CALIFORNIA LEGISLATURE

Senate

STATE CAPITOL
SACRAMENTO, CALIFORNIA
95814

May 24, 2006

Dr. Robert Sawyer, Chair
California Air Resources Board
1101 I Street
Sacramento, CA 95814

Re: Dry Cleaning ATCM

Dear Dr. Sawyer and board members:

We are writing to express our concern with the Air Resources Board (ARB) staff's proposed amendments to the Airborne Toxic Control Measure for Perchloroethylene Dry Cleaning (Dry Cleaning ATCM). Perchloroethylene (Perc) is known to the State of California to cause cancer. Other non-cancer health effects include fluid build up in the lungs, and damage to the central nervous system, kidneys, liver, and reproductive system. In addition, Perc is estimated to have contaminated one in ten public drinking wells in California. Dry cleaners using this chemical pose an unacceptable health risk to their employees, their customers, and their neighborhoods.

We believe the proposed amendments developed by ARB staff are too weak and allow dry cleaners to continue to use this dangerous toxin indefinitely. Non-Perc alternatives have already been adopted by 10-20 percent of dry cleaning facilities in the state. This trend is increasing given consumer demand for less toxic alternatives and the restrictions that landlords have placed on dry cleaning tenants. Therefore, we believe the effects of the proposed amendments would be minimal. **Accordingly, we urge you to replace the current proposal with an expeditious phase-out of Perc in all dry cleaning facilities that, at a minimum, conforms to the phase-out that the SCAQMD has already implemented.**

We understand that ARB staff has expressed concerns that a full phase-out of Perc would result in an increase in emissions of volatile organic compounds (VOCs), a precursor to ozone, from hydrocarbon alternatives. Unfortunately, in the pursuit of lower VOC emissions, the ARB has sometimes encouraged the use of toxic alternatives that, on balance, have far greater public health impacts. We believe such is the case with Perc, a

known carcinogen and developmental toxin that particularly impacts dry cleaning workers. ARB should have a proactive approach that phases out both the smog-forming alternatives and encourages the use of non-toxic, non-polluting technologies.

One other major concern we have is the very disappointing implementation of the AB 998 Clean Dry Cleaning Program. The Legislature passed this bill because we saw the need to demonstrate the known viability of alternatives and encouraging the use of non-toxic, non-smog forming alternatives.

Our understanding is that more than two years after this law took effect ARB: 1) may not be fully collecting fees on the Perc used by California dry cleaners, 2) has not implemented a single demonstration project and, 3) has only made 14 grants in a state with almost 5,000 dry cleaners. We believe this lack of progress has led ARB staff to propose a Dry Cleaning ATCM that is less protective of public health than it should be. To protect public health from toxic chemicals and decrease smog ARB must do more to prevent pollution and encourage the use of non-toxic alternatives.

Thank you for considering these comments. We remain committed to working with you to phase-out the use of Perc in dry cleaning and encourage the use of non-toxic, non-smog forming alternatives to protect the health of all Californians.

Sincerely,

Senator Alan Lowenthal

Senator Dean Florez

Assemblymember Paul Koretz

Assemblymember Loni Hancock

Assemblymember Carol Liu

Assemblymember Ira Ruskin

Assemblymember John Laird

Assemblymember Noreen Evans

Senator Joe Simitian

Senator Sheila James Kuehl

Cc. Catherine Witherspoon
Dan Donohue