

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

310 CMR 72.00: INDUSTRIAL WASTEWATER STANDARD FOR DRY CLEANERS

Section

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72.01: Purpose and Authority

(1) The purpose of 310 CMR 72.00 is to provide for the protection of public health, safety, welfare and the environment by establishing industrial wastewater performance standards for dry cleaners and requiring a performance-based facility-wide compliance certification in accordance with 310 CMR 70.00.

(2) 310 CMR 72.00 is promulgated pursuant to the authority of M.G.L. c. 21, § 26 through 53, M.G.L. c. 21C and M.G.L. c. 111, §§ 142A through 142J.

72.02: Definitions

POTW Permit means a permit issued by a Publicly Owned Treatment Works (POTW).

Industrial Wastewater means wastewater resulting from any process of industry, trade or business, regardless of volume or pollutant content. Wastewater which contains only sanitary waste, and/or non-contact cooling water, compressor or air conditioner condensate is not considered industrial wastewater for purposes of determining applicability of the regulations at 310 CMR 72.00.

Publicly Owned Treatment Works or POTW means any device or system used in the treatment (including recycling and reclamation) of sewage or industrial wastewater which is owned by a public entity. A POTW includes any sewers, pipes, or other conveyances only if they convey wastewater to a POTW providing treatment.

Separator water means the wastewater phase produced by a water separator, such as a refrigerated condenser, carbon adsorber, still or muck cooker, used for the recovery of perchloroethylene vapors from dry cleaning equipment at a dry cleaning facility subject to 310 CMR 7.26. The following terms shall have the same meaning as set forth in 310 CMR 7.26(11): "water separator", "refrigerated condenser", "carbon adsorber", "still", and "muck cooker".

72.03: Applicability

(1) 310 CMR 72.00 applies to dry cleaners that are subject to 310 CMR 7.26.

(2) 310 CMR 72.00 does not apply to dry cleaners that are also industrial laundries described by SIC codes 7213 and 7218.

72.04: Performance Standard for Dry Cleaners

(1) No dry cleaner shall discharge industrial wastewater to the ground, septic system, or other on-site disposal system without a groundwater discharge permit pursuant to 314 CMR 5.00, or to surface water without a permit pursuant to 314 CMR 3.00.

(2) Each dry cleaner with a POTW permit shall comply with the terms and conditions of that permit.

(3) Each dry cleaner shall comply with the general and specific prohibitions listed below:

(a) General Prohibitions. No person shall discharge or cause to be discharged to a POTW any substances, materials or wastewaters that can harm the sewers, wastewater treatment process, or equipment; have an adverse impact on the receiving waters or can otherwise endanger life, limb, public property or constitute a nuisance.

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In determining the acceptability of these wastewaters, consideration shall be given to such factors as the quantities of such wastewaters in relation to flows and velocities in the sewers, materials or construction of sewers, nature of the wastewater treatment process, capacity of the wastewater treatment process, degree of treatability of such wastewaters in the wastewater treatment plant, and other pertinent factors. Pollutants introduced into POTWs by a non domestic source shall not pass through the POTW or interfere with the operation or performance of the works. These general prohibitions and the specific prohibitions listed in the 310 CMR 72.04(3)(b) apply to all non-domestic sources introducing pollutants into a POTW whether or not the source is subject to other pretreatment standards or any other Federal, State or local pretreatment requirements.

(b) Specific Prohibitions. In addition, the following pollutants shall not be introduced into a POTW:

1. Pollutants which create a fire or explosion hazard in the POTW;
 2. Pollutants which cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.5 or more than 9.5, unless the works is specifically designed to accommodate such discharges;
 3. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference;
 4. Any pollutant, including oxygen demanding pollutants discharged in a flow rate and/or pollutant concentration which will cause interference with the POTW;
 5. Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40°C (104°F) unless the Division, upon request of the POTW, approves alternate temperature limits.
 6. Wastewater containing perchloroethylene, except that separator water may be discharged.
- (4) Each dry cleaner that treats industrial wastewater shall comply with 314 CMR 12.03(3) and 12.04(2).
- (5) Dry cleaners using tanks or containers to store industrial wastewater shall:
- (a) use tanks which:
 1. have a containment structure with 110% capacity of the total volume of all above-ground tanks;
 2. have a bell and light alarm in a conspicuous location if they are remotely/ automatically filled tanks. The alarm must activate when the level of wastewater reaches 75% capacity of the tank and the alarm signal must be transmitted to a staffed location. Manually filled tanks must be provided with visual or sight glass type of level measurement;
 3. are located to provide year round access for emptying;
 4. have odor control as necessary;
 5. are made of, or lined with, materials which will not react with, and otherwise be compatible with the, industrial wastewater to be stored; and,
 6. are located in a secured storage area which is free of cracks and gaps that is sufficiently impervious to contain leaks and spills.
 - (b) use containers which:
 1. satisfy requirements set by the Department of Transportation for transportation of waste off-site, and
 2. are located in a secured storage area which is free of cracks and gaps that is sufficiently impervious to contain leaks and spills.
 - (c) maintain records sufficient to demonstrate that all industrial wastewater is shipped off-site to the POTW, including, but not limited to, transporter name and address, dates of shipment, amount shipped, and destination. These records shall be kept on-site for at least three years.
 - (d) implement the following operating procedures and work practices:
 1. spill control measures when filling, emptying or transporting containers
 2. report to the local Board of Health within 24 hours any occurrence of spills released to the environment

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- (6) Wastewater containing perchloroethylene shall not be evaporated, except that separator water may be evaporated.

72.05: Compliance Certification for Dry Cleaners

Beginning on September 15, 1998, and annually thereafter, dry cleaners shall submit to the Department a compliance certification in accordance with 310 CMR 70.00. Effective June 27, 2003, all dry cleaners required to certify pursuant to 310 CMR 72.00 shall submit to the Department an initial certification and thereafter file an annual compliance certification by September 15th of each year.

REGULATORY AUTHORITY

310 CMR 72.00: M.G.L. c. 21, § 26 through 53; c. 21C; c. 111, §§ 142A through 142J.