



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG - 4 1997

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

MEMORANDUM

SUBJECT: Dry Cleaner MACT - Compliance Alert

FROM: Bruce Buckheit, Director *Bruce Buckheit*
Air Enforcement Division
Office of Regulatory Enforcement

Elliott Gilberg, Director *Elliott Gilberg*
Chemical, Commercial Services and Municipal Division
Office of Compliance

TO: Regional Counsel, Regions I - X
Regional Air Program Directors, Regions I - X

The Office of Air Quality Planning and Standards (OAQPS) has informed OECA of a situation that has arisen in some parts of the United States regarding dry cleaners. Apparently, some dry cleaners in the New York City area and perhaps in some other parts of the country may have been sold faulty equipment which will not achieve compliance with the dry cleaner air toxics (MACT) standard, 40 C.F.R., Part 63, Subpart M.

A dry cleaners association has informed EPA that these dry cleaning machines cannot chill their refrigerated condensate down to 45 degrees F. as required by Subpart M, 40 C.F.R. Section 63.323(a)(1), but may still achieve perchloroethylene emission reductions that are comparable to machines that meet the standard. They claim that some of these machines can lower the condensate temperature to 50 degrees F while other machines can only reach 55 degrees F. At this time, we are not sure if the cause of the asserted problem is an inherent limitation in the technology, a design defect of a particular manufacturer, or some other problem that might be readily fixed.

If the problem of non-compliance is an inherent limitation of the technology, OAQPS may consider modifying the MACT standard for these machines. EPA would prefer not to revise the MACT if this problem is limited. In determining the extent of the

problem headquarters is requesting assistance from this dry cleaning trade association and the Regions and states. We would like to learn how many machines are involved, in what areas, and whether something can be done to adjust or modify the machines in the field so that they will achieve compliance. As you conduct inspections or compliance visits to dry cleaning facilities in your Region, we request that you gather information on this issue, and that you ask your states to do the same. Please gather information concerning the facility's ability to comply with Section 63.323(a)(1), the model, year, and make of the machines, its location, e.g. city and state and the address of the manufacturer, if available.

The dry cleaning trade association has said that there is widespread noncompliance with the dry cleaner MACT in many areas of the country. If you find that a dry cleaner is in compliance with all other provisions of the MACT except for failing to meet the 45 degree requirement by 5 or 10 degrees, we request that you identify these cases and discuss the matter with this office and OAQPS before bringing an enforcement action.

This is not a No Action Assurance or a suggestion that compliance is not required. This memorandum creates no rights for regulated parties that are not expressed in the MACT. Any questions about this memorandum should be directed to Charles Garlow, AED, 202-564-1088 or Joyce Chandler, CCMSD, 202-564-7073. Information gathered on such non-complying machines should be forwarded to Joyce Chandler, Mail Code 2224A, US EPA, 401 M St SW, Washington, D.C. 20460.

cc: Regional Air Toxics Coordinators, Regions I - X
Bruce Jordan, OAQPS
Doug Bell, OAQPS
Fred Porter, OAQPS
George Smith, OAQPS

