



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

November 3, 2021

CERTIFIED MAIL / RETURN RECEIPT REQUESTED

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

RE: GenX Reference Dose: Potential Revision of Drinking Water Compliance Plan and Feasibility Study

Dear Ms. Hughes:

In light of EPA's finalized human health toxicity assessment (Toxicity Assessment) for GenX chemicals¹ and its plans to develop a drinking water health advisory for GenX chemicals, the North Carolina Department of Environmental Quality is notifying Chemours of the potential need to revise its April 26, 2019 Drinking Water Compliance Plan (as updated and amended) under paragraph 24 of the Consent Order and its March 11, 2019 Feasibility Study Report for Public Water Services under paragraph 19 of the Consent Order.

On October 25, 2021, EPA published the final version of its Toxicity Assessment for GenX chemicals. This Toxicity Assessment set the chronic reference dose for GenX chemicals at 3×10^{-6} mg/kg-day. This final reference dose is significantly lower than the reference dose proposed in EPA's 2018 Draft Toxicity Assessment for GenX chemicals. EPA projects that it will develop a drinking water health advisory for GenX chemicals based on the final reference dose in Spring 2022.

As you are aware, Paragraph 19 of the Consent Order provides that Chemours shall

Establish permanent replacement drinking water supplies in the form of public water or a whole building filtration system for any party (i.e., household, business, school, or public building) with a private drinking water well that has been found through testing validated by DEQ to be contaminated by concentrations of GenX compounds in exceedance of 140 ng/L, *or any applicable health advisory, whichever is lower.*

¹ Available at <https://www.epa.gov/chemical-research/human-health-toxicity-assessments-genx-chemicals>. As used in the toxicity assessment, "GenX chemicals" includes Hexafluoropropylene Oxide Dimer Acid and its Ammonium Salt.



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If EPA's nationally applicable health advisory is lower than 140 ng/L, Chemours will be required to revise its Drinking Water Compliance Plan and Feasibility Study Report and provide public water or whole building filtration systems to affected parties under paragraph 19 of the Consent Order. Revisions to these documents must address, among other things:

- Review of existing well sampling data to identify additional affected parties entitled to public water or whole building filtration under paragraph 19;
- Revised and supplemental assessment of public water feasibility for all affected parties under paragraph 19; and
- A plan for transitioning affected parties who have previously received reverse osmosis systems to public water or whole house filtrations systems as appropriate.

DEQ is also reviewing N.C.G.S. 143-215.2A in light of the new information contained in the EPA GenX Toxicity Assessment, the anticipated EPA action related to the GenX health advisory, and the language in the Consent Order.

DEQ recommends that Chemours and DEQ confer regarding these obligations prior to the release of EPA's health advisory to ensure that the parties have the opportunity to address any questions in a timely manner.

If you have any questions or would like to discuss these issues further, please call me at (919) 707-8700.

Sincerely,



Sushma Masemore, P.E.

Assistant Secretary for the Environment, NCDEQ



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