

Minutes
October 20, 2016

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

I. Welcome and Opening Remarks

Pete Doorn opened the meeting with general comments. Attendees introduced themselves and the sign-in roster was later circulated. The following individuals were present:

Rob MacWilliams	AECOM/URS
Mike Ranck	AECOM/URS
Brian Ray	AECOM
Chris Edwards	NCALC
Paul Goodson	NCALC
Mack Davis	NCALC
Rita Foley	NCALC
Jillian Totman	McGuire Woods/NCALC
Sarah Wolfe	McGuire Woods/NCALC
Genna Olson	ATC Associates
Kevin Sommers	ATC Associates
Christie Zawtocky	Hart & Hickman
Greg Kanellis	Hart & Hickman
Michael Dail	Terracon
Michael Jordan	Terracon
Tony Pendola	NCDEQ Small Business Ombudsman
Pete Doorn	NC Division of Waste Management - DSCA Program
Eric Swope	NC Division of Waste Management - DSCA Program
Delonda Alexander	NC Division of Waste Management - DSCA Program
Billy Meyer	NC Division of Waste Management - DSCA Program
Jay King	NC Division of Waste Management - DSCA Program
Mike Cunningham	NC Division of Waste Management - DSCA Program
Patrick Watters	NC Division of Waste Management - DSCA Program

Mr. Doorn welcomed everyone to the meeting. The minutes from the April 2016 meeting and July 2016 update were then brought up and approved.

II. Staffing Updates

Mr. Doorn stated that Alicia Roh, an experienced inspector with the DSCA Compliance Program resigned to take a position with the Hazardous Waste Section, and that she provided invaluable expertise to the Compliance Program and will be sorely missed. Eric Swope, the Compliance Program Supervisor noted that Alicia recently accepted a position with the Charlotte airport. The program is proposing to reclassify the inspector positions to assist in staff retention.

It was also noted that while the program's dedicated legal support from DOJ ended in May 2016, we have commitment from DEQ's Office of General Counsel that they will provide legal support, but the turn-around time is not on a level that we've been accustomed to. The Division continues to advocate for dedicated legal resources for the programs, and will track requests for legal assistance to help document the program needs.

A question was raised about the status of Dianne Thomas' position in the Remediation Unit. The Program has submitted a proposal to divide Dianne's duties among other Remediation staff members and provide in-range compensation for the increased responsibilities. The program is awaiting a response on the proposal.

III. Legislative Update

Mr. Doorn noted that the Dry-cleaning Solvent Clean-up Act funding sunsets in 2020, and the program sunsets in 2022. We're nearing those sunset dates, so the program is proposing legislation to the department for the 2017 long session to extend those dates an additional 10 years. There was also discussion about also proposing amendment language that would allow for financial institutions to petition a site into the program under certain circumstances.

Mr. Doorn then noted that the program would be going before the EMC's Ground Water & Waste Management Committee on November 9th with an information item to let them know that we are proposing to readopt the DSCA Rules in July 2018. This is the next step in the periodic rule review process that we started in 2014. We are looking at amending some of the rules and will be developing a small core group to work on those proposed changes.

IV. DSCA Fund Statistics

The Fund Statistics handout for fiscal year (FY) 2015–16 (current as of 6/30/16) was summarized and discussed. Mr. Doorn stated that receipts for FY 2015-16 were commensurate with receipts from the previous fiscal year. It was also noted that disbursements had declined during FY 2015-16 due to a decrease in contract expenditures.

IV. Site Work

Mr. Doorn stated that DSCA currently has 67 sites closed under DSCA's risk-based rules. Since the July update, the latest sites receiving a no further action decisions are Coastal Cleaners in Wilmington, Trailway Cleaners in Boone, and Regal Cleaners in Burlington. A list of closed sites and the Risk Management Plans for those sites can be viewed on the new DEQ website. The DSCA webpage is still accessible at www.ncdsca.org. It was also noted that 30 sites are being prepared for closure.

It was also noted that the website navigation links for the Superfund Section and the DSCA Program webpages were undergoing some minor revision intended to make finding information more user-friendly.

Mr. Doorn then discussed an information session held in June 2016 for members of the community near the Joy Cleaners site in Raleigh. The session was held to talk with the local community about water supply well sampling near the site. The session was only attended by

two residents. The limited attendance raised questions about possible language barriers in the community, and how communication with diverse communities can be improved. The program plans to incorporate steps to evaluate demographics when planning future information meetings.

V. Discussion

Delonda Alexander introduced a discussion about TCE in indoor air and the health concerns that have been reported in recent studies. Patrick Watters described the circumstances at VIP Cleaners, and active cleaner in Rocky Mount and the eventual determination that a TCE spotting agent was the source of the TCE in indoor air. Good communication and coordination between the property owner, the dry-cleaner, the DSCA program and neighboring tenants resolved the issue in a timely manner.

The group further discussed the use of TCE spotting agents. Eric Swope agreed to provide the NCALC representatives with information that the DSCA Compliance staff have collected on spotting agents. The NCALC agreed to continue encouraging cleaners to take advantage of newer and safer spotting agents.

VI. Other Issues

Mr. Doorn then noted that the DSCA Annual Report had been finalized and sent to the General Assembly for review, and that the report was available on the NC DEQ website.

Lastly, it was mentioned that the DSCA Program completed interviews for up to three contracts in late-September and that recommendations had been forwarded to the State Construction Office for review. The state Building Commission is scheduled to meet on October 25th to make the contract selections.

VII. Next Work Group Meeting

The next stakeholder meeting was set for Thursday, April 20, 2017 at 10:00 am and the meeting was then adjourned.