



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

November 1, 2023

Ms. Dawn Hughes
Plant Manager
Chemours Fayetteville Works
22828 NC Highway 87 W
Fayetteville NC 28306

Re: Waste Materials Received at the Chemours Fayetteville Works Facility

Dear Ms. Hughes:

The North Carolina Department of Environmental Quality (DEQ) has become aware of the U.S. EPA's decision to allow the importation of waste materials containing FRD-903 (GenX) from the Chemours facility in Dordrecht, Netherlands to the Chemours Fayetteville Works facility in Fayetteville, North Carolina. EPA provided its consent in a September 8, 2023 letter to the Ministry of Infrastructure and Water Management in Utrecht, Netherlands and in a separate letter dated September 8, 2023 to the Chemours Fayetteville Works. DEQ did not become aware of EPA's approval until more than a month after the letters were issued on September 8, 2023.

The letters issued by EPA on September 8, 2023 provide scarce information about the waste materials that will be shipped to the Fayetteville Works, the method by which the waste materials will be transported, processed or disposed of, the necessity of importing the waste materials to North Carolina, and the justification for the allowed quantity of wastes to be imported.

As DEQ was not afforded the opportunity to review information related to Chemours' plans to import waste materials prior to EPA approval, DEQ requests that Chemours provide the following information:

A. Imported Waste Materials Approved September 8, 2023

1. Will all the imported waste materials identified in the September 8, 2023 letters be recycled or otherwise used in processes at the facility? If so, identify the processes, provide the anticipated schedule or frequency for such activities and explain whether such activities will be linked to product campaigns at the facility.
2. Will use of imported waste materials identified in the September 8, 2023 letters result in an increase in emissions of GenX chemicals or other Table 3+ compounds? Through which emissions controls will the waste materials be routed? Will Chemours be able to remain below its facility-wide permit condition of 23 lb/yr of GenX?



North Carolina Department of Environmental Quality
217 West Jones Street | 1601 Mail Service Center | Raleigh, North Carolina 27699-1601
919.707.8600

3. How does the mass of imported waste materials identified in the September 8, 2023 letters differ from previous mass amounts imported by Chemours or Dupont? Why is the mass identified in the September 8, 2023 letters so much higher than in import/export notifications by Chemours?
4. Will the recycling or use of the waste materials identified in the September 8, 2023 letters lead to an increase in the levels of PFAS in effluent discharged through Outfall 001 or 002?
5. Provide the mass of waste materials identified in the September 8, 2023 letters that will be stored at the facility and identify the location(s) for such storage. What is the maximum storage mass amount?
6. Provide the results of testing and any analysis demonstrating that the waste material identified in the September 8, 2023 letters is not a characteristic hazardous waste or a listed hazardous waste under RCRA.
7. How will the empty containers be managed? Will they be reused or shipped off-site?
8. Describe the spill contingency plans/notification process for shipments of the waste materials identified in the September 8, 2023 letters to the Fayetteville Works facility from domestic US ports.

B. Background on Waste Materials (2018-2023)

1. Provide the name, location and contact information for any off-site facility which has sent and/or is sending waste materials¹ to the Chemours Fayetteville Works.
2. For each off-site facility identified, identify the time period during which the waste materials have been sent, and describe the specific manufacturing processes from which these waste materials were produced. Provide analytical data sufficient to identify PFAS or PFAS precursors present in the waste material. Explain why these waste materials were sent to the Chemours Fayetteville Works, and identify any that were used in a manner that resulted in an increase in discharges through the Chemours facility Waste Water Treatment Plant.
3. Describe the management practices for waste materials received, including how the waste materials are transported to the Chemours facility, how, where and in what volumes are the waste materials to be stored at the Chemours facility, and the type of practices are used to manage wastewater generated through the use of these materials (reclamation, recycling, treatment for disposal, etc.) and any solids associated with such wastewater, where it is managed, and any sampling/analysis procedures.

¹ As used herein, "waste materials" refers to any waste materials known or reasonably expected to contain Per- or Poly-fluoroalkyl Substances (PFAS) or PFAS precursors.



4. Identify when waste materials were first sent to the Chemours facility, and the average mass and volume per shipment per year and average mass and volume per month since that period.
5. Describe any spills and/or releases related to the management of waste materials received from any off-site facility.
6. For each waste material stream sent to the Chemours facility from an off-site facility, provide any waste characterizations that have been made under RCRA or other federal or state environmental laws, import or export notifications provided to the country of import or export, and any regulatory approvals allowing the import or transport of the waste material to the Chemours facility.

Please submit your response by November 15, 2023. Should you have any questions about this letter, please contact me at 919-707-8700.

Sincerely,



Sushma Masemore, P.E.
Assistant Secretary, NC DEQ

