



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

SB1617

Introduced 2/9/2011, by Sen. Heather A. Steans

#### SYNOPSIS AS INTRODUCED:

415 ILCS 5/22.56 new

Amends the Environmental Protection Act. Beginning January 1, 2030, prohibits the installation or operation of drycleaning machines that use perchloroethylene. Until that date, authorizes the use of (i) perchloroethylene drycleaning machines that have only a primary control system, but only for the remainder of each machine's useful life and at the facility at which it is located on the effective date of the amendatory Act and (ii) perchloroethylene drycleaning machines that have primary and secondary control systems. Beginning January 1, 2013, prohibits a person from operating a drycleaning machine unless (i) a person with specified training is present at the facility during the machine's operation and (ii) certain secondary containment measures are in place. Authorizes the Environmental Protection Agency, by rules adopted before July 1, 2013, to require manufacturers of alternatives to perchloroethylene to provide information about those products to the Agency. Requires the Agency to review the safety and legality of the perchloroethylene alternatives. Defines "drycleaning", "drycleaning machine", "drycleaning solvents", "perchloroethylene drycleaning machine", "primary control system", "refrigerated condenser", and "secondary control system". Effective January 1, 2012.

LRB097 09940 JDS 50105 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Environmental Protection Act is amended by  
5 adding Section 22.56 as follows:

6 (415 ILCS 5/22.56 new)

7 Sec. 22.56. Perchloroethylene in drycleaning.

8 (a) For the purposes of this Section:

9 "Drycleaning" means the process of cleaning clothing,  
10 garments, textiles, fabrics, leather goods, or other like  
11 articles using a nonaqueous solvent.

12 "Drycleaning machine" means any machine, device, or other  
13 equipment used in drycleaning.

14 "Drycleaning solvents" means solvents used in drycleaning.

15 "Perchloroethylene drycleaning machine" means a  
16 drycleaning machine that uses perchloroethylene.

17 "Primary control system" means a refrigerated condenser or  
18 an equivalent closed-loop vapor recovery system that reduces  
19 the concentration of perchloroethylene in the recirculating  
20 air of a perchloroethylene drycleaning machine.

21 "Refrigerated condenser" means a closed-loop vapor  
22 recovery system into which perchloroethylene vapors are  
23 introduced and trapped by cooling below the dew point of the

1 perchloroethylene.

2 "Secondary control system" means a device or apparatus that  
3 reduces the concentration of perchloroethylene in the  
4 recirculating air of a perchloroethylene drycleaning machine  
5 at the end of the drying cycle beyond the level achievable with  
6 a refrigerated condenser alone.

7 (b) The following shall apply until January 1, 2030:

8 (1) Perchloroethylene drycleaning machines in  
9 operation on the effective date of this Section that have a  
10 primary control system but not a secondary control system  
11 can continue to be used until the end of their useful life,  
12 provided that perchloroethylene drycleaning machines that  
13 do not have a secondary control system cannot be operated  
14 at a facility other than the facility at which they were  
15 located on the effective date of this Section.

16 (2) Except as allowed under paragraph (1) of subsection  
17 (b) of this Section, no person shall install or operate a  
18 perchloroethylene drycleaning machine unless the machine  
19 has a primary control system and a secondary control  
20 system.

21 (c) On and after January 1, 2030, no person shall install  
22 or operate a perchloroethylene drycleaning machine.

23 (d) Beginning January 1, 2013, no person shall operate a  
24 drycleaning machine unless all of the following are met:

25 (1) During the operation of the machine, a person with  
26 the following training is present at the facility where the

1       machine is located:

2               (A) Successful completion of an initial  
3       environmental training course that is approved by the  
4       Dry Cleaner Environmental Response Trust Fund Council,  
5       in consultation with the Agency, as providing  
6       appropriate training on drycleaning best management  
7       practices, including, but not limited to, reducing  
8       solvent air emissions, reducing solvent spills and  
9       leaks, protecting groundwater, and promoting the  
10       efficient use of solvents.

11              (B) Once every 4 years after completion of the  
12       initial environmental training course, successful  
13       completion of a refresher environmental training  
14       course that is approved by the Dry Cleaner  
15       Environmental Response Trust Fund Council, in  
16       consultation with the Agency, as providing (i)  
17       appropriate review and updates on drycleaning best  
18       management practices, including, but not limited to,  
19       reducing solvent air emissions, reducing solvent  
20       spills and leaks, protecting groundwater, and  
21       promoting the efficient use of solvents, and (ii) until  
22       January 1, 2030, information on drycleaning solvents,  
23       technologies, and alternatives that do not utilize  
24       perchloroethylene.

25              (2) Proof of successful completion of the training  
26       required under paragraph (1) of subsection (d) of this

1       Section is maintained at the drycleaning facility. Proof of  
2       successful completion of the training must be made  
3       available for inspection and copying by the Agency or units  
4       of local government during normal business hours.

5           (3) All of the following secondary containment  
6       measures are in place:

7           (A) There is a containment dike or other  
8       containment structure around each machine, item of  
9       equipment, drycleaning area, and portable waste  
10       container in which any drycleaning solvent is  
11       utilized, which shall be capable of containing leaks,  
12       spills, or releases of drycleaning solvent from that  
13       machine, item, area, or container. The containment  
14       dike or other containment structure shall be capable of  
15       at least the following: (i) containing a capacity of  
16       110% of the drycleaning solvent in the largest tank or  
17       vessel within the machine; (ii) containing 100% of the  
18       drycleaning solvent of each item of equipment or  
19       drycleaning area; and (iii) containing 100% of the  
20       drycleaning solvent of the largest portable waste  
21       container or at least 10% of the total volume of the  
22       portable waste containers stored within the  
23       containment dike or structure, whichever is greater.  
24       Petroleum underground storage tank systems that are  
25       upgraded in accordance with USEPA upgrade standards  
26       pursuant to 40 CFR Part 280 for the tanks and related

1 pipng systems and use a leak detection system approved  
2 by the USEPA or the Agency are exempt from this  
3 subparagraph (A).

4 (B) Those portions of diked floor surfaces on which  
5 a drycleaning solvent may leak, spill, or otherwise be  
6 released have been sealed or otherwise rendered  
7 impervious.

8 (C) All chlorine-based drycleaning solvent is  
9 delivered to the drycleaning facility by means of  
10 closed, direct-coupled delivery systems. The Dry  
11 Cleaner Environmental Response Trust Fund Council may  
12 adopt rules specifying methods of delivery of solvents  
13 other than chlorine-based solvents to drycleaning  
14 facilities. Solvents other than chlorine-based  
15 solvents must be delivered to drycleaning facilities  
16 in accordance with rules adopted by the Dry Cleaner  
17 Environmental Response Trust Fund Council.

18 (e) Manufacturers of drycleaning solvents or other  
19 cleaning agents used as alternatives to perchloroethylene  
20 drycleaning that are sold or offered for sale in Illinois must,  
21 in accordance with Agency rules, provide to the Agency  
22 sufficient information that will allow the Agency to determine  
23 whether the drycleaning solvents or cleaning agents may pose  
24 negative impacts to human health or the environment. These  
25 alternatives shall include, but are not limited to, drycleaning  
26 solvents or other cleaning agents used in solvent-based

1 cleaning, carbon-dioxide based cleaning, and professional wet  
2 cleaning methods. The information shall include, but is not  
3 limited to, information regarding the physical and chemical  
4 properties of the drycleaning solvents or cleaning agents and  
5 toxicity data. No later than July 1, 2013, the Agency shall  
6 adopt rules specifying the information that manufacturers must  
7 submit under this subsection (e). The rules must include, but  
8 shall not be limited to, a deadline for submission of the  
9 information to the Agency. The Agency shall post information  
10 resulting from its review of the drycleaning solvents and  
11 cleaning agents on the Agency's website.

12 (f) In order to provide drycleaners with information about  
13 alternatives to the use of perchlorethylene in drycleaning, the  
14 Agency shall review alternatives to determine whether they (i)  
15 are allowed by law and (ii) may pose negative impacts to human  
16 health or the environment. The Agency shall conduct its review  
17 at least 3 times: by January 1, 2015, by January 1, 2021, and  
18 by January 1, 2028. The Agency shall post information resulting  
19 from these reviews on its website and otherwise distribute the  
20 information to drycleaners.

21 (g) Prior to January 1, 2030, but no earlier than January  
22 1, 2028, the drycleaning industry, in consultation with the  
23 Agency, may recommend to the General Assembly a delay in the  
24 deadline set forth in subsection (c) of this Section if  
25 technically and economically feasible alternatives to the use  
26 of perchloroethylene drycleaning machines will not be

1 available by January 1, 2030.

2 Section 99. Effective date. This Act takes effect January  
3 1, 2012.