

September 17, 2007

RE: Recent Legislative Changes That Affect the Dry Cleaner Remediation Program

Dear Property Owner:

On June 15, 2007, legislation was enacted that affects current and previous dry cleaner property owners. The new law addresses property owner participation in the Dry Cleaner Remediation Fund which provides money for remediation activities associated with dry cleaners. It also prohibits the use of perchloroethylene at sites where fund money was used.

To be eligible for fund benefits, a property owner or previous property owner is required to register with the TCEQ and pay an annual registration fee of \$1,500. A previous property owner must also have an agreement with the current owner requiring the previous property owner to be responsible for any costs associated with cleaning up contamination covered under Chapter 374 of the Texas Health and Safety Code (Relating to Dry Cleaner Environmental Response).

- **You need to register only if you intend, either now or in the future, to apply for Dry Cleaning Facility Release Fund benefits.**
- **If you are currently participating in the Dry Cleaner Remediation Program and are a Property Owner or Previous Property Owner, then you must register.**
- **If you are already registered as a dry cleaning facility or drop station owner; and you also own the property where the dry cleaning site is located, you are not required to register as a property owner to receive fund benefits.**

To avoid late fees, registration is required by December 31, 2007. Late fees will be assessed at the rate of \$100 per month beginning January 1, 2008 until registration occurs.

The registration fees will be billed on a quarterly basis, at \$375 per quarter. If the registration is received prior to the first billing in late-September, the first bill will be \$375. Registrations received between mid-September and December 31, 2007 will be billed for two quarters (\$750). Registrations received after December 31, 2007 will be billed for all past quarters (and partial quarters) since September 2007 and assessed the above referenced late fee.

Property Owner
Page 2
September 17, 2007

RE: Recent Legislative Changes That Affect the Dry Cleaner Remediation Program

Registration fees must continue to be paid while any corrective action under the fund is ongoing. If a property owner or previous property owner fails to pay registration fees while corrective action is ongoing, the new law authorizes the placement of a lien on the property for the costs of the corrective action plus the amount of unpaid fees that accrue during the period of the corrective action. After corrective action has been completed using fund money, the use of perchloroethylene is prohibited at that site.

The TCEQ is committed to working with dry cleaning facility and drop station owners, as well as property owners, to achieve compliance with state laws and agency requirements. If you have any questions please contact the TCEQ's Dry Cleaner Registration Team at (512) 239-2160.

Sincerely,

Don Kennedy, Team Leader
Dry Cleaner Registration Team
Registration & Reporting Section
Permitting & Remediation Support Division

DK/tvj