

MEETING MINUTES

DRY-CLEANING SOLVENT CLEANUP ACT (DSCA) PROGRAM STAKEHOLDER WORK GROUP MEETING HELD MAY 25, 2023

I. Welcome and Opening Remarks

Delonda Alexander opened the virtual meeting. Attendees did not introduce themselves since we are on a virtual platform. Based upon the TEAMS participants list, approximately 38 people were in attendance. It is hard to do introductions via this TEAMS meeting – I will introduce the DSCA staff.

The NCALC Annual Convention is coming up this weekend in Atlantic Beach. I will be heading down there to give a presentation on DSCA and really appreciate being asked and having that opportunity. I will say up front that some of the information you will be seeing today, might be in my presentation, so if you are here today, you may see it again soon.

II. Personnel

We have two new project managers in the remediation unit since we last met. Ariana Rivera started this Monday and Eric Rice has been with us since October 2022. I will let Billy do the introductions and say a few words about each.

Still have 2 vacancies that we will use to evaluate our needs in the future – right now we have adequate personnel.

For those that don't know, Meghan Greiner with ATC has moved on to an engineering position with Honeywell up in Indiana. Meghan has been an integral part of DSCA for many, many years and was instrumental in developing and moving the DSCA risk based program forward – working on the original DSCA risk toolkit and later on the DEQ risk calculator. She dove into learning to do risk assessments at the very beginning when we just started out. She was a valuable member of the team and will be missed, but we are excited for her to start a new chapter. Ashley Offer, who has been working on DSCA sites for many years, will take over as the new contract manager for DSCA work. We have worked with Ashley for many years, so know we are in good hands and look forward to working with her.

III. Rules & Legislation – Nothing planned or in front of the legislature currently

IV. Fund & Site Statistics

Everyone has the statistics I sent out previously. I won't go over them all. The fund balance is still healthy at about \$14.6 million and we have approx. \$9 million encumbered in contracts.

Jumping to the site statistics at the bottom – we have officially crossed 500 sites certified in the program!

The number of active dry cleaners continues to drop. In November 2022, there were 337 active facilities using regulated solvent – down to 322 as of April 15th of this year.

But I want to mention that these are facilities using regulated solvent that we inspect. There could be cleaners switching to solvents that we do not regulate or inspect those facilities. So, the overall number of facilities may not be dropping at this rate. We are not notified or aware of facilities that open using non-regulated solvents.

(showed slide on history of active/inactive facilities)

In the past few years, we have seen the sales and use tax revenue declining a bit due to the pandemic. As I have mentioned in the past – this revenue is calculated once a year – it is a percentage of the tax for that industry code that contains other textile businesses and dry cleaning. They calculate it once a year and then we get that amount for 4 quarters until it is calculated again. The new amount we get is reflected in the December quarterly deposit. The good news is that this revenue actually went up in December for the first time since September 2020 – about \$230,000.

The solvent tax revenue was up a bit also – from around \$10,000 in 2022 to \$17,000 in March 2023.

(showed slides on revenue, funding income and disbursements)

V. Remediation Unit Updates/Issues

Billy Meyer, head of the remediation unit, gave an update on a current TCE vapor intrusion site where apartments are impacted – but may not be from vapor intrusion. DSCA has deployed air handling units and is conducting follow up sampling and evaluation of data.

VI. Compliance Unit Updates/Issues

(showed slide with compliance stats)

We have been concentrating on ramping up inspections so that we are visiting each active Perc facility at least once a year and increasing that to visiting every active facility (Perc and hydrocarbon) at least once a year. We have been down an inspector for almost 2 years – these 3 inspectors have been doing a great job covering the state.

I may have mentioned this previously, we recently changed the way we report the compliance rate so that we are consistent with other inspection programs in DWM. Previously, when a checklist with deficiencies was left with the cleaner during an inspection, that was counted as being out of compliance. Now, a facility is considered out of compliance only when a Notice of Violation or a Corrective Action Letter is issued. So, our compliance rate is now reported at 96% which is great, but we will always strive to get better.

This is really the first year that we are receiving the Petroleum/Alternative Solvent self-inspection checklist – they were due in January. We mailed out 220 letters with the checklist to these facilities and 89 were returned – about 40%. So we will send these out each fall and hopefully the return rate will increase over time. It is voluntary but helps us prioritize inspections and maximize the inspector's time. I want to stress that returning the form does NOT mean the facility won't get inspected. All facilities are still subject to inspection.

We recently had a few instances where spotting agents or other products were causing an indoor air issue in adjacent spaces – so we are still seeing use of Picrin and PCE/TCE spotting agents.

(showed slides regarding VI sources)

Seems like the number of mechanics familiar with decommissioning is dwindling – recently had a facility using a mechanic that had no knowledge at all about dry-cleaning equipment decommissioning – the inspector had to get a ‘retired’ mechanic on the phone to tell this mechanic what to do.

VII. Case Studies – Going to turn it over to Genna Olson to present a couple of case studies.

VIII. Other Issues

Want to briefly remind everyone about a few resources – the web page has a lot of information – remember that there is a translate button in the upper right corner of the web pages. You can enter the address or site ID in the locator tool and it will pull up information for the site including project manager/inspector name and contact number and there is a link to documents on Laserfiche.

(showed slides about the web page, locator tool and Laserfiche)

There are some future issues that we want to highlight – funding is adequate now but need to watch in the future. If funding became an issue, we would have to address sites in priority order. There is a 20% administrative cap and we are right up against it. As revenue decreases, the 20% decreases. We need to watch this in the future. We will either need to get an increase in the cap or may not be able to fill positions.

(showed slides about funding and the administrative cap)

The other issue I wanted to mention is PFAS. We have all probably heard about PFAS. NC is ground zero for PFAS due to the release into the Cape Fear river basin by Chemours. DEQ has a PFAS strategy to address impacts and assess risk. This may impact dry cleaners in the futures since PFAS has been found in dry cleaning waste streams due to leaching of PFAS from textiles, clothing, etc. In the short term this may involve some PFAS sampling at DSCA sites if we have impacted drinking water wells. We will likely coordinate with the Bernard Allen fund who does the PFAS sampling of water supply wells. We have had discussions with our attorneys regarding whether or not the DSCA Statute/rules prohibit us from spending fund money on PFAS since it is not a dry-cleaning solvent.

IX. Next Work Group Meeting

November 9, 2023 at 10am. Will attempt to have a hybrid meeting with in-person and virtual.