

Minutes
April 20, 2017

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:

Michael Dail	Terracon
Rob MacWilliams	AECOM/URS
Mike Ranck	AECOM/URS
Carlin Slusher	AECOM/URS
Chris Edwards	NCALC
Rita Foley	NCALC
Paul Goodson	NCALC
Phoebe Landon	McGuire Woods/NCALC
Vicki Garlington	McAdams Co
Genna Olson	ATC Associates
Meghan Greiner	ATC Associates
Christie Zawtocky	Hart & Hickman
Greg Kanellis	Hart & Hickman
Michael Jordan	Terracon
Lou Zeller (phone)	Blue Ridge Environmental Defense League
Tony Pendola	NCDEQ Small Business Ombudsman
Pete Doorn	NC Division of Waste Management - DSCA Program
Eric Swope (phone)	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
Scott Stupak	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 October 2016 meeting and December 2016 update were then brought up and approved.

II. Staffing Updates

The new DEQ Secretary, Michael Regan had his confirmation hearing on April 6th and the Senates Ag, Environment, and Natural Resources committee unanimously recommended that the Senate confirm him as Secretary. Other names on the Secretary's leadership team that are important to note are: John Nicholson – new Chief Deputy Secretary; Sheila Holman – new Assistant Secretary for the Environment (former DAQ Director); Jamie Kritzer (our former

Public Information Officer) is now acting deputy secretary for public affairs; Andy Miller is the Director for Legislative Affairs; and Bill Lane is the new General Counsel for DEQ.

The Division is providing the DEQ General Counsel's Office a list of projects that need attorney support so that they can make some decisions on how to address those needs. We are continuing to advocate for additional legal support so we are closely watching and waiting for those decisions to be made.

The DSCA Compliance program currently has two vacancies, one Environmental Specialist and one Environmental Senior Specialist. The program is updating the job descriptions so we can post the Senior Specialist position. At the same time, we're asking DEQ HR to upgrade the Specialist position to a Senior Specialist. That position will also be posted once that position is reclassified.

III. Legislative Update

DSCA Re-Authorization: It was noted that the program has proposed statute amendments to re-authorize DSCA for an additional 10 years. The department has initiated a regulatory-reform bill as an Amended Environmental Laws bill. At this time, the department has elected not to add the DSCA re-authorization to its amended environmental laws bill so that potential debate about extending the tax component of DSCA won't hold up remaining items in the bill. The DSCA re-authorization will be considered in another bill later.

15A NCAC 02S Rule Re-adoption: The 15A NCAC 02S rules have been through the required rule review process, and a re-adoption date of July 2018 has been established. The program intends to collaborate with members of the industry to develop an improved set of minimum management practices, however, due to the reduced number of DSCA inspectors, the short-term plan is to re-adopt existing rules (with only a few minor changes) in order to meet the re-adoption deadline. When fully staffed, the DSCA program will re-start the stakeholder process to develop enhancements to the compliance rules.

IV. DSCA Fund and Site Statistics

The Fund Statistics handout for the fiscal year (FY) 2016-17 (current as of 3/31/17) was summarized and discussed. Mr. Doorn noted that receipts and expenditures for FY 2016-17 are on pace with those from the previous fiscal year.

Regarding site statistics, it was noted that nearly 400 sites have been certified into the DSCA cleanup program over the life of the program. Eight new sites have been certified during the first four months of 2017.

Chris Edwards raised a question regarding the estimated number of contaminated sites. DSCA staff explained that the estimate of 1500 is based on reviews of historical city directory records and Department of Labor boiler lists. DSCA estimates there are approximately 2000 locations where dry-cleaning operations are or were performed, and national estimates are that 75% of dry-cleaning properties are impacted, resulting in approximately 1500 contaminated sites in NC.

V. Remediation Work

The DSCA Program has no new site closures to report this quarter. However, Brookside Cleaners in Raleigh recently completed the public comment period and the program is waiting for the conclusion of the 60-day appeal rights period provided to property owners where 2C notices are being proposed. The risk management plan for the former Master Kleen in Greensboro is currently in public comment, and if no comments are received, the closure documents will be recorded and a NFA notice will be issued. It was noted that several more sites are in the queue for closure.

Mr. Doorn mentioned a couple site remedies coming up in the next 6-12 months. Rollins Economy Cleaners in Raleigh will be demolished as part of a large redevelopment project. DSCA is evaluating remedial options for excavating and/or blending highly impacted soil beneath the structure. Also, the former Village Cleaners in Greensboro has soil contamination on a neighboring property. The program is planning a soil blending remedy for late summer/early fall of 2017.

Mr. Doorn described an example of the use of DSCA's 1% investigation funds in the Raleigh area. A search of possible sources contributing to the groundwater plume from the former Flints Cleaners revealed four other possible dry-cleaning sources nearby. Using DSCA's 1% funding, the program discovered contamination at 3 of the 4 potential source properties, and those 3 are now certified in the cleanup program. It was noted that of 17 sites that have been certified into DSCA during this fiscal year, five have come in as a result of our 1% investigations.

Mr. Edwards asked if the 1% funding was sufficient and a brief discussion followed. He stated that the NCALC supports increasing the 1% investigation funding if needed.

V. Discussion

Delonda Alexander described proposed changes to the DSCA website. These changes are designed to improve navigation and resources for the public, the regulated community, and environmental contractors.

Mike Cunningham described the successful redevelopment of the former Crisp Cleaners in Asheville (handout attached). Following DSCA's site assessment and soil remediation work, the property was put back into use as Bartaco Restaurant.

Scott Stupak provided an overview of the DSCA's new e-pay option. More information will be available in the summer when the new system is rolled out

VI. Other Issues

Lou Zeller observed that DSCA has been around for 20 years and he inquired about the steps the department has taken to phase out the use of PCE. During the follow-up discussion, it was noted that the industry is trending away from the use of PCE, and that improvements in equipment and management practices have significantly reduced its use over time. Additionally, it was noted that changes in fire code regulations have made it easier for dry-cleaners to switch

to petroleum solvents. Mr. Doorn noted that he would convey this discussion with the division director and follow-up with Mr. Zeller.

VII. Next Work Group Meeting

The next stakeholder meeting was set for Thursday, October 19th, 2017 at 10:00 am and the meeting was then adjourned.

Please note that due to limited room availability, the October 2017 Stakeholder Meeting has been moved to October 26th, 2017