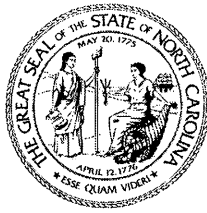


ROY COOPER  
Governor

ELIZABETH S. BISER  
Secretary

MICHAEL ABRACZINSKAS  
Director



NORTH CAROLINA  
Environmental Quality

26 August 2021

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Ms. Dawn Hughes, Plant Manager  
Chemours Company - Fayetteville Works  
22828 NC Highway 87 West  
Fayetteville, NC 28306-7332

**Subject: Notice of Violation/Notice of Recommendation for Enforcement**  
Chemours Company - Fayetteville Works, Air Permit No. 03735T48  
Fayetteville, Bladen County, NC 06/0900009 Fee Class: Title V

Dear Ms. Hughes:

Pursuant to the Consent Order entered on 25 February 2019 in Bladen County Superior Court, the Chemours Company - Fayetteville Works (Chemours) was required by 31 December 2019 to reduce facility-wide annual air emissions of GenX Compounds by at least 99% from 2017 Total Reported Emissions. The Consent Order further provided that this requirement, or a more stringent one, would be incorporated into an Air Quality permit issued by the Division of Air Quality (DAQ).

As contemplated by the Consent Order, Chemours' current air quality permit, No. 03735T48, contains Specific Limitation and Condition 2.2.D.1, which provides, in part:

*[T]he Permittee shall reduce facility-wide annual emissions (including fugitive, maintenance, malfunction, or accidental emissions) of GenX Compounds to less than 23.027 pounds per year, which constitutes a 99 percent reduction from the 2017 Total Reported Emissions of 2,302.7 pounds per year.*

...  
*Permittee shall demonstrate compliance with the GenX Compounds emission limit of 23.027 pounds per year by calculating annual emissions each calendar month for the previous 12 months.*

In addition, General Condition 3.F provides

*The facility shall be properly operated and maintained at all times in a manner that will effect an overall reduction in air pollution. Unless otherwise specified by this permit, no emission source may be operated without the concurrent operation of its associated air pollution control device(s) and appurtenances.*



North Carolina Department of Environmental Quality | Division of Air Quality  
Fayetteville Regional Office | 225 Green Street, Suite 714 | Fayetteville, North Carolina 28301  
910.433.3300 T | 910.485.7467 F

On 28 April 2021, Chemours submitted a “Title V Plant-Wide 1Q21 Continuous Compliance Report,” which summarized facility-wide GenX emissions through March 2021. Upon review of this report, DAQ determined that the methodology employed by Chemours to calculate its annual GenX emissions was not appropriate. Therefore, on 29 June 2021, DAQ sent Chemours a letter directing the facility to change the GenX emissions estimation methodology and directing the facility to recalculate and resubmit GenX emission estimates for the period beginning January 2020. On 15 July 2021, DAQ received the recalculated emissions report from Chemours. The report documented facility-wide emissions of GenX for each month and for each 12-month period beginning in January 2020 through June 2021.

The data provided in the recalculated emissions report documents that Chemours exceeded the permitted facility-wide annual GenX Compounds emissions limit of 23.027 pounds per year for the 12-month periods ending in March, April, May, and June 2021. **Chemours’ failure to reduce facility-wide annual emissions of GenX Compounds to less than 23.027 pounds per year constitutes an ongoing violation of Specific Limitation and Condition 2.2.D.1.**

In addition, DAQ’s investigation has revealed that the cause of recently documented increases in GenX emissions from the Vinyl Ethers North indoor fugitive emissions processes (ID No. NS-B-2) included improper operation and maintenance of Carbon Adsorber ID No. NCD-Q3 and appurtenances. **Chemours’ failure to properly operate and maintain Carbon Adsorber ID No. NCD-Q3 constitutes violation of General Condition 3.F.**

As stated in the “subject” above, this letter represents not only a Notice of Violation, but puts you on notice that the DAQ Fayetteville Regional Office is preparing an enforcement report addressing the above-cited violations. The above violations and any future violation of an air quality rule are subject to the assessment of civil penalties as per North Carolina General Statute 143-215.114A. This General Statute provides that civil penalties of up to twenty-five thousand dollars (\$25,000) per day may be assessed for a violation of any classification, standard, or limitation established pursuant to General Statute 143-215.107, “Air Quality Standards and Classifications.”

**Please submit a written response to this office by 10 September 2021.** In your response, please include the following:

- A detailed timeline of the events leading to the excess emissions from Carbon Adsorber ID No. NCD-Q3 which resulted in violations noted above;
- All corrective actions Chemours has taken or plans to take to address and prevent further excess emissions;
- A detailed plan of action and timeline to return the Fayetteville Works facility to compliance with all permit requirements; and
- Any additional information regarding the cited violations for the DAQ Director’s consideration prior to civil penalty assessment.

Ms. Dawn Hughes

26 August 2021

Page 3 of 3

After the above date, the DAQ Fayetteville Regional Office will submit the enforcement report to the DAQ Director, including recommendations for the assessment of appropriate civil penalties.

We appreciate your immediate attention to these environmental concerns. If you have any questions regarding your permit or the violations cited above, please contact Evangelyn Lowery-Jacobs, Environmental Engineer, or Greg Reeves, Acting Compliance Coordinator, at (910) 433-3300.

Sincerely,



Heather S. Carter  
Fayetteville Regional Supervisor  
Division of Air Quality, NC DEQ

HSC/elj

cc: Christel Compton, Chemours (e-copy)  
FRO Facility Files  
FRO Enforcement Files