



NORTH CAROLINA  
*Environmental Quality*

ROY COOPER  
*Governor*

MICHAEL S. REGAN  
*Secretary*

MICHAEL SCOTT  
*Director*

June 18, 2020

Certified Mail  
Return Receipt Requested

Mr. Brian Long  
The Chemours Company FC, LLC  
22828 NC Highway 87 W  
Fayetteville, NC 28306

Subject: Notice of Violation and Notice of Intent to Enforce  
15 A NCAC 13B Solid Waste Generator Requirements  
Chemours Company-Fayetteville Works Bladen County

Dear Mr. Long,

On June 1, 2020, the Division of Waste Management received a complaint alleging waste from the Chemours' Fayetteville Works facility ("facility") was transported and disposed of at Hunts Construction LCID Landfill located at 1321 Capstan Drive, Fayetteville, NC in Cumberland County. Division staff visited Hunts Construction LCID Landfill (LCID Notification # N1111) that evening, but the landfill was closed. On June 2, 2020, Division staff inspected the above referenced landfill and observed yard waste including stumps and root mat/soil material that originated from the facility. Jeremy Hunt, the landfill owner and operator stated that he had received from the facility 32 loads of mostly yard waste on June 1, 2020 and 6 loads of primarily root mat/soil waste on June 2, 2020.

Land Clearing and Inert Debris (LCID) landfills are unlined and are not allowed to accept contaminated soils or other such materials according to the rules promulgated in 15A NCAC 13B. There is well-documented and pervasive PFAS contamination at the facility, including in soils from air deposition. The On-Site Assessment and the Corrective Action Plan submitted by Chemours to DEQ show soil data with PFAS contamination in areas near the location from which the soil was taken and disposed of at the unlined landfill. In failing to perform analytical testing of the yard waste and soil for PFAS prior to transport and disposal at the referenced landfill, Chemours failed to ensure proper disposal of its solid waste in



violation of 15A NCAC 13B. Specifically, the Division has determined that violation(s) of the following provisions of 15A NCAC 13B occurred:

**15A NCAC 13B .0106 GENERATOR OF SOLID WASTE**

**(a) A solid waste generator shall be responsible for the satisfactory storage, collection and disposal of solid waste.**

**(b) The solid waste generator shall ensure that his waste is disposed of at a site or facility which is permitted to receive the waste.**

Based upon the foregoing, Chemours Company FC, LLC shall come into compliance within the timeframes outlined below with all requirements of the regulations in 15A NCAC 13B .0106 (a and b) by completing the following:

1. Immediately cease sending untested yard waste, soil or any other waste to any properties that are not permitted to receive that waste.
2. Within 15 days of receipt of this notice, submit a plan for Division approval. The proposed plan shall be submitted in electronic format sent via email and include:
  - a) A summary of the removal activities for the yard waste and soil that was taken to the Hunt LCID landfill to include excavation/removal methods and final disposal location, including documentation of proper disposal of excavated material.
  - b) A detailed plan outlining all steps to ensure any future solid waste generated by construction or remediation activities is properly characterized prior to final disposal at a site or facility which is permitted to receive the waste. The plan shall include coordination with NCDEQ.

As a result of the violations, our office is considering a recommendation for the assessment of a civil penalty. 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.

The violations listed above require action on behalf of the facility in order to come into or maintain compliance with the Statutes, Rules, and/or other regulatory requirements



applicable to this facility. Be advised that pursuant to N.C.G.S. 130A-22, an administrative penalty of up to \$15,000 per day may be assessed for each violation of the Solid Waste Laws, Regulations, Conditions of a Permit, or Order under Article 9 of Chapter 130A of the N.C. General Statutes. Further, the facility and/or all responsible parties may also be subject to enforcement actions including penalties, injunction and any such further relief as may be necessary to achieve compliance with the North Carolina Solid Waste Management Act and Rules.

Please keep me informed of your progress in this matter. Solid Waste Section staff will conduct a follow-up inspection(s) to verify that all requirements of this Notice of Violation have been completed.

If you have any questions, please call me at (919) 707-8246 or e-mail michael.scott@ncdenr.gov.

Sincerely,

*Ellen Lovscheider Deputy Dir.*

*for* Michael E. Scott, Director  
NC Division of Waste Management  
N.C. Department of Environmental Quality

Copies (via email): Ed Mussler, Solid Waste Section Chief  
Jason Watkins, Field Operations Branch Head - Solid Waste  
Drew Hammonds, Eastern Compliance Supervisor - Solid Waste  
Brian Long, Chemours

