

MEETING MINUTES

DRY-CLEANING SOLVENT CLEANUP ACT (DSCA) PROGRAM STAKEHOLDER WORK GROUP MEETING HELD APRIL 28, 2022

I. Welcome and Opening Remarks

Delonda Alexander opened the virtual meeting. Attendees did not introduce themselves since we are on a virtual platform. The previous meeting minutes from October 2021 were approved. Based upon the TEAMS participant list, the following were in attendance.

Delonda Alexander	NC DEQ
Billy Meyer	NC DEQ
Scott Stupak	NC DEQ
Mike Cunningham	NC DEQ
David Kwiatkowski	NC DEQ
NeShonda Cobbs	NC DEQ
Rachel Clarke	NC DEQ
Nancy Hardison	NC DEQ
Tony Pendola	NC DEQ
Chris Edwards	NCALC/ACW
Rita Foley	NCALC
Paul Goodson	NCALC
Brian Harrell	ACW Management
Ashley Winkelman	ATC Associates
Meghan Greiner	ATC Associates
Gabe Araos	ATC Associates
Christie Zawtocky	Hart & Hickman
Genna Olson	Hart & Hickman
Carol Van Buren	Van Buren Law
Michelle Friedman	AECOM
Nick Shore	AECOM
Jeff Hvozdk	AECOM
Rob MacWilliams	AECOM
David Treadway	Truist Bank
Chris Fay	Guest
Dylan Frick	Guest
John Ryland	Guest
Jimmy Kirkland	Guest
Lou Zeller	Guest
David Young	Guest

II. Updates on Impacts of COVID19 on Dry-Cleaners and DSCA

General discussion. DSCA personnel are hybrid working in the office and teleworking. Inspectors are back in the field. Dry cleaners continue to see a slower business but see signs of increased activity as people return to work. DSCA has seen a

slowing of facilities decommissioning machines and/or closing – at least DSCA being notified of such.

III. Personnel

Jim Bateson retired in February. New section chief is Bill Hunneke – may know him from previous position in hazardous waste and UST. Bill will be starting officially May 1st. Sue Murphy transferred to the federal remediation branch in late 2021. Al Chapman retired at the end of the year. Al's position was reclassified as an Environmental Program Consultant which gives us more flexibility in hiring and Jay King has accepted and will move into that position officially the beginning of May. There is still a vacancy from Sue Murphy's position that we will evaluate and fill if necessary. Trying to fill another vacant position for a database administrator and other related issues like Laserfiche, GIS, EQuis, etc.

IV. Rules & Legislation

Have given Jessica Montie our legislative request for future sessions – increase 1% investigation costs to 3% and amend the penalty cap to \$32,500 for violations involving hazardous waste to be consistent with revised penalty provisions that were done years ago.

V. Fund & Site Statistics

As we have discussed before – the revenue from the sales tax is calculated once a year and we get that same amount for 4 quarters before they recalculate. We did anticipate it coming down a little again. The recalculation was done after September 2021, so we have gotten 2 quarters of revenue – it did drop about 200k from the previous quarterly amount we were getting. We have dropped to below \$2 million a quarter for the first time since 2016. We are currently getting \$1.89 million. Since the start of the pandemic, we have gone from \$2.26 million to \$1.89 million. Solvent revenue significantly dropped this past quarter – in Dec. it was \$18.5k, this quarter it was \$13.4k, but solvent tax revenue accounts for a small amount of the fund.

We went through another billing cycle of petitioner copays late last year and beginning of this year – bringing in about \$77k the past 2 quarters. We have a high success rate in getting payments.

Federal/state COVID relief funds were used to fund bonuses given by the legislature this year – so the fund got a one-time income deposit of \$23k to cover that.

We went through another billing cycle with hazardous waste and county well fees in the past 2 quarters – paying approx. \$79.5k in HW fees and \$63.5k in county well fees.

Contractor payments are steady at approx. \$1.4 million a quarter

Most of the fund balance is encumbered in contracts which is good.

Two more sites were certified this past quarter – and a few more are pending. Three site closures this past quarter and 15 pending closure – a word about pending closures – we put them on this list when we are authorizing the risk management plan and starting the closure process – however things come up after that point that delay and postpone closure – we use our judgement to take them off the list if it is going to be a long time or leave them if we think we can clear things up in a reasonable time – so 15 pending closure doesn't mean they are imminent and going to happen in the next 6 months or so.

On the compliance side, we are still seeing some closures/decommissioning of facilities but seems to have slowed down. In the past quarter, we have dropped to 350 active facilities from 368. Number of facilities subject to inspection has dropped to 402 from 423 last quarter – a difference of 21 that is made up of 18 active facilities closing, 1 wholesale distributor no longer active and 2 inactive facilities now closed.

VI. Remediation Unit Updates/Issues/Case Studies

First decertification has been sent to the Attorney General's office. It is for DC340028, One Hour Martinizing in Winston Salem. Site certified in 2009. Beginning in 2015, petitioner ceased paying the copay invoices. Total spent on the site \$482,624.72 – petitioner has paid \$3278.40 so we are seeking recovery for the balance \$479,346.32 – outstanding balance for petitioner to stay in is \$3960.92

Florida conducted a limited study on 15 sites across the state to look for PFOA/PFAS. 9 of the 15 had PFOA/PFAS greater than the provisional target levels 0.07 ppb; based on the study:

- Does not appear PFAS is constituent of dry-cleaning solvent but from other facility functions like wet cleaning – higher concentrations found in waste streams and known discharge areas
- No PFOA/PFAS found in samples of raw solvent; highest concentrations found in waste drums and drainfield
- Behavior and transport of PFAS in the environment not necessarily the same as that of solvents
- No consistent composition and distribution patterns were observed
- Some factors to consider – is stain resistance or water repellency completed onsite? Are septic tanks used for disposal of laundry wash water?

DSCA is potentially getting some federal funds to conduct a similar limited study in NC. PFAS is an interesting issue for DSCA. Statute says that we can spend money on sites as a result of a release of dry-cleaning solvent – since PFAS is not a component of solvent – will have to be discussed with attorneys.

We are now going to have a couple of presentations from our contractors to highlight some recent work done. Two case studies were presented by DSCA contractors – AECOM and Hart & Hickman (presentations available on website under stakeholder meetings).

VII. Compliance Unit Updates/Issues

Since we last met – 2022 perc calendars went out and we dropped the petroleum calendar. Thanks so much for NCALC, Tony Pendola and Nancy Hardison for working with us on this. Still revising and to finalize and send out in the coming weeks.

Compliance inspectors are focusing on getting to all PCE cleaners that have not been inspected in the past 12-18 months first – working in petroleum cleaners if they are in the same area.

Next task will be to start working with NCALC, Tony Pendola and others on revising our checklist that is left with dry cleaners – will get in touch with Rita on that.

We have a number of ‘inactive’ facilities – where they are no longer doing dry-cleaning, but the machines are still hooked to power and have not been decommissioned. These take up compliance time to keep track of for many years – could use NCALC help possibly getting these facilities and property owners to move on decommissioning so that they are no longer subject to inspection and move these on to the ‘closed’ designation. Currently have 49 of these facilities – 23 full service inactive, 26 pickup stores now but still have machines.

VIII. Other Issues

IX. Next Work Group Meeting

October 27, 2022 at 10 am