



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV 17 2015

William Rogers
President, Parrot Cleaners
1133 Ellison Avenue
Louisville, Kentucky 40204

Dear Mr. Rogers:

This letter is in response to your August 19, 2015 letter to the U.S. Environmental Protection Agency (EPA) requesting an equivalency determination under 40 CFR, Part 60, Subpart JJJ, New Source Performance Standards for Petroleum Dry Cleaners (Subpart JJJ), for two new pieces of dry cleaning equipment installed at your facility. As was stated in an October 1, 2015 letter to you from Stephen Page of EPA, your letter was referred to my Office for an applicability determination prior to determining if an equivalency determination was necessary. We have determined that Subpart JJJ does not apply to the closed loop, dry to dry equipment that you have installed; consequently, an equivalency determination will not be necessary.

Subpart JJJ applies "to the following affected facilities located at a petroleum dry cleaning plant with a total manufacturers' rated dryer capacity equal to or greater than 38 kilograms (84 pounds): [p]etroleum solvent dry cleaning dryers, washers, filters, stills, and settling tanks." Petroleum dry cleaner "means a dry cleaning facility that uses petroleum solvent in a combination of washers, dryers, filters, stills, and settling tanks." The dry cleaning systems that were being utilized at the time Subpart JJJ was promulgated had separate washers and dryers. Also, EPA provided separate definitions in Subpart JJJ for "washers" and "solvent recovery dryers" and requires the installation of "solvent recovery dryers." While not dispositive as to the applicability of the rule to these units, the single unit, dry to dry machines in question did not exist during the development of Subpart JJJ, and their processes and handling techniques were not specifically considered during the rulemaking process.

The testing procedures in section 60.624 of Subpart JJJ requiring verification of the flow rate of the recovered solvent is also not compatible with the newer technology dry to dry machines. In discussions with industry representatives, they have indicated that in addition to the dry to dry machines being closed loop, the machines utilize fire safety technologies such as operating under a vacuum or a nitrogen blanket and most machines will shut down if any components are disconnected to conduct the tests required in Subpart JJJ.

In addition, EPA made the following statements regarding dry cleaning in a January, 1995 document titled "Compilation of Air Pollution Emission Factors, Volume I: Stationary Point and Area Sources," page 4.1-1:

"There are 2 basic types of dry cleaning machines, transfer and dry-to-dry. Transfer machines accomplish washing and drying in separate machines. Usually, the washer extracts excess solvent from the clothes before they are transferred to the dryer, but some older petroleum plants have separate extractors for this purpose. Dry-to-dry machines are single units that perform all of the washing, extraction, and drying operations. All petroleum solvent machines are the transfer type... (emphasis added)."

We believe the dry to dry machines you have installed do not meet the definition of a "petroleum dry cleaner," in that they are not a "combination of washers, dryers, filters, stills, and settling tanks" but are single unit machines. EPA's intent to regulate separate units (i.e., transfer machines) in Subpart JJJ is evidenced by the equipment standard requiring separate "solvent recovery dryers" in section 60.622 and in the testing procedures in section 60.624, as well as in other EPA statements regarding the petroleum solvent drycleaning industry. Therefore, as stated above, Subpart JJJ does not apply to the dry to dry machines you have installed at your facility.

Please note that nothing in this letter should be construed as an indication of what EPA may propose in future rulemakings. If you have any questions regarding this matter, please contact Scott Throwe of my staff at (202) 564-7013.

Sincerely,



Edward J. Messina, Director
Monitoring, Assistance, and Media Programs Division
Office of Compliance

cc: Tina Ndoh, OAQPS
Keith Goff, EPA Region 4