



PUBLIC HEARING NOTICE

January 16, 2009

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

TO: INTERESTED PARTIES
FROM: EXECUTIVE OFFICER / APCO
**SUBJECT: PUBLIC HEARING – PROPOSED AMENDMENTS TO
REGULATION 11, RULE 16: PERCHLOROETHYLENE AND SYNTHETIC SOLVENT
DRY CLEANING OPERATIONS;
REGULATION 8, RULE 17: PETROLEUM DRY CLEANING OPERATIONS; &
REGULATION 2, RULE 1: PERMITS, GENERAL REQUIREMENTS
PROPOSED DELETION OF REGULATION 8, RULE 27: SYNTHETIC SOLVENT DRY
CLEANING OPERATIONS**

On Wednesday, February 18, 2009, The Board of Directors of the Bay Area Air Quality Management District (District) will conduct a public hearing to consider proposed amendments to Regulation 11, Rule 16: Perchloroethylene and Synthetic Solvent Dry Cleaning Operations (Rule 11-16), Regulation 8, Rule 17: Petroleum Dry Cleaning Operations (Rule 8-17), Regulation 2, Rule 1: Permits, General Requirements (Rule 2-1) and Regulation 8, Rule 27 Synthetic Solvent Dry Cleaning Operations, and to consider adoption of a CEQA Negative Declaration. The hearing will be held in the 7th Floor Board Room of the District Office, 939 Ellis Street, San Francisco. District Board meetings commence at 9:45 a.m.

This District is proposing amendments to Rule 11-16 to incorporate recent changes in State Law. The California Air Resources Board amended the Airborne Toxic Control Measure: ATCM for Emissions of Perchloroethylene from Dry Cleaning Operations, which became effective on December 27, 2007.

The proposed changes would prohibit new installations and relocations of dry cleaning equipment using Perchloroethylene (Perc) and phase out existing Perc dry cleaning equipment. Effective July 1, 2010, the rule would prohibit Perc equipment at Co-residential Facilities, converted Perc machines, and Perc equipment older than 15 years old. The proposal would prohibit all Perc dry cleaning operations effective January 1, 2023. The proposed rule would also prohibit dip tanks, drying cabinets and halogenated solvent spotting solutions containing halogenated solvents (e.g., Perc and Trichloroethylene).

The proposal includes additional operational requirements for dry cleaning equipment, including requiring a spare set of gaskets, allowing shorter time for repairs, and mandating additional reporting and record keeping, and requiring an on-site certified operator whenever Perc equipment is operated.

The District is proposing amendments to and renaming of Rule 8-17 (currently Petroleum Dry Cleaning Operations) to incorporate requirements for new dry cleaning solvents that were developed as alternatives to Perc. This proposal would limit emissions of these volatile solvents from existing and future dry cleaning operations that are partially a consequence of the mandated Perc phase-out.

The revised Rule 8-17 would require that all new non-halogenated machines be closed-loop (new transfer equipment, vented machines and the transfer of solvent laden materials from one machine to another mid-cycle would be prohibited). The proposal would also prohibit the use of halogenated solvents in spotting solutions.

The proposal would also add a registration requirement for all dry cleaning equipment that is subject to Rule 8-17 and is exempt from permit requirements of Rule 2-1. The proposal would amend Rule 2-1 Section 120 to change the permit exemption level for non-halogenated dry cleaning facilities from 700 gallons/year to 200 gallons/year (gross consumption).

Finally, Rule 8-27 is an obsolete rule and needs to be formally retired from the District's active listing of Regulations.

939 ELLIS STREET • SAN FRANCISCO CALIFORNIA 94109 • 415.771.6000 • www.baaqmd.gov

PROPOSED REGULATORY AMENDMENTS:

The following table provides a summary of the major proposed changes to Rule 11-16.

Perc and Synthetic Solvent Changes	
<i>Date</i>	<i>Milestone</i>
Effective date of rule	a. Prohibition of new or replacement machines using Perchloroethylene, dry cleaning cabinets, dip tanks and water repellent treatment outside of a dry cleaning machine. b. Environmental training requirements for existing facilities (Section 310).
July 1, 2009	Purchase of spotting solutions that contain halogenated solvents (e.g. TCE & Perc) is prohibited.
July 31, 2009	Submit initial notification form to District (Section 401).
December 31, 2009	a. Facilities using Perchloroethylene solvent must declare option for: (1) Conversion to an alternative dry cleaning method and the expected date of installation of the new equipment, or (2) The date their Perc dry cleaning equipment will cease operation. b. For conversions: submit a completed application for Authority to Construct for the appropriate permit or registration information for exempt equipment.
July 1, 2010	a. All Co-Residential Perchloroethylene solvent facilities must cease operation and retire their Perc equipment; b. All converted machines must cease operation and be retired; c. All Perchloroethylene solvent machines with a date of manufacture prior to July 1, 1995 must cease operation and be retired; d. All Perchloroethylene solvent machines with an unknown date of manufacture must cease operation and be retired; and e. After this date, all Perchloroethylene solvent equipment with a date of manufacture after July 1, 1995 must cease operation when the equipment reaches (15) fifteen years of age. f. Use of spotting solutions that contain halogenated solvents (e.g. TCE & Perc) is prohibited.
January 1, 2023	All Perchloroethylene dry cleaning operations are prohibited.

The following table provides a summary of the major proposed changes to Rule 8-17 and 2-1.

Nonhalogenated Solvent Changes	
<i>Date</i>	<i>Milestone</i>
Effective date of rule	All new non-halogenated dry cleaning machines must be closed-loop. Non-halogenated dry cleaning machines that are exempt from permit requirements must be registered: (1) New machines: within 30 days of installation (2) Unregistered existing machines: within 90 days of effective date of rule. Permit exemption level changed from 700 gal/yr to 200 gal/yr (gross consumption).
July 1, 2009	Purchase of spotting solutions that contain halogenated solvents (e.g. TCE & Perc) is prohibited.
July 1, 2010	Use of spotting solutions that contain halogenated solvents (e.g. TCE & Perc) is prohibited.

Pursuant to the California Environmental Quality Act (Public Resources Code §21000 et seq.), an initial study for the proposed amendments has been conducted, concluding that the proposed amendments would not have significant adverse environmental impacts. Notice is hereby given that the District intends to adopt a negative declaration for the amendments pursuant to Public Resources Code section 21080(c) and CEQA Guidelines section 15070 et seq. The proposed amendments to Regulation 11, Rule 16, Regulation 8, Rule 17, Regulation 8, Rule 27, Regulation 2, Rule 1, a staff report, socioeconomic analysis, CEQA environmental analysis and draft Negative Declaration are available on the District website at: http://www.baaqmd.gov/pln/ruledev/regulatory_public_hearings.htm. Comments on the proposed amendments and Negative Declaration may be directed to Marc Nash, Air Quality Specialist, Bay Area Air Quality Management District, 939 Ellis Street, San Francisco, California, 94109, or via e-mail at mnash@baaqmd.gov. Written comments on the regulatory proposal and Negative Declaration will be accepted until 5:00 p.m. on Friday, February 6, 2008.