

Meeting Minutes
May 2, 2024

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

10:00am – 11:30am Main Work Group Meeting

Note: virtual attendance approximately 29 attendees – difficult to list/track.

- I. Welcome and Opening Remarks -welcome everyone; attempted introductions by passing around.
- II. NCALC updates/meeting recap - NCALC annual convention coming up May 24-27 at Atlantic Beach. Rachel Clarke, DSCA inspector, will be attending.
- III. Rules & Legislation – Every 10 years, the EMC and Rules Review Commission require rules to be readopted. This is the time that you can add/delete rules or make revisions. Our DSCA 02S rules are some of the first up on the list and we are underway on that process. Here is a table that shows some of the process (SHOW TABLE). We are at the part where we initially go before the EMC GW committee and give a short presentation on what we are recommending for the rule readoption and are asking for approval to move forward in the process. Our legislative liaison, Jessica Montie, will be handling this initial presentation. Delonda Alexander will be there to answer questions. (Showed slide presentation that will be given by Jessica Montie at the meeting) The easiest thing is always to say all the rules are necessary and just readopt them as is. But they really want you to go through and get rid of rules that don't apply or are obsolete. We are recommending 2 rules be removed - 02S.0302 – Other Potentially Responsible Parties and 02S.0507 Remedial Action Plan. Presentation with justification can be viewed at <https://edocs.deq.nc.gov/WaterResources/DocView.aspx?id=3253195&dbid=0&repo=WaterResources>

Fund & Site Statistics – Sorry the fund statistics were late – was waiting on latest numbers – you have the up to date statistics that were sent out. With this new accounting system, they are having more delays. The fund balance is still healthy at about \$14.5 million and we have approx. \$12.5 million encumbered in contracts. All of the existing contracts are fully funded for the full \$15 million.

There was a glitch in the quarter ending in December 2023 – they did not have the solvent tax going into the fund – wasn't coded right somewhere. Our budget officer tracked it down and made sure that it all got fixed, but let me know it wouldn't show up until this quarter, so we had a bigger solvent tax deposit this quarter – it is all straight now.

The sales and use tax is staying around \$2.4 million a quarter which is good. As explained in the past, they do a calculation at the beginning of the fiscal year on the percentage of sales and use tax in that industry code to be deposited – so it stays the

same for all 4 quarters of that fiscal year. Apparently something changed, now it is a different number every quarter, but it is staying around \$2.3-\$2.4 million, so it is good unless we get something very different.

Jumping to the site statistics at the bottom – we continue to have new sites trickle into the program. We have had 7 questionnaires submitted since Jan 1st.

We continue to see a slow decline in the number of facilities subject to inspection – most likely due to changes in solvent use – going from Perc/petroleum to alternative solvents that we don't track.

Chris Edwards asked if this was the time to consider changes to add bankers/lenders as potentially responsible parties for eligibility to the DSCA Program. We are currently only dealing with 02S rules – this would require a statute change which would be done at another time.

- IV. Remediation Unit Updates/Issues – We recently advertised and interviewed firms for new remediation contracts. We are completing that evaluation and award process and will be notifying firms whether or not they were selected in the next week. 5 firms applied and we interviewed all 5 firms. We have a total of \$60 million to award and can spread that out however we see fit and based on workload, performance, etc. Turned over to Billy for anything else related to the cleanup program. Billy talked about remediation unit's continuing efforts related to vapor intrusion and mitigation. Also mentioned work looking at saving money using Hydrosleeves for monitoring. Talked about increase in investigation money to 3% has allowed us to look at potential sites that typically do petition into the program.
- V. Compliance Unit Updates/Issues – We continue to work on transitioning the database over to a web based application and will eventually work with Ipads in the field and further streamline inspection process. Want to shout out to the inspectors for all their work, but particularly addressing inactive facilities. We have made a dent in the inactive facilities that have been sitting for a while – last quarter, we had 31 facilities, and we now have 18. The inspectors work hard to get in contact with property owners that are sometimes hard to pin down, and assist with getting mechanics, waste removal, etc. to assist in addressing these inactive facilities as well as observing removal of equipment, waste, etc. and perform follow up to make sure everything has been done correctly. Inspectors reminded everyone to notify us in advance of decommissioning tasks so that we can be present. And reminded everyone to maintain waste water treatment units – which continues to be an issue. Tony Pendola, DEQ, stated that he is still waiting on NESHAP rules from EPA and that a ban on perchloroethylene is coming.
- VI. PFAS Issues – Presentation by H&H – PFAS is the hot topic and the one that DSCA will be facing in some way in the near future. Genna Olson with Hart & Hickman is going to give a brief presentation on some of the PFAS issues and information. Presentation can be found at <https://www.deq.nc.gov/dsca-stakeholder-work-group-information> under the May 2024 meeting. After the presentation, there was discussion regarding how PFAS is stripped out of clothing during the dry-cleaning process and if

this wastewater is properly disposed of, it is actually keeping PFAS from entering other wastestreams that may not be treated and is not discharged to the environment. It was mentioned that other dry cleaners using alternative solvents that are not regulated by the DSCA program could have PFAS issues, but will not be tracked.

- VII. Other Issues – Lou Zeller, Blue Ridge Environmental, asked if we had a record of amount of perc used – at one time about 80% of solvent used was perc – now maybe 30%. Delonda Alexander stated that we can look into whether we can query that out of our database or not.
- VIII. Next Work Group Meeting –Next meeting Thursday, November 14th at 10:00am - virtual.