

# FREQUENTLY ASKED QUESTIONS

## DSCA CLEANUP PROGRAM

### GENERAL INFORMATION

#### 1. What is DSCA?

The Dry-Cleaning Solvent Cleanup Act (DSCA) was established by the North Carolina General Assembly for two purposes:

(A) To provide state funding for the cleanup of dry-cleaning solvent contamination at active and inactive dry-cleaning facilities and wholesale solvent distribution facilities (facility sites). Participation in the DSCA Cleanup Program is **voluntary**. Eligible participants include owners and operators of current and former dry-cleaning facilities and wholesale distribution facilities and property owners.

(B) To establish minimum management practices for the proper handling of dry-cleaning solvent at dry-cleaning facilities and wholesale distribution facilities. **All** operating dry-cleaning facilities (excluding commercial uniform service and commercial linen supply facilities) and wholesale distribution facilities are required by law to comply with the DSCA minimum management practices (MMPs), whether or not they are DSCA Cleanup Program participants. The DSCA Compliance Program sends inspectors to these facilities to ensure MMP compliance.

#### 2. What are the benefits of the DSCA Cleanup Program?

##### Funding for Cleanup

DSCA will pay between 98 to 99% of the assessment and cleanup costs depending on your co-pay classification. (See “How much will it cost to participate in the DSCA Program?” question for more information.)

##### Cleanup Services

Your site is assigned to a DSCA project manager and to an independent, state-contracted environmental engineering firm. Your DSCA project manager will oversee all the activities to determine the extent and degree of contamination and, if necessary, implement cleanup action.

##### Liability Protection

DSCA protects you from being ordered by other state agencies to clean up the dry-cleaning contamination at your own expense.

##### Risk-based Cleanups

DSCA cleanups use risk-based standards. These standards are calculated for each site and are dependent on what receptors (e.g. drinking wells and surface water), if any, are being threatened by the contamination. The result is that cleanup goals are often easier to achieve and completed quicker.

### Property Marketability

Participation in DSCA can help remove the stigma of contaminated property and may facilitate property transactions, development, and/or reuse.

### **3. Who is eligible to petition a site into the DSCA Cleanup Program?**

Any potentially responsible party including past or present dry-cleaning business owners, operators or lessees and past or present property owners where an active or former dry-cleaning business or wholesale solvent distribution facility operated. There must be evidence of solvent contamination in the soil or groundwater as indicated by laboratory testing.

### **4. What types of dry-cleaning facilities are not eligible for the DSCA Cleanup Program?**

Commercial laundry, uniform rental, linen supply or textile/fabric manufacturing facilities are not eligible.

### **5. What if I don't want to participate in the DSCA Program?**

Participation in the DSCA cleanup program is voluntary. If the property will not be entered in the DSCA program, it will be referred to other cleanup programs in DEQ such as the Inactive Hazardous Waste Section (IHSB) which do not offer many of the benefits and protections provided by DSCA. You will be responsible for 100 percent of the assessment and cleanup costs related to the dry-cleaning solvent release.

### **6. How do I contact the DSCA Program?**

For general information regarding the DSCA Cleanup Program, contact Ms. Delonda Alexander, Remediation Unit Supervisor, at [delonda.alexander@ncdenr.gov](mailto:delonda.alexander@ncdenr.gov) or 919-707-8365. For information regarding the DSCA Compliance Program, contact Mr. Eric Swope, Compliance Unit Supervisor, at [eric.swope@ncdenr.gov](mailto:eric.swope@ncdenr.gov) or 919-803-7951. If you would like to contact a specific DSCA project manager, please see the [DSCA Contacts](#) page.

## **APPLYING FOR THE DSCA PROGRAM**

### **7. How do I petition a site into the DSCA Program?**

If you meet the requirements of eligibility (See "Who is eligible to petition a site into the DSCA Cleanup Program?" questions for more information.), complete and submit a [DSCA Petitioner Questionnaire](#). Based on the information provided in the questionnaire, the DSCA Program will prepare a petition package which contains statements and agreements for you to sign. After you complete and return the petition documents with the \$1000 application fee, the DSCA Program will review the documents for completeness and certify the site into the DSCA Program.

### **8. Once I apply to the DSCA remediation program, how long does it take to be certified in the program?**

For non-active dry-cleaning facilities, a completed petition package that is returned with the \$1000 application fee is typically processed within 5 business days.

For active dry-cleaning facilities, a compliance inspection is required prior to certification into the DSCA Cleanup Program. It may take 3- 6 weeks to schedule an inspection of the facility depending on the workload of the inspectors. If violations are found during the inspection, it may take additional time to correct those issues before the petitioner questionnaire can be approved. Once the dry-cleaning facility has been cleared by the DSCA Compliance Program, a completed petition package that is returned with the \$1000 application fee is typically processed within 5 business days.

**9. How much will it cost to participate in the DSCA Program?**

Application Fee

When the complete petition package is submitted, there is a \$1000 fee.

Annual Co-pay

While in the DSCA program, petitioners will be invoiced annually for a co-payment based on money spent by DSCA on their site. Co-payments range from 1% to 2% based on the type of operation as shown below. If the DSCA program spends over \$1 million on a site, there is no longer any co-payment required from the petitioner.

Small Cleaner	Medium Cleaner	Large Cleaner	Wholesale	Abandoned
Less than 5 full-time employees	5 to 9 full-time employees	10 or more full-time employees	Wholesale Distribution	Former facilities, pick-up stores
1%	1.5%	2%	2%	1.5%

- 10. How will the assessment and cleanup activities impact or interfere with daily business activities?
- 11. What happens if I decide later not to participate in the DSCA Program?
- 12. How long will it take to get a No Further Action letter for my site?
- 13. Can I opt out of the DSCA remediation program once I am in it? What happens if I do?
- 14.

**PROPERTY TRANSACTIONS, CONCERNS AND QUESTIONS**

What happens if I decide to sell the site that is in the DSCA Program? Can I just transfer the DSCA agreement to a new property owner?

- 1. What do I need to do if I am buying a property that is in the DSCA remediation program?
- 2.
- 3. If I am buying a property that is already in the DSCA remediation program, do I have to enter the program also?

4. If I have a garden on a property that the DSCA remediation program is working on, is it safe to eat my fruit/vegetables?
  5. Can the DSCA program explain what all this means to my potential buyer/lender if they have questions or concerns?
  6. Can I sell or refinance my property if it is in the DSCA remediation program?
  7. Can I redevelop my property if it is in the DSCA remediation program?
  8. If I enter the DSCA remediation program, will my property be damaged as part of assessment or remediation work?
  9. Will having the site in the program interfere with my use of the property?
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10. Can I install a water supply well on a property in the DSCA remediation program?
  11. If I have a water supply well on my property and enter the DSCA remediation program, will I have to plug and abandon the well?

### **WHILE YOUR SITE IS IN THE DSCA PROGRAM**

Why has work slowed down or isn't being done on my site that is in the DSCA remediation program?

Are you going to dig up my property?

Why can't my site in the DSCA remediation program be closed out?

If I do construction on the property that requires removing contaminated soil while in the DSCA program, will DSCA pay for disposal of the soil?

What happens if I can't pay my copay bill in the DSCA remediation program?

If I sell my property that is in DSCA, do I have to remain the petitioner? What are my obligations?

What if I am redeveloping a property that is in the DSCA remediation program and there is equipment or monitoring wells in the way?

1. If a site is in the DSCA remediation program, is it safe to drink the water?
2. How can I check on the status of my site in the DSCA remediation program?
3. What is a monitoring well?
- 4.

### **SITE CLOSURE IN THE DSCA PROGRAM**

Why does it take so long to close a site in the DSCA remediation program?

After my site is closed and issued a No Further Action letter by the DSCA remediation program, can I do whatever I want with the property, i.e. demolish buildings, dig up soil, redevelop?

After my site is closed out (issued a No Further Action letter) can I do work on the site that disturbs the soil?

What are the requirements for closing a site (issuing a No Further Action letter)?

Once I am in the DSCA remediation program, how long does it take to close my site and receive a No Further Action letter?

After my site is closed and issued a No Further Action letter by the DSCA remediation program, what else do I need to do?

Do I have to keep submitting the Annual Certification of Land-Use Restrictions if I am no longer the property owner?

1. What are Land-Use Restrictions (LUR)?