

ASSEMBLY BILL

No. 2988

Introduced by Assembly Member Lieu

February 24, 2006

An act to amend Section 25201.8 of the Health and Safety code, relating to hazardous waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 2988, as introduced, Lieu. Dry cleaning operations

Existing law exempts a generator of effluent hazardous waste from dry cleaning operations, who treats the waste onsite, from the hazardous waste facilities permit requirements imposed pursuant to the hazardous waste control laws, if the generator meets certain conditions, including that the effluent is a hazardous waste solely due to its PCE (perchloroethylene) content.

This bill would delete the condition for exemption that the effluent is hazardous waste solely due to its PCE content

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 25201.8 of the Health and Safety Code
- 2 is amended to read:
- 3 25201.8. (a) Notwithstanding any other provision of law, a
- 4 generator of effluent hazardous waste from dry cleaning
- 5 operations who treats the waste onsite is not a hazardous waste
- 6 facility, and is exempt from the hazardous waste facilities permit
- 7 requirements imposed pursuant to this chapter, or the regulations
- 8 pertaining to hazardous waste facilities permit requirements

1 adopted by the department pursuant to this chapter, if the
2 generator meets all of the following conditions:

3 (1) The effluent is a non-RCRA hazardous waste, or the
4 treatment of the effluent is exempt from hazardous waste
5 treatment facilities permit requirements pursuant to the federal
6 act.

7 (2) The effluent is treated at the same facility at which it was
8 generated.

9 (3) The effluent is treated within 90 days of its generation.

10 (4) The effluent is treated in a tank or container.

11 (5) Any residual products or byproducts of the treatment of
12 the effluent are managed in accordance with all applicable
13 requirements for generators of hazardous waste under this
14 chapter and the regulations adopted by the department pursuant
15 to this chapter.

16 ~~(6) The effluent is a hazardous waste solely due to its PCE~~
17 ~~(perchloroethylene) content.~~

18 ~~(7)~~

19 (6) The total effluent hazardous waste stream treated does not
20 exceed 180 gallons in any calendar month.

21 ~~(8) (7)~~ The generator complies with all local requirements
22 applicable to the treatment of the waste.

23 ~~(9)~~

24 (8) The generator’s facility does not require a hazardous waste
25 permit for any other hazardous waste management activity.

26 (b) The local officer or agency authorized to enforce this
27 section pursuant to subdivision (a) of Section 25180, as part of
28 the existing inspection program for dry cleaning facilities, shall
29 inspect the dry cleaning operations subject to subdivision (a) for
30 compliance with the conditions of subdivision (a), and to ensure
31 that all treatment devices are properly installed, operated, and
32 maintained. Monitoring standards shall be developed by the
33 department in conjunction with the unified program agencies,
34 county health officer or director of environmental health,
35 consistent with existing requirements of local and regional
36 agencies pertaining to air, water, and soil resources.

37 (c) For purposes of this section, “dry cleaning operations”
38 means the process of using a solvent to clean materials in either a
39 dry-to-dry machine, a transfer machine, or any modification of
40 these machines. Dry cleaning operations include, but are not

1 limited to, all recovery operations, units, filters, stills, cookers,
2 stages, or processes in which solvent is extracted for use or reuse
3 in the cleaning process.

4 (d) This section shall not be construed to limit or otherwise
5 abrogate the authority of any local agency, including a city,
6 county, or special district, to control or otherwise regulate any
7 dry cleaning facility located within the local agency's
8 jurisdiction, or the related past or existing discharges from that
9 dry cleaning facility.

10 (e) This section shall not be construed to limit the liability of
11 any dry cleaning facility for any past, present, or future
12 discharge.

13 (f) Nothing in this section shall abridge any authority granted
14 to the department or a unified program agency by any other
15 provision of law to impose any further restrictions or limitations
16 upon facilities subject to this section, that the department or a
17 unified program agency determines to be necessary to protect
18 human health or the environment.