

Bend Dry Cleaner goes "Green" as part of DEQ Enforcement Settlement

by Bend Weekly News Sources

Company's funding of a \$124,000 Supplemental Environmental Project reduces penalty for violations of hazardous waste and dry cleaning regulations

Reflections Enterprises, LLC of Bend, doing business as Al Phillips' Mirror Pond Cleaners (Mirror Pond), has paid a \$1,147 Oregon Department of Environmental Quality (DEQ) penalty for violations of hazardous waste and dry cleaning regulations at its cleaning facility located at 615 N. Franklin Ave., Bend.

Under the terms of a Mutual Agreement and Order, the company has proposed, and DEQ approved, a \$124,000 Supplemental Environmental Project (SEP). In addition to reducing Mirror Pond's \$5,734 penalty by 80 percent, the project included the replacement of Mirror Pond's existing dry cleaning machines that use toxic chemicals with GreenEarth machines using a silicone-based solvent that is less toxic and produces a smaller amount of hazardous waste. Mirror Pond installed the new machines on June 29-30, 2006.

Mirror Pond also agreed to state in a prominent manner that the project was undertaken as part of a settlement of a DEQ enforcement action if and when it publicizes the SEP, or the results of the SEP. Based on new information provided by Mirror Pond regarding reasonable efforts to comply, the company's original penalty was reduced from \$6,124 to \$5,734. In accordance with SEP procedures, DEQ agreed to mitigate the \$5,734 revised penalty by 80 percent, further reducing the penalty to \$1,147.

A SEP is an environmentally beneficial activity that a violator voluntarily agrees to perform as part of an enforcement settlement. It's also a means through which the responsible party may reduce penalties by agreeing to conduct projects that benefit the public health and environment in Oregon.

"SEPs go beyond what is required of a violator to return to compliance with environmental requirements and which the respondent is not otherwise legally required to perform," said Jeff Ingalls of DEQ's Hazardous Waste Program in Bend. "Mirror Pond's decision -- made at great expense, I might add -- to switch out its old dry cleaning machines for the GreenEarth machines is a tremendous step for pollution prevention, as Mirror Pond is one of Oregon's top three dry cleaners. Not only does this reduce chlorinated solvent usage, it makes Mirror Pond a better and safer environment for its employees. This is truly a win-win settlement."

A May 19, 2005 inspection of the facility documented violations of Oregon's hazardous waste and dry cleaning regulations related to handling, generation and storage of perchlorethylene (PCE or "perc") and PCE-contaminated wastes on the property. PCE, a chlorinated organic solvent, can pose a serious threat to the environment and has a potential to contaminate groundwater. Liquid perc can enter the body through ingestion or by breathing its airborne vapors. The most common effects of overexposure to PCE are irritation of the eyes, nose, throat or skin, and effects on the nervous system.

In 1995, Oregon passed legislation proposed by the dry cleaning industry to address cleanup liability. The dry cleaning statute requires all dry cleaners to implement waste minimization and hazardous waste management practices designed to lessen or possibly eliminate future releases of dry cleaning solvents to the environment.

At the time of the May 2005 inspection, Mirror Pond failed to comply with these procedures. Accordingly, DEQ ordered Mirror Pond to immediately correct the violations and come into full compliance with Oregon's hazardous waste and dry cleaning facility laws. Violations included failure to make a hazardous waste determination on its dry cleaning lints and other perc-containing material prior to disposal as hazardous waste, which resulted in their illegal disposal at the local solid waste landfill; failure to store hazardous wastes in a closed container and properly labeled containers; and storage of hazardous waste for greater than 180

days.

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