

**CITY OF PHILADELPHIA
DEPARTMENT OF PUBLIC HEALTH
AIR POLLUTION CONTROL BOARD
AD HOC MEETING and the DRY CLEANING PUBLIC**

The meeting of the Air Pollution Control Board Ad Hoc meeting and the Dry Cleaning Association was held Wednesday, January 20, 2010, at The Spelman Building, 321 University Avenue, 1st floor Conference Room

Eddie R. Battle, Chairman, presided:

ATTENDING: Eddie Battle, Chair of the APCB
Joseph O. Minott, Member, APCB
Tom Edwards, Member, APCB
Eric Thumma, Member, APCB

STAFF: Thomas Huynh, Director Air Management Services (AMS)
Edward Braun, Program Manager, AMS
Henry Kim, Chief, Program Services, AMS
Roger Fey, Chief of Facility Compliance, AMS
Alison Riley, Voluntary Programs Coordinator, AMS
Patrick O'Neill, Council for the City of Philadelphia
Dr Giridhar Mallya, Director of Policy & Planning,
City of Philadelphia, Department of Public Health

GUESTS: Carol Member, PDCA
Nora Nealis, NCA
Adam Finkel, UPENN
Allan Wang, MCAAA
Jason Kim, KDPA
John Meijer, DLI
Lori Werner, ATSDR/CDC
Paul Dugard, HSIA
Karl Markiewiz, ATSDR

1. WELCOME

Eddie Battle welcomed everyone and told everyone that this would be a two part meeting

- a. Presentation from Industry and the Public
- b. A Closed Session of the Ad Hoc Committee

2. DISCUSSION AND/OR QUESTION/ANSWER PERIOD

Speakers:

Paul Dugard is Director of Scientific Programs of HSIA (Halogenated Solvents Industry Alliance, Inc.)

(Please see attached information that Dr. Dugard gave to the Board)

I am a toxicologist and have had many debates with the Dr. previously. I regard Dr Finkel as a friend. There is massive data on PERC to interpret. It is hard to define what is real and what is not real. We cannot make an absolute decision with a quantitative decision. Hexo is absorbed through human skin. Consider where we differ on our interpretation here. I have reviewed the NAS panel. The concern about cancers related here was done in 344 Rats. Rats that had been in-breed. One type is Mononuclear cell caused Leukemia which is a gene-toxin. This is caused by the mixing and mingling of genes. There is a high rate of spontaneous rate of mononuclear cell leukemia we do not accept there is a human equivalent disease in humans. Humans are not expected to have this disease. PERC is not a toxic chemical. There may be a debate about kidney cancer but the mononuclear cell leukemia is related to man not to others. That is my interpretation. The rat is not a rep of the human race. You can't make the case that

Dr Finkel relies on. PBDK model is also exaggerated. EPA relied on some older models. There is some recent data that shows exposure to PERC does not cause cancer. The 2007 study where lower doses were given over time did not find this to be true. Animal studies I read use kidney studies. There is no perfect way to do this. Small numbers of residence studies have bias in it. Also the occupational study was questionable. I don't accept it was a healthy worker that was affected. It is more about physical chemistry. A study was set up to look at esophageal cancer. Drinking and smoking increase esophageal cancer and it was not taken into count. Comparisons between laundresses and dry cleaners exposures ranged between – does PERC cause cancer – findings of Nordic Dry Cleaning study were different from the Nile study. Massive liver tumors were not handled properly by the EPA and the study was not handled properly in my opinion by the EPA.

Nora Nealis, National Cleaners Association of New York City

I want to address Dr Finkel's report

First I want to tell you that the New Jersey rule has been withdrawn by the NJ DEP – they have not proposed a replacement rule – the phase out 3 was 15 – that is an important piece of information – NY, who was the first State to Jump on the PERC issue has not phased out PERC – it is regulated by the NY DPH – NY is a 100% 4th generation state since 2003 – NJ is also looking at 4th Generation as a standard

Jon Meijer, Dry Cleaning & Laundry Institute

I would like to address the comments that the Industry presented to the Board the last time this was introduced – I have not seen where any of that information was incorporated into the new regulation – I would like to see that – Industry has modified the NY regulation and ventilation was the key

Huynh: In March of 09 when the vote was taken and not passed, we stopped the process- We did not go any further

Eric: But the Board did not completely dismiss the Dry Clean Industry – that is why we are here now

Meijer NY is successful with regulating the Dry Clean in Industry

Eric: How successful is NY in regulating the Industry?

Nealis: NY is 99.1% successful in regulations

Eric: Does the NY DEP Enforce the law?

Nealis: In the State they do but in the City it is done by L &I

Eric: What is the cost of this regulation?

Nealis: Air Facilities pay a regulation fee of \$160.00 a year

Miejer: We recognize that funding is a concern

Minott: Is that the only fees at are paid

Nealis: Testing levels of PERC is a pretty comprehensive piece of work – this is done by a certified Contractor hired by the Facility

Eric: Someone who know about the science and regulations?

Carol Memberg, PA & DE Cleaners Association

What technology – we are all aware - Cleaners can meet the standards – We have no sympathy – it is those who have been in compliance that we are focused on – We can protect everyone who works in the plant and those who live around the place
Good people doing the right thing

Jason Kim, Savoy Cleaners/Korean-American Association

I have not comments on the science or technology. What I want to stress is if this gets passed every Dry Cleaner in the city will move out of the City. That is their only option we have.

There is so much involved not only the costs of the equipment but also the restructuring of the stops – pass a regulation like this and it has to be state wide otherwise they will turn every store in to a drop store and just have one employee in the store to receive and give out the Dry cleaning – everything else will be done outside the City

Minott: Mr. Kim has the most compelling of arguments. Our area of jurisdiction is only the City

Henry Kim: Actually it is Federal

Jason Kim: But it is not enforced

Memberg: Pa for many many years did not allow people to live above Dry Cleaners – It was 10 years ago is when it became legal to live above a Dry Cleaning Plant

Henry Kim: When the life of your machine is done why not buy a hydro carbon machine

Jon Meijer: Solvent is much weaker – issues relate to VFC's

Henry Kim: Clearly she is under the impression

Nora Nealis: Keep in mind

Thumma: keep in mind

Nora Nealis: I wish I had a crystal ball to tell you

Paul Dugard: Phase out has no clear signals on the study. The Federal Regulation is under challenge

Minott: Every Regulation is challenged

Edwards: Challenged from every side

Lori Werner, ATSDR/CDC

I work at the Region 3 office in Philadelphia for the ATSDR – with Health and Human Services – I will pass out my statement – I had to get it approved – I am sorry it is so short

Allan Wang, MCAA

Commission has sent a statement to the Board- Economic impact on Dry Cleaners in Philadelphia- Would like to see more scientific reports before the Board passes the Regulation