



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

LINDA CULPEPPER
Interim Director

Certified Mail # 7016 2140 0000 0562 2574
Return Receipt Requested

November 13, 2017

Mark P Vergnano
The Chemours Company Fc LLC
PO Box 2047
Wilmington, DE 19899

SUBJECT: NOTICE OF VIOLATION & INTENT TO ASSESS CIVIL PENALTY

Tracking Number: NOV-2017-DV-0288
Permit No. NC0003573
Chemours Company-Fayetteville Works
Bladen County

Dear Mr. Vergnano:

The North Carolina Division of Water Resources conducted an inspection of the Chemours Company-Fayetteville Works on November 3, 2017. This inspection was conducted to verify that the facility is operating in compliance with the conditions and limitations specified in NPDES Wastewater Permit No. NC0003573.

The inspection was conducted by Division of Water Resources staff from the Fayetteville Regional Office. Chemours employees indicated during the November 3, 2017 inspection that on October 6, 2017, there was a release of C3 Dimer Acid Fluoride from the Vinyl Ethers South Stack that was deposited onto the ground surface. Rain events on October 7, 8, and 9th 2017 previously unreported resulted in storm water carrying C3 Dimer Acid Fluoride to the adjacent open channel and Outfall 002, which discharges to the Cape Fear River.

Based on the information obtained from our inspection, a violation of Part II, Sections E.6 and E.9 of permit number NC0003573 occurred. The language from the permit is included below.

Part II, Section E.9. Noncompliance Notification

The Permittee shall report by telephone to either the central office or the appropriate regional office of the Division as soon as possible, but in no case more than 24 hours or on the next working day following the occurrence or first knowledge of the occurrence of any of the following:

- a. Any occurrence at the water pollution control facility which results in the discharge of significant amounts of wastes which are abnormal in quantity or characteristic, such as the dumping of the contents of a sludge digester; the known passage of a slug of hazardous substance through the facility; or any other unusual circumstances.

b. Any process unit failure, due to known or unknown reasons, that render the facility incapable of adequate wastewater treatment such as mechanical or electrical failures of pumps, aerators, compressors, etc.

c. Any failure of a pumping station, sewer line, or treatment facility resulting in a by-pass without treatment of all or any portion of the influent to such station or facility. Persons reporting such occurrences by telephone shall also file a written report within 5 days following first knowledge of the occurrence. Also see reporting requirements for municipalities in Part IV.C.2.c. of this permit.

General Statute 143.213 b. defines:

"Industrial waste" shall mean any liquid, solid, gaseous, or other waste substance or a combination thereof resulting from any process of industry, manufacture, trade or business, or from the development of any natural resource.

Part II, Section E.6 Twenty-Four Hour Reporting

Twenty-four Hour Reporting

a. The Permittee shall report to the Director or the appropriate Regional Office any noncompliance that potentially threatens public health or the environment. Any information shall be provided orally within 24 hours from the time the Permittee became aware of the circumstances. A written submission shall also be provided within 5 days of the time the Permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance, and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance [40 CFR 122.41(l)(6)].

b. The Director may waive the written report on a case-by-case basis for reports under this section if the oral report has been received within 24 hours.

c. Occurrences outside normal business hours may also be reported to the Division's Emergency Response personnel at (800) 662-7956, (800) 858-0368 or (919) 733-3300.

A Notice of Violation/Intent to Issue Civil Penalty is being issued for the noted violations of North Carolina General Statute (G.S.) 143-215.1 and the facility's NPDES Wastewater Permit. Pursuant to G.S. 143-215.6A, a civil penalty of not more than twenty-five thousand dollars (\$25,000.00) may be assessed against any person who violates or fails to act in accordance with the terms, conditions, or requirements of any permit issued pursuant to G.S.143-215.1.

Please respond in writing within ten (10) business days after receipt of this Notice to provide:

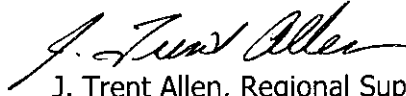
1) information on the duration and quantity of the C3 Dimer Acid Fluoride and any other chemicals released; and 2) description of all remedial measures taken to address the release at the time of the release up to the present time. If you wish to provide additional information regarding the noted violation, request technical assistance, or discuss overall compliance, please include that information in the response as well.

A review of your response will be considered along with any additional information provided. You will then be notified of any civil penalties that may be assessed regarding the violations. **If no response is received in this Office within the 10-day period, a civil penalty assessment may be prepared.**

Remedial actions should have already been taken to correct this problem and prevent further occurrences in the future. The Division of Water Resources may pursue enforcement action for this and any additional violations of State law.

If you should have any questions, please do not hesitate to contact Trent Allen with the Water Quality Regional Operations Section in the Fayetteville Regional Office at 910-433-3300.

Sincerely,



J. Trent Allen, Regional Supervisor
Water Quality Regional Operations Section
Fayetteville Regional Office
Division of Water Resources, NCDEQ

ATTACHMENTS

Cc:

WQS Fayetteville Regional Office - Enforcement File
Compliance and Expedited Permitting Unit - Enforcement File
Ellis McGaughy – Plant Manager, The Chemours Company
Mike E. Johnson – Environmental Manager, The Chemours Company