



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

MICHAEL SCOTT
Director

June 11, 2018

VIA ELECTRONIC and CERTIFIED MAIL

Mr. Brian Long
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 AND NOTICE OF INTENT TO ENFORCE
15A NCAC 02L Classifications and Water Quality Standards
Applicable to the Groundwaters of North Carolina
Chemours Company-Fayetteville Works
Bladen County

Dear Mr. Long:

Chapter 143 of the North Carolina General Statutes authorizes and directs the Department of Environmental Quality (DEQ) to protect and preserve the water and air resources of the State. The Division of Waste Management (DWM) has the delegated authority to enforce adopted groundwater pollution control rules. This Notice of Violation (Notice) is to advise you of the legal requirements under North Carolina law, and is being issued for violations of Title 15A of the North Carolina Administrative Code (NCAC) Subchapter 02L .0202 Groundwater Quality Standards.

This Notice is for constituents discovered by the DWM from a January 31, 2018 (updated in March of 2018) site investigation report submitted by Chemours. The site investigation report includes groundwater sampling data that exceed allowable concentrations for CLASS GA waters, established in 15A NCAC 2L .0202 in monitoring wells located at the referenced facility. Pursuant to 15A NCAC 2L .0202(c), "...substances which are not naturally occurring and for which no standard is specified shall not be permitted in concentrations at or above the practical quantitation limit in Class GA or Class GSA groundwaters." By exceeding the practical quantitation limit for the reported constituents PFBS CAS #375-73-5, PFDA CAS #335-76-2, PFDoA CAS #307-55-1, PFHpA CAS #375-85-9, PFHxS CAS #355-46-4, PFHxA CAS #307-24-4, PFNA CAS #375-95-1, PFTriA CAS #72629-

94-8, PFUnA CAS #2058-94-8, PFPeA CAS #2706-90-3, PFMOAA CAS # 674-13-5, PFECA_F CAS# 377-73-1, PFO2HxA CAS # 39492-88-1, PFO3OA CAS# 39492-89-2, PFO4DA CAS# 39492-90-5, PFO5DA CAS# 39492-91-6, PFESA Byproduct 1 CAS# 66796-30-3, and PFESA Byproduct 2 CAS # 749836-20-2, Chemours is in violation of 15A NCAC 02L .0202 at the subject facility.

As a result of the violations, our office is considering a recommendation for the assessment of a civil penalty. Furthermore, Chemours must meet the requirements of 15A NCAC 02L .0106. If you wish to present an explanation for the violations, or if you believe there are other factors which should be considered, please send such information in writing within fifteen (15) days following receipt of this letter. Your explanation will be reviewed, and, if an enforcement action is still deemed appropriate, your explanation will be considered. As laboratory standards are developed for additional poly- and perfluoroalkyl substances (PFAS), DEQ reserves the right to issue additional Notices of Violations if such compounds are detected above the practical quantification limit.

Penalties may be imposed under NCGS 143-215.6A(a)(1) of not more than \$25,000 per violation of any classification, standard, limitation or management practice established pursuant to G.S. 143-214.1.

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