July 2012

SCRD Holds Annual Meeting

The SCRD held its annual meeting in conjunction with the U.S. EPA's Technical Support Project (TSP) meeting from May 1-3 in Oklahoma City, Oklahoma.

This year's meeting included program briefings by the member states; committee meetings, panel discussions on vapor intrusion issues & EPA's updated VI guidance, green remediation and identifying former dry cleaner sites; and the following case studies and presentations:

- Multi-party Vapor Intrusion Study (CO)
- Utilizing the Membrane Interface Probe (FL)
- ChemOX Gravity Feed: Part 2 (IL)
- Advanced Tools for Assessment of MNA – Dr. John Wilson (EPA ORD/Ada)
- Environmental Molecular Diagnostics (AK)
- The Future of Dry Cleaning Programs – open discussion
- Managing Dewater Discharges and the Clean Water Act (VA)
- Community Involvement Regarding Cheyenne Plume (WY)
- Endpoint of the Cleanup Process (CO)
- An Approach to Evaluating the Progress of Natural Attenuation in Groundwater
  John Wilson (EPA ORD/Ada)

Complete state updates and presentation materials from the 2012 meeting and previous meetings may be found on the SCRD web page at: http://www.drycleancoalition.org/members.cfm

Committee Reports:

Peter Doorn volunteered to be the new chair of the Program Development/Administrative Committee and Cathy Burrow volunteered for the outreach position.

Project Management/Technical Committee

Terry Evanson (Wisconsin Department of Natural Resources)
The committee focused primarily on the revision of the site profile paper entitled *Comparison of Remedial Systems Employed at Drycleaner Sites* (dated August 8, 2007). The update will rely on the current site profile database. Once the paper is updated, the committee will develop a webinar based on its content.

In addition, they discussed having a vapor intrusion webpage on the SCRD website. This might include links to state vapor intrusion webpages and specific discussion of vapor intrusion as it relates to drycleaner sites.

They also decided to develop a fact sheet addressing co-located drycleaners. EPA usually defines co-located as a retail business with a residence over it; however, in the case of drycleaners, they are frequently found in strip malls with multiple uses (such as day care centers) that pose assessment challenges. Delonda and Walter agreed to develop the fact sheet.

The committee thought that it might be a good idea to develop a list-serv that SCRD members could use to share information and ask questions.

Program Development/Administrative Committee

Peter Doorn (North Carolina Department of Environment and Natural Resources)
The committee developed a prioritized list of projects they would like to undertake in the next 18 months.

1. Update the cost of cleaning up sites and develop a new average cost of cleanup.
2. Update and modernize the SCRD website using more maps and figures. The new website could provide links to state information and include a frequently asked questions webpage.
3. Develop a community involvement toolkit for drycleaners.
4. Develop measures to quantify the cost/benefits of cleaning up sites.

Business Meeting

Scott Huckstep (Missouri Department of Natural Resources)
A formal vote of members present was taken to officially make Peter the new chair.

Members decided to have their teleconference calls on the second Thursday of every other month (every eight weeks).

State and National Updates

Alabama— Bonnie Temple (Alabama Department of Environmental Management (ADEM)
Alabama's fund, which was established in 2003, is completely voluntary and has had 167 members since 2003. Seventy-three members have resigned and only 35 are currently paying. Active drycleaners pay two percent of their income. Inactive or abandoned drycleaners pay $5,000/year. The state does not automatically revoke membership if a member falls behind on payments. The Trust Fund benefits are withheld until the member pays its delinquent account.

Further information about Alabama's program is available at
http://www.drycleaningtrustfund.alabama.gov

Connecticut – Sheila Gleason (Connecticut Department of Environmental Protection)
Connecticut's program consists of a reimbursement fund administered by the Department of Economic and Community Development (DECD). The technical and funding parts of the program are entirely separate. The fund has not taken any new applications for three years because it has no money. Drycleaners in the state have been lobbying the legislature to increase the fund because they are still paying the tax but don't think they are getting anything back in return. There is brownfields money available that might be applied to drycleaner sites.

Florida – Florida Department of Environmental Protection
Funding for Florida's program continues to be cut. They have over 1,000 sites that have not yet been addressed. Other than excavation and removal, the two most frequently used technologies are soil vapor extraction (170 sites) and biostimulation (57 sites). They have experienced some problems in central Florida with the biostimulation when groundwater at the site has a low pH (<5). Efforts to buffer the water generally have not worked. Also, at some sites, chemical oxidation treatment has not been successful. The state believes this may be a distribution problem or the result of high soil oxygen demand.

Illinois – Juho So (Illinois Drycleaner Trust Fund)
Illinois has a right-to-know law that requires the state to notify anyone living within a specified distance that there is groundwater contamination. The Trust Fund has a sunset date of 2020. There will be insufficient funds to fully address all the eligible sites by then. The two alternatives of raising the license fees or extending the program are opposed by the drycleaners. Vapor intrusion is not being explored, their priority is on hot spot removal.

Kansas – Scott Yankey (Kansas Department of Health and Environment)
Over the past five years, the state has witnessed a 40 percent decline in funding. There currently are 148 facilities in the Trust Fund. Most of the sites coming into the program are a result of Phase I & II environmental site assessments. Currently there are 54 sites awaiting funding. The state has closed 9 sites. Kansas maintains a fleet of SVE trailers that are used throughout the state. Vapor intrusion issues are a cost problem.

Missouri – Vicky Kugler (Missouri Department of Natural Resources)
As with other state programs, funding for Missouri's program is down. Facilities that change from PCE to a different solvent do not have to pay into the fund but are allowed to stay in the program. This allows them access to cleanup funding if they need it. Like in Kansas and Florida, SVE and multi-phase extraction often are used for cleanup. Most of the drycleaners pay a $500 registration fee plus a product tax.

North Carolina – Peter Doorn (North Carolina Department of Environment and Natural Resources)
North Carolina has a voluntary program with state contractors similar to the Missouri program. There are approximately 700 active drycleaners in the state with about 460 using PCE. Vapor intrusion issues are driving a lot of remediation work with the cost of running vacuum systems increasing. The state is migrating to the GSI RBCA Toolkit. The toolkit will be used to determine cumulative site-wide risk (including indoor air). North Carolina has collected indoor air data and has found that contaminant indoor air concentrations are higher in the summer than in the winter.

Oregon – Don Hanson (Oregon Department of Environmental Quality)
Oregon's program is funded by a fee and a tax on PCE. As the use of PCE declines, so do revenues. Because the state prioritizes sites based on risk, they do not take many sites to closure. As with several other states, vapor intrusion is driving much of the work. Oregon has invested about $10,000 in hiring an insurance archaeology firm to investigate whether some sites had environmental insurance when their release occurred. The best time to engage insurance companies is immediately after contamination is discovered. Since environmental exclusions became prevalent in the late 1980s, the window for finding insurance coverage is getting smaller.

South Carolina – Tim Hornosky (South Carolina Department of Health and Environmental Control)

South Carolina's fund revenues come from solvent surcharges, facility registration fees, and a percentage of retail sales. As redevelopment building activities pick up, more sites are being identified from Phase I and II environmental site assessments. As discussed at the last conference, the state has completed their initial site assessment program and is now moving toward full assessments and cleanups. Their assessment approach has moved away from installing wells and using offsite laboratory facilities to more extensive use of screening techniques. Many of their sites can be grouped, thereby reducing mobilization charges. Sampling is done with direct push equipment with reliance on screening level testing such as ColorTec (rather than using permanent wells and fixed offsite laboratories).

Tennessee – Alison Hensley (Dry Cleaner Environmental Response Program)

The 2012 registration year was the first year that the new registration fee categories were effective. Each year, the registration fees are calculated based on solvent usage across the state for the most recent fiscal year. The category fees are in $500 increments from $500 to $2,500 (previous increments were $500 to $1,500). Tennessee also has solvent surcharge fees. DCERP began assessing vapor intrusion more frequently this year, both through indoor air sampling and active sub-slab sampling. As a result, several sites have been identified as having possible vapor intrusion risks and at least two sites have had active sub-slab vapor mitigation systems installed—a first for DCERP.

Texas – Richard Scharlach (Texas Commission on Environmental Quality)

Texas and Kansas have similar drycleaner programs. Funding, which is based on registration and solvent fees, has been dropping (as is the case with most other states). Texas's corrective action staff has dropped from seven individuals to two. The state continues to accept registrations. The program sunsets in 2021. Bioremediation is becoming the remedy of choice. Texas has a risk- based system and many of their closures are in large, urban areas (such as the Dallas-Ft. Worth metro area) where they can classify the groundwater as being of a lower quality. The state is hesitant to look at vapor intrusion issues and it is not part of their site investigation activities. At this time, Texas does not have a site prioritization system (but is looking to develop one).

Wisconsin – Cathy Burrow (Wisconsin Department of Natural Resources)

Wisconsin operates under a reimbursement program with state oversight. Revenues have been decreasing and the fund depleted its balance in 2007, causing disruption to the remedial process. In FY2009-2010, the state gave the fund access to $6.2 million from another response program; however they continue to spend more than they take in. The DERP was closed to new applicants in August 2008 and the program sunsets in 2032. To provide additional funding, the state's drycleaner tax on sales recently was increased from 1.8 to 2.8 percent, but the decrease in the number of drycleaning establishments has offset the increase in taxes.

Non-Member State Updates

California – Nathan Casebeer (Central Valley Regional Water Quality Control Board)

California does not have a separate drycleaning program. Drycleaner sites fall under the jurisdiction of the nine state regional water quality control boards and the Department of Toxic Substances Control. Nathan noted that California currently is working on two initiatives related to drycleaners. The first is to develop legislation that would provide liability relief and funding assistance for water purveyors who are conducting groundwater cleanups at sites where there are no financially viable responsible parties. The second initiative is a low-threat closure policy that recognizes that some sites will reach cleanup goals in a

reasonable amount of time without further remedial action, usually after source removal and groundwater cleanup. In cases where the supporting data is strong enough, these sites may be closed prior to reaching cleanup goals. California has not had anyone from EPA mention RCRA with regard to low-threat closure policies. California has an underground storage tank cleanup program and a low-threat closure policy. The thinking is that this policy could also apply to solvent sites. The state has classified almost all water as a drinking water source and its laws make it a no-degradation state.

Colorado – Walter Avramenko (Colorado Department of Public Health and Environment)
Colorado is not a fund state. Drycleaners are regulated under the Resource Conservation and Recovery Act (RCRA) and the voluntary cleanup program (VCP). If a release occurred after 1980, it is regulated under RCRA. If it occurred before 1980, it falls to the VCP. A workgroup made up of various stakeholders that was formed to look at the problem of contaminated drycleaner sites developed two approaches. The first was to look at remediation goals similar to the California low-threat closure policy. The second approach examined the steps that were necessary to develop a drycleaner fund in Colorado. They developed a white paper and held public stakeholder meetings. Since it was apparent that industry was opposed to creating a fund, the state decided not to push for it.

An issue that has arisen is how to handle contamination problems with drycleaners that are co-located with sensitive populations (e.g., day care centers). They currently are working on a policy to address this issue.

Virginia – Meade Anderson (Virginia Department of Environmental Quality)
Drycleaners are remediated under the Virginia Voluntary Remediation Program (VRP), not under a separate program. The state has been trying to get more active/comprehensive work plans from sites that include a vapor intrusion assessment. In addition, they are working on getting a RCRA variance for low level PCE soils going to Subtitle D landfills. VI is driving a lot of Virginia's work.

Wyoming – Ben Way (Wyoming Department of Environmental Quality)
Wyoming, which does not have a dedicated drycleaner program, has about 30 active drycleaners in the state. Drycleaners are addressed under the state's voluntary cleanup program or the orphan site program (when it is funded). Wyoming does have several sites with large plumes.

Other Items

- EPA released their final tox review, IRIS assessment of Perc in February. To view the document click here: http://www.epa.gov/iris/toxreviews/0106tr.pdf
- Wisconsin has an advisory Governor's Dry Cleaning Council which issued its 5 Year Assessment Program Report to the governor and legislature in December 2011.

Upcoming Events

- **Dec. 4-7, 2012 ~ Las Vegas, NV**; 2012 NGWA Groundwater Expo and Annual Meeting http://groundwaterexpo.com/
- **Feb. 4-7, 2013 ~ Dallas, TX**; Seventh International Conference on Remediation of Contaminated Sediments: http://conferences.battelle.org/sediments/index.html

- **May 15-17, 2013 ~ Atlanta, GA**: National Brownfields 2013 Conference http://www.brownfieldsconference.org/en/home

Newsletter Subscription

If you would like to be placed on the subscription list for the SCRD newsletter please go to the following address http://www.drycleancoalition.org/newsletter.cfm. Copies of previous newsletters can be viewed at http://www.drycleancoalition.org/pubs.cfm on the SCRD website.

SCRD members are state governments that have established programs to fund remediation of drycleaner sites. Current member states include Alabama, Connecticut, Florida, Illinois, Kansas, Minnesota, Missouri, North Carolina, Oregon, South Carolina, Tennessee, Texas, and Wisconsin. Alaska, California, Delaware, Maryland, New Jersey, New York, and Virginia, which do not have formal programs but are active in drycleaner remediation under other authorities, also participate in Coalition activities. SCRD provides a forum for states to share programmatic, technical, and environmental information to improve the remediation of drycleaner sites. SCRD was established in 1998 and receives technical, management, and training support from the U.S. EPA Office of Superfund Remediation and Technology Innovation (OSRTI).