

July 10, 2018

*Via Email*  
*comments.chemours@ncdenr.gov*

Assistant Secretary's Office  
N.C. Department of Environmental Quality  
1601 Mail Service Center  
Raleigh, NC 27699-1601

Re: Chemours Public Comment

To Whom It May Concern:

We write as counsel for Cape Fear Public Utility Authority ("CFPUA") to provide its comments in response to the Draft Proposed Order for Preliminary Injunctive Relief ("Proposed Order") of the North Carolina Department of Environmental Quality ("DEQ") in its Bladen County Superior Court action against Chemours, Case No. 17 CVS 580.

CFPUA supports the efforts of DEQ in seeking injunctive relief against Chemours to minimize or eliminate Chemours' water discharges, air emissions, and other releases (including groundwater releases) of per- and polyfluoroalkyl substances ("PFAS"). Consistent with the relief sought by DEQ, CFPUA agrees that it is critical to identify the full array of PFAS in Chemours' process wastewater and air emissions. DEQ in conjunction with other state and federal agencies should then use that information to develop additional regulatory standards for PFAS based on the available scientific evidence regarding persistence, bioaccumulation and toxicity ("PBT") characteristics of PFAS.

In regulating the release of PFAS to the environment, DEQ should remember that conventional water treatment systems such as those utilized by CFPUA are ineffective at removing PFAS from drinking water, as CFPUA's own pilot studies have shown. CFPUA would also bring to DEQ's attention the June 2018 Draft Toxicological Profile for Perfluoroalkyls of the Agency for Toxic Substances and Disease Registry (the "ATSDR Report"), for the agency's consideration in determining appropriate enforcement steps relating to PFAS.

CFPUA requests that the Proposed Order be revised to account for precursors to PFAS that may degrade to PFAS after being released to the environment. Notably, the ATSDR Report suggests that PFAS concentrations may increase in the course of wastewater treatment processes due to degradation of precursor substances. DEQ's proposed relief both for disclosure of PFAS

in air emissions and for characterization of PFAS in wastewater should therefore be broadened to include PFAS precursors.

CFPUA further requests that the Proposed Order be revised to account for PFAS contamination in the Cape Fear River sediment, which has the potential to be introduced into the drinking water supply, for example following rain events. In particular, the proposed relief requires characterization of the full extent of PFAS contamination of soil, surface water, drinking water wells, and ecological receptors. That relief should be broadened to include downstream sediment in the Cape Fear River.

CFPUA supports the proposed relief requiring Chemours to provide notice to downstream public water utilities of conditions that have the potential to cause a discharge of GenX compounds to the Cape Fear River at concentrations exceeding the health goal established by DHHS. Advance notice of such an event would allow CFPUA to take appropriate response actions, such as additional monitoring of the water supply or use of the Aquifer Storage and Recovery system. However, CFPUA requests that the proposed relief be revised to also require notice in the event of a violation of any other condition in the Proposed Order that could result in the release of additional PFAS to the Cape Fear River.

CFPUA appreciates the opportunity to provide its comments to the Proposed Order, and looks forward to continuing its work with DEQ to address the PFAS contamination in the Cape Fear River.

Sincerely,



George W. House



Joseph A. Ponzi

cc: Bill Lane (bill.lane@ncdenr.gov)  
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