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February 12, 2018

VIA ELECTRONIC MAIL AND OVERNIGHT DELIVERY

Mr. Ellis H. McGaughy
Plant Manager
The Chemours Company FC, LLC
Chemours Company- Fayetteville Works
22828 NC Highway 87 West
Fayetteville, North Carolina 28306-7332

Subject: NOTICE OF VIOLATION - IMMEDIATE ACTION REQUIRED
15A NCAC 02L - Immediate Source Control
Chemours Company-Fayetteville Works
Bladen County, NC

Dear Mr. Ellis McGaughy:

By letter dated December 15, 2017, the North Carolina Department of Environmental Quality (NCDEQ) notified Chemours that, based on high concentrations of poly- and perfluoroalkyl substances (PFAS) in the groundwater on and around the Fayetteville Works facility, Chemours must commence immediate interim measures to terminate and control the sources of contamination, and mitigate any hazards resulting from exposure to pollutants.

In a letter dated January 15, 2018, Chemours submitted a response to NCDEQ's letter. Chemours' response failed to identify any measures to terminate or control any sources of contamination following NCDEQ's request. Moreover, Chemours' response was deficient in failing to identify the method(s) by which Chemours will identify, remove, treat or control primary and secondary sources of contamination. Chemours failure to commence timely and appropriate measures to remove, treat, or control sources of contamination on its property constitutes a violation of 15A NCAC 2L .0106(f).

Chemours is hereby directed, pursuant to 15A NCAC 02L .0106(f) and the Hazardous Waste Management Permit NCD047368642, to initiate immediate source control measures to control primary and secondary sources of PFAS contamination. Immediate source control measures can include but shall not be limited to:

- effectively excavate, treat or control stormwater and wastewater conveyance ditches (including but not limited to current and former NPDES effluent channels, the Nafion Area ditch, and the Wood-lined ditch) such that they are no longer ongoing sources of contamination;
- effectively remove, treat or control other known sources such that they are no longer ongoing sources of contamination;
- clean potentially contaminated equipment (with capture of resulting wastewater for offsite disposal); and
- reduce or eliminate air emissions that are contributing to groundwater contamination.

By February 26, 2018, Chemours shall identify in a submission to DEQ the immediate source control measures that have been initiated and a plan for additional source controls. This submittal must include documentation of the immediate source control measures taken to date.

Failure to take appropriate and timely action in response to this Notice may result in further enforcement action by NCDEQ including but not limited to the assessment of civil penalties pursuant to NCGS 143-215.6A or commencement of an action for injunctive relief pursuant to NCGS 143-215.6C.

We appreciate your attention and prompt response in this matter. If you have any questions, please feel free to contact me, at (919) 707-8200.

Sincerely,



Michael E. Scott
Director, Division of Waste Management
Department of Environmental Quality