

## Missouri's Hazardous Waste Management Commission

The Missouri Department of Natural Resources' Hazardous Waste Program assists the Missouri Hazardous Waste Management Commission, which was established by state statute. The commission promotes hazardous waste recycling, reuse and reduction; adopts and modifies rules to implement the hazardous waste statutes; holds hearings on rules, complaints and permit appeals; and is empowered to grant variances.

The commission ensures the rules and regulations, such as those pertaining to dry cleaners, which it has adopted, are protective of human health and the environment. The commission also provides a forum where the public and the regulated community, such as dry cleaner owners and operators, can express their concerns or provide suggestions on issues and policies. Issues may include the environment, hazardous waste management, and the clean up of chlorinated solvent releases from dry cleaners.

Information on the Hazardous Waste Management Commission including commission members, previous meeting minutes and quarterly reports can be found on the department's Web site at [www.dnr.mo.gov/env/hwp/commission/commis.htm](http://www.dnr.mo.gov/env/hwp/commission/commis.htm).

## Upcoming Commission Meeting Dates and Location

Aug. 21 in Jefferson City.  
Oct. 16 in Jefferson City.  
Dec. 18 in Jefferson City.

## DERT Fund Contact Information

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Jefferson City, MO 65102-0176



Drycleaning Environmental Response Trust

# DERT Fund News

Volume 6, August 2008



Missouri Department  
of Natural Resources  
Hazardous Waste Program

## Annual Dry Cleaning Facility Registration News

The dry cleaning registration form and surcharge for calendar year 2007 were due April 1. There were 279 active facilities during 2007. To date, the department has received the forms and surcharges from 216 facilities for a compliance rate of 77 percent. Dry cleaning facilities that do not pay the required surcharge by April 1 are charged a 15 percent penalty and 10 percent per annum interest until the payment is made in full.

The department mailed registration receipts to dry cleaning facilities in June for payment of the 2007 surcharges. Please contact the department if you did not receive a receipt for your facility at 573-526-8913 or 800-361-4827.

Beginning Sept. 1, the Drycleaning Environmental Response Trust, or DERT, Fund will notify the registered solvent suppliers of the active dry cleaning facilities that have not paid their required 2007 registration surcharge. According to 10 CSR 25-17.030(2)(G), "a solvent supplier shall not provide dry cleaning solvents to an active dry cleaning facility that has not paid its annual dry cleaning facility registration surcharge."

A solvent supplier who knowingly supplies solvent to a dry cleaning facility that is not in compliance with payment of the surcharges will be in violation of the above regulation. The DERT Fund will post a listing of these dry cleaning facilities on its Web page similar to the listing of solvent suppliers that did not pay the required solvent surcharges.

In the future, the department will notify the solvent suppliers by June 15 of the dry cleaning facilities that have not paid the registration surcharge that was due by April 1. For example, the registration surcharge for calendar year 2008 is due by April 1, 2009. By June 15, 2009, the department will notify the solvent suppliers of the dry cleaning facilities that have not paid their 2008 registration surcharge.

Facilities that are not in compliance with the DERT Fund statutes, rules and regulations are ineligible to receive monies for the investigation and cleanup of solvent contamination. This is another important reason to submit your registration form and surcharge. Failure to comply with any other applicable federal or state environmental statute, rule and regulation would make the facility ineligible as well.

## Change in Ownership of a Dry Cleaning Facility

It is important to send updates regarding your facility's information to the department, especially when a facility changes ownership.

By regulation, the owner or operator of an active dry cleaning facility must notify the department of a change in ownership within 30 days after it occurs.

Facilities can notify the department of a change of ownership by submitting the Dry Cleaning Facility Change of Ownership (MO 780-1877) form. This form is available on the department's Web site at [www.dnr.mo.gov/forms/780-1877.pdf](http://www.dnr.mo.gov/forms/780-1877.pdf).

If you are considering purchasing a dry cleaning facility, the department recommends you make sure the current owner is in compliance and has paid the required surcharges. You may contact the DERT Fund at 573-526-8913 or 800-361-4827 to determine if a facility is in compliance. The department also encourages the buyer and seller to make sure the responsibility for the payment of the registration surcharge is addressed in the sales contract.

## Notification of Abandoned Dry Cleaning Sites

The deadline for notifying the department of abandoned dry cleaning sites is July 1, 2009. DERT Fund monies cannot be used to pay for corrective action costs at abandoned dry cleaning facilities that were taken out of service prior to July 1, 2009 and not documented by or reported to the department by July 1, 2009.

If you are the owner or former operator of an abandoned dry cleaning facility and have not reported its location to the department, please submit the Notification for the Existence or Former Existence of a Dry Cleaning Facility (MO 780-1831) form and any available evidence that the property once contained a dry cleaning facility by the deadline. A copy of this form is available on the department's Web site at [www.dnr.mo.gov/forms/780-1831.pdf](http://www.dnr.mo.gov/forms/780-1831.pdf) or by contacting the DERT Fund at 573-526-8913 or 800-361-4827.

## DERT Fund Cleanup News

The DERT Fund unit provides state oversight for the investigation, assessment and clean up of releases of chlorinated solvents at eligible dry cleaning facilities.

Upon successful completion of the cleanup, the department will issue a Certification of Completion letter to the participant. This letter reduces the uncertainty associated with dry cleaner properties and allows property transactions to proceed. Abandoned dry cleaner sites that have been vacant can then be used for other productive and beneficial uses.

The DERT Fund will also reimburse participants for the eligible costs of the investigation and cleanup of dry cleaning facilities. However, there is a

\$25,000 deductible that must be met before reimbursements are made. Reimbursements are also limited to a maximum of \$1 million at any one contaminated dry cleaning site.

Currently, the DERT Fund unit is providing oversight for the investigation or clean up of chlorinated solvent contamination at 20 sites. In October 2007, the DERT Fund issued its first Certification of Completion letter to the Westgate Cleaners site in St. Louis. Certification of Completion letters were recently issued to the Frontenac Cleaners-West End site in St. Louis and the Colonial Cleaners (Brentwood Blvd.) site in Brentwood as well. To date, the DERT Fund has reimbursed \$574,815 in eligible costs to participants.

## 2007 DERT Fund Annual Program Report

The DERT Fund's 2007 Annual Program Report is now available on the department's Web site at [www.dnr.mo.gov/pubs/pub2262.pdf](http://www.dnr.mo.gov/pubs/pub2262.pdf). The DERT Fund is required by statute to submit this report annually to the governor and the general assembly. This report includes the receipts of the fund and the sources of the receipts; disbursements from the fund and the purposes of the disbursements; the extent of corrective action taken at sites enrolled in the fund; and the prioritization of those sites for expenditures from the fund.

## State Coalition for Remediation of Drycleaners

Missouri is an active member of the State Coalition for Remediation of Drycleaners. The State Coalition for Remediation of Drycleaners is now in its 10th year and provides an opportunity for member states to learn from other states' techniques about improving and ensuring the effectiveness of their cleanup efforts. The coalition will hold its next annual meeting in October in New Orleans, La.

The group was formed with help from the U. S. Environmental Protection Agency's Technology Innovation Office and the National Groundwater Association to foster collaboration among states in approaching cleanups at dry cleaning facilities. Member states include Alabama, Connecticut, Florida, Illinois, Kansas, Minnesota, Missouri, North Carolina, Oregon, South Carolina, Tennessee, Texas and Wisconsin. For information about dry cleaning remediation and chemicals used in dry cleaning operations, visit the State Coalition for Remediation of Drycleaners' Web site at [www.drycleancoalition.org](http://www.drycleancoalition.org).