Dry Cleaning Update No.5
April 2007

Don't forget

The deadline for duly made applications was 31 October 2006. From now on any existing operators who continue to operate without having first submitted a duly made application will be operating illegally. Local authorities should bear in mind the Cabinet Office Enforcement Concordat when considering what action they might take in these cases:- link below:

www.cabinetoffice.gov.uk/REGULATION/reform/enforcement_concordat/index.asp

Amendment of outline permit conditions

It is considered that specimen conditions 26 and 27 in PG6/46 (perc monitors) are not required - see the final Q+A below

New Fees and Charges Scheme applies from 1st April 2007

The new fees and charges scheme is available in full at this web address:

http://www.defra.gov.uk/environment/ppc/localauth/fees-risk/fees.htm

The application fee for new dry cleaners is £138
The addition to the application fee for those operators operating without a permit is £63
The annual subsistence fee is £141
The substantial change fee is £91
The fee for a partial transfer is £42 (the fee for a full transfer has been removed).

Issuing permits

There are 6 months between now (from the date of this Update) and the deadline for complying with the SED. We have already stated in Update No.4 the need to balance the benefits to business of not paying subsistence fees sooner than they need to with the recognition that the operators must have a permit in place **and comply with the SED** by end-Oct 2007.

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We envisage that most LAs will have issued or be in the process of issuing permits to those operators which need to make improvements prior to the SED deadline to cover the regulatory costs borne by the LA. The advice regarding the deferral of issuing permits until relatively near to the Oct 2007 deadline so that those dry cleaners who have no improvements to make do not have to pay subsistence fees earlier than needed still stands.

We've had a query about the implications of delaying determinations for the statistical returns. We accept that this will mean that authorities' returns will show more cases where the 4-month deadline is exceeded, and we will ensure that the statistical report recognises the cause of this.

SLEAT machine certification scheme / code of practice

SLEAT are currently working on a code of practice for suppliers of dry cleaning equipment. The code is designed to identify those machines which are covered by the code and conform to the SED requirements. It is also aimed at providing a positive indication of compliance, maintenance and training. We will be informing all LAs when the code is published.

Disposal of nominally empty solvent containers

While disposal of containers is beyond the scope of Part B, local authorities may like to inform the dry cleaners they regulate that there are services available enabling them to return the nominally empty containers for re-use/recycling. Defra has been made aware of two such firms although has no knowledge of whether they have appropriate waste licences or not.

The Laundry Room, 172 East Bawtry Road, Whiston, Rotherham S60 3LR and
Dry Clean Supplies Ltd (DCS), 19C Wem Business Park, New Street, Wem, Shropshire, SY2 5JX

If authorities know of any other such firms, they may want to share this information through the CIEH's EHCNet or through the LACORS e-networking arrangements.

Duty of care

It is for the Environment Agency to determine whether there are any duty of care issues where hazardous waste is being produced, and to decide their enforcement approach having regard to the amount of hazardous waste that is being produced. Waste disposal is not a matter covered by Part B.

Dry cleaners changing ownership in mid-application

Where dry cleaners change hands before applications are determined, one approach is for the new owner informing the local authority of the change in writing, including

a) the data required by A2.1 and A2.2 of the outline application form, and

b) a statement that all the information in the extant application remains correct, or details of any changes. LAs will need to make the regulation 10(3) assessment in relation to the competence of the new owner but, other than this (unless any of the detailed application information is amended), the process of determining the application should be a relatively seamless process.

Problems complying with SED?

Most recent machines supplied to the industry sector are normally termed 4th or 5th generation. It is unlikely machines that are earlier than these will comply with SED as they do not have the solvent recovery systems to enable them to do so. (This does not rule out the possibility that some operators may be able to comply, but LAs faced with a claim of this nature are advised to verify this). Should a more recent machine fail to comply with SED then the issues below may be worth investigating to see if they contribute to the failure to comply.

Losses from 4th/5th generation machines under normal operation occur when air is released from the machine following the operating cycle. During solvent distillation the vapour is condensed by a unit cooled with water. If the temperature of this water is allowed to rise then the efficiency of the condenser is compromised. The pressure within the machine rises, with a greater loss of solvent on opening the loading door. Temperature rise can be due to recirculation of the water used for cooling, or supply from a mains break tank situated within the building. On the air side, a refrigerated condenser is fitted to the machine as the primary solvent recovery mechanism during the drying cycle. If the refrigerated heat exchanger becomes covered in lint from the clothes, the heat exchange characteristics are changed with a lower recovery of solvent. 5th generation machines, however, should be able to comply as these are fitted with an additional carbon adsorption filter which removes the additional solvent prior to opening the loading door. Cleaning of the refrigerated heat exchanger is not a job that can normally be done by the operator.

There are other issues that may also cause non-compliance with SED, such as leaking pipework, but should initial work fail to find such a cause then the above options should be considered.

Environmental Permitting Programme (EPP) – risk inspections for dry cleaners

In the EPP 2nd consultation paper it was outlined that we will, in due course, be looking at introducing risk-based methods for dry cleaners and other reduced fee activities. Whilst no changes will occur during this financial year, it is worth being aware of this intention.

http://www.defra.gov.uk/environment/ppc/localauth/pubs/guidance/notes/aqnotes/pdf/aq15-06.pdf

Small error in instruction sheet for VOC spreadsheet

It has been noted that there is an error on the instruction sheet for the VOC workbook spreadsheet. It states, wrongly, that there are 4 input boxes – the 4th one being “Specific Gravity from Supplier”. Please ignore this reference in the instruction sheet.

Perc monitors and carbon filters

Please refer to Q and A below

Q+ A

Operator Training

Question:

Could you advise me about condition 6 in the permit for dry cleaners relating to operator training? If the operator states in their application that they received on the job training and have been operating the dry cleaners for 20yrs (or something similar) - how can this training be recorded?

Is it acceptable to have a signed statement from them saying that they were trained in accordance with the manufacturers recommended operating instructions? It seems unreasonable to expect experienced operators to arrange further training just so that it can be documented for the purposes of the Permit.

Answer:

Condition 6 specifies that "all operating staff must be trained in the operation of each dry cleaning machine and the control and use of dry cleaning solvents. The training received must be recorded. I think that if you are satisfied through your conversations with the operator that he/she and relevant staff are fully conversant with the operation of a dry cleaning business, the technical aspects etc, it would be reasonable to conclude that the terms of condition 6 have been met notwithstanding the absence of any written record. Evidence in the form of records should be sought wherever possible, and any future training ought to be recorded.

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Water Separators

Question: Having visited a number of businesses, the way in which separator water is treated varies (I have listed 3 methods) and I wish to know what the recommended method for disposing of separator water waste should be.

Method 1. Via secondary separator and activated carbon absorption bed to drain (new machine).

This method follows the requirement for new Perc machines as in PG6/46. However, I attended a dry cleaning course where it was stated that the activated carbon bed technique does not work and the requirement will be removed? Please confirm.

Answer to Method 1 Question

This is the normal standard for new machines and if fitted will be acceptable. With respect to the carbon filter, a simple calculation will indicate that the "perc" remaining in the water discharged from the secondary separator is at a very low concentration. Coupled with the small weekly volume discharged the impact will be minimal as far as the sewage undertaker is concerned. The comment at the course presumably refers to the small added value of the carbon unit, where retro fitting to older machines does not represent BAT.

Other factors that have to be taken into consideration are a) determining when the carbon filter is saturated, and b) disposing of the saturated unit. (See below). Failure by the operator to consider these issues compromises the value of the carbon unit.

Question: Will Method 2 affect the calculation of solvent consumption figures?

Method 2. From primary separator to plastic container and then to waste drum which already contains raked out still residues.

Answer to Method 2 Question

First, the water from the primary separator should always go to a secondary separator before discharge. (Refer to UpDate 2 regarding the position of machines where this secondary separator is not supplied as an integral part of the machine). Adding the discharge from the secondary separator to the waste drum will affect the recovery figure for solvent as will addition of the spent carbon mentioned above. These practices are not recommended. In such cases an adjustment to the calculation could be required.

Question: Isn't Method 3 quite a common (illegal?) disposal method?

Method 3. From primary separator to plastic container and then down the toilet.

Answer to Method 3 Question

As method 2, the water from the primary separator should always go to a secondary separator before discharge. Once this has been done the preferred method of disposal is to foul sewer, as the quantity and contaminant level is negligible. You would have to ask the sewage undertaker re: the legality of disposal via the toilet, as opposed to disposing of it via another route.

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Perc Monitors

Question:

I would like some advice on the use of continuous perc monitors, including information on the types and costs of such monitors.

Answer:

We are revising previous advice and do not now expect perc monitors to be installed or used as a matter of course under LAPPC. (They may separately be required for health and safety purposes, or be fitted by operators for business reasons. For information, they cost approx £450 and suppliers can be found on the Internet.)

Current advice from HSE is that such monitors need only be fitted (for health and safety reasons) where a risk assessment indicates the potential for build up of perc in an enclosed space such as a basement. The operator should have already demonstrated that a system to provide adequate air changes within the workspace has been fitted. LAPPC and SED cannot, of course, be used solely to deliver health and safety benefits.

We no longer consider a perc monitor to be necessary as a matter of course from an environmental viewpoint. This is because any major leak should be detectable by visual inspection, and it is unlikely to represent BAT to buy a fixed or hand-held monitor just to check for minor leaks, especially since fixed monitors often do not detect these. For this reason, please treat conditions 26 and 27 in the PG6/46 outline permit as having been deleted from the guidance note. This does not rule out local authorities making site-specific BAT decisions that, solely for environmental purposes, a fixed or hand-held monitor is justified, but it is envisaged that such decisions will be the exception. Authorities may also want to point out to operators that the use of hand-held monitors can assist with detecting minor leaks, which, from a business point of view, may help operators cut costs by reducing solvent losses.

Next Edition and Contacts Details

Please, contact Phil Pope on any issues you would like covered in the next edition of the Update

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