

**MINUTES**  
**October 14, 2021**

**DRY-CLEANING SOLVENT CLEANUP ACT (DSCA) PROGRAM**  
**STAKEHOLDER WORK GROUP MEETING**

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 April 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
Al Chapman	NC DEQ
Sue Murphy	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 Winkleman	ATC Associates
Meghan Greiner	ATC Associates
Gabe Araos	ATC Associates
Bryan Wence	S&ME
Carlin Slusher	Hart & Hickman
Christie Zawtocky	Hart & Hickman
Genna Olson	Hart & Hickman
Carol Van Buren	Van Buren Law
Michelle Friedman	AECOM
Jeff Hvozdk	AECOM
Rob MacWilliams	AECOM
Cate Landry	Guest
David Treadway	Truist Bank
Mack Davis	Guest
Peter	Guest
Matthew Stone	Guest

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

DEQ is scheduled to return to work next week. Most people will be teleworking 2 days a week. Meeting rooms at Green Square have occupancy limits so that some social distancing can still take place. So, it still may not be possible to have larger groups of people in rooms at Green Square for some time. Rita Foley spoke on how the dry-cleaning industry is doing now compared to April – holding about the same. Hopefully things will start picking up again now that some people are returning to work.

## III. Personnel

Doesn't impact DSCA directly, but there was a recent reorganization. The Pre-regulatory Landfill (PRLF) unit has been moved from Inactive Hazardous Sites Branch (IHSB) to our Branch. Sue Murphy will be leaving us on October 18<sup>th</sup> to move over to the Federal Remediation Branch in Superfund. We appreciate all Sue has done for DSCA – she will be missed, and we wish her well on her new venture. We currently have another vacant position (Aram Kim's old one) and then will have this one also. We are currently working with human resources (HR) to possibly reclassify these positions to meet our business needs, but without a current budget, things are not moving through HR very quickly if at all.

When we met last, Ellen was retiring soon. Julie Woosley, who was head of the Hazardous Waste Branch, is now the deputy director. And since we met, we have a new DEQ secretary, Elizabeth Biser.

## IV. Rules & Legislation

There was not any legislation recently passed that impacts us directly. S389 did contain a modification to hazardous waste site notices that addresses recordation of notices of environmental contamination. When the department determines the location and extent of contamination, a Notice of Environmental Contamination can be filed on the property and the deed or instrument of transfer when a property is sold or leased much contain a statement that hazardous substances are present in environmental media at the property. We are working with legal to see if this could apply to DSCA sites, which could be of benefit to the program and customers.

In future legislation, we still need to address the increase in investigation costs from 1% to 3% and the increase in the penalty cap for violations involving hazardous waste up to \$32,500 to be consistent with hazardous waste regulations. With some shrinkage of the fund, we may also need to discuss the administrative percentage. We are up against the 20% cap most of the time and it may begin to impact our personnel needs.

## V. Fund & Site Statistics

Solvent tax revenue – preCOVID – average is approximately \$35k; this quarter was the same as last quarter at about \$18k.

Sales and Use tax – same last 4 quarters at \$2.1 million; next quarter is when we will see the new number that they calculate to be used for the upcoming four quarters.

Contract payments – preCOVID \$1.5 mil per quarter; about \$1million last quarter; we have remediation projects ramping up so, will likely see that number increase next quarter or two.

Fund balance \$14 mil with \$7 mil of that encumbered in contracts: new encumbrance going up soon for approximately \$6 million.

Since the July stats last quarter – 9 new sites have been identified, 10 sites have been certified; more sites certified than identified because one previously eligible but not certified decided to come in the program – this can happen when one that was in IHSB comes into DSCA.

Since last quarter – 4 more sites closed and one more added to the pending list.

I have changed how we are reporting number of active facilities at the bottom to be more representative of how we are viewing dry cleaning facilities for the purposes of the compliance unit. I also hope to develop other compliance stats to provide you every 6 months at our stakeholder meeting – that include # of NOV's, # of inspections, for example.

For compliance purposes – subject to inspection are active facilities using a regulated solvent (378) and wholesale distributors (4). When some cleaners have switched to a non-regulated solvent, we still have those in our database, but they are no longer subject to compliance inspections. Facilities considered 'inactive', used a regulated solvent with machine connected to power, or solvent, waste or PCE/TCE spotting agents still on site – still subject to compliance inspection until we change the status to closed. Rita Foley mentioned that they may be able to assist businesses that are considered inactive by providing information/resources. A list of inactive facilities will be shared with NCALC.

#### VI. Remediation Unit Updates/Issues

Billy Meyer, remediation unit supervisor, discussed DSCA's work at recent sites where vapor intrusion from trichloroethylene (TCE) was an issue.

#### VII. Compliance Unit Updates/Issues

We have been working with Tony Pendola to look at changes to the upcoming compliance calendars. Sent recommendation to Rita Foley to consult with NCALC regarding eliminating the petroleum calendar since most items in the calendar were recommended, not required. We are trying to focus the calendars on requirements only to make it clear what dry cleaners need to do to be in compliance. The petroleum calendar will be eliminated and replaced with an annual self-inspection form. The petroleum cleaners will still be subject to inspection.

For the perchloroethylene (PCE) calendar, we are proposing changes to make the calendar generic so that it can be used each year by writing in which year it is for. We are also proposing to remove any items that are not required and to remove the monthly calendar that is on each month page which will save lots of space. The long pages in the back are eliminated. Some informational pages related to minimum management practices, hazardous waste regulations, etc. will be put back in. Once we have a draft, it will be shared with NCALC to get feedback before finalizing.

Inspections have resumed 100% - due to COVID, we had been easing off NOV/NREs, but that grace period is no longer.

We are still seeing sites closing without notifying us, but it seems to have slowed a bit.

#### VIII. Other Issues

Showed how the DEQ websites can be translated into various languages by clicking on the 'translate' button in the upper right area of a webpage.

#### IX. Next Work Group Meeting

The next stakeholder meeting is scheduled for 10:00am on Thursday, April 28, 2022. At this time, not sure if there will be an in-person option for meeting or if it will be completely virtual or a hybrid of both.