Environment Canada Environnement Canada

Tetrachloroethylene (Use in Dry Cleaning and Reporting Requirements) Regulations

COMPLIANCE GUIDE FOR DRY CLEANERS

Version 1.1 July 2010

DISCLAIMER

Although care has been taken to ensure that this Compliance Guide accurately reflects the requirements of *Canadian Environmental Protection Act, 1999* (*CEPA 1999*) and the *Tetrachloroethylene (Use in Dry Cleaning and Reporting Requirements) Regulations*, the Act and its regulations prevail over the text of this Compliance Guide in case of any discrepancies or inconsistencies. This Compliance Guide does not supersede or modify the Act or the regulations.

NOTICE

Any comments or inquiries concerning the content of this Compliance Guide should be directed to the appropriate regional Environment Canada contact listed in Appendix A.

PREFACE

The objective of this Compliance Guide is to provide the owners or operators of dry-cleaning machines/facilities with information on the *Tetrachloroethylene (Use in Dry Cleaning and Reporting Requirements) Regulations*. At the beginning of the Compliance Guide, there is a short introduction and background on the *Regulations*, followed by the important dates for the owners or operators of dry-cleaning machines/facilities. The rest of the Compliance Guide is primarily in the format of questions and answers. The questions and answers are ordered by the sections in the *Regulations*, followed by some general questions.

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I. INTRODUCTION

Tetrachloroethylene, also known as Perchloroethylene, is commonly referred to as PERC or PCE. The term 'PERC' is used throughout this Compliance Guide. The term '*Regulations*' refers to the *Tetrachloroethylene (Use in Dry Cleaning and Reporting Requirements) Regulations*.

The *Regulations* apply to owners or operators of dry-cleaning machines/facilities using PERC and to sellers of PERC to such owners or operators. Regardless of the intended use of PERC, a person that imports or recycles PERC is subject to the reporting provisions of the *Regulations*.

This Compliance Guide is only intended for the owners or operators of dry-cleaning machines/facilities (that is, dry cleaners) using PERC. Separate fact sheets have been prepared for the sellers, importers and recyclers of PERC. These fact sheets are available from the appropriate regional Environment Canada contact listed in Appendix A.

II. BACKGROUND

PERC was included in the list of 44 substances published as the first Priority Substances List in the *Canada Gazette* Part 1 on February 11, 1989. These substances were given priority by Environment Canada and Health Canada for assessing whether they are "toxic or capable of becoming toxic" according to the definition specified in the *Canadian Environmental Protection Act, 1988*. On February 5, 1994, a synopsis of the results of the PERC assessment was published in the *Canada Gazette*, Part I. The assessment concluded that PERC occurs in the Canadian environment in quantities that may be harmful to the environment (notably terrestrial plants). Consequently, PERC was added to the *CEPA 1999* list of toxic substances - see *Canada Gazette*, Part II, March 29, 2000.

Under the Federal government's *Toxic Substances Management Policy*, PERC fits the management goal to minimize environmental and human health risks by reducing exposure to, and/or release throughout its life-cycle. Following extensive consultation with producers, importers and users of PERC, other levels of governments and environmental groups, the proposed *Regulations* were published in *Canada Gazette*, Part I on August 18, 2001. After further consultation, the final *Regulations* were passed into law on February 27, 2003 and then published in the *Canada Gazette*, Part II on March 12, 2003. The purpose of the *Regulations* is to reduce PERC releases to the environment from dry-cleaning facilities. These reductions will be attained by requiring newer, more efficient dry-cleaning machines, by minimizing spills of PERC and by managing the collection and disposal of residue and waste water.

More background information to the *Regulations* can be found on Environment Canada's web site at: http://www.ec.gc.ca/regs-tetra or from the appropriate regional Environment Canada contact listed in Appendix A.

III. COMING-INTO-FORCE DATES IN THE REGULATIONS

The *Regulations* became law on February 27, 2003. Some provisions of the *Regulations* have different coming-into-force dates. Section 17 of the *Regulations* specifies these dates and they are summarized below.

- **Feb. 27, 2003:**
  - PERC, waste water and residue must be stored in closed containers [Section 4];
  - PERC cannot be used unless the dry-cleaning machine has its own PERC-water separator [Section 5(d)];
  - PERC cannot be used in a self-service dry-cleaning machine [Section 7].

- **August 1, 2003:**
  - PERC cannot be used in a new dry-cleaning machine installed after this date unless it has a manufacturer's design rating for PERC consumption equal to or less than 10 kilograms or 6.2 litres of PERC per 1,000 kilograms of clothing cleaned [Section 5(e)].

- **January 1, 2004:**
  - Spotting agents containing PERC cannot be used [Section 3];
  - PERC cannot be used in a transfer machine [Section 5(a)];
  - PERC cannot be used in a dry-to-dry vented machine or a non-refrigerated machine unless the machine is equipped, prior to February 27, 2003, with a carbon adsorber as the primary vapour control device [Sections 5(b/c), 6];
  - PERC-impermeable secondary containment system must be:
    - provided under the entire surface of each dry-cleaning machine, tank or other container containing PERC, waste water or residue; **and**
    - able to hold at least 110% of the capacity of the largest tank or container within each containment area [Section 5(f)(i)].
  - PERC-resistant drain plug(s) must be readily available to seal all floor drains in the event of a spill [Section 5(f)(ii)];
  - Waste water must be either:
    - transported to a waste management facility at least once every 12 months - that is, first transport made by December 31, 2004 and all the waste water on site must be removed at the time of each transport [Section 8 (1) (a), Section 8 (2)]; **OR**
    - treated on-site with a waste water treatment system (see Question 8.3) [Section 8(1)(b)].
  - All residue must be transported to a waste management facility at least once every 12 months - that is, first transport made by December 31, 2004 and all the residue within the dry-cleaning facility must be removed at the time of each transport [Sections 9 (1) and (2)];
  - A closed direct-coupled delivery system that prevents the release of PERC must be used to transfer PERC into a dry-cleaning machine, tank or container at a dry-cleaning facility [Section 10];
  - Begin maintaining books and records on (i) PERC purchases; (ii) the transport of waste water and residue to a waste management facility; and (iii) on-site treatment of waste water at a dry-cleaning facility [Section 14(a)].

- **April 30, 2005:**
  - Deadline for submission of the signed first annual report to Environment Canada. Subsequent annual reports must be submitted by April 30th of each year [Section 14 (b), Schedule 4].

- **August 1, 2005:**
  - All dry-cleaning machines must be closed-loop (non-vented) dry-to-dry refrigerated machines. Carbon adsorbers cannot be used as the primary vapour control device [Section 6].

IV. FREQUENTLY ASKED QUESTIONS

The following questions and answers are ordered by the sections in the *Regulations*. Each question below only addresses a specific issue or requirement in the *Regulations*. Dry cleaners must comply with all applicable requirements in the *Regulations*.

Section 1 - INTERPRETATION

Section 1 provides the definitions that are used in the *Regulations*. The *Regulations* do not define some commonly used industry terms such as transfer machine, second/third-generation machine and carbon adsorber. For the purpose of this Compliance Guide, these commonly used terms are defined below:

1.1. What is a transfer machine?

For the purpose of this Compliance Guide, a transfer (or first-generation) machine is a machine that uses separate machines (or drums) for the washing/extraction and drying/aeration cycles.

1.2. What is a second-generation machine?

For the purpose of this Compliance Guide, a second-generation (or dry-to-dry vented) machine is a machine that:

- uses the same machine (or drum) for the washing/extraction and drying/aeration cycles;
- introduces fresh air into the drum during the aeration (or deodourizing) cycle;
- exhausts PERC-laden air to the atmosphere, either directly or through a carbon adsorber.

1.3. What is a third-generation machine?

For the purpose of this Compliance Guide, a third-generation (or dry-to-dry closed) machine is a machine that:

- uses the same machine (or drum) for the washing/extraction and drying/deodourizing cycles;
- re-circulates PERC vapour and PERC-laden air through a refrigerated condenser with no exhaust to the atmosphere during the drying/deodourizing cycle.

1.4. What is a carbon adsorber?

For the purpose of this Compliance Guide, a carbon adsorber (or sniffer) is a vapour control device for a dry-cleaning machine. When used as the primary vapour control device for a dry-cleaning machine, the PERC-laden air from the drying/aeration cycle is passed through a bed of activated carbon in the carbon absorber. The PERC is adsorbed on the surfaces of the activated carbon and the remaining air is exhausted to the atmosphere (normally outside the dry-cleaning facility). When the carbon adsorber is saturated with PERC, it must be regenerated (desorbed) by using steam and/or hot air. Waste water is generated during desorption of a carbon adsorber.

PART 1 – TETRACHLOROETHYLENE USED IN DRY CLEANING

Section 2 – APPLICATION

2.1. Do the *Regulations* apply to all dry cleaners?

The *Regulations* apply to all dry cleaners that use PERC in Canada.

The *Regulations* do not apply to dry cleaners that exclusively use solvents other than PERC. The *Regulations* also do not apply to the use of PERC in a textile mill.

The *Regulations* generally do not apply to store-front only or drop-off facilities where PERC or spotting agents containing PERC are not used.

2.2. Do the *Regulations* apply to anyone else other than dry cleaners?

Yes. The *Regulations* also apply to those who sell PERC to an owner or operator of a dry-cleaning machine/facility. The reporting requirements of the *Regulations* also apply to recyclers of PERC in Canada and to importers of PERC for any use. Separate fact sheets have been prepared to inform these persons of their obligations under the *Regulations*.

Section 3 – PROHIBITIONS – Spotting Agents

3.1. Are PERC spotting agents prohibited for use in a household?

No. The *Regulations* prohibit the use of PERC spotting agents by all commercial and institutional dry cleaners beginning January 1, 2004.

3.2. What are commercial and institutional dry cleaners?

Commercial dry cleaners are for-profit operations and include industrial dry cleaners. Institutional dry cleaners are non-profit operations.

3.3. Can pure PERC be used as a spotting agent by commercial and institutional dry cleaners?

No. Pure PERC cannot be used as a spotting agent beginning January 1, 2004.

3.4. Can store-front only operations use PERC as a spotting agent?

No. Beginning January 1, 2004, all dry-cleaning facilities, including store-front only operations, are prohibited from using a spotting agent that is formulated with any amount of PERC.

Section 4 – PROHIBITIONS – Closed Containers

4.1. Do the doors to the button trap, lint trap and still have to be kept closed?

Button trap, lint trap and the still are parts of a dry-cleaning machine that may contain 'residue'. As such, they must be closed at all times except when access is required for proper operation or maintenance (for example, for removal of the residue).

4.2. Does the drum door of the dry-cleaning machine have to be kept closed for a specified period of time after the drying cycle?

No. The *Regulations* do not specify a time period after the drying cycle before the drum door can be opened. The machine manufacturer's recommended time period should be followed.

Section 5 – PROHIBITIONS – Use of PERC in Dry-cleaning Machines

5.1. Are transfer machines allowed under the *Regulations*?

Beginning January 1, 2004, PERC can no longer be used in transfer machines.

5.2. Are second-generation machines allowed under the *Regulations*?

Beginning January 1, 2004, PERC can no longer be used in second-generation machines unless the machine is equipped with an existing (that is, installed before February 27, 2003) carbon adsorber as the primary vapour control device. PERC cannot be used in a second-generation machine after January 1, 2004 if the carbon adsorber was installed after February 27, 2003.

Beginning August 1, 2005, PERC can no longer be used in any second-generation machines.

5.3. Can a transfer or second-generation machine be retrofitted to comply with the *Regulations*?

Technically, it is virtually impossible and it would be economically unfeasible to retrofit a transfer machine to comply with the *Regulations*.

A second-generation machine that does not have a carbon adsorber installed before February 27, 2003 cannot be retrofitted with a carbon adsorber in an effort to continue its use after January 1, 2004.

A second-generation machine that has a carbon adsorber installed before February 27, 2003 could be retrofitted with a refrigerated condenser in order to continue its use after August 1, 2005 but it may not be economically feasible to do so.

5.4. Do dry cleaners have to meet the specified PERC consumption rating?

No. The specified PERC consumption rating (that is, equal to or less than 10 kilograms or 6.2 litres of PERC per 1,000 kilograms of clothing cleaned) is a dry-cleaning machine manufacturer's design rating. Dry cleaners are not required to meet the specified PERC consumption rating in their day-to-day operations.

5.5. Can dry cleaners use machines that do not meet the specified PERC consumption rating?

Beginning August 1, 2003, dry cleaners cannot use PERC in a new dry-cleaning machine unless it meets the specified PERC consumption rating. A new dry-cleaning machine is a brand new machine that is installed on or after August 1, 2003.

5.6. How would dry cleaners know whether a new machine can meet the specified PERC consumption rating or not?

Machine manufacturers, distributors and/or sellers generally specify the PERC consumption design rating of their machines on the name plate of a machine, the owner's manual or other literature/correspondence from the manufacturers.

5.7. Can dry cleaners install and use an old machine that does not meet the specified PERC consumption rating after August 1, 2003?

Yes. The *Regulations* do not prohibit the resell, re-installation, use or reuse of a dry-cleaning machine that does not meet the specified PERC consumption rating provided that machine was previously installed or in use prior to August 1, 2003 and other applicable requirements of the *Regulations* are met.

5.8. Is a containment pan required underneath the dry-cleaning machine?

The *Regulations* require a PERC-impermeable secondary containment system. A containment pan with the specified capacity meets this requirement.

5.9. What is PERC-impermeable containment?

PERC-impermeable containment is constructed of material that would not allow the passage of PERC through the containment system. Contact the supplier(s) regarding the available PERC-impermeable systems/materials that can be used. The PERC Material Safety Data Sheets may also have information on chemical resistance.

5.10. Is concrete considered PERC-impermeable?

No. Bare concrete is not PERC-impermeable.

5.11. Is a coating or sealant on the concrete acceptable as PERC-impermeable?

This depends on the type of coating/sealant used and whether it is properly applied and maintained. Epoxy-based sealant, phenolic floor topping and vinyl ester products have been used but their long-term effectiveness is not proven and they require proper application, periodic maintenance and re-coating. The dry-cleaning machine or container must still be lifted up in order to apply the coating/sealant under the machine or container. The anchoring of the dry-cleaning machine, tank or other container within the secondary containment system may also result in damages to the floor sealant/coating layer or the underlying concrete and subsequent seepage of PERC through the cracks and crevices along the anchoring points. Contact the supplier(s) for advice and warranty regarding the use of coating/sealant.

5.12. Is steel considered PERC-impermeable?

Although ordinary steel is considered to be PERC-impermeable, the build-up of moisture in the PERC will lead to acid formation and corrosion which could ultimately result in the failure of the containment system. Equipment used in handling or storing PERC should not contain aluminum, magnesium, zinc or any alloys of these materials such as bronze because the possibility of a reaction between these metals and the solvent may cause corrosion and could ultimately result in failure of the containment system. Containment pans are typically constructed from corrosion resistant steel.

5.13. Is a berm considered an adequate secondary containment system?

No. The installation of a PERC-impermeable berm around a dry-cleaning machine, tank or other container does not constitute a secondary containment system encompassing at least the entire surface under the machine, tank or other container. Regardless of whether a containment pan or some other barrier system is used, the dry-cleaning machine, tank or other container within the containment area will still have to be lifted up in order to properly install the PERC-impermeable secondary containment system under the entire surface of the machine, tank or other container.

5.14. Does the volume occupied by the foot-print of the machine count for the containment system?

If the dry-cleaning machine, tank or other container is placed directly on top of the secondary containment system, the footprint of the machine, tank or other container will take up part of the containment capacity within the containment system. Therefore, the true containment capacity must exclude the volume occupied by the footprint of the machine, tank or other container within the containment system. This is important when determining the required minimum 110% capacity of the largest tank or container within the containment system.

5.15. Does the containment system have to be factory-installed?

No. The *Regulations* do not specify an installer for the secondary containment system.

5.16. How many PERC-resistant drain plugs are required for each facility?

The *Regulations* require PERC-resistant drain plugs to be readily available to seal all floor drains that PERC, wastewater or residue may enter in the event of a spill. Sufficient numbers of PERC-resistant drain plugs must be readily available to seal all floor drains at a dry-cleaning facility so that any spilled PERC, wastewater or residue will not enter the environment. .

5.17. What does a PERC-resistant drain plug look like?

PERC-resistant drain plugs come in various shapes (from round plugs to mats), forms (from inflatable to solid), sizes and materials. Specially designed drain plugs may have to be used in floor drains where there are pipes or other structures running into the drain. Contact the supplier(s) regarding available PERC-resistant drain plugs.

Section 6 – PROHIBITIONS – Use of Carbon Adsorbers

6.1. How long can dry cleaners continue to use a carbon adsorber as the primary vapour control device?

If the carbon adsorber was installed on the second-generation machine prior to February 27, 2003, it can be used until July 31, 2005. Beginning August 1, 2005, the carbon adsorber must be replaced with a refrigerated condenser as the primary vapour control device for a dry-cleaning machine.

6.2. Can multiple dry cleaning machines be vented to a single carbon adsorber?

Yes. However, the carbon adsorber should have sufficient capacity to handle the maximum volume of PERC-laden air generated from all machines that are vented to the carbon adsorber at any one time.

6.3. Must a carbon adsorber be used for fugitive PERC vapour control when the drum door is open?

No. The *Regulations* do not require the use of a secondary vapour control device to reduce fugitive PERC vapour emissions when the drum door is open after the drying/aeration cycle is completed.

However, the *Regulations* do not prohibit the use of secondary control devices, such as a carbon adsorber, that will further reduce PERC emissions into the work place.

Section 7 – PROHIBITIONS – Self-service Dry-cleaning Machines

7.1. What about coin-operated dry-cleaning machines?

A coin-operated machine is a self-service machine.

7.2. Are coin-operated machine prohibited for use at a dry-cleaning facility?

The customer of the dry-cleaning facility cannot use PERC in a coin-operated PERC dry-cleaning machine. However, the owner or operator of a dry-cleaning facility can continue to personally use the coin-operated machine provided the machines meets the requirements of the *Regulation*s.

Section 8 – WASTE WATER AND RESIDUE – Waste Water

8.1. What about the contaminated water generated during the desorption of carbon adsorbers?

The *Regulations* define waste water as “water containing PERC that is produced by a dry-cleaning machine or during the regeneration of a carbon adsorber”.

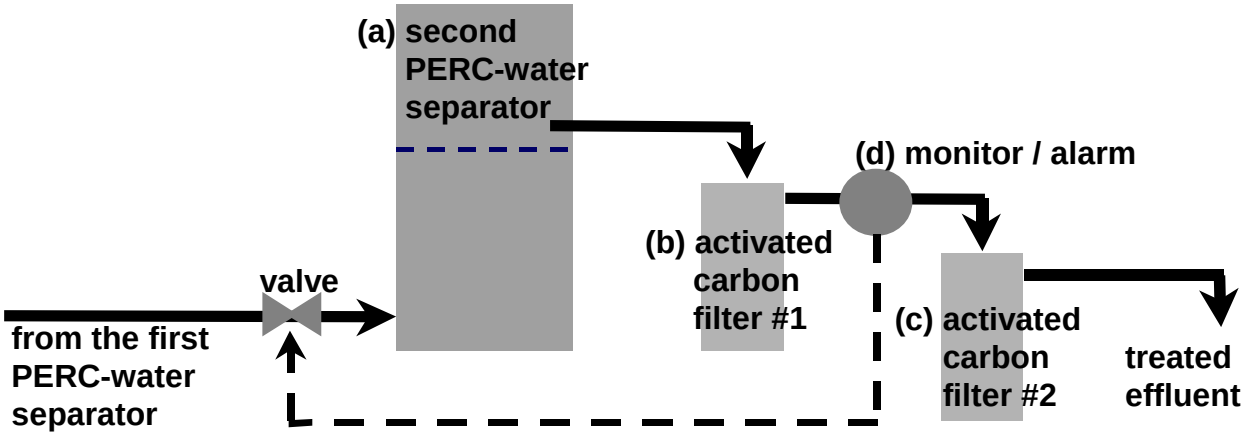
8.2. Do all dry cleaners have to install a waste water treatment system?

Not necessarily. The *Regulations* provide an option to either install an on-site waste water treatment system or transport the waste water to a waste management facility.

8.3. What is a waste water treatment system?

A schematic diagram of a waste water treatment system as defined by the *Regulations* is illustrated below. A waste water treatment system is connected to the integral (that is, the first separator shown in the diagram below) PERC-water separator in the dry-cleaning machine or the carbon adsorber (sniffer). A waste water treatment system must have the following minimum equipment:

(a) a second PERC-water separator following the first (integral) PERC-water separator of the dry-cleaning machine;
(b) a first filter containing activated carbon following the second PERC-water separator;
(c) a second filter containing activated carbon following the first filter containing activated carbon;
(d) a monitor or alarm located between the first and second filters that will automatically shut down the waste water treatment system when the first filter is saturated with PERC.



8.4. Which brands or models of waste water treatment system are recommended?

Environment Canada does not endorse or certify any commercial products including waste water treatment system. Contact the supplier(s) for information regarding commercially available waste water treatment systems. When purchasing a waste water treatment system, be aware that there may be mandatory provincial, municipal or other local requirements such as a limit on the concentration of PERC in effluent entering a storm/sewer collection system.

8.5. What is an activated carbon filter?

An activated carbon filter is a filter containing activated carbon. Activated carbon can be made from many materials containing a high carbon content such as coal, wood and coconut shells. Activation refers to the development of the adsorption properties of carbon, including the ability to adsorb chlorinated organic compounds such as PERC.

8.6. What are some of the things to look for in an activated carbon filter?

Loosely packed activated carbon in a filter will result in channeling, reduced contact time and greatly reduce the filter's PERC removal capability. A smaller activated carbon filter will have lower PERC removal capacity than a larger filter of the same type.

8.7. Are hybrid filters allowed?

Yes. A filter can be used as long as the filter media contain activated carbon as one component. A hybrid filter contains activated carbon and some other media (for example, ceramic, other adsorbents or absorbents).

8.8. What procedures should be followed when the monitor-alarm shuts down the waste water treatment system?

If the monitor-alarm shuts down the waste water treatment system, both activated carbon filters should be replaced before using the waste water treatment system again. The recommended filter replacement procedure is to either:

(a) replace the first and second activated carbon filters with new activated carbon filters; or
(b) replace the initial activated carbon filter with the used second activated carbon filter, and installing a new second activated carbon filter.

8.9. What if the manufacturer's recommended filter replacement schedule occurs prior to the monitor-alarm shutting down the waste water treatment system?

In such situations, follow the manufacturer's recommendations.

8.10. What should be done with the spent (used) activated carbon filters?

An activated carbon filter is spent when there is a break-through of PERC in the effluent from the filter. The adsorption capacity of the filter is reached when this break-through occurs.

Spent activated carbon filters are considered as 'residue' under the *Regulations* and must be transported to a waste management facility no less than once every 12 months.

8.11. Can dry cleaners regenerate or reactivate spent activated carbon filters themselves?

Reactivation is the process of restoring a spent activated carbon filter to its full adsorption capacity. Reactivation requires the use special furnace operating at over 800°C and this is only practiced at specialized hazardous waste treatment facilities.

Regeneration is the process of using steam or hot dry air to desorb most of the PERC from the spent activated carbon filters. Regenerated activated carbon filters will eventually require reactivation to restore its full adsorption capacity. Regeneration will result in the generation and possible release of PERC vapour and/or waste water. Steam stripping of the spent activated carbon filters is not recommended because a large volume of PERC contaminated waste water will be generated and must be sent through the waste water treatment system again. Authorization from provincial, municipal or local health, environmental and occupational health & safety authorities may be required for on-site regeneration of the spent activated carbon filters.

8.12. Can multiple dry-cleaning machines be connected to a single waste water treatment system?

Yes. An on-site waste water treatment system can be used to treat the wastewater generated from multiple machines located at the same dry-cleaning plant provided the treatment system has the capacity to handle the quantity of waste water from all the machines.

8.13. What PERC concentration is allowed in the treated effluent from the waste water treatment system?

The *Regulations* do not specify a PERC concentration in the treated effluent. However, there may be mandatory provincial, municipal or other local requirements that limit the concentration of PERC in effluent entering a storm/sewer collection system.

8.14. Can a mister or an evaporator be used to get rid of the treated effluent from the waste water treatment system?

The *Regulations* do not require the use of a mister or an evaporator. Authorization from provincial, municipal or local health, environmental and occupational health & safety authorities may be required to dispose of the treated effluent using an evaporator or mister.

8.15. Can treated effluent be dumped into the floor drain, toilet or other places?

The *Regulations* do not supersede other requirements of provincial, municipal or local authorities concerning the disposal of the treated effluent. For example, authorization from municipal sewer authorities or provincial governments may be required to dispose of the treated effluent. Some municipalities (for example, Toronto, Ontario and Capital Regional District, BC) have specified PERC concentrations that can be discharged into their sanitary sewers.

Section 9 – WASTE WATER AND RESIDUE – Residue

9.1. Can residue and waste water be mixed together for transport to a waste management facility?

The *Regulations* do not prohibit the mixing of residue with waste water. Item 4(e) in Schedule 4 of the *Regulations* provides the option to report the transport of waste water and residue mixed together.

The practice of mixing residue and waste water together is generally not practiced because PERC concentrations in waste water are typically much lower than in most residues. The disposal/treatment cost of residue at a waste management facility may be much higher than for waste water.

Section 10 – TRANSFER REQUIREMENTS

10.1. Can dry cleaners continue to add PERC to the dry-cleaning machine by pouring it through the button/lint traps?

Beginning January 1, 2004, PERC can only be transferred into a dry-cleaning machine, tank or other containers at a dry-cleaning facility by using a closed direct-coupled PERC delivery system.

10.2. Are closed direct-couple PERC delivery systems available at isolated communities?

Two major suppliers of PERC in Canada have instituted their own closed loop direct-coupled delivery system since the mid-1990's. These two standard systems are available to PERC sellers and dry cleaners whether they are located in urban or rural communities. The two major suppliers have also developed an alternative system for use by PERC sellers that make infrequent deliveries and for dry cleaners located in isolated communities. Contact the PERC supplier(s) for additional information.

PART 2 – TETRACHLOROETHYLENE REPORTING – IMPORTATION, RECYCLING, SALE AND USE

Sections 11 to 13 – PERC REPORTING - Importation, Recycling and Sale of PERC

11-13.1. Do Sections 11 to 13 of the *Regulations* apply to the dry cleaners?

Sections 11 to 13 of the *Regulations* are applicable to dry cleaners that have imported or recycled PERC for any use or sold PERC for use in dry cleaning beginning on January 1, 2004.

11-13.2. Is the use of a muck cooker to recover PERC from spent filters considered as recycling?

No. A muck cooker - that is, a still of a dry-cleaning machine, used for heating PERC-laden residue to volatilize and recover PERC is considered as a part of the dry-cleaning machine. The recovery of PERC in a dry-cleaning machine for reuse in the machine is not considered as recycling. It is not necessary to report this on-site activity at a dry-cleaning facility.

The use of a muck cooker to recover PERC from spent filters may require specific authorization by the provincial, municipal and/or local authorities.

Section 14 – PERC REPORTING - Reporting on Use of PERC in Dry Cleaning

14.1. Can dry cleaners make-up and use their own reporting form?

No. Dry cleaners must use the standard reporting form provided by Environment Canada to submit the information required under Schedule 4 of the *Regulations*.

14.2. Are standard reporting forms available?

The blank standard reporting form, *Annual Report for Dry Cleaners*, for owners or operators of dry-cleaning facilities is enclosed with this compliance promotion package. Additional forms for future use can also be obtained from the appropriate regional Environment Canada contact listed in Appendix A or by making copies of the enclosed form.

14.3. Where and when do dry cleaners submit their annual reports?

The last page of the standard reporting form includes the address of the appropriate regional Environment Canada office that the annual report should be mailed to. The first annual reports for the 2004 calendar year must be submitted by April 30, 2005. Subsequent reports must be submitted by April 30th of each year.

14.4. Do dry cleaners have to keep records of their activities involving PERC?

Yes. Beginning on January 1, 2004, dry cleaners must maintain books and records on their purchases of PERC, the transport of waste water or residue to a waste management facility and the on-site treatment of waste water for each of the dry-cleaning facilities that they own or operate. Such books, records and other supporting documents must be kept for five years after the end of year in which the annual report was made.

There are other records keeping requirements if a dry cleaner sold PERC for use in dry cleaning, imported or recycled PERC for any other use. Separate fact sheets have been prepared to inform the sellers, importers and recyclers of their obligations under the *Regulations*.

Section 15 – PERC REPORTING – Authorized Person

15.1. Can an employee sign the standard reporting form?

Each report must be signed by an authorized person and dated. An employee can sign the form if the he or she is authorized to do so by the corporation or by the owner or operator of the dry-cleaning facility.

Section 16 – PERC REPORTING - Maintenance of Books and Records

16.1. Who can ask dry cleaners for their records of activities involving PERC?

Dry cleaners must make this information available for review by an Environment Canada Enforcement Officer in the course of their functions or provide it to the Minister upon request.

Section 17 – COMING INTO FORCE

17.1. When did the *Regulations* become law??

The *Regulations* became law on February 27, 2003.

17.2. Does this mean all provisions of the *Regulations* came into force on February 27, 2003?

No. Section 17 of the *Regulations* specifies when each provision of the *Regulations* comes into force. Section III (Page 2) of this Compliance Guide provides a summary of the important coming-into-force dates for the various provisions in the *Regulations*.

V. GENERAL QUESTIONS

These questions and answers are not related to any specific provisions in the *Regulations* but they are general questions that are most frequently asked by dry cleaners.

Q1. Where can I get a copy of the *Regulations*?

A copy of the *Regulations* is enclosed with this compliance promotion package that was sent to all dry cleaners. A copy of the *Regulations* can also be downloaded from the *CEPA* Registry web site at: www.ec.gc.ca/*CEPA*Registry/regulations.

Q2. Are the *Regulations* available in any other languages?

The official legal text of the *Regulations* is available in English or French. The *Regulations* are also available in Korean, Chinese and Punjabi but these translations have no legal status. In other words, if there are any discrepancies or inconsistencies between the English/French versions and the other translated versions, the English/French versions will prevail. A copy of the Korean, Chinese or Punjabi version can be obtained from the appropriate regional Environment Canada contact listed in Appendix A.

Q3. Is this Compliance Guide available in any other languages?

This Compliance Guide is available in English or French.

Q4. Is a dry-cleaning facility subject to inspections?

Yes. Designated Environment Canada Enforcement Officers and Analysts are authorized to conduct inspections to verify compliance with the *Regulations*.

The *Regulations* are made under the authority of the *Canadian Environmental Protection Act, 1999*, which requires the owner or person in charge to provide reasonable assistance to the Enforcement Officers in the performance of their duties.

Q5. What happens if a dry cleaner does not comply with the *Regulations*?

The *Regulations* are made under the authority of the *Canadian Environmental Protection Act, 1999* (*CEPA 1999*). Compliance with *CEPA 1999* and its regulations is mandatory. Under *CEPA 1999*, a person who is found guilty of contravening the Act or its regulations may be subject to fines, imprisonment, court order and/or other enforcement measures. The *CEPA 1999* Compliance and Enforcement Policy sets out the criteria for enforcement responses. A copy of this Policy is available from the *CEPA* Registry web site at: http://www.ec.gc.ca/*CEPA*Registry/documents/policies/candepolicy/toc.cfm

Q6. How can a person report non-compliance to the *Regulations*?

Non-compliance occurrence can be reported to the appropriate regional enforcement offices of Environment Canada listed in Appendix A.

Section 17 of the *Canadian Environmental Protection Act, 1999* (*CEPA 1999*) also provides a formal application, including a solemn affirmation or declaration, for an investigation of an alleged offence under the *Regulations*. More information on Section 17 of *CEPA 1999* is available from the *CEPA* Registry web site at: http://www.ec.gc.ca/*CEPA*Registry/the_act/Part2_e.cfm

Q7. Is financial assistance available for dry cleaners?

Industry Canada, through *Canada Small Business Financing Program*, assists small businesses, including dry cleaners, in financing fixed assets. Under this program a dry cleaner may apply to a financial institution or a participating lease company of its choice for a loan or lease. Loans can be used for financing up to 90% of costs. Small businesses operating in Canada with gross annual revenues of $5 million or less are eligible. The maximum amount a business can access is $500,000. For further information contact Industry Canada at 1-866-959-1699, at csbfp-pfpec@ic.gc.ca or visit their website at: http://www.ic.gc.ca/csbfp

Q8. Is the federal government regulating other uses of PERC?

Yes. The complementary *Solvent Degreasing Regulations* have been proposed to control the release of PERC and trichloroethylene from the degreasing sector, which is the other major source of PERC release to the environment. Information on the *Solvent Degreasing Regulations* can be found at: http://www.ec.gc.ca/rsd-sdr/default.asp?lang=En&n=79569749-1.

Q9. Is the use of other dry-cleaning solvents regulated by Environment Canada?

Environment Canada currently does not have any regulations that regulate the use of non-PERC solvents in dry cleaning.

Some of the substances found in spotting agents may be on the List of Toxic Substances (that is, Schedule I) of the *CEPA 1999*. *CEPA 1999* control measures may be implemented to manage these toxic substances in some industrial sectors. Information on *CEPA 1999* regulations is available at the *CEPA* Registry at: http://www.ec.gc.ca/*CEPA*Registry/regulations.

Q10. Who can be contacted for more information on the *Regulations*?

Additional information on the *Regulations* is available on Environment Canada's web site at: http://www.ec.gc.ca/regs-tetra. Alternatively, the appropriate regional Environment Canada representative listed in Appendix A can be contacted.

APPENDIX A – Environment Canada Regional Offices

ENVIRONMENT CANADA'S REGIONAL OFFICES

For more information, contact Environment Canada Inquiry Centre: 1-800-668-6767

If your company is located in Newfoundland, Nova Scotia, New Brunswick or Prince Edward Island:

Mail your annual report to:
Regional Director, Environment Enforcement Division
Enforcement Branch – Atlantic Region
Environment Canada
45 Alderney Drive
16th Floor, Queen Square
Dartmouth, Nova Scotia B2Y 2N6

If your company is located in Quebec:

Mail your annual report to:
Regional Director, Environment Enforcement Division
Enforcement Branch – Quebec Region
Environment Canada
105 rue McGill, 4th Floor
Montreal, Quebec H2Y 2E7

If your company is located in Ontario:

Mail your annual report to:
Regional Director
Environmental Enforcement Division
Enforcement Branch – Ontario Region
Environment Canada
3-845 Harrington Court
Burlington, Ontario L7N 3P3

If your company is located in Manitoba, Saskatchewan, Alberta, NWT or Nunavut:

Mail your annual report to:
Regional Director
Environmental Enforcement Division
Enforcement Branch– Prairie & Northern Region
Environment Canada
Twin Atria #2, Room 200
4999 – 98th Avenue, NW
Edmonton, Alberta T6B 2X3

If your company is located in British Columbia or Yukon:

Mail your annual report to:
Regional Director
Environmental Enforcement Division
Enforcement Branch – Pacific & Yukon Region
Environment Canada
401 Burrard Street – Suite 201
Vancouver, British Columbia V6S 3C5

Appendix A Updated: April 2012