



PAT MCCRORY  
Governor

DONALD R. VAN DER VAART  
Secretary

## MEMORANDUM

TO: ENVIRONMENTAL REVIEW COMMISSION  
The Honorable Jimmy Dixon, Co-Chairman  
The Honorable Chuck McGrady, Co-Chairman  
The Honorable Trudy Wade, Co-Chairman

APPROPRIATIONS ON NATURAL AND ECONOMIC RESOURCES  
The Honorable Trudy Wade, Co-Chairman  
The Honorable Andrew Brock, Co-Chairman  
The Honorable Bill Cook, Co-Chairman

APPROPRIATIONS, AGRICULTURE AND NATURAL AND ECONOMIC RESOURCES  
The Honorable Jimmy Dixon, Co-Chairman  
The Honorable Pat McElraft, Co-Chairman  
The Honorable Roger West, Co-Chairman

FROM: Mollie Young, Director of Legislative Affairs, NCDEQ

SUBJECT: Hazardous Waste Annual Report

*Pursuant to G.S. 130A-294, "The Department shall report to the Fiscal Research Division of the General Assembly, the Senate Appropriations Subcommittee on Natural and Economic Resources, the House Appropriations Subcommittee on Natural and Economic Resources, and the Environmental Review Commission on or before January 1 of each year on the implementation and cost of the hazardous waste management program."*

If you have any questions or need additional information, please contact me by phone at (919) 339-9433 or via e-mail at [mollie.young@ncdenr.gov](mailto:mollie.young@ncdenr.gov).

Cc: Don Van der Vaart, Secretary, NCDEQ  
Tom Reeder, Assistant Secretary for Environment, NCDEQ  
Michael Scott, Director of Waste Management, NCDEQ  
Lanier McRee, Fiscal Research Division, NCGA



# HAZARDOUS WASTE MANAGEMENT FY 2015-2016 REPORT

Division of Waste Management



NORTH CAROLINA  
DEPARTMENT OF ENVIRONMENTAL QUALITY

<http://portal.ncdenr.org>

## **ANNUAL REPORT**

This annual report describes the activities of North Carolina's Hazardous Waste Management Program, Resident Inspector Program and Mercury Switch Removal Program from July 1, 2015 through June 30, 2016. It is prepared pursuant to N.C.G.S.130A-294(i) and is presented to the General Assembly and its Fiscal Research Division, the Senate Appropriations Subcommittee on Natural and Economic Resources, the House Appropriations Subcommittee on Natural and Economic Resources, and the Environmental Review Commission.

### **I. HAZARDOUS WASTE PROGRAM**

#### **EXECUTIVE SUMMARY**

North Carolina's hazardous waste management program protects human health and the environment from the risks presented by potential mismanagement of hazardous waste.

Hazardous waste received in North Carolina by facilities in state fiscal 2015-16 amounted to 22,554 tons. Hazardous waste generated in North Carolina by facilities in state fiscal 2015-16 totaled approximately 86,000 tons of hazardous waste. For this year's report, hazardous waste generated data is from Easitrak/RCRAInfo and the hazardous waste received data is from the N.C. Resident Inspector Program. The number of small quantity generators decreased and the number of conditionally exempt generators increased, though the quantity of hazardous waste generated by these facilities is not reported. Inspection, compliance assistance and enforcement activities at hazardous waste facilities resulted in the safe management of an estimated 1,745 gallons and 70.1 tons of hazardous waste, 4,040 gallons and 4.26 tons of non-hazardous waste, 43,440 gallons of used oil and 106 pounds of universal waste. Mismanagement of the waste could have presented potential health or environmental risks.

In addition, the program continues to make significant progress in cleaning up contamination at permitted hazardous waste management facilities. The national goal is for final remedies to be constructed and fully operational at 95 percent of these facilities by 2020, although this does not necessarily mean remediation will have been completed. Currently in North Carolina, 64 percent of facilities have a remedy constructed.

#### **HAZARDOUS WASTE MANAGEMENT PROGRAM**

North Carolina was authorized to implement the federal hazardous waste regulatory program in lieu of the Environmental Protection Agency (EPA) in 1980. Federal authorization is the process through which EPA delegates primary program implementation and enforcement responsibility to states, while maintaining an oversight role to ensure national consistency. The federal program, established under the Resource Conservation and Recovery Act (RCRA), regulates the generation, transport, treatment, storage, disposal and recycling of hazardous waste. The program also governs the environmental remediation of hazardous waste treatment, storage and disposal facilities that have been contaminated by prior waste management activities. The North Carolina hazardous waste

program is implemented by the Hazardous Waste Section (HWS) in DEQ's Division of Waste Management.

## **HAZARDOUS WASTE GENERATION, MANAGEMENT, AND REMEDIATION**

### **Generation**

“Hazardous waste” is defined as industrial material destined for disposal that may be ignitable, corrosive, reactive and/or toxic and, as such, poses a risk to human health and the environment if improperly managed.

The comprehensive hazardous waste generation data is available biennially thru RCRA Info (see Information Management Section). The national reporting cycle for 2015 will be available to the public on December 10, 2016. Therefore, the reported data in this report are preliminary results.

In state fiscal 2015-16, there were approximately 933 North Carolina Large Quantity Generators<sup>1</sup> listed in RCRARep. The amount of waste generated in fiscal 2015-16 was approximately 86,000 tons with 933 facilities reporting (100 percent).

In state fiscal 2015-16, there were approximately 1,750 Small Quantity Generators<sup>2</sup> in North Carolina, as well as several thousand Conditionally Exempt Small Quantity Generators<sup>3</sup>. These generators are subject to reduced reporting and regulatory requirements because they are often small businesses for whom periodic reporting could be overly burdensome and because the amounts of waste generated at each individual site are less likely to present significant risks to human health and the environment. However, these facilities collectively generate a significant amount of hazardous waste that must be managed properly and must be in compliance with applicable rules. Significant resources are devoted to technical assistance, outreach and compliance activities at these facilities. Staff conducts compliance assistance visits or other types of inspections as a way of outreach to help facilities with the RCRA regulations.

### **Management**

Comprehensive hazardous waste generation data is available biennially. The data for 2015 and the Environment Protection Agency's Hazardous Waste Report final report will be available to the public on December 10, 2016.

In state fiscal 2015-16, North Carolina's 10 commercial hazardous waste facilities<sup>4</sup>

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<sup>1</sup> Large Quantity Generators are defined as facilities that generate 1,000 kg or more of hazardous waste per month, or 1 kg or more of acutely hazardous waste per month.

<sup>2</sup> Small quantity generators are facilities that generate between 100 and 1,000 kg of hazardous waste per month.

<sup>3</sup> Conditionally Exempt Small Quantity Generators generate hazardous waste at a rate less than 100 kg per month and are not required to notify.

<sup>4</sup> Commercial hazardous waste facilities are facilities that accept hazardous waste under a permit and store, treat and dispose hazardous waste.

received and processed 22,554 tons of hazardous waste from offsite generators.

**Remediation**

Eighty active hazardous waste treatment, storage, disposal and corrective action facilities are in North Carolina. Each facility is governed by a permit, an enforceable order, or another operational control mechanism for management and/or remediation of hazardous waste.

There are 90 facilities subject to the RCRA Corrective Action Program; that program addresses remediation of environmental contamination at permitted hazardous waste facilities. The Hazardous Waste program tracks the progress of remediation at these sites using four environmental indicators:

- 1) Human exposure controlled,
- 2) Groundwater contamination controlled,
- 3) Cleanup remedy constructed, and
- 4) Remedy completed.

The program continues to make significant progress in overseeing the remediation of contamination at permitted hazardous waste management facilities. The national goal is for 95 percent of these facilities to meet three environmental indicators by Oct. 1, 2020 (federal fiscal year). Currently in North Carolina, 94 percent of the facilities have human exposures controlled, 92 percent have groundwater contamination controlled and 64 percent have a remedy constructed. In addition, EPA has recently set of a goal of 25 percent of the facilities completing all remediation by 2020. Currently, 22 percent of the facilities in North Carolina have all hazardous waste remediation complete.

To achieve the national goal of 95 percent of the facilities having a remedy constructed by EPA federal fiscal year 2020, the Hazardous Waste Section has established the following goals:

<b>Hazardous Waste Section Projections to meet the EPA 2020 goal</b>	<b>EPA FFY-16 Actual</b>	<b>EPA FFY-18</b>	<b>EPA FFY-20</b>
Human Exposures Controlled	94%	96%	100%
Groundwater Contamination Controlled	93%	96%	97%

Hazardous Waste Section Projections to meet the EPA 2020 goal	EPA FFY-16 Actual	EPA FFY-18	EPA FFY-20
Remedy Constructed	66%	81%	95%
All RCRA Remediation Complete	23%	24%	25%

Note: These reported program accomplishments are as of 11/1/2016.

Strategy to achieve the goals listed above:

The Facility Management Branch (FMB) evaluates and projects these goals for the federal fiscal year 2020 three times a year: during the EPA Work plan development stage, at the EPA End-of-Year Reporting stage at each VIP review and during the regular supervisor / employee meetings. To meet the federal fiscal 2020 goals, one Human Exposures Controlled must be achieved, three Groundwater Contamination Controlled must be achieved, 26 Remedy Selected and Remedy Constructed must be achieved, and two RCRA Remediation Complete must be achieved.

Facilities that have not met the Human Exposures Controlled or the Groundwater Contamination Controlled have been evaluated and have been notified concerning information needed to meet the goals. The FMB is confident these goals will be met.

The Remedy Selected and Remedy Constructed goals will require extensive discussions between the FMB and facilities to identify and approve remedies that are protective of human health and the environment and that meet the appropriate media standards. The selection of the proper remedy and implementation of the remedy may require a large investment of time and money at each facility. For the FMB to meet the goal of 95 percent, no more than four facilities can miss the goal. There are three facilities that will not be able to achieve the goal because they are bankrupt or financially marginal facilities. The FMB will continue working to meet these goals.

To meet the All RCRA Remediation Complete goal, a facility must meet the appropriate clean-up standards for all media: soil, groundwater, surface water and air. Typically, groundwater cleanup is a multi-decade process depending on the constituents and concentrations that need to be remediated. However, the Risk-Based Remediation of Industrial Sites legislation enacted through Session Law 2011-186 and revised by House Bill 765 in the recent legislative session allows for a risk-based approach to the soil, groundwater and air standards as long as the remedy still provides for protection of human health and the environment. The FMB anticipates meeting the All RCRA Remediation Complete goal through the use of risk-based cleanup.

## COMPLIANCE AND ENFORCEMENT

The Hazardous Waste Program is responsible for implementing inspection, compliance and enforcement activities. The environmental benefits achieved through compliance and enforcement activities are identified each year to measure the overall success of the program in meeting environmental goals. During fiscal 2015-16, the program's actions have ensured the safe management of 1,745 gallons and 70.1 tons of hazardous waste, 4,040 gallons and 4.26 tons of non-hazardous waste, 43,440 gallons of used oil and 106 pounds of universal waste that otherwise may have been mismanaged. These actions also ensured that more than 407 individuals (mostly staff at affected facilities) that could have been adversely affected were protected.

## INFORMATION MANAGEMENT

Comprehensive information about North Carolina's hazardous waste facilities is entered and stored in the national hazardous waste database known as Resource Conservation and Recovery Act Information (RCRAInfo) and RCRARep, a system that gives EPA and state environmental staff access to RCRA and Biennial Report information. RCRAInfo database was developed by the EPA and the states and is managed by the EPA. RCRAInfo contains comprehensive information on facilities that generate and/or manage hazardous waste in the state, as well as all the Hazardous Waste Section's activities affecting these facilities. RCRARep is an EPA computer system developed by EPA Region 1 and designed for read-only programmatic use. To view environmental information for specific hazardous waste sites in North Carolina, visit <http://www.epa.gov/enviro/>. For details about the N.C. Division of Waste Management and the state's Hazardous Waste Section, visit the division's website: <http://portal.ncdenr.org/web/wm/>.

## HAZARDOUS WASTE PROGRAM DEVELOPMENT

The Hazardous Waste Program will continue to support safe hazardous waste management in North Carolina by:

- Supporting opportunities for waste minimization and recycling and supporting annual generator workshops that educate the largest generators about hazardous waste regulations and help these generators achieve and maintain compliance.
- Maintaining a guidance document to educate small quantity generators about hazardous waste regulations that help these generators achieve and maintain compliance.
- Continuing to seek EPA authorization to maintain the section's authority to implement the federal program.
- Maintaining high quality hazardous waste data for hazardous waste trend analysis and sound decision making.

- Participating in the EPA rulemaking process. Examples include the updated 2015 Definition of Solid Waste Rule, the Hazardous Waste Generator Improvements Rule and the Management of Pharmaceutical Hazardous Waste Rule.

**HAZARDOUS WASTE REDUCTION INITIATIVES**

**Commitment to Hazardous Waste Minimization and Recycling**

The Hazardous Waste Section promotes waste minimization and recycling in all of its programs. Some of these activities include:

- Incorporating pollution prevention training (based on targeted priority chemical waste streams) into annual generator workshops, industry meetings and enforcement settlement negotiations.
- Reviewing facility requests for alternative management practices for hazardous waste (use/reuse, substitution, reclassification and delisting).
- Supporting intervention projects to reduce or eliminate the presence of priority chemicals through partnerships with other agencies.
- Ensuring that generators continue to develop programs to minimize or reduce the volume and quantity or toxicity of hazardous waste when staff conducts compliance assistance visits or during inspections.

**COST OF HAZARDOUS WASTE MANAGEMENT PROGRAM**

**Hazardous Waste Legislative Report Financials**

**July 1, 2015 to June 29, 2016**

**Expenditures**

	Receipts	Appropriations	Federal	<b>TOTALS</b>
Salary & Fringe	1,121,355.30	0.00	1,625,961.92	<b>2,747,317.22</b>
Purchased Services	108,185.19	0.00	384,039.08	<b>492,224.27</b>
Supplies	709.10	0.00	10,755.64	<b>11,464.74</b>
Property Plant & Equipment	3,412.90	0.00	48,630.18	<b>52,043.08</b>
Other Expenses & Adjustments	439.08	0.00	149,365.49	<b>149,804.57</b>
Intragovernmental Transfers	0.00	0.00	8,729.26	<b>8,729.26</b>
<b>TOTALS</b>	<b>1,234,101.57</b>	<b>0.00</b>	<b>2,227,481.57</b>	<b>3,461,583.14</b>



## II. RESIDENT INSPECTOR PROGRAM

### EXECUTIVE SUMMARY

The Resident Inspector Program has been operating for more than 25 years in the N.C. Department of Environmental Quality's (DEQ) Division of Waste Management. The program uses a multimedia approach during required regulatory inspections involving hazardous waste management and treatment requirements, workplace safety, air emissions requirements, wastewater treatment and discharge requirements. Resident inspectors also evaluate commercial hazardous waste facilities for potential violations in other regulatory areas, such as the N.C. Department of Labor's Occupational Safety & Health Act and the N.C. Department of Transportation's hazardous materials transportation regulations. The program inspected the state's 10 permitted commercial hazardous waste treatment, storage and disposal facilities during this time period. For fiscal 2015-16, the Resident Inspector Program operated with a staff of 4.5 positions. The program's operating fee-based budget collected \$419,843 and program expenses totaled \$290,781. Program staff conducted 530 multi-media inspections, with two (2) notices of deficiency, five (5) notices of violation and one enforcement action with an administrative order issued.

### PROGRAM

The Resident Inspector Program was established "... to enhance the ability of the department to protect the public health and the environment by providing the department with the authority and resources necessary to maintain a rigorous inspection and enforcement program at commercial hazardous waste facilities" [G.S. 130A-295.02(f)]. The program monitors all aspects of commercial hazardous waste facilities in North Carolina, provides facility support through assistance and education, assures compliance with laws and rules administered by the N.C. Department of Environmental Quality and may include enforcement of laws or rules administered by any other state agency through a memorandum of agreement.

The Resident Inspector Program is part of the Hazardous Waste Section's Compliance Branch. For fiscal 2015-16, the program was comprised of three resident inspectors, one administrative assistant and one (half-time) program supervisor.

During fiscal 2015-16, the Resident Inspector Program staff conducted 530 multimedia inspections at North Carolina's 10 commercial hazardous waste treatment and storage facilities. This performance exceeded the statute-mandated minimum of 480 inspections. [See Attachment A for details.]

### PROGRAM FUNDING

The Resident Inspector Program is intended to be funded solely by fees collected from the commercial hazardous waste facilities [N.C. G.S. 130A-295.02(h)]. These fees are based on each facility's category ranking and the volume (tons) of hazardous waste received. For fiscal 2015-16, facility ranking fees totaled \$318,348 and tonnage fees (\$4.50 per ton) equaled \$101,495. [See Attachment A]. Resident Inspector Program expenses totaled

\$290,781.

## **PROGRAM RESULTS**

Resident inspectors offer compliance assistance routinely, often in the form of education, technical assistance and recommendations or comments during the site visits. Since the inspectors visit these facilities at least twice a month, they become familiar with facility management, operations and site conditions. Resident inspectors can easily identify potential problem areas and work with that facility toward a permanent solution. If a facility begins to have operational or compliance problems, the inspector reviews these problem areas during each visit to provide assistance and keep the facility's compliance awareness high. Inspectors communicate frequently with facility management and front-line workers to address conditions or behaviors before they become a compliance issue. The inspectors also communicate to clarify permit conditions and current regulatory requirements, and explain the reasons for the requirements as well as the potential risks and costs of noncompliance. During the past fiscal year, resident inspectors issued two notices of deficiency, five notices of violation and one enforcement action with an administrative order to commercial facilities. [See Attachment A for details].

At the conclusion of the program's 25th year, the Resident Inspector Program staff continues to provide rigorous oversight of commercial hazardous waste facilities in the state. The staff constantly seeks new approaches and initiatives to ensure that commercial hazardous waste facilities can protect public health and the environment. The Resident Inspector Program staff has also worked with the commercial facilities to maintain compliance in a challenging economy. Economic pressures have forced many hazardous waste facilities to operate with fewer staff and employees with less training. All these factors can lead to noncompliance. The Resident Inspector Program staff will continue to work toward a high level of compliance at the commercial hazardous waste facilities in North Carolina through facility education, technical assistance and regulatory oversight activities.

Resident Inspector Program

**ATTACHMENT A**

Commercial Hazardous Waste Facilities' Data FY 2015-2016

<b>COMMERCIAL TREATMENT/STORAGE/DISPOSAL FACILITY</b>	<b>Facility Ranking</b>	<b>Minimum # of Inspections</b>	<b>Actual # Inspections Conducted</b>	<b>HW Tons Received FY2015-16</b>	<b>HW Tons Received FY 2014-15</b>	<b>Notices of Deficiency Issued</b>	<b>Notices of Violation Issued</b>	<b>Compliance Orders Issued</b>
<b>CLEAN HARBORS</b>	<b>3</b>	72	75	5984.20	7808.20	0	0	0
<b>TREX*</b>	<b>2</b>	48	53	0	0	0	0	1 (drafted)
<b>DART</b>	<b>3</b>	72	82	5288.08	4947.98	0	2	0
<b>ECOFLO</b>	<b>3</b>	72	75	5353.61	3320.57	1	1	0
<b>NEXEO SOLUTIONS</b>	<b>2</b>	48	55	3537.19	2920.00	0	2	0
<b>SK-ARCHDALE</b>	<b>1</b>	24	31	89.59	98.26	1	0	0
<b>SK-CHARLOTTE</b>	<b>1</b>	24	29	35.54	38.16	0	0	0
<b>SK-RALEIGH</b>	<b>1</b>	24	31	30.19	32.84	0	0	0
<b>SK-ST. PAULS</b>	<b>1</b>	24	28	60.82	69.86	0	0	0
<b>VEOLIA E. S.</b>	<b>3</b>	72	71	2175.25	2697.56	0	0	0
<b>TOTAL</b>		<b>480</b>	<b>530</b>	<b>22,554.47</b>	<b>21,993.43</b>	<b>2</b>	<b>5</b>	<b>1</b>

\*Formerly Detrex. Trex Closed March 16, 2015.

## III. MERCURY SWITCH REMOVAL PROGRAM

### EXECUTIVE SUMMARY

The Mercury Switch Removal Program has been operating for 11 years in the N. C. Department of Environmental Quality's (DEQ) Division of Waste Management. The program continues to inspect the end-of-life vehicle dismantling, crushing and shredding facilities. For fiscal 2015-16, the Mercury Switch Removal Program operated with a staff equivalent to approximately 3.5 equivalent positions supplied by the Hazardous Waste Section's Compliance Branch. The program's operating budget is funded by fees collected as part of the N.C. Department of Transportation's application for certificate of vehicle title fee.

The program's total operating costs this year were \$319,206. Those costs include switch reimbursements at \$5 for every mercury switch removed and recycled or disposed of as Resource Conservation and Recovery Act (RCRA) "Universal Waste." A total of \$96,970 went to the dismantlers, crushers and shredders for switch reimbursements. Program staff conducted 198 inspections during fiscal 2015-16 to determine compliance with state and federal RCRA regulations. One notice of violation, no notices of deficiency and three verbal warnings were issued.

### PROGRAM

Through S.L. 2005-384, further amended by S.L. 2007-142, the General Assembly acted to reduce the amount of mercury entering the state's environment. As stated in G.S. 130A-310.51, the purpose of the program is to reduce the quantity of mercury released into the environment by removing mercury switches from "end-of-life" vehicles and by creating a removal, collection and recovery program for those switches. The mercury switches control convenience lighting in the trunk and under the hood. Specifically, the law requires all vehicle dismantlers, vehicle recyclers, vehicle crushers and/or vehicle scrap processors to remove, collect and recover mercury switches contained in "end-of-life" vehicles prior to crushing, shredding or smelting the vehicles.

To ensure compliance with requirements set out in G.S. 130A-310.50 through 310.57, DEQ's Division of Waste Management's Hazardous Waste Section created the Mercury Switch Removal Program (MSR Program). The MSR Program is coordinated through the Hazardous Waste Section's Compliance Branch.

During fiscal 2015-16, MSR Program inspectors conducted 198 inspections in North Carolina. The site visits are used to evaluate whether the facility was subject to the law and acquaint those regulated facility operators with the legislative requirements. Additional compliance assistance was given by the inspectors, as needed, regarding the MSR Program and other RCRA and Clean Water Act regulated requirements.

In accordance with the National Vehicle Mercury Switch Removal Program (NVMSRP), North Carolina's MSR Program receives support from a corporation, End-of-Life Vehicle Solutions (ELVS), which was formed by and represents the major automobile

manufacturers. ELVS provides the following support to North Carolina's vehicle dismantlers/recyclers, vehicle crushers and scrap processing facilities:

- Educational materials regarding mercury switch removal, guidance on which vehicles contain mercury switches, instructions on how to locate, identify and remove mercury switches.
- U.S. Department of Transportation appropriate storage/shipping containers, including applicable labeling and shipping documents necessary for the shipment of the mercury switches.
- Transportation of the mercury switches in a timely fashion to a RCRA permitted mercury recycling/disposal facility.
- Recycling of the mercury switches by a qualified mercury retort facility or, when recycling is not feasible, for the proper disposal of the mercury switches at a RCRA permitted disposal facility.
- Indemnification from liability for participating vehicle dismantlers, scrap processing facilities, vehicle crushers and others, once mercury switches are collected by the ELVS contractor.

With this level of support from the automobile manufacturers, the dismantlers/recyclers, vehicle crushers, and scrap processing facilities can effectively remove the mercury switches from the end-of-life vehicles before crushing, shredding or smelting these vehicles.

When the switches are removed from the vehicles, they are placed in the supplied Department of Transportation container, which is labeled with the date the first switch was placed in the container and as containing "Universal Waste – Mercury Containing Equipment." When the container is full (with a maximum of 454 switches per container) or the date on the container approaches one year, the container is shipped to the ELVS contracted receiving facility (shipping is paid for by ELVS). ELVS continues to provide new containers and supplies as needed.

## **PROGRAM FUNDING**

The MSR Program was funded by fees collected as part of the DOT fee for application of vehicle title certificate. Fifty cents of each \$40-per-vehicle certificate of title fee is placed in the Mercury Pollution Prevention Fund in DEQ. Under G.S. 130A 310.54(b)(1)&(b1), the Mercury Pollution Prevention Fund, in part, reimburses the MSR Program for: (a) \$5 for each mercury switch removed and properly recycled or disposed via the NVMSRP, paid to a vehicle crusher, vehicle dismantler, vehicle recycler, or scrap vehicle processing facility; and (b) costs incurred by the department in administering the program.

Operationally, the funding provided for approximately 3.5 full-time equivalent positions, travel and equipment expenses and mercury switch removal reimbursement payments. Program duties are, on a part-time basis, spread among these staff and others, including a chemist and a supervisor. Fiscal 2015-16 revenues were approximately \$1,291,618. Reimbursement paid to the vehicle dismantlers/recyclers, vehicle crushers, or scrap

processing facilities, for removal of the mercury switches with proper recovery and disposal (\$5 per switch) totaled \$96,970 and administrative costs totaled \$222,236. Total MSR Program costs for fiscal 2015-16 equaled \$319,206. The fund balance realized a net increase of \$972,412 for the fiscal year.

## **PROGRAM RESULTS**

As directed by ELVS, the contracted facility receiving the collected mercury switches supplies data to the N.C. MSR Program detailing the number of switches received, the date the switches were received and the name and location of the facility that shipped the switches (dismantler, crusher, shredder, etc.).

For fiscal 2015-16, 19,394 mercury switches were removed from vehicles and (managed as "Universal Waste") were received by the ELVS contractor from North Carolina vehicle dismantlers/recyclers, vehicle crushers and scrap processing facilities. A total of 42.67 pounds of mercury (from the 19,394 switches) has been prevented from being released to the environment in North Carolina as a result of mercury switches removed from vehicles this year.

Also, North Carolina has held the top spot in the nation based on the mercury recovery performance ratio (pounds of mercury recovered from switches in the state in a calendar year divided by the estimated number of pounds of mercury available to be recovered from mercury switches from the state in the same calendar year) each year but one since 2009. In fiscal 2015-16, North Carolina achieved 50 percent recovery. This is well above the national average of between 17 percent and 24 percent recovery.

In the 11 years that this program has been ongoing, a total of 1,154 pounds of mercury to date has been prevented from being released into the environment in North Carolina from metal processing and smelting of scrap vehicles.

N.C.S.L. 2016-94, ratified on July 1, 2016 and signed by the governor on July 14, 2016, modified the sunset date of the Mercury Switch program from Dec. 31, 2017, to June 30, 2017 by repealing Part 6 of Article 9 of Chapter 130A of the general statutes. The law also ended the transfer of funds into the Mercury Pollution Prevention Fund from the N.C. Highway Fund, removed most of the dollars from the fund, and transferred all remaining funds to the N.C. Division of Waste Management. All activities of the program in North Carolina, including education, assistance, inspections and switch reimbursements, will cease as of June 30, 2017.