



DEPARTMENT OF THE ATTORNEY GENERAL

News Release

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News Release No. 2007-38

**DRY CLEANER CONVICTED OF AIR POLLUTION AND
HAZARDOUS WASTE VIOLATIONS**

(HONOLULU) The former owner of Fantastique, Inc., a dry cleaning and laundry business that operated at 16 Merchant Street between 2000 and 2005, was convicted of air pollution and hazardous waste violations on October 31, 2007. Xuan-Mai Pavey pled no-contest to unlawful disposal of hazardous waste, air pollution, and abandoning hazardous waste. The charges were based on the company's failure to comply with the law regarding the safe use and disposal of Perchloroethylene (PERC), a hazardous solvent that is commonly used in dry cleaning machines. Extended exposure to PERC, especially through air emissions from machine leaks, can lead to serious health problems.

Department of Health (DOH) inspections in 2003 and 2004 revealed the company's failures to keep proper purchase and disposal records, to perform leak detection inspections, to enclose a PERC waste container, and to repair leaks at the machine in a timely manner. The company also failed to disclose its use of PERC in its application to the Honolulu City and County (City) for a commercial wastewater discharge permit in the year 2000. There was evidence indicating that the company allowed small amounts of PERC tainted water from the machine evaporator to drain from the dry cleaning machine into the City's sewerage system, untreated, via the floor drain. In August 2004, the DOH revoked the company's permit to operate the PERC dry cleaning machine. However, there was evidence indicating that the company continued to operate the machine after losing its permit, in addition to outsourcing its dry cleaning. When the company closed down in 2005, it abandoned drums containing PERC and PERC waste, on the premises.

Ms. Pavey's motion to defer her no contest plea was denied, and she was sentenced to five years of probation for each offense. She was also ordered to pay a crime victims compensation fee, a probation services fee, a fine in the amount of \$6,000 and to perform 50 hours of community service work.

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This case was the result of a joint investigation between the United States Environmental Protection Agency and the Department of the Attorney General, Environmental Crimes Unit.

"This case shows that severe legal consequences result if a business owner ignores Hawaii's pollution and hazardous waste laws," Attorney General Mark Bennett said. "We hope this case will serve to deter future violations of our environmental laws."

If you have witnessed an environmental crime, please call the Environmental Crimes Unit at 547-4240.

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