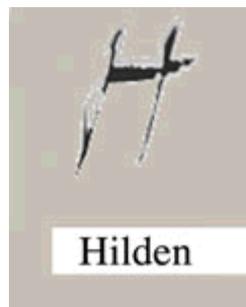




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Feature

solvent emissions directive
Apply now to stay legal

01 August 2006

The UK is now implementing the Solvent Emissions Directive to set limits to minimise harmful ground level ozone. Drycleaners must apply for a permit to operate by 31 October to stay in business. Senior environmental health officer Fay Rushby explains

The Solvent Emissions Directive is now being implemented under the Local Air Pollution Prevention and Control (LAPPC) system regulated by local councils and this has meant that drycleaners must apply for and get a permit to operate.

They now have less than three months to get their application in and accepted as "duly made" by the local council. If they fail to do so and continue to operate after 31 October this year they will be breaking the law.

The first step

All drycleaners will have to comply whether the business uses perc, hydrocarbon or siloxane, but the rules are being applied slightly differently for new and existing businesses and these differences affect both the deadline and the controls needed. The classification depends on the date the business first became a drycleaning outlet. If you bought your business from another operator, then you need to know when the original business started.

- Existing – drycleaning installation in operation before 1 April 2001;
- New – drycleaning installation that began on or after 1 April 2001.

If there are any doubts, most councils can find the date from their business rate records.

Brand new businesses must apply for a permit and must be able to show that they can meet the full standards of pollution control before operation starts or they will break the law.

Many that are already operating and do not have a permit will be classed as new because they (or the previous owner) started operating on or after 1 April 2001. They should not worry or try to hide this as councils are aware that plenty of drycleaners fall into this category. But they should get the application in as soon as possible. Typically, councils have been allowing six weeks or so for such businesses to get an application accepted.

The permit is a formal licensing system, and some regulators will only tolerate a limited delay before taking action including preventing a drycleaner from using the machine or even going to court. Any drycleaner that finds the application difficult should seek help from the local environmental health officer (EHO).

Drycleaners operating existing installations have until 31

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October this year to submit a "duly made" application.

Permit applications must be made on the standard form developed by the government department DEFRA. This is available from local councils or as part of the Solvcalc pack produced by the Textile Services Association (TSA). Most councils have sent out their application forms. Contact the council now if you haven't got one.

It must be fully and correctly completed to be accepted as "duly made". If you need advice ask your EHO or engage a suitable consultant. The TSA or the Chartered Institute of Environmental Health (see footnote for websites) can provide details of consultants.

Applicants should ask for written confirmation of acceptance when they send the form. A "duly made" application is very important as it will allow the business to continue trading while the permit is being considered. It gives time to plan any upgrades needed to meet the required standards of pollution control by 31 October 2007, the deadline for final compliance.

Drycleaners should allow at least 28 days for a response.

Common reasons for refusing to accept an application include:

- blank and incomplete sections
- unreadable responses
- unsigned declaration
- no application fee (currently £134)
- insufficient copies of the form if asked to provide multiple copies

On receiving a duly made application, the EHO will normally have four months to decide whether to grant a permit or to refuse the application. However most will extend this consideration period to 31 October 2007 to give drycleaners enough time to see if their drycleaning machine can be operated in line with the solvent emission limit, or to upgrade or replace it if necessary.

While the permit is being decided, an EHO will visit to confirm the accuracy of the information and to assess the compliance with the best available techniques (BAT) for minimising the release of drycleaning solvent into the atmosphere.

Controls and conditions

These approved techniques form the basis of the permit operating conditions. An outline permit is in process guidance note PG6/46(04), which can be downloaded from the DEFRA website (see footnote).

There have been several amendments to the recommended permit conditions and drycleaners should check with their EHO or on the DEFRA site.

To obtain a permit, drycleaners must meet an emission limit of 20g of solvent/kg of cleaned and dried product. This is equivalent to cleaning 80kg per litre of perc or 48.5kg for every litre of hydrocarbon or siloxane. To do this they must keep detailed records of solvent added, products cleaned and solvent waste sent for recycling.

I generally consider only machines fitted with refrigerated condensers are likely to be able to comply with the solvent emission limit. Even then, under-loaded machines may not

use the solvent efficiently enough to ensure compliance.

They must show that they are storing solvents and solvent residues safely, on an impervious floor and away from drains. (The requirement for a spillage tray has been slightly relaxed for currently installed machines.) Drycleaners must be able to produce records of solvent added to the machine, products cleaned and solvent sent for recycling.

The still thermostat must be correctly set and shut down automatically at the end of distillation. This provision has also been revised, so check the details.

Drycleaners must weigh each load accurately. Piece counts or estimates cannot be accepted.

Staff operating the machine must have suitable training or experience (such as the Guild of Cleaners and Launderers examination).

New installations that use perc must also have:

- a suitable continuous perc monitor installed in the machine operating area
- a suitable second water separator fitted to the machine and working
- a suitable activated carbon filter bed to treat the water from the second separator, fitted and working.

Both new and existing businesses with a machine installed after 19 May 2005 must demonstrate:

- a suitable second water separator is fitted and operational
- the machine has automatic interlocks to stop it being started if the door is left open, and stop the door being opened until the cycle finishes and the cage stops rotating
- the machine has automatic interlocks that shut it down in cases of cooling water shortage, condenser cooling failure, dryer heater failure, or refrigeration system failure, and
- automatic interlocks to shut down the machine if the still, button trap or lint filter doors are not properly closed.

The EHO will issue a permit once satisfied that the drycleaner can meet the appropriate requirements. Record keeping must continue after the permit has been granted and there will be an inspection, at least annually, which includes an assessment of calculated solvent emissions. Drycleaners with a permit will also pay an annual charge to cover regulation costs.

Penalties

Councils can enforce compliance and impose penalties for not doing so. If the case goes to court, magistrates can impose fines of up to £50,000 for each offence. However, most EHO's feel they will be able to sort out problems informally.

Useful sites

www.tsa-uk.org

www.cieh.org

www.defra.gov.uk/environment/ppc/policy.htm

www.laundryandcleaningnews.com

