

# Kansas Dry Cleaning Program Newsletter



Spring 2013

## What's New at KDHE?

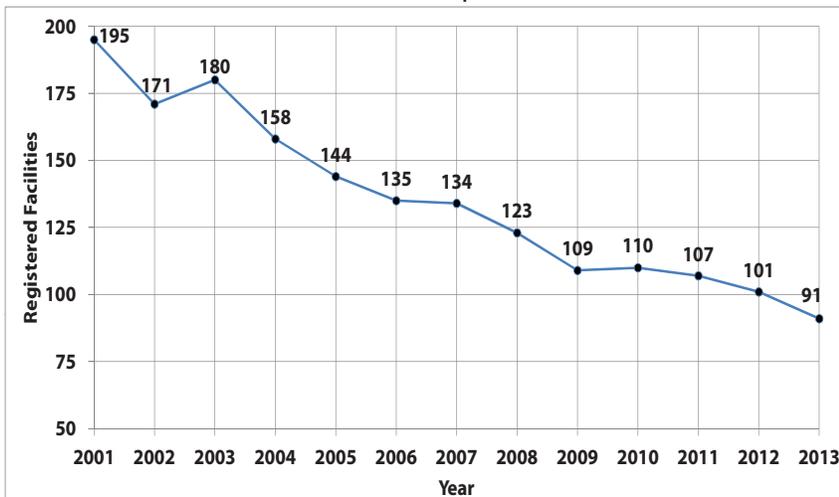
This is the first Newsletter since the winter of 2006. As a result, there have been many changes at KDHE and within the dry cleaning industry since then. While we cannot cover all the changes in this small space, let's just skip to the KDHE changes for those who have not heard. My name is Scott Yankey and I took over the Unit Manager position in the Dry Cleaning Program (Program) in 2010. Bob Jurgens has moved up the ladder here at KDHE and is now the Section Chief for the Assessment and Restoration Section that includes our Program. So don't worry, Bob is still around to help me find my way through the issues faced by your industry and our Program.

I was employed as an environmental consultant for over 25 years prior to taking this position and I am familiar with site characterization, remedial alternative selection, the implementation of remedial systems, as well as minimizing impacts to owner concerns and hope that I can serve both the State of Kansas and the dry cleaning industry as I try to fill Bob's shoes as the manager of the Program that he has helped to develop.

Please feel free to contact me by telephone at 785-296-8025 or by e-mail at [syankey@kdheks.gov](mailto:syankey@kdheks.gov) if you need any assistance or have questions related to the Kansas Dry Cleaning Program.

## 2013 Facility Registration

A total of 94 dry cleaning facilities are active in 2013 based upon facility registration and follow-up confirmation actions by Program personnel. The graph shown below depicts a steady decline in the number of active dry cleaning facilities since at least 2001. A total of 91 facilities registered for 2013 prior to the deadline and three facilities were issued penalties for late registration. Six facilities were confirmed as closed or became drop-off facilities since 2012.



## Remediation Trust Fund News

The Kansas Dry Cleaning Facility Release Trust Fund (Fund) provides funding for corrective action at contaminated dry cleaning facilities. As of April 2013, KDHE has a total of 152 contaminated dry cleaning facilities enrolled in the Program to receive Fund monies. Seventy seven of these sites receive funding for remedial activities, 61 sites are backlogged until funding is available (funded based upon a site ranking system), and 14 sites have been assigned a "closed" status. Closed status sites include facilities that have been assessed and determined not to be contaminated or remediation efforts have been successful in reducing soil and groundwater contaminants below cleanup levels.

We are about two thirds of the way through Fiscal Year 2013 and Fund income is projected to total approximately \$840,000. Over the last six years, the Fund has seen a 42% reduction in income, down from \$1,440,000 in 2007. Fund income is provided through active dry cleaner annual registration, solvent surcharges, gross receipt surcharges, and a Fund deductible amount of \$5,000. During this six year period of declining income, the Fund has added 22 additional sites to the Program that will require expenditures to assess and possibly remediate impacts. Needless to say, we have to find ways to do more with less. This is



our biggest hurdle to overcome in recent years. Here's to a brighter fiscal year for 2014!

## Hazardous Waste Regulation Reminder

If you use perchloroethene (Perc) as your dry cleaning solvent, you must abide by both the KDHE Dry Cleaning Program regulations as well as the hazardous waste regulations, that were revised in April 2011. The hazardous waste regulations can be found online at: [http://www.kdheks.gov/waste/regsstatutes/hw\\_laws.pdf](http://www.kdheks.gov/waste/regsstatutes/hw_laws.pdf). The KDHE Bureau of Waste Management has prepared a Hazardous Waste Generator Handbook to help guide you through complying with the new regulations. The Handbook can be found online at: <http://www.kdheks.gov/waste/forms/hazwaste/gen700-HWGenHandbook2011.pdf>. Please review the Handbook in conjunction with the hazardous waste regulations to assure that you are in compliance.



This section highlights examples of some key changes in the updated hazardous waste regulations. Please refer to the documents referenced above or contact Rebecca Wenner in the Bureau of Waste Management (785-296-1604) if you have questions regarding the regulations. The hazardous waste regulations contain four generator classifications: 1) a Conditionally Exempt Small Quantity Generator (CESQG) that generates less than 55 pounds of hazardous waste in any single calendar month, 2) a Kansas Small Quantity Generator (KSQG) that generates more than 55 pounds, but less than 220 pounds of hazardous waste in any single calendar month, 3) a Small Quantity Generator (SQG) that generates more than 220 pounds, but less than 2,200 pounds of hazardous waste in any single calendar month, and 4) a Large Quantity Generator (LQG) that generates 2,200 pounds or more of hazardous waste in any single calendar month.

If your facility is a CESQG or a KSQG, you will now have the option of waste disposal at a Kansas household hazardous waste (HHW) facility, provided it is a permitted facility and approved by the Secretary of KDHE to accept CESQG or KSQG waste.

If your facility is a KSQG, a SQG or a LQG, you will now have to perform employee training annually and maintain the training records for at least three years.

These are just a few of the changes that apply to dry cleaning facilities that use Perc. Please review the regulations to familiarize yourself with all the changes.

## Common Compliance Violations - Did you Know...

### Pollution Prevention

If you generate hazardous waste (i.e. use Perc as your solvent) the need to properly attach hazardous waste labels on waste storage drums is vital to your business. A primary reason for its importance, besides being in the regulations, is that labels allow inspectors and waste handlers to immediately identify what is in the drum. If you are a Green Earth solvent user, you must label your waste drums and handle your waste as a "special waste". Please remember to keep the waste drums securely closed with closure bands when not being filled. This is a common and easy violation to avoid.

You must also record the accumulation start date on the hazardous waste label. This date identifies when you started using the drum and an estimation can quickly be made to show how much product you are using and whether the waste storage limit has been exceeded. The information can be used as a tool to help you determine if your machine is working properly.

If you are a Perc user and, therefore a generator of hazardous waste, you are also responsible for

knowing where that product is being disposed and when it arrives at its final destination. Be sure and keep all receipts showing your shipments and file them in a secure place in your business. The annual compliance calendars provided by the Kansas Small Business Environmental Assistance Program (SBEAP) and KDHE are a good place to store important records for easy access.

### Secondary Containment

The industry is going through changes with the advent and increased use of "green" solvents. Some operators are being told the need for secondary containment is no longer necessary. However, this is not true. All dry cleaning operations, regardless of solvent type, are still required to have secondary containment. The operator is responsible for checking and maintaining the containment structures and documenting the required inspections.

All secondary containment must be KDHE-approved and capable of containing the entirety of any spill or leak. KDHE has approved the use of polyethylene for containment structures.

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## Common Compliance Violations - Continued

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### Facility Logs/Calendars

Regardless of what solvent is being used, all dry cleaners still have to maintain a log of machine inspections, secondary containment inspections, and stored solvent, if applicable. The compliance calendars are provided to help you meet these requirements.

Weekly inspection of the condition of your secondary containment and machine saves your business money. In today's economy, the costs of operating a dry cleaner are increasing. By monitoring your equipment you may be able to prevent costly repairs or clean ups. Regulations require that each facility perform and record these inspection observations. If any deficiencies are found and repairs are made, be sure and record that on the inspection log.

Please keep the calendar in a convenient location, highly visible to you, because it will be easier to remember to fill out the appropriate sections documenting your inspections. If you are unsure what needs to be inspected, help is not far away. The complete regulations are posted on the KDHE website at <http://www.kdheks.gov/dryclean/regs.html>. You can call KDHE's Dry Cleaning Unit for guidance. Small businesses can call SBEAP at 800-578-8898 and ask to speak to someone on their staff concerning dry cleaner compliance.

SBEAP will come to a small business and explain the rules and regulations that apply to your operations

at no cost to you. If you do not have a copy of the current calendar, you can also access this on-line at [http://www.sbeap.org/publications/2013-Perc\\_Calendar.pdf](http://www.sbeap.org/publications/2013-Perc_Calendar.pdf) for the Perc calendar or at [http://www.sbeap.org/publications/2013-Petro\\_Calendar.pdf](http://www.sbeap.org/publications/2013-Petro_Calendar.pdf) for the Non-Perc solvent calendar. Do not forget that our website located at <http://www.kdheks.gov/dryclean/index.html> also has other useful downloads and guidance publications for your use.

*What is wrong with this picture?*



*Answer: No Secondary Containment for the Wastewater Buckets*

### Project Highlight - Van's Laundry, Derby

The Kansas Dry Cleaning Program initiated a source removal at the former Van's Laundry. The facility was no longer active and the building was occupied by the Madison Avenue Salon, as shown in the photograph. The facility is located in the interior of a strip mall. Previous site assessment activities identified Perc in soil beneath the facility at concentrations of up to 51,000,000 micrograms per kilogram ( $\mu\text{g}/\text{kg}$ ). The KDHE Risk Based Standard for Perc in soil is 121  $\mu\text{g}/\text{kg}$  to protect groundwater. KDHE then temporarily



relocated the current tenants and performed source soil excavation and removal activities. Interior furnishings located in the excavation area were moved by the owners and stored on-site in a mobile storage unit.

Upon disconnecting sub-slab utilities from service, preparations for excavation were conducted. These activities included

### Who to contact if you have questions

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Web site: [www.kdheks.gov/dryclean/](http://www.kdheks.gov/dryclean/)

#### **Drycleaning Technical Advisory Committee (DTAC):**

Scott Shmalberg: (785) 843-0639, Scotch Fabric Care, Lawrence  
Brian Gieber: (785) 539-4211, Stickel Cleaners, Manhattan

**DTAC is currently down to two members. If you have a desire to serve on this committee, please contact Scott Shmalberg.**



**Breaktime:** A man opened a dry cleaning business next door to a Convent. He knocked on the door and asked the Mother Superior if she had any dirty habits.

## Project Highlight - Van's Laundry, Derby (Continued)

the removal of interior walls, drop ceiling, and other facility features to allow floor removal. Temporary walls and dust control measures were installed and the front door and plate glass storefronts were removed to allow equipment entry.

The initial activity included removal of the concrete slab. Soil excavation was performed using a mini excavator. Excavated soils were loaded into a skid steer with a dump hopper attachment and transferred to a roll-off container for disposal. An area approximately 20 feet by 36 feet and up to 12 feet deep was excavated using a bench step method. As the excavation proceeded, a masonry structure that likely served as a sediment collection basin for the former drycleaning operations was identified in the southern portion of the excavation. Soil samples obtained within and around and below this basin were the highest observed and was the primary source of soil and groundwater impacts. A total of 57 soil samples from the excavation were analyzed with a field-based portable laboratory to quickly guide the excavation extent, both horizontally and vertically. Post excavation soil samples determined the volatile organic compound concentrations remaining in soil beneath the facility. A total of 173 tons of contaminated soil were removed from beneath the facility and disposed as "special waste" at the Plumb Thicket Landfill in Harper County, Kansas.

Upon completion of the excavation activities, an in-situ chemical oxidation (ISCO) delivery system was installed within the excavation to treat remaining impacted soil and groundwater. The gravity-feed

chemical delivery system consists of a delivery pipe at the surface with vault access behind the facility building for chemical application of sodium permanganate ( $\text{NaMnO}_4$ ).

The excavation was backfilled with pea gravel (base) and crushed stone (top) after the ISCO delivery system was installed. Excavation backfilling was accomplished through the storefront and expedited with a conveyor belt system as shown in the photograph.



The salon was then restored to its original condition and the tenants returned to continue business in less than three months.

KDHE currently applies  $\text{NaMnO}_4$  through the delivery system periodically and allows it to infiltrate through soil to the groundwater to remediate remaining impacts.

KDHE was able to complete these activities for less than the planned budget of \$206,000.