

**Pollution Prevention And Best Management Practices
For
Dry Cleaners Operating In Broward County**

FORWARD

In 1991, the Broward County Environmental Protection and Growth Management Department, who was then known as the Department of Natural Resource Protection (DNRP), initiated the development of Pollution Prevention and Best Management Practices (P2-BMP) for businesses operating in Broward County that use hazardous materials and/or generate hazardous wastes. The purpose of the P2-BMP is to foster a working relationship between the regulated community and DNRP as a regulator in achieving regulatory compliance and in preventing pollution in Broward County. The P2-BMP is intended to serve as an instrumental compliance tool enabling the protection, preservation, and maintenance of Broward County's environmental resources.

The overall goal of this document is to facilitate compliance with applicable federal, state and local environmental regulations, minimizes wastes, and foster a pollution prevention attitude within dry cleaning facilities operating in Broward County.

Using grants from the Environmental Protection Agency (EPA), Florida's Small Business Assistance Program (SBAP) has already published the ***Complete Multi-Media Environmental Compliance Assistance Guide for Dry Cleaning Industry***. This guide was developed based on Federal and State of Florida requirements effective in 1994 and early 1995.

The DNRP, as a local environmental agency, has developed this P2-BMP document to include the local environmental requirements applicable to all dry cleaning facilities operating in Broward County, in addition to the federal and state requirements, and to assist distribution of the Florida's SBAP *Complete Multi-Media Environmental Compliance Assistance Guide*. This document is intended to eliminate confusion for dry cleaning facilities in Broward County concerning the regulatory requirements. A special chapter is provided to help dry cleaning facilities comply with specific local environmental regulatory requirements, which sometimes are more stringent than federal or state provisions. *The Complete Multi-Media Environmental Compliance Assistance Guide for Dry Cleaning Industry*, which is prepared by Florida's SBAP based on federal and state requirements, is included.

The DNRP's Pollution Prevention Program is committed assisting dry cleaning facilities within Broward County in achieving compliance with federal, state and local complex environmental requirements through developing this document, ensuring its distribution to each facility, and providing technical support in workshops and non-regulatory on-site visits, upon request.

**Pollution Prevention And Best Management Practices
For
Dry Cleaners Operating In Broward County**

**BROWARD COUNTY ENVIRONMENTAL REGULATIONS
THAT APPLY TO DRY CLEANERS**

The Broward County Code of Ordinances (BCCO) Chapter 27, known as “Broward County Natural Resource Protection Code”, regulates the activities, facilities and items which pose a threat to the public health, safety and welfare of the citizens of Broward County and endanger the environment and natural resources. The Department of Natural Resource Protection (DNRP) is responsible for the protection, restoration and enhancement of Broward County’s natural resources and environmental quality of life. This mission is accomplished through programs which are governed by the provisions of the BCCO Chapter 27 mentioned above.

In this part of P2-BMP document, we have attempted to summarize the local environmental code requirements applicable to dry cleaners. A self-audit checklist is provided to assist the facility owner/operator in evaluating the level of compliance with Broward County environmental regulations. If a non-compliant item is identified during the self-audit, instructions advising how to correct the discrepancy are provided directly below the question. This allows the owner/operator an opportunity to correct the problems, and to prevent potential fines or penalties by DNRP staff who may discover these same violations at a later date if not corrected. **It is the owner/operator responsibility to understand what regulations affect their business, determine if the facility is in compliance and correct any discrepancies discovered.**

BCCO Chapter 27 Article XII. HAZARDOUS MATERIAL

In order to protect the air, waters, soils, and other natural resources, Broward County declares that the generation, use, storage, handling, processing, manufacturing, and disposal of hazardous material must be regulated. The unauthorized presence of hazardous material in the air, waters, soils, or other natural resources is prohibited and a responsible party shall take the necessary action to remediate and to remove such substances, so to restore to a condition which does not pose a threat to health, safety, or to the environment. The DNRP shall have the authority to license, evaluate, review, and administer all hazardous material activities, and all environmental assessment and remediation actions performed in Broward County (Sec. 27-351).

HAZARDOUS MATERIAL is defined as any substance or mixture of substances which meets any one of the following criteria (Sec. 27-352):

- Hazardous waste as defined in 40 Code of Federal Registration (CFR) parts 260-265 Resource Conservation and Recovery Act (RCRA).

**Pollution Prevention And Best Management Practices
For
Dry Cleaners Operating In Broward County**

- Any substance listed in appendix DNRP-1.
- Any petroleum product or any material or substance containing discarded petroleum products (i.e. gasoline, diesel fuel, oils and waste oil). **Note:** This Broward County code provision is more strict than federal and state provisions, which do not consider these substances hazardous. The state Used Oil Management procedure is described in *Multi-Media Environmental Compliance Assistance Guide*, section 4.4.1 on page 48-49.
- Any substance identified as hazardous in the most current version of the following regulations: Comprehensive Environmental Response Compensation, and Liability Act; Emergency Planning and Community Right-to-Know Act; Hazardous Material Transportation Act; and Federal Insecticide, Fungicide, and Rodenticide Act.
- Any substance, not specified above, which is known to be hazardous due to quantity, concentration, physical, chemical or infectious characteristics and which DNRP determines poses an actual threat or potential risk to water supplies, environment, health or safety.

Typical Hazardous Materials Used By Dry Cleaners

- The **solvent** used for cleaning.
- All kind of **spot removers**.
- **Detergents** and **bleach**.
- **Boiler treatment chemicals**.
- **Oils** (motor oil, hydraulic oil, etc.) and other **petroleum products** (gasoline, kerosene, diesel fuel, etc.).
- **Hazardous wastes**, such as waste solvents, used filters and filter cartridges, sludge (still bottoms) and cooked powder residue (muck), condensate water contaminated with solvents, absorbents used in cleaning floor and/or spills, solvent containers, unless they are being recycled, reused or are legally empty.

**Pollution Prevention And Best Management Practices
For
Dry Cleaners Operating In Broward County**

HAZARDOUS MATERIAL FACILITY is any site or area, excluding vehicles used solely for the transportation of people or property, where either of the following occurs:

- Any extremely hazardous substance in excess of the threshold planning quantity as defined by the most current version of the Emergency Planning and Community Right-to-Know Act is present.
- Within a one (1) month period of time, an aggregate amount of twenty-five (25) gallons or more or an equivalent dry volume (pounds divided by 10) of hazardous material are stored, handled, generated, used, processed, manufactured, disposed or are otherwise present.

A **HAZARDOUS MATERIAL FACILITY OPERATING LICENSE** shall be obtained by the owner/operator for any existing, new or proposed facility that generates, stores, processes, uses, handles, or manufactures hazardous material in quantities greater than specified in the definition of a hazardous material facility (Sec. 27-356(b)(1)a.).

APPLICATION FOR LICENSE shall be submitted on DNRP forms and shall provide all information as requested therein (Sec. 27-356(b)(2)).

**Pollution Prevention And Best Management Practices
For
Dry Cleaners Operating In Broward County**

SELF-AUDIT CHECKLIST

The owner/ operator is responsible for complying with all applicable requirements of the federal, state, and local government environmental laws and regulations.

The following issues and checklist addresses the local requirements provided in BCCO Chapter 27 “**Broward County Natural Resource Protection Code**”, that apply to **all** dry cleaners within Broward County.

A. BCCO CHAPTER 27 ARTICLE XII. HAZARDOUS MATERIAL

YES NO

Within a one month period of time do you have, generate, store, process, use or handle **twenty-five (25) gallons** or more of hazardous materials or any extremely hazardous substance is present in excess of the threshold planning quantity?

If **NO**, your facility is **not regulated** by the Chapter 27 Article XII Hazardous Material. Proceed to Florida SBAP’s *Complete Multi-Media Environmental Compliance Assistance Guide*.

If **YES**, your facility is governed by BCCO Chapter 27 Article XII Hazardous Material, no matter what solvent is used, and is subject to the following requirements.

YES NO

Do you have a valid **HAZARDOUS MATERIAL FACILITY LICENSE**?

If **NO**, you must apply and obtain from DNRP a hazardous material license to operate a dry cleaning facility in Broward County. A copy of what this type of license looks like is provided in Appendix DNRP-2. Application for license shall be submitted on DNRP forms (Appendix DNRP-3 for new license, or Appendix DNRP-4 to renew a license). All information shall be provided as requested therein.

**Pollution Prevention And Best Management Practices
For
Dry Cleaners Operating In Broward County**

YES

NO

Do you fully comply with the general conditions printed in the back of Hazardous Material Facility License, which are applicable to all licenses issued by DNRP?

If **NO**, take necessary measures to ensure fully compliance with each general condition.

YES

NO

Have you identified **all** the hazardous materials used, processed, stored or handled at your facility and **all** the hazardous wastes generated during your operation?

If **NO**, see typical hazardous materials used and hazardous wastes generated by dry cleaners listed on page 3. The Material Safety Data Sheets (MSDS) should be used for an accurate determination of hazardous materials.

YES

NO

Have you complied with **all** federal and state hazardous waste requirements?

Before answering, please review and complete the checklist of section 4.3 *Hazardous Waste* on page 40-47 of SBAP *Complete Multi-Media Environmental Compliance Assistance Guide*. Take the necessary actions to correct all discrepancies.

GENERAL OPERATING REQUIREMENTS (Sec.27-356(b)(4)a.)

Please answer all the questions that apply to your facility.

YES

NO

Are individual storage containers labeled and maintained in accordance with all applicable federal and state standards?

If **No**, instruct employees on the proper labeling. Please review the labeling requirements provided by SBAP *Complete Multi-Media Environmental Compliance Assistance Guide* section 4.3 *Hazardous Waste* on page 40-43.

**Pollution Prevention And Best Management Practices
For
Dry Cleaners Operating In Broward County**

YES

NO

Are sump pumps used to remove rainwater from hazardous material containment manually operated to prevent an automatic release of hazardous material to ground?

If **NO**, instruct employees to manually operate sump pumps at all times.

YES

NO

Do you have installed, tested and maintained all monitoring wells as required on the license?

If **NO**, install any monitoring wells required in accordance with the most current version of DNRP's "Minimum Criteria for Monitoring Wells and Sampling" and perform testing as specified in the license.

YES

NO

Have you developed procedures to ensure for the appropriate and safe handling and cleanup of any release of hazardous material? DNRP may also require the owner/operator of a licensed hazardous material facility to prepare a spill contingency plan.

If **NO**, establish emergency response procedures to ensure for the safe handling and cleanup of any release of hazardous material. You should review and comply with the requirements that apply to you under the federal law 40 CFR 262.34(d)(4) and (5) and mentioned by SBAP *Complete Multi-Media Environmental Compliance Assistance Guide* section 4.3.3(c) *Preparedness and Prevention* on page 43-44.

CONSTRUCTION MATERIALS AND METHODS (Sec.27-356(b)(4)b.)

YES

NO

Does storage tank configuration - with the exception of underground storage tanks - provide for complete visual inspection?

If **NO**, ensure that all aboveground storage tanks provide for complete visual inspection.

YES

NO

Are all primary containments product-tight?

If **NO**, instruct employees to ensure compliance.

**Pollution Prevention And Best Management Practices
For
Dry Cleaners Operating In Broward County**

YES

NO

Do you provide secondary containment for all hazardous materials?

If **NO**, provide secondary containment, unless the hazardous material is contained solely in consumer products packaged for distribution and use by the general public or is a commercial product used for janitorial or minor maintenance purposes.

Note: Secondary containment is an impermeable coating, membrane, surface, or structure in which tanks or containers are placed. A double-walled tank is considered secondary containment.

YES

NO

For tanks or containers larger than one hundred ten (110) gallons, does secondary containment hold one hundred ten (110) percent of the volume of the largest tank or container?

If **NO**, provide the appropriate secondary containment to ensure compliance with this requirement.

YES

NO

For tanks or containers of one hundred ten (110) gallons or less, does the secondary containment hold twenty (20) percent of the combined volume of all tanks or containers within the secondary containment, but no less than the volume of the largest tank or container?

If **NO**, provide appropriate secondary containment to ensure compliance with this requirement.

YES

NO

Are all secondary containment areas constructed of materials of sufficient thickness, density, and composition so as not be structurally weakened as a result of contact with the released hazardous materials?

If **NO**, take necessary actions to ensure compliance with this requirement.

YES

NO

Are all secondary containment areas provided with a roof to prevent rainwater from entering the area or, as an alternative, equipped with a lockable valve to enable the controlled release of any accumulation of clean rainwater.

If **NO**, provide each secondary containment with a roof or lockable valve.

**Pollution Prevention And Best Management Practices
For
Dry Cleaners Operating In Broward County**

YES

NO

Is all rainwater removed from the secondary containment area within twenty-four (24) hours of its accumulation?

If **NO**, instruct employees to do so.

YES

NO

Is any and all rainwater which come into direct contact with any hazardous material collected and disposed of in accordance with requirements established for hazardous waste?

If **NO**, establish procedures and instruct employees on proper handling of contaminated rainwater.

YES

NO

Did you secure or permanently seal all floor drains in a hazardous material handling, usage or storage area which lead to a drain field, septic tank, or storm water system?

If **NO**, immediately secure or permanently seal these floor drains to prevent the release of hazardous material to a drain field, septic tank or storm water system.

YES

NO

Are all storage containers designed and constructed in accordance with the applicable standards established by the National Fire Protection Association, the American Society for Testing and Materials, the EPA or with alternate DNRP approved standards?

If **NO**, contact the agencies mentioned above for corrective actions.

HANDLING AND STORAGE (Sec.27-356 (b)(4)c.)

YES

NO

Are hazardous materials proper stored and handled on-site prior to disposal?

If **NO**, instruct employees to ensure for the proper storage and handling on-site of hazardous materials.

**Pollution Prevention And Best Management Practices
For
Dry Cleaners Operating In Broward County**

YES

NO

Are hazardous materials accessible to inspection at any time?

If **NO**, ensure the accessibility to inspection of hazardous material at any time.

YES

NO

Did you remove all defective containers from service?

If **NO**, remove immediately from service defective containers. Instruct employees on repairing or decontamination and disposal of in accordance with federal, state, and local regulations.

YES

NO

Do you avoid outdoor hazardous materials usage, including disassembly of any machinery, equipment, or vehicles?

If **NO**, discontinue outdoor hazardous materials usage, unless drip pans, secondary containment, or other steps are taken to prevent any release.

YES

NO

Do you avoid outdoor storage of disassembled parts?

If **NO**, do not store disassembled parts outside, unless empty and in a manner which prevents direct contact with rainwater.

YES

NO

Are all drums containing hazardous material stored within a secondary containment area which is protected from weather or in a building and in accordance with all applicable fire codes?

If **NO**, instruct employees on proper storage of drums containing hazardous material.

YES

NO

Are reactive or incompatible materials stored in separate containers, in secondary containment areas, and in a manner which eliminates the potential for commingling in the event of a release?

**Pollution Prevention And Best Management Practices
For
Dry Cleaners Operating In Broward County**

If **NO**, ensure proper storage of reactive or incompatible materials. Please see also SBAP *Complete Multi-Media Compliance Assistance Guide* section 4.3.3(b) *Incompatible Wastes* on page 43.

YES **NO**

Do you perform all hazardous material transfer, dispensing, or mixing activities in a manner which prevents any unauthorized release to the environment?

If **NO**, develop procedures to ensure prevention of any unauthorized release of hazardous material to the environment.

YES **NO**

Do you comply with federal and state regulations regarding industrial wastewater disposal?

Before answering, please review and complete the checklist of section 4.6 *Wastewater* on page 54-57 of SBAP *Complete Multi-Media Environmental Compliance Assistance Guide*. Take the necessary actions to correct all discrepancies.

YES **NO**

Do you have Publicly Owned Treatment Works (POTW) permission or approval to release hazardous materials into a sanitary sewer system?

If **NO**, contact your POTW and obtain the permission or approval for your industrial wastewater (boiler/chiller/cooler blowdown, solvent-water mixture from water separator, condensate from carbon desorption and steam presses, etc.) discharge into sanitary sewer.

YES **NO**

Do you keep hazardous waste on-site for a period of time no longer than allowed in accordance with federal and state regulations, such as 180 day accumulation and storage time limit if you are a Small Quantity Generator or 90 day accumulation and storage time limit if you are a Large Quantity Generator of hazardous waste?

If **NO**, you may be required to obtain an extension from Florida Department of Environmental Protection (FDEP).

YES **NO**

Do you use DNRP licensed waste haulers for transporting all discarded hazardous materials and be disposed in accordance with federal, state and local

**Pollution Prevention And Best Management Practices
For
Dry Cleaners Operating In Broward County**

regulations?

If **NO**, contact immediately the DNRP licensed waste haulers. An up-dated list of DNRP licensed waste haulers is provided in Appendix DNRP-5, for your convenience. Please review SBAP *Complete Multi-Media Environmental Compliance Assistance Guide* section 4.3.3.(e) through 4.3.8 on page 45-47 to ensure compliance with federal and state regulations.

RECORDKEEPING AND REPORTS

YES

NO

Do you keep on-site for five (5) years all reports and records, including hazardous waste manifests, bills of landing, or other equivalent manifesting for all hazardous material disposal and are they available upon request for inspection by DNRP?

If **NO**, establish procedures to maintain a copy of reports and records for five years. Please note that this local requirement is more stringent than the federal and state provisions which require these records to be kept for three (3) years only. Please review SBAP *Complete Multi-Media Environmental Compliance Assistance Guide* section 4.3.3.(d) on page 45.

YES

NO

Are Material Safety Data Sheets (MSDS) maintained on-site for each listed toxic substance?

If **NO**, ask your suppliers to send to you the up-dated MSDS for all chemicals used or stored at your facility and develop and maintain a file with these MSDS. Please review SBAP *Complete Multi-Media Environmental Compliance Guide* section 4.12.1 *Florida Right-to-Know Law* on page 72-74.

**Pollution Prevention And Best Management Practices
For
Dry Cleaners Operating In Broward County**

B. OTHER DNRP LICENSES THAT MAY APPLY TO DRY CLEANING FACILITIES

The owner/operator must apply to DNRP and obtain all applicable environmental licenses required by Broward County Natural Resource Code. The following check list addresses some DNRP licenses that may apply to dry cleaning facilities.

YES **NO**

Do you have installed on your facility or do you intend to install aboveground storage tanks which have individual storage tank capacities of greater than five hundred fifty (550) gallons and/or underground storage tanks which have individual storage tank capacities of greater than one hundred ten (110) gallons?

If **NO**, no action is necessary.

If **YES**, provide all information requested on Application form (Appendix DNRP-3) section 11-13. A combined Hazardous Material and Storage Tank Facility License will be issued by DNRP.

YES **NO**

Is your facility located within wellfield zone 1 or 2? Maps illustrating wellfield zones in Broward County may be reviewed at the DNRP office.

If **NO**, no action is necessary.

If **YES**, provide all information requested on Application forms (Appendix DNRP-3 or DNRP-4) and a Hazardous Material Wellfield Facility License will be issued by DNRP. This license replaces the Hazardous Material Facility License which is issued for facilities located in wellfield zone 3 or outside of zones of influence.

YES **NO**

Have you experienced a spill or other discharge of hazardous material exceeding the reportable quantity threshold or have you discovered of the presence of any contaminant in the air, water or soil at a level which exceeds any applicable federal, state or local regulatory cleanup standards?

If **NO**, no action is necessary.

If **YES**, you take the necessary measures to stabilize the situation, immediately report such incidents by phone to DNRP and provide written notification to DNRP within seven (7) calendar days. A determination of whether your facility will need an Environmental Assessment and

**Pollution Prevention And Best Management Practices
For
Dry Cleaners Operating In Broward County**

Remediation License is made by DNRP following review of all pertinent information in accordance with BCCO Sec.27-356 (e). Please also review SBAP *Complete Multi-Media Environmental Compliance Assistance Guide* section 4.12.2 *State Drycleaning Solvent Cleanup Registration* on page 74-76.

C. CLOSURE REQUIREMENTS (Sec.27-356(b)(4)e. & 27-317(a)(4))

YES

NO

Do you intend to cease operations, initiate a temporary shutdown, transfer your license or be permanently removed from use or operation, or permanently close an underground storage tank which has a capacity of greater than one hundred ten (110) gallons?

If **NO**, no action is required.

If **YES**, notify in writing DNRP at least thirty (30) days prior to initiate one of these activities. Failure to notify DNRP may subject owner/operator to enforcement action. Conduct appropriate activities to ensure for the proper removal and disposal of all hazardous material at the facility.

D. PROHIBITION (Sec.27-353)

The following summary of general prohibition may apply to dry cleaning facilities:

- The abandonment or unauthorized release of hazardous material is prohibited.
- No construction or other intrusive activities shall be initiated, proceed or continue at any size where it is known or discovered contaminants without DNRP approval.
- Flammable liquids shall be stored in full accordance with the most current version of the National Fire Protection Association Code (NFPA).
- Storage, handling, usage or production of any hazardous material is prohibited within wellfield zone, unless licensed by DNRP.
- No hazardous waste disposal sites are licensed or permitted in Broward County.
- No person shall cause, permit, suffer, or allow the usage, storage, abandonment or

**Pollution Prevention And Best Management Practices
For
Dry Cleaners Operating In Broward County**

disposal of hazardous material:

- a. In a manner which violates a provision of any federal, state, or local regulation;
or
 - b. In a manner which causes, or may cause, an unauthorized release of hazardous material.
- No remedial actions, with the exception of initial remedial actions, shall be initiated at a contaminated site until a remedial action plan (RAP) has been approved by DNRP or Florida Department of Environmental Protection (DEP).
 - Pumping of water as a remedial action or dewatering operations at or within a one-quarter-mile radius of a contaminated site shall not be conducted without DNRP approval.