

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)	FINDING OF VIOLATION
)	OF THE CLEAN AIR ACT
Paris Cleaners)	42 U.S.C. §7401, <u>et seq.</u>
St. Mary's, Ohio)	
)	EPA-5-99-OH-15

The Administrator of the United States Environmental Protection Agency ("U.S. EPA"), by authority delegated to the undersigned, hereby notifies Paris Cleaners that U.S. EPA finds Paris Cleaners to be in violation of the National Perchloroethylene Air Emission Standard for Dry Cleaning Facilities ("Perchloroethylene NESHAP") set forth at 40 C.F.R. Part 63, Subpart M, and Section 112 of the Clean Air Act ("Act"), 42 U.S.C. § 7412.

REGULATORY BACKGROUND

1. On September 22, 1993, in accordance with Section 112(d) of the Act, U.S. EPA promulgated the Perchloroethylene NESHAP at 40 C.F.R. Subpart M, §§ 63.320 - 63.325. The final rule was later amended on December 20, 1993.
2. Subpart M applies to the owner or operator of each dry cleaning facility that uses perchloroethylene (perc). 40 C.F.R. §63.320(a)
3. Each dry cleaning system that commenced construction before December 9, 1991, and each new transfer machine system and its ancillary equipment that commenced construction on or after December 9, 1991 and before September 22, 1993, shall comply with 40 C.F.R. §63.322(a) and (b) by September 23, 1996. 40 C.F.R. §63.320(c)
4. A dry cleaning facility is a "major source" if it includes both dry-to-dry machines and transfer machine systems and has a yearly perc consumption greater than 1800 gallons, as measured by the sum of the volume of perc purchases in a 12-month period. 40 C.F.R. §63.320(g)(2), 40 C.F.R. 2163.323(d)
5. Dry cleaning machines at major sources that are transfer machine systems installed prior to September 22, 1993, must be contained inside a room enclosure which is 1) constructed of materials impermeable to perc, and 2) designed and operated to maintain a negative pressure at each opening at all times that the machine is operating. 40 C.F.R. §63.322(a)(3)

6. Each room enclosure used for the purposes of complying with 40 C.F.R. §63.322(a)(3): (1) shall be operated to vent all air from a room enclosure through a carbon adsorber or an equivalent control device; and (2) shall be equipped with a carbon adsorber that is not the same carbon adsorber used to route the air-perchloroethylene gas-vapor stream contained within each dry cleaning machine referred to in paragraph (a)(2) or (b)(3) of 40 C.F.R. §63.322. 40 C.F.R. §63.322(h)
7. Each owner or operator of a dry cleaning facility was required to notify U.S. EPA or delegated State authority in writing by June 18, 1994 of its existence, among other things, and to demonstrate to the Administrator's satisfaction that each room enclosure used to meet the requirements of §63.322(a)(3) meets the requirements of §63.322(a)(3)(i) and (ii). 40 C.F.R. § 63.324

STATEMENT OF FACTS

8. Paris Cleaners is the owner and operator of a dry cleaning facility located at 1975 Celina Road, St. Mary's, Ohio. The facility operates, among others, two forty pound transfer washers and five tumbler/dryers with refrigerated condensers only. This equipment was installed prior to December 9, 1991.
9. On or before September 23, 1996, Paris Cleaners was required to enclose the two transfer washers and five tumbler/dryers in a room constructed of perc impermeable materials and kept under negative pressure. Paris Cleaners has not enclosed these systems in violation of 40 C.F.R. §63.322(a)(3).
10. On or before June 18, 1994, Paris Cleaners was required to submit notification to U.S. EPA or the delegated State Authority about the existence of the facility and include documentation of the room enclosure required in 40 C.F.R. §63.322(a)(3). Paris Cleaners did not submit the required notification until years later and did not include information regarding the room enclosure in violation of 40 C.F.R. §63.324(a).

FINDING OF VIOLATION

The Administrator of U.S. EPA, by authority duly delegated to the undersigned, notifies Paris Cleaners, that it has violated the

National Perchloroethylene Air Emission Standard for Dry Cleaning Facilities as set forth in this Finding of Violation.

3-31-99

Date

Richard C Karl

Richard C. Karl
Acting Director
Air and Radiation Division