

DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR QUALITY DIVISION

DRY CLEANING ESTABLISHMENTS  
UTILIZING CLASS I, II, III, AND IV SOLVENTS

Filed with the Secretary of State on March 16, 2004.  
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(By authority conferred on the department of environmental quality by section 33 of 1969 PA 306, MCL 24.233; sections 2233 and 13322 of 1978 PA 368, MCL 333.2233 and 333.13322; section 3c of 1941 PA 207, MCL 29.3c; and Executive Reorganization Order Nos. 1997-2 and 1998-2, MCL 29.451 and 29.461.)

R 325.17101 to R 325.17104, R 325.17106, R 325.17107, R 325.17109, R 325.17202 to R 325.17205, R 325.17207 to R 325.17210, R 325.17301 to R 325.17308, R 325.17401 to R 325.17406, R 325.17501, R 325.17503 to R 325.17506, R 325.17509, R 325.17510, R 325.17701, R 325.17705, R 325.17706, R 325.17709, R 325.17901 to R 325.17906, and R 325.18002 of the Michigan Administrative Code are amended; R 325.17203a, R 325.17211, R 325.17713, and R 325.17714 are added; and R 325.17105, R 325.17108, R 325.17201, R 325.17206, R 325.17309, R 325.17407 to R 325.17409, R 325.17502, R 325.17507, R 325.17508, R 325.17702 to R 325.17704, R 325.17707, R 325.17708, R 325.17710 to R 325.17712, R 325.18001, R 325.18003 to R 325.18006, and R 325.18101 to R 325.18104 of the Code are rescinded, as follows:

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## **PART 1. GENERAL PROVISIONS**

### **R 325.17101 Scope and applicability.**

Rule 101. These rules apply to owners, operators, manufacturers, distributors, sellers, lessors, installers, assemblers, and other persons who possess or control dry cleaning equipment utilizing class I, II, III, and IV solvents in this state.

### **R 325.17102 Definitions.**

Rule 102. (1) As used in these rules:

(a) "Application" means a form and applicable fees submitted to the department by an owner or operator of a type I, II, III, and IV establishment, which provides information about the establishment and requests licensure thereof.

(b) "Class I solvents" are liquids having a flashpoint below 100 degrees Fahrenheit (37.8 degrees Centigrade).

(c) "Class II solvents" are liquids having a flashpoint at or above 100 degrees Fahrenheit (37.8 degrees Centigrade) and below 140 degrees Fahrenheit (60 degrees Centigrade).

(d) "Class IIIA solvents" are liquids having a flashpoint at or above 140 degrees Fahrenheit (60 degrees Centigrade) and below 200 degrees Fahrenheit (93.4 degrees Centigrade).

(e) "Class IIIB solvents" are liquids classified as having a flashpoint above 200 degrees Fahrenheit (93.4 degrees Centigrade).

(f) "Class IV solvents" are liquids classified as nonflammable.

(g) "Department" means the department of environmental quality.

(h) "Director" means the director of the department or his or her authorized representative.

(i) "Dry cleaning establishment" means machines, equipment, controls, connections, rooms, buildings, or fixtures which are associated with the dry cleaning process utilizing a class I, II, III, or IV solvent and the premises upon which they are located.

(j) "Dry cleaning machine" means a device in which wearing apparel, textiles, fabrics and rugs, are immersed in a solution other than water and agitated for the purpose of removal of dirt or soil.

(k) "Dry cleaning machine room" means a room in which the dry cleaning operations are conducted, including all additional areas containing solvent or solvent handling equipment in which dry cleaning solvents or vapors may accumulate.

(l) "Dry cleaning system" means any equipment such as washers, dryers, filters, stills, vapor recovery units, waste water vaporizers, and storage tanks which contain a cleaning solvent.

(m) "Emergency" means that, in the judgment of the director, there is a violation of the public health code or these rules which causes or may cause a condition at a type IV establishment requiring immediate action to prevent endangering the health or safety of a person or persons or a violation of the fire protection code or these rules which causes or may cause a condition at a type I, II, or III establishment requiring immediate action to prevent endangering the health or safety of a person or persons from the risk of a fire or explosion.

(n) "Fire prevention code" means section 5i of 1941 PA 207, MCL 29.1 to 29.34.

(o) "Licensee" means the owner of a dry cleaning establishment that has been issued a license or certificate.

(p) "Make-up air" means outdoor air that replaces establishment air which is exhausted to the outside by a ventilation system.

(q) "Modification" means a conversion, alteration, or change in the design, operation, or location of the equipment or a change in the class of solvent utilized at the dry cleaning establishment, including, but not limited to, dry cleaning equipment, fuel-fired equipment, ventilation equipment, and the building structure, or any of the items listed in R 335.17203. A modification does not include routine maintenance.

(r) "Plans and specifications" means drawings, specifications, data, and a true description or representation of a type I, II, III, and IV installation, or a component thereof, as it exists or is to be constructed, installed, modified, converted, or remodeled.

(s) "Public health code" means part 133 of article 12 of 1978 PA 368, MCL 333.13301 to 333.13325, and only applies to type IV dry cleaning establishments.

(t) "Public laundry" means a business where the public may launder wearing apparel, textiles, fabrics, and rugs by immersion in water.

(u) "Type I establishment" is an establishment utilizing a class I solvent.

(v) "Type II establishment" is an establishment utilizing a class II solvent.

(w) "Type III establishment" is an establishment utilizing a class IIIA or class IIIB solvent.

- (x) "Type IV establishment" is an establishment utilizing a class IV solvent.
- (2) The terms defined in the public health code and the fire prevention code have the same meaning when used in these rules.

**R 325.17103 Adoption by reference; purchase.**

Rule 103. The following standards are incorporated by reference in these rules:

(a) The national fire protection association standard, NFPA No. 32 entitled, "Drycleaning Plants 2000." The standard is available for inspection at the Lansing office of the Department of Environmental Quality, Air Quality Division, Constitution Hall, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, and may be purchased at a cost of \$22.25, as of the time these rules were promulgated, from the National Fire Protection Association, 1 Battery March Park, P. O. Box 9101, Quincy, Massachusetts 02269-9101.

(b) "National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities," 40 C.F.R., part 63, subpart M (2002). A copy of these regulations may be inspected at the Lansing office of the air quality division of the department of environmental quality. Copies of 40 C.F.R., part 63, may be obtained from the Department of Environmental Quality, Air Quality Division, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of \$56.00; from the Superintendent of Documents, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of these rules of \$56.00; or on the United States government printing office internet web site at <http://www.gpo.gov>.

(c) "Standards of Performance for Petroleum Dry Cleaners," 40 C.F.R., part 60, subpart JJJ. A copy of these regulations may be inspected at the Lansing office of the air quality division of the department of environmental quality. Copies of 40 C.F.R., part 60, may be obtained from the Department of Environmental Quality, Air Quality Division, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan, 48909-7760, at a cost as of the time of the adoption of these rules of \$56.00; from the Superintendent of Documents, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of these rules of \$56.00; or on the United States government printing office internet web site at <http://www.gpo.gov>.

**R 325.17104 Daily inspections; recordkeeping of dry cleaning machines and related equipment.**

Rule 104. The owner or operator shall conduct daily surveillance checks of each dry cleaning machine and related equipment and perform necessary maintenance in order to prevent unnecessary loss of dry cleaning solvent or solvent vapors. Owners or operators of type IV dry cleaning establishments shall maintain records according to the requirements defined under the "National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities," 40 C.F.R., Part 63, subpart M, adopted by reference in R 325.17103. Owners or operators

of type I, II or III dry cleaning establishments shall maintain records according to the requirements defined under the “ Standards of Performance for Petroleum Dry Cleaners,” 40 C.F.R., Part 60, subpart JJJ, adopted by reference in R 325.17103.

R 325.17105 Rescinded.

**R 325.17106 Dry cleaning solvent.**

Rule 106. The use of dry cleaning solvents, other than those specifically designated for a machine are prohibited, unless prior approval is obtained from the department.

R 325.17107 Establishment requirements generally.

Rule 107. A dry cleaning establishment shall comply with all of the following provisions:

(a) Filter cartridges, filter residues, and other residues containing dry cleaning solvent shall be stored in a suitable covered container and properly disposed of so as to not create a hazard to the health or safety of a person or persons at a type IV dry cleaning establishment or by preventing the risk of a fire or explosion from occurring at a type I, II, or III dry cleaning establishment.

(b) Dry cleaning, dry dyeing, waterproofing, and related processes by immersion and agitation in vessels without covers are not permitted.

R 325.17108 Rescinded.

**R 325.17109 Operations vigilance; notification to department of threat or hazard to public health or safety; report.**

Rule 109. (1) An owner, operator, or employee of a type IV dry cleaning establishment shall maintain all dry cleaning operations and equipment to prevent threats or hazards to the public health and safety. An owner, operator, or employee of a type I, II or III dry cleaning establishment shall maintain all dry cleaning operations and equipment to prevent threats to the health or safety of a person or persons by preventing the risk of a fire or explosion from occurring.

(2) If a condition or incident presents a threat or hazard as defined in R 325.17109(1), then the owner or operator of a dry cleaning establishment shall immediately initiate corrective actions and notify the department by not later than the next business day upon learning of the condition or incident. Within 30 days after the condition or incident, the owner or operator shall file a written report with the department outlining, in detail, discovery of the condition or incident, the cause, and the corrective actions taken.

## **PART 2. PLANS AND SPECIFICATIONS**

R 325.17201 Rescinded.

### **R 325.17202 Submission of plans and specifications for construction or modification of dry cleaning establishment.**

Rule 202. Before construction or modification of any dry cleaning establishment, or portion thereof, plans and specifications shall be submitted to the department by the owner, operator, or a designated agent for review and approval and shall meet all of the following requirements:

(a) Be accompanied with a transmittal letter and a completed license application form as prescribed and provided by the department. The transmittal letter shall identify and summarize the plans and specifications for the project and indicate the authorization of any designated agent for the owner or operator.

(b) Be accompanied with the appropriate fee prescribed by the public health code for type IV dry cleaning establishments or the fire prevention code for type I, II or III dry cleaning establishments and made payable to "state of Michigan."

(c) Be accompanied with proof of approval from the local governmental authority either by a form provided by the department or a building permit.

### **R 325.17203 Construction details for plans and specifications; modifications.**

Rule 203. (1) Plans and specifications for a new dry cleaning establishment or modification of an existing dry cleaning establishment that are submitted to the department for approval shall include, at a minimum, the items specified in section 13303 of the public health code and all of the following, where applicable:

- (a) Site plan.
- (b) Structural design.
- (c) Construction materials.
- (d) Construction and installation schedules and methods.
- (e) Water supply, waste water disposal, and floor drains.
- (f) Garbage and rubbish disposal facilities.
- (g) Ventilation and make-up air equipment, location, and airflow direction.
- (h) High-pressure steam boilers.
- (i) Water and space heating equipment.
- (j) Btu/hr. input ratings.
- (k) Type and model of proposed equipment.
- (l) Location, size, and type of combustion air openings.
- (m) Fire protection systems.
- (n) Permanently installed storage tanks.

(2) Plans and specifications of a modification of an existing dry cleaning establishment submitted for approval shall show both the proposed modifications and the pertinent existing facilities.

**R 325.17203a. Compliance with state or local code requirements.**

Rule 203a. Compliance with these rules does not relieve an owner from complying with a state or local code or requirement that is not in conflict with these rules.

**R 325.17204 Review of plans and specifications by department.**

Rule 204. (1) Upon receipt of the transmittal letter, plans, and specifications, license or certificate application, appropriate fee, and proof of local approval, the department shall review the documents as soon as practical to determine their completeness with regard to the minimum requirements specified by these rules and to determine their adequacy. In making its review, the department shall not approve the plans and specifications for a type IV establishment unless it determines the dry cleaning establishment, or a portion thereof, is designed to protect the health or safety of a person or persons. The department shall not approve the plans and specifications for a type I, II or III establishment unless it determines the dry cleaning establishment, or a portion thereof, is designed to protect the health or safety of a person or persons by preventing the risk of a fire or explosion from occurring.

(2) If the department determines that plans and specifications or other pertinent information are incomplete, inaccurate, or do not comply with these rules, it shall notify the applicant and may request the submission of revised plans and specifications with appropriate corrections or additions. The department shall not initiate the approval process under this part until the completed license or certificate application form and appropriate fee are received as well as the plans, specifications, and proof of local approval that comply with the public health code for type IV establishments or the fire prevention code for type I, II or III establishments and these rules.

**R 325.17205 Approval of plans and specifications; authorization for construction, installation, or modification of establishment.**

Rule 205. (1) Upon a determination that provisions of R 325.17204(1) are met and the plans and specifications for the construction, installation, or modification of a dry cleaning establishment, or portion thereof, are complete and in compliance with the public health code for type IV establishments or the fire prevention code for type I, II or III establishments, and these rules, the department shall mark the plans or drawings showing approval and the date of approval, shall notify the owner, operator, or designated agent thereof of the approval, and shall authorize construction, installation, or modification of the dry cleaning establishment.

(2) The approval of plans and specifications and authorization for construction, installation, or modification of a dry cleaning establishment by the department pursuant to the public health code, for a type IV establishment, or the fire prevention code, for a type I, II or III establishment, and these rules shall expire within 1 year from the date of approval, unless the owner, operator, or

designated agent of the dry cleaning establishment applies in writing to the department for an extension of the approval and construction authorization before its expiration. The request for extension shall identify the project for which the approval was issued and the reason for the delay in construction or initiation of the project. If an extension is granted, the department may require modification of the plans and specifications to incorporate updated dry cleaning practices where applicable.

R 325.17206 Rescinded.

**R 325.17207 Approvals and authorizations; terms and conditions.**

Rule 207. An approval and authorization issued under R 325.17205 shall require that the project be constructed in accordance with the approved plans and specifications. The department may attach additional conditions to an approval and authorization if it determines the conditions are necessary to assure proper construction, installation, modification, or operation of the establishment, or portion thereof.

**R 325.17208 Deviations from approved plans and specifications; minor changes not affecting installation or operation; as-built plans.**

Rule 208. (1) Deviations from approved plans and specifications in the installation or operation of a dry cleaning establishment, or portion thereof, shall be submitted in writing to the department, before construction, installation, or modification is initiated.

(2) Changes in the construction, installation or modification of the dry cleaning establishment that do not affect the health or safety of a person or persons at a type IV establishment or that do not affect the health or safety of a person or persons at a type I, II or III establishment from fire or explosion shall be allowed without first obtaining approval from the department.

(3) As-built plans that clearly show the work as constructed or installed shall be submitted to the department upon request.

**R 325.17209 Approval and authorization; rescission; orders to stop construction.**

Rule 209. (1) The department may rescind its approval of plans and specifications and authorization for construction, installation, or modification of a dry cleaning establishment, if it determines that the owner, operator, or designated agent is not undertaking the work substantially in accordance with approved plans and specifications. The department shall notify the owner, operator, or designated agent before the rescission of authorization, shall afford him or her the opportunity to take any corrective action as may be required, and may pursue further remedies as authorized by the public health code or the fire prevention code and these rules.

(2) If an owner, operator, or designated agent of a dry cleaning establishment fails to submit plans and specifications for the construction, installation, or modification of the establishment; fails to construct, install, or modify a dry cleaning establishment in accordance with approved plans and specifications; or fails to take corrective actions as required under subrule (1) of this rule, then the department may issue a written stop work order to the owner, operator, or designated agent to halt any construction, installation, or modification activities and may pursue other remedies as provided by the public health code or the fire prevention code.

**R 325.17210 Inspection of dry cleaning establishment.**

Rule 210. (1) When the construction of a new dry cleaning establishment is completed, the owner, operator, or designated agent shall notify the department and arrange for an inspection of the establishment. The owner, operator, or designated agent shall not operate the dry cleaning establishment until an approved inspection is completed and is in compliance with part 3 of these rules.

(2) When a modification of an existing dry cleaning establishment is completed, the owner, operator, or designated agent shall notify the department for approval. The department shall determine if an on-site inspection is necessary.

**R 325.17211 Storage tank installation, operation, and closure plan review and approval.**

Rule 211. The owner of a dry cleaning establishment shall obtain department approval for the installation, operation and closure of dry cleaning liquid storage tanks as follows:

(a) A copy of the plans and specifications shall be submitted to the storage tank unit of the waste and hazardous materials division of the department for inside and outside above-ground storage tanks that exceed 1,100 gallons in capacity for class I, II and IIIA solvents. These plans and specifications shall be reviewed for compliance with the fire prevention code and R 29.5209 et seq.

(b) A copy of the plans and specifications shall be submitted to the storage tank unit of the waste and hazardous materials division for underground tanks that meet the requirements of part 211 of 1994 PA 451, MCL 324.21101. These plans and specifications shall be reviewed for compliance with part 211 of 1994 PA 451, MCL 324.21101, and R 29.2113 et seq.

## **PART 3. LICENSURE**

### **R 325.17301 Applications for initial licenses; required information; fees; local approval.**

Rule 301. A completed license application form for an initial type I, II, III, or IV license and the applicable fee prescribed by R 325.17302 shall be submitted to the department. At the time an initial license application is submitted to the department, the owner or operator of a dry cleaning establishment shall provide satisfactory evidence of local approval of the establishment. Evidence of local approval shall accompany the license application form. The initial license application and local approval forms shall be obtained from the department.

### **R 325.17302 License applications; fees.**

Rule 302. (1) The owner or operator of a type I, II and/or III dry cleaning establishment shall submit the fee prescribed in section 5i of the fire prevention code together with the application.

(2) The owner or operator of a type IV dry cleaning establishment shall submit the fee prescribed in section 13306 of the public health code together with the application.

(3) Payment of the license application fee shall be by check or money order made payable to: "state of Michigan."

(4) A dry cleaning establishment shall not be operated without a license issued pursuant to the public health code for type IV establishments or a certificate issued pursuant to the fire prevention code for type I, II or III establishments.

### **R 325.17303 Application for annual license renewal; expiration.**

Rule 303. (1) An application for an annual renewal license for a dry cleaning establishment shall be made by the owner or operator of the establishment on forms provided by the department. The renewal application shall include all of the information required on the form, the signature of the owner or operator, and any other information which may be required by the department. Renewal license application forms shall be obtained from the department.

(2) A dry cleaning establishment license shall expire on December 31 of each year.

### **R 325.17304 Review of initial license application; pre-licensing inspection; issuance of license.**

Rule 304. (1) The department shall promptly review an application for initial licensure of a dry cleaning establishment to determine if the application is complete and accurate. The department may return an incomplete or inaccurate

application to an owner or operator or may request any additional information determined necessary to assure completeness or accuracy of the application.

(2) After the department determines that an application for licensure is complete and accurate, it shall inspect the dry cleaning establishment to determine compliance with the public health code for type IV establishments or the fire prevention code for type I, II or III establishments and these rules. The inspection shall be conducted by the department before issuance or denial of the initial license.

(3) The department may attach any condition or restriction to an initial license, under subrule (1) of this rule, when determined necessary for compliance with the public health code for type IV establishments or the fire protection code for type I, II or III establishments.

### **R 325.17305 Renewal of license; denial or revocation; conditions or restrictions.**

Rule 305. (1) After review of a renewal license application for a dry cleaning establishment and the latest annual inspection by the department under R 325.17304(2), the department shall issue or deny the license renewal. The license, if issued, shall be sent directly to the owner or operator of the dry cleaning establishment.

(2) The department may attach any condition or restriction to a renewal license, issued or renewed pursuant to subrule (1) of this rule when determined necessary for compliance with the public health code for type IV establishments or the fire prevention code for type I, II or III establishments.

### **R 325.17306 Suspension and revocation of license.**

Rule 306. (1) If the department determines that a type IV dry cleaning establishment is not being operated in accordance with the requirements of the public health code and these rules or that a type I, II or III dry cleaning establishment is not being operated in accordance with the requirements of the fire prevention code and these rules, then the department shall notify the licensee and shall provide an opportunity for the licensee to take corrective action. If the licensee does not effect the corrections within the time prescribed by the department, the department may suspend, revoke, or deny the license of the establishment. Procedures for the suspension or revocation of a license shall be in accordance with, and subject to, part 10 of these rules.

(2) If a license is suspended, revoked, or denied by the department, then the owner or operator of the dry cleaning establishment shall cease all dry cleaning operations until the expiration of the period of suspension or reinstatement of the license, whichever is applicable.

(3) This rule does not apply to emergency procedures as prescribed by subsection (3) of section 13321 of the public health code.

**R 325.17307 Removal of suspension and reinstatement of license.**

Rule 307. A person whose license has been suspended by the department may, at any time, request the department to inspect the dry cleaning establishment for the purpose of reinstatement of the license. Based upon its inspection, if the department determines that the owner or operator of the establishment has taken steps to correct the violations or conditions prompting the suspension of the license and determines that a type IV establishment will be operated in compliance with the public health code and these rules, or that a type I, II or III establishment will be operated in compliance with the fire prevention code, these rules, and other applicable state laws, then the department shall reinstate the license. An owner or operator whose license has been suspended may apply for a new license in the same manner as an initial applicant.

**R 325.17308 Transfer of ownership or operation; application for license after construction, installation, or modification of establishment.**

Rule 308. (1) Before the transfer of ownership or operation of a dry cleaning establishment, the proposed licensee shall notify the department in writing, submit a completed application for a new license accompanied with the appropriate fee, and arrange for the department to conduct an inspection of the dry cleaning establishment. The department shall conduct an inspection of the dry cleaning establishment and shall notify the owner or operator in writing of its findings, and the prospective licensee shall be apprised of any deficiencies which shall be corrected as a condition of issuance of a license. The prospective licensee shall not operate the dry cleaning establishment until a final license approval is issued by the department.

(2) If a license application is submitted to the department for operation after construction, installation, or modification of a dry cleaning system, then the application shall be accompanied by evidence of compliance with part 2 of these rules.

(3) A license is not transferable upon change of ownership.

R 325.17309 Rescinded.

**PART 4. DRY CLEANING MACHINE REQUIREMENTS**

**R 325.17401 Dry cleaning machine exhaust systems.**

Rule 401. (1) A dry cleaning machine which uses a solvent and is designed to be installed and operated without a loading door exhaust system as specified in subrule (2) of this rule shall be approved for operation only if the machine is constructed and operated in a manner to limit the peak work area concentration of the solvent vapors.

(2) Except as provided in subrule (1) of this rule, dry cleaning machines and recovery units or dryers shall be equipped with an exhaust system capable of providing an indraft velocity across the entire loading door opening which averages 100 feet per minute. The exhaust from the blower shall be tightly piped to a point not less than 5 feet above the roof of the building, any adjacent parapet wall, or adjacent building, whichever is applicable, and a minimum of 25 feet away from any return air opening. The stack shall be soldered or taped to prevent vapors from entering the work area and shall be equipped with a vertical discharge cap. Exhaust ducts from dry cleaning machines and recovery units or dryers shall be sized and joined in a manner to maintain the required air flow from each unit.

**R 325.17402 Prevention of liquid solvent and solvent vapor loss; piping of recovered dry cleaning solvent.**

Rule 402. (1) A dry cleaning system shall be designed, installed, operated, and maintained in a manner to prevent the loss of liquid solvent or solvent vapor.

(2) Recovered dry cleaning solvent from all types of recovery equipment shall be piped directly into an enclosed tank.

(3) Pipe joint compounds and dry cleaning machine gasketing shall be made of a material which resists penetration and deterioration by solvents or solvent vapors.

**R 325.17403 Button and lint traps.**

Rule 403. (1) Button or lint traps on dry cleaning machines shall be designed so as to prevent loss of solvent or solvent vapor.

(2) A solvent bypass arrangement shall be provided for the button or lint trap if overflow might occur due to partial or total blocking of the trap.

(3) A button or lint trap cover shall be kept closed during normal operations of the dry cleaning machine.

**R 325.17404 Electrical components.**

Rule 404. The electrical wiring and electrical components associated with a type I, II, III, and IV dry cleaning machine shall be approved by a nationally-recognized electrical testing laboratory.

**R 325.17405 Exterior venting of solvent filters, stills, water separators, and sludge cookers.**

Rule 405. Solvent filters, solvent stills, solvent-water separators, sludge cookers, and any required pressure relief vents that are not designed and operated to limit the peak work area concentration of solvent vapors shall be vented to the exterior of the building.

**R 325.17406 Manuals for installation, operation, and maintenance.**

Rule 406. An applicant submitting plans and specifications pursuant to part 2 of these rules shall provide the installation, operation, and maintenance manuals, upon request of the department, which indicate the use of new or revised models of dry cleaning machines. The manuals shall include all of the following:

- (a) A complete description of the dry cleaning machine cycle, solvent loss and exposure safeguards, and machine performance.
- (b) The location and identification of all controls.
- (c) Routine maintenance procedures.

R 325.17407 Rescinded.

R 325.17408 Rescinded.

R 325.17409 Rescinded.

**PART 5. BUILDING REQUIREMENTS**

**R 325.17501 Location of establishments; approval by department.**

Rule 501. (1) The location and the type of building used for the dry cleaning establishment shall be approved by the department.

(2) The department shall conduct an on-site evaluation of a new dry cleaning building location before the plans and specifications are submitted to the department for review and approval. The owner, operator, or designated agent shall be responsible for contacting the department to arrange an inspection to comply with this part.

(3) The department shall not approve the location of a dry cleaning building or dry cleaning establishment if the building or establishment does not comply with the public health code for type IV installations or the fire prevention code for type I, II or III installations.

R 325.17502 Rescinded.

**R 325.17503 Approval of new dry cleaning establishment in building occupied in part as dwelling prohibited; exception.**

Rule 503. The department shall not grant approval of plans for the installation of a new dry cleaning establishment in a building which is occupied in part as a dwelling, except upon demonstration by the prospective owner and concurrence by the department that the dry cleaning establishment is specifically located or constructed, or both, in a manner that will not create a potential hazard to the occupants of the building or to the public.

**R 325.17504 Building requirements generally.**

Rule 504. (1) Buildings in which type I, II, III, and IV dry cleaning systems are installed shall be structures with concrete floors in good condition.

(2) A dry cleaning establishment shall not be located in a basement or other location which is difficult to ventilate. An exception may be granted when, due to special construction, location, or use, the installation will not create a potential hazard to the occupants or the public, as determined by the department.

**R 325.17505 Compliance with building requirements of local governmental authorities.**

Rule 505. All new dry cleaning establishments shall comply with applicable requirements of local governmental authorities. The owner or operator of a dry cleaning establishment shall provide written evidence of this compliance on forms provided by the department. The written evidence shall accompany the plans and specifications submitted to the department for approval under part 2 of these rules.

**R 325.17506 Dry cleaning establishments with adjacent occupancies in same or adjoining building; vapor seal requirements.**

Rule 506. Any dry cleaning establishment with adjacent occupancies within the same building or in other adjoining buildings shall be provided with an effective vapor seal to prevent infiltration of dry cleaning solvent vapors into the adjacent occupancies or buildings. Porous walls, partitions, and roof-to-partition wall areas shall be effectively sealed in a manner approved by the department.

R 325.17507 Rescinded.

R 325.17508 Rescinded.

**R 325.17509 Boiler room construction and boiler location.**

Rule 509. Boiler room construction and the location of a boiler in a dry cleaning establishment shall comply with all applicable requirements of state and local governmental authorities, including the bureau of safety and regulation of the Michigan department of consumer and industry services.

**R 325.17510 Combustion air openings.**

Rule 510. (1) Nonpowered combustion air openings for fuel-fired unit space heaters, steam boilers, and water heaters shall be sized at ½ square inch of net free area per 1,000 Btu per hour input and 1 square inch net free area per 1,000 Btu per hour input for dryers.

(2) If powered combustion air supply equipment is used as an alternate to subrule (1) of this rule for water heaters and boilers, then the powered

combustion air supply equipment shall be selected to provide not less than 0.33 cubic feet per minute per 1,000 Btu per hour input and shall be electrically interlocked to the combustion controls of each unit.

## **PART 7. INSTALLATION, OPERATION, AND VENTILATION**

### **R 325.17701 Control of solvent and solvent vapors; exhaust ventilation generally.**

Rule 701. (1) Dry cleaning systems in type I, II, III, and IV dry cleaning establishments shall be installed and maintained to prevent the unnecessary escape of solvents or solvent vapors into the dry cleaning machine room and public area atmospheres and so that the vapor concentration shall not exceed the allowable concentration in these areas for those compounds as specified in R 325.51101 et seq.

(2) General mechanical exhaust ventilation shall be provided in a dry cleaning machine room to effectively control the buildup of dry cleaning solvent vapors. The exhaust ventilation system shall be designed and installed to have a minimum capacity of 1 complete change of air in the dry cleaning machine room each 5 minutes in order to control emergency spills or leaks.

R 325.17702 Rescinded.

R 325.17703 Rescinded.

R 325.17704 Rescinded.

### **R 325.17705 Dry cleaning equipment in public laundry establishments; ventilation of dry cleaning machine rooms and flow of air from user operator area.**

Rule 705. (1) If dry cleaning machines are located in public laundry facilities, then there shall be an operator on the premises when the dry cleaning machine is in operation.

(2) Dry cleaning equipment in type I, II, III, or IV establishments also having a public laundry, shall have general mechanical exhaust ventilation in the dry cleaning machine room to create a continuous flow of air from the operator's area and the public laundry portion of the establishment to the outside of the building to prevent dry cleaning solvent vapor buildup.

(3) General exhaust ventilation required by this rule shall be provided on a continuous basis while the dry cleaning establishment is open for business or while the dry cleaning equipment is being operated or serviced.

**R 325.17706 Make-up air requirements generally.**

Rule 706. (1) In addition to the exhaust ventilation systems required by these rules, a supply of make-up air which is equal to or greater than the total air being exhausted from the building shall be provided to all type I, II, III, and IV establishments.

(2) Regardless of the type of make-up air system selected, sufficient replacement air shall be provided to prevent a negative pressure condition within the building.

(3) Make-up air intakes shall be remotely located from the general exhaust location so as to provide maximum personnel protection from exposure to solvent vapors.

(4) The location of all make-up air systems and the flow direction of powered make-up air systems shall be approved by the department before installation.

R 325.17707 Rescinded.

R 325.17708 Rescinded.

**R 325.17709 Ventilation exhaust ducts and deodorizing vents; size; sealing; discharge height.**

Rule 709. (1) Ventilation exhaust ducts and deodorizing vents in dry cleaning establishments shall be sized to maintain the required air flow. The joints of the ducts shall be effectively sealed, soldered, or taped. The ducts shall extend to a minimum height of 5 feet above the roofline and a minimum of 25 feet from any air intake unit or opening and shall extend above any adjacent parapet wall or above adjacent buildings, whichever is higher. The ducts shall be equipped with a vertical discharge cap.

(2) Where deodorizing vents are connected to a common duct, the main duct shall be sized to maintain rated airflow from all the dry cleaning machines and shall be extended as required by subrule (1) of this rule. Backdraft dampers in individual deodorizing stacks may be required by the department.

(3) The exit location of ventilation ducts and deodorizing system vents shall be installed so as to prevent the entry of solvent-contaminated air into the make-up air supply or other air intakes or combustion air systems in the dry cleaning establishment.

R 325.17710 Rescinded.

R 325.17711 Rescinded.

R 325.17712 Rescinded.

**R 325.17713 Portable fire extinguisher requirement.**

Rule 713. Two portable fire extinguishers with at least a 2a,10bc rating are required and 1 shall be mounted near the dry cleaning machine in each dry cleaning establishment.

**R 325.17714 Organic vapor respirator requirement; selection.**

Rule 714. (1) An approved organic vapor respirator is required for each type IV dry cleaning establishment. The respirator shall be kept near the dry cleaning machine in a sealed container, shall be properly identified, shall be in good repair, and shall be available for immediate use. Chemical specific cartridges for the respirators shall be approved and used according to the manufacturer's specifications only. The wearer shall replace the cartridge immediately upon noticing an odor.

(2) The respirator shall meet the requirements described in R 325.60051 et seq.

**PART 9. INSPECTIONS OF DRY CLEANING ESTABLISHMENTS**

**R 325.17901 Evaluation of establishments generally.**

Rule 901. In accordance with the provisions of sections 13304 and 13307 of the code, the department shall make surveys, on-site inspections, surveillance observations, or special purpose investigations for the purpose of evaluating the construction, operation, adequacy, or condition of dry cleaning establishments.

**R 325.17902 On-site inspections and surveillance observations.**

Rule 902. On-site inspections and surveillance observations of dry cleaning establishments may include, but are not limited to, a review of all of the following:

- (a) Dry cleaning establishment physical facilities and equipment.
- (b) The maintenance program for the dry cleaning establishment.
- (c) Storage of chemicals and materials used in the dry cleaning establishment.
- (d) The design and operation of the dry cleaning establishment.
- (e) A cross connection control program to prevent contaminants from entering a public water supply system due to a reversal of flow.
- (f) Security measures provided to protect the public health and the operation of the dry cleaning establishment.

**R 325.17903 Access for inspections.**

Rule 903. An authorized representative of the department, after proper identification, may enter any dry cleaning establishment at any reasonable time

for the purpose of making inspections and reviewing records of the establishment to determine compliance with the public health code for type IV installations or the fire prevention code for type I, II or III installations and these rules.

**R 325.17904 Inspection reports.**

Rule 904. A copy of the inspection report shall be furnished to the owner or operator of the dry cleaning establishment.

**R 325.17905 Correction of violations.**

Rule 905. If the violations identified from the inspection report are not corrected as required within the specified time period, then the department may issue an order to cease or modify operations at the dry cleaning establishment or the department may initiate license suspension, revocation, or denial proceedings in accordance with parts 3 and 10 of these rules.

**R 325.17906 Emergency orders to cease dry cleaning operations.**

Rule 906. (1) Upon a finding by the director of the department that an emergency, as defined in R 325.17102(h), exists, the director may issue a written order to the person in charge of the establishment to immediately cease or modify all dry cleaning operations or may take any other action permitted by law. Dry cleaning operations shall not resume until written authorization is received from the director.

(2) If a dry cleaning establishment is ordered to cease or modify its dry cleaning operations under subrule (1) of this rule, then it shall not resume operations in violation of the order until the department determines, upon reinspection, that the conditions responsible for the order to cease operations no longer exist. An opportunity for reinspection shall be offered within a reasonable time or upon request of the owner or operator of the establishment.

(3) A person who fails to comply with an order to cease or modify dry cleaning operations or who interferes with an authorized representative of the department in the proper conduct of his or her responsibilities shall be subject to revocation of his or her license or the remedies and penalties prescribed by the public health code or the fire prevention code, or both.

## **PART 10. CONTESTED CASES**

R 325.18001 Rescinded.

**R 325.18002 Opportunity to show compliance.**

Rule 1002. Before commencing the proceedings for denial, suspension, or revocation of a license, the department shall give notice to the applicant or

licensee, personally or by mail, of the facts or conduct which warrant the intended action and shall provide the applicant or licensee with an opportunity to show compliance with the public health code for type IV installations, or the fire prevention code for type I, II, or III installations and these rules. If, after an opportunity to show compliance, the department determines that the applicant or licensee has failed to show compliance with the applicable code and these rules, then the department may issue an order to deny, suspend, or revoke the license. An applicant or licensee who is aggrieved by a decision of the department to deny, suspend, or revoke a license is entitled to an administrative hearing under 1969 PA 306, MCL 24.201 et seq. This rule does not apply to emergency orders issued pursuant to subsection (3) of section 13321 of the public health code.

R 325.18003 Rescinded.

R 325.18004 Rescinded.

R 325.18005 Rescinded.

R 325.18006 Rescinded.

#### PART 11. TYPICAL DESIGN PRINTS AND DIAGRAMS

R 325.18101 Rescinded.

R 325.18102 Rescinded.

R 325.18103 Rescinded.

R 325.18104 Rescinded.