

104TH CONGRESS
1ST SESSION

H. R. 2522

To establish a maximum level of remediation for dry cleaning solvents, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 24, 1995

Mr. BARTON of Texas introduced the following bill; which was referred to the Committee on Commerce, and in addition to the Committees on Transportation and Infrastructure, and Economic and Educational Opportunities, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish a maximum level of remediation for dry cleaning
solvents, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small Business Reme-
5 diation Act of 1995”.

6 **SEC. 2. FINDINGS AND INTENT OF CONGRESS.**

7 (a) The Congress declares that the public should be
8 protected from the risk of waste or spilled solvents and

1 other chemicals in the soil, surface water, groundwater,
2 and other environmental media.

3 (b) The Congress finds that the remediation require-
4 ments for spilled or waste chemical substances are often
5 inconsistent, conflicting, and may impose a burden that
6 bears little relationship to the potential harm to the envi-
7 ronment and that these requirements pose a special bur-
8 den on small businesses and landowners.

9 (c) Congress intends that standards shall be set for
10 remediation that, with an adequate margin of safety, will
11 protect public health from significant risk from these
12 chemicals and below which level remediation will be per-
13 mitted but not required.

14 (d) Congress resolves that to implement these conclu-
15 sions a maximum level of remediation in soil, surface
16 water, groundwater, and other environmental media shall
17 be set, initially, for solvents for the dry cleaning industry.

18 **SEC. 3. STANDARD FOR CLEAN-UP.**

19 The maximum level of remediation of dry cleaning
20 solvents in soil, surface water, groundwater, and other en-
21 vironmental media that a Federal, State, local agency, or
22 court may require of a person engaged in dry cleaning or
23 the owner of land or a facility in which such a person is
24 conducting dry cleaning shall be one-tenth the equivalent
25 exposure of the workplace standard for such solvents es-

1 tablished by the Secretary of Labor under the Occupa-
2 tional Safety and Health Act of 1970.

3 **SEC. 4. CALCULATION OF EQUIVALENT EXPOSURE.**

4 (a) In consultation with the Administrators of the Oc-
5 cupational Safety and Health Administration and the En-
6 vironmental Protection Agency, the National Institute of
7 Environmental Health Sciences shall, within 6 months of
8 the date of the enactment of this Act, publish in the Fed-
9 eral Register its computation, based on realistic scientific
10 assumptions, of equivalent exposure by ingestion, inhala-
11 tion, and absorption indices for the general public, for soil,
12 surface water, groundwater, and other environmental
13 media in nonoccupational circumstances.

14 (b) The equivalent exposure shall be calculated from
15 the workplace standard for dry cleaning solvents which
16 assures on the basis of the best available evidence that
17 no employee will suffer material impairment of health or
18 functional capacity even if such employee has regular ex-
19 posure for the employee's entire working lifetime.

20 **SEC. 5. AUTHORIZATION TO REMEDIATE AT A LOWER**
21 **LEVEL THAN THE MAXIMUM LEVEL OF REME-**
22 **DIATION.**

23 Nothing in this Act—

24 (1) shall preempt or otherwise prevent a Fed-
25 eral, State, or local government or private party

1 from remediating soil, surface water, groundwater,
2 or other environmental media to a lower level than
3 the maximum level of remediation at its own cost
4 and expense, or

5 (2) shall alter or affect the Federal drinking
6 water standards under title XIV of the Public
7 Health Service Act.

8 **SEC. 6. DEFINITIONS.**

9 For purposes of this Act:

10 (1) The term “other environmental media”
11 means air and organic and inorganic material.

12 (2) The term “equivalent exposure” means the
13 amount of a chemical substance found in air, surface
14 water, groundwater, and other environmental media
15 which is equivalent, under general and realistic con-
16 ditions of human exposure, absorption, and toxicity,
17 to that of the workplace standard for that substance.

18 (3) The term “maximum level of remediation”
19 means one-tenth the equivalent exposure and is
20 deemed fully protective of human health.

21 (4) The term “workplace standard for dry
22 cleaning solvents” means the standard established by
23 the Secretary of Labor under section 6(b)(5) of the
24 Occupational Safety and Health Act of 1970 as the
25 time-weighted average and set forth in section

1 1810.1000 Z-2 of title 29 of the Code of Federal
2 Regulations.

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