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February 23, 2022

Michael Scott, Director  
N.C. Department of Environmental Quality  
Division of Waste Management  
1646 Mail Service Center  
Raleigh, N.C. 27699-1646

Re: Chemours response to NCDEQ November 3, 2021, Notice of Obligations

Dear Mr. Scott,

First, on behalf of Cape Fear Public Utility Authority (CFPUA) and the community we service, I wish to thank you, your staff, and Secretary Biser's office for your pivotal action on November 3, 2021. We sincerely appreciate the Department's strong stance to hold Chemours responsible for groundwater pollution in New Hanover County and elsewhere resulting from 40 years of unpermitted releases of tons of PFAS into the water, air, and ground from Chemours and its predecessor.

Unfortunately, the actions proposed in Chemours' response, dated February 1, 2022, are significantly and demonstrably inferior to the company's documented response to similar contamination in drinking water wells in counties near its chemical manufacturing plant at the Fayetteville Works. Certainly, Chemours' response is not what one would expect from the "good neighbor" Chemours publicly professes to be. We respectfully offer the following comments contrasting Chemours' efforts for those affected by its PFAS near its plant with what Chemours proposes in its February 1 response for New Hanover and other downstream counties:

1. Chemours will take far longer to begin sampling in New Hanover County.
  - Near the Fayetteville Works: Chemours began sampling drinking water wells within approximately two months of the discovery of its PFAS in groundwater beneath the Fayetteville Works. [[Residential Drinking Water Well Surveying and Sampling Plan](#), Parsons, September 8, 2017, Page 1]
  - In New Hanover County: Chemours states it does not expect to begin proactively sampling any wells that have not already been sampled until about six months after its plan is approved. [[Interim Four Counties Sampling and Drinking Water Plan](#), Geosyntec, February 1, 2022, Pages 6 and 8]
2. During the initial six months of its assessment, Chemours wants to place the burden on New Hanover County well owners to request sampling.
  - Near the Fayetteville Works: From the beginning of its sampling, Chemours or its contractors have contacted owners of all drinking water wells to request participation in its

sampling program. This has included outreach in-person, by telephone, and through the mail. [*Residential Drinking Water Well Surveying and Sampling Plan*, Parsons, September 8, 2017, Page 1; [Consent Order Progress Report for Fourth Quarter 2021](#), Chemours, January 31, 2022, Page 6]

- In New Hanover County: During this six-month period, aside from 11 wells that already have been sampled by DEQ, Chemours is proposing to set up a telephone hotline for residents to call to request that their wells be tested. [*Interim Four Counties Sampling and Drinking Water Plan*, Geosyntec, Pages 6 and 8]
3. Chemours is proposing significant restrictions on the number and locations of wells it will consider for sampling in New Hanover County once it does begin to implement the survey portion of its proposed plan.
- Near the Fayetteville Works: Chemours began in September 2017 by attempting to sample *all known drinking water wells* within a one-mile radius of the Fayetteville Works. It currently is attempting to sample *all known drinking water wells* within a quarter-mile radius of any drinking water well where its PFAS has been detected. As of December 31, 2021, it has sampled 8,542 wells of the 13,467 wells in its study area. Wells range as far as 18.5 miles from the Fayetteville Works. [*Residential Drinking Water Well Surveying and Sampling Plan*, Parsons, September 8, 2017, Page 1; [Chemours Update PowerPoint presentation](#), NCDEQ, November 16, 2021, Slide 8; *Consent Order Progress Report for Fourth Quarter 2021*, Chemours, January 31, 2022, Page 6]
  - In New Hanover County: Chemours proposes to sample “up to 200” drinking water wells – and only “if necessary.” These wells are not being selected based on their proximity to wells where its PFAS already has been detected in previously sampled wells. Instead, these wells are to be selected based on other criteria, such as their “proximity to potential features of interest.” This likely is related to the next point. [*Interim Four Counties Sampling and Drinking Water Plan*, Geosyntec, February 1, 2022, Pages 3 and 9]
4. The primary goal of the proposed assessment plan for New Hanover County is starkly different than the stated goal of the assessment near the Fayetteville Works.
- Near the Fayetteville Works: DEQ [states on its website](#) that it “will continue to direct Chemours to expand its sampling until the edge of the contamination plume is found.” This is evident from the stepwise protocol being followed, as described above.
  - In New Hanover County: No similar stepwise protocol is proposed, despite existing data that clearly identify locations where Chemours’ PFAS already is known to exist in the County’s groundwater. As outlined in Point 3, Chemours proposes sampling no more than 200 wells – and only if it has to – and only wells in “proximity to potential features of interest.” [*Interim Four Counties Sampling and Drinking Water Plan*, Geosyntec, February 1, 2022, Pages 3 and 9]
5. Chemours’ proposal for New Hanover County only assesses and provides relief for owners of “private wells.”
- Near the Fayetteville Works: When its PFAS is found in drinking water wells at certain limits set out in the Consent Order, Paragraphs 19 and 20 of the Consent Order direct Chemours to provide safe drinking water to “any party (i.e., household, business, school, or public

building ... ." In November 2019, [DEQ ordered Chemours](#) to provide bottled water and filtration at Gray's Creek Elementary School in Cumberland County. The school's water system is current listed as a public system by the State.

- In New Hanover County: Chemours proposal only mentions assessing and providing access to alternative drinking water for private wells. [*Interim Four Counties Sampling and Drinking Water Plan*, Geosyntec, February 1, 2022]

Mr. Scott, thank you for accepting our comments and for continuing to hold Chemours accountable under the terms of the Consent Order and its protections for the residents of North Carolina and New Hanover County. Please feel free to contact me with questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth Waldroup". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kenneth Waldroup, PE