in fees in 2008, and $700 in 2009.

Most of the funds collected through this fee are used to provide $10,000 grants "to assist dry cleaners in switching from Perc to non-toxic and non-smog forming cleaning technologies such as water-based cleaning and carbon dioxide (CO2) cleaning."[1]

4. Are there other chemicals that it would be better for the TURA program to focus on at this time? Would a higher hazard designation for PCE be a poor use of TURA program resources?

To date, the Science Advisory Board has recommended the following eleven substances or categories of substances for designation as higher hazard substances: arsenic and its compounds; cadmium and its compounds; cyanide and its compounds; benzene; chlorine; ethylene oxide; formaldehyde; hydrogen cyanide; nickel and its compounds; PCE; and TCE. Of these, cadmium and its compounds and TCE have already been designated as higher hazard substances.

The TURA program is unlikely to invest significant program resources into working with users of ethylene oxide or hydrogen cyanide. Ethylene oxide is primarily used by hospitals, which do not file under TURA; and hydrogen cyanide is used by only a very small number of facilities. Arsenic and its compounds and benzene are also likely to be used by only a small number of facilities in TURA-covered SIC codes. Of the five substances that remain (cyanide and its compounds; chlorine; formaldehyde; nickel and its compounds; and PCE), the TURA program estimates that PCE is likely to have the largest number of users that are in TURA-covered SIC codes.

According to an industry representative, dry cleaners are already actively shifting away from PCE. This makes it important for the program to engage with cleaners as soon as possible, in order to assist them in making wise choices about alternatives.

The 2006 amendments to TURA were designed to allow the TURA program to focus its resources more closely on those substances of highest concern. The TURA program designated just three substances in 2007, and is proposing to designate just one in 2008. This relatively slow pace will ensure that adequate program resources are available to provide services to affected facilities.

Finally, the TURA program intends to analyze all eleven substances recommended by the SAB within the next couple of years. Thus, if another substance were put forward as higher priority for 2008, PCE still would be considered within the next year or two.

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[1] California Environmental Protection Agency Air Resources Board, Non-Toxic Dry Cleaning Incentive Program (AB998), information available at http://www.arb.ca.gov/toxics/dryclean/ab998.htm, viewed March 2008.