

105TH CONGRESS  
1ST SESSION

# H. R. 1711

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

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## IN THE HOUSE OF REPRESENTATIVES

MAY 22, 1997

Mr. BARTON of Texas (for himself, Mr. GREEN, Mrs. CHENOWETH, Mr. FROST, Mr. CRAPO, Mr. SHADEGG, Mr. CHRISTENSEN, Mr. RADANOVICH, and Mr. SMITH 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 Education and the Workforce, 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

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# 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 1997”.

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

2         (a) The Congress declares that the public should be  
3     protected from the risk of waste or spilled solvents and  
4     other chemicals in the soil, surface water, groundwater,  
5     and other environmental media.

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

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

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

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

22         The maximum level of remediation of dry cleaning  
23     solvents in soil, surface water, groundwater, and other en-  
24     vironmental media that a Federal, State, local agency, or  
25     court may require of a person engaged in dry cleaning or  
26     the owner of land or a facility in which such a person is

1 conducting dry cleaning shall be one-tenth the equivalent  
2 exposure of the workplace standard for such solvents es-  
3 tablished by the Secretary of Labor under the Occupa-  
4 tional Safety and Health Act of 1970.

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

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

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

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

25 Nothing in this Act—

- 1                   (1) shall preempt or otherwise prevent a Federal  
2     State, or local government or private party  
3     from remediating soil, surface water, groundwater,  
4     or other environmental media to a lower level than  
5     the maximum level of remediation at its own cost  
6     and expense, or
- 7                   (2) shall alter or affect the Federal drinking  
8     water standards under title XIV of the Public  
9     Health Service Act.

10 **SEC. 6. DEFINITIONS.**

11     For purposes of this Act:

- 12                   (1) The term “other environmental media”  
13     means air and organic and inorganic material.
- 14                   (2) The term “equivalent exposure” means the  
15     amount of a chemical substance found in air, surface  
16     water, groundwater, and other environmental media  
17     which is equivalent, under general and realistic con-  
18     ditions of human exposure, absorption, and toxicity,  
19     to that of the workplace standard for that substance.
- 20                   (3) The term “maximum level of remediation”  
21     means one-tenth the equivalent exposure and is  
22     deemed fully protective of human health.
- 23                   (4) The term “workplace standard for dry  
24     cleaning solvents” means the standard established  
25     by the Secretary of Labor under section 6(b)(5) of

1       the Occupational Safety and Health Act of 1970 as  
2       the time-weighted average and set forth in section  
3       1810.1000 Z-2 of title 29 of the Code of Federal  
4       Regulations.

