



NEW HANOVER COUNTY

BOARD OF COMMISSIONERS

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February 21, 2022

Elizabeth S. Biser, Secretary
North Carolina Department of Environmental Quality
1601 Mail Service Center
Raleigh, NC 27699-1601

Dear Secretary Biser,

We appreciate the North Carolina Department of Environmental Quality acknowledging in November 2021 that Chemours is responsible for contaminating groundwater monitoring wells and water supply wells in New Hanover County, and potentially other downstream counties affected by PFAS contamination in the Cape Fear River; and for your requirement that they submit plans to begin a comprehensive assessment of groundwater contamination in New Hanover County, as an expansion of Chemours' off-site assessment required under the 2019 Consent Order.

On February 1, as required by NCDEQ, Chemours sent its plan to your office, proposing to test private wells that are the primary source of drinking water on properties that are within half a mile of the Cape Fear River. We have each received a copy of this proposed plan, and believe it is grossly inadequate and does not come close to extending the protections of the consent order to our residents.

We request that your office carefully review Chemours' plan and offer a counter plan or directives that ensure New Hanover County's residents are provided with the same level of protection that others nearby the plant receive.

Sample testing of public wells in our county by Cape Fear Public Utility Authority and NCDEQ already indicate contamination equal to or exceeding Bladen County consent order levels for mandatory remediation, however Chemours – in their reply to your office this month – is refuting this data with a plan that is incredibly narrow in scope.

Our Public Health Director David Howard has also laid out concerns about Chemours' plan from a public health perspective in a letter to you, but we – as the county's elected top officials who represent 226,000 residents – feel compelled to reinforce those concerns with you.

For example, Chemours is proposing significant restrictions on the number and locations of wells it will consider for sampling in New Hanover County. Instead of the framework that exists around their Fayetteville Works site, where they are required to sample all known drinking water wells within a quarter-mile radius of any drinking water well where its PFAS has been detected, they are proposing to sample "up to" 200 drinking water wells and only "if necessary."

These wells are not being selected based on their proximity to wells where its PFAS already has been detected in previous sampling. Instead, these wells are to be picked based on other criteria like "proximity to potential features of interest" which they outline as within half a mile of the Cape Fear River for our residents. They are

not taking the same approach as you direct them to near the Fayetteville Works site, which is to “expand its sampling until the edge of the contamination plume is found.”

In addition, Chemours’ plan takes far too long to begin sampling in New Hanover County – outlining that it would be about six months after a plan is approved by NCDEQ for testing to begin. Chemours also places the burden on our residents to know whether or not they qualify and requires them to call a telephone hotline to request sampling. This is completely different than how it is managed in the original consent order, where Chemours contacts residents directly, and is not acceptable. It creates equity gaps for our residents and lacks transparency for the county and for NCDEQ to know who is requesting sampling, who is being tested and what their results are, and who is being turned away.

Chemours’ proposed plan for New Hanover County only assesses and provides relief for owners of “private wells” which is not comprehensive, as you required in your November letter to them. There are numerous public wells that must also be included and should be included based on the original consent order where Chemours is directed to provide safe drinking water to “any party (i.e., household, business, school, or public building...).” Potable water wells, both public and private, have been adversely impacted by the PFAS chemicals manufactured by Chemours and should be included as such.

We are disheartened, once again, by Chemours’ refusal to take responsibility or proactive actions to help our residents. Instead of showing an eagerness to fully understand the scope and spread of these chemicals, Chemours has limited the window for well water testing to a narrow framework.

Their response to their PFAS contamination in New Hanover County’s groundwater is not adequate and we request that NCDEQ counter their preliminary plan with clear directives to move quicker with sampling and expand their sampling throughout the county to private and public wells, and not just those closest to the river. We also ask that you require them to handle sampling in the same manner as they do under the consent order – without putting the burden on our residents to request sampling.

Recently, several of us had the opportunity to interact directly with Environmental Protection Agency Administrator Michael Regan in Washington, D.C., about this very topic and the inadequacy of Chemours’ proposed response. The Administrator conveyed to us his willingness to discuss the issue with you this month.

Our ultimate goal is to ensure our community receives the same assurances that others do under the consent order, and that our community is protected from the contamination caused by Chemours.

Sincerely,

The New Hanover County Board of Commissioners



Julia Olson-Boseman, Chair



Deb Hays, Vice-Chair



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Bill Rivenbark



Rob Zapple