

*Office of the Governor
State of North Carolina*

*Roy Cooper
Governor*



*20301 Mail Service Center
Raleigh, N.C. 27699-0301*

July 17, 2017

Mr. E. Scott Pruitt, Administrator
United States Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460

Dear Administrator Pruitt:

North Carolina residents need immediate help and long-term certainty about the safety of the water they drink. I am writing to seek your urgent action to get us answers and solutions.

When we turn on the tap to get a drink, cook a meal for our family, or run a bath for our children, we count on that water to be safe. North Carolina must have your help to make sure the water is safe for millions of our families.

At my direction, the NC Department of Environmental Quality (DEQ) along with the NC Department of Health and Human Services (DHHS) launched an investigation June 14 into the presence of the unregulated chemical GenX in the Cape Fear River, the primary source of drinking water for Brunswick, Bladen, New Hanover and Pender counties in North Carolina. This compound entered the river as wastewater discharge at a Chemours manufacturing facility near Fayetteville. Following requests from my administration, local leaders and area residents, Chemours stopped discharging GenX while the state investigation is underway.

The good news is that initial results from ongoing rigorous water sampling being conducted by state scientists shows that levels of GenX in the water supply have decreased dramatically since we succeeded at getting Chemours to cease its discharge. However, many questions remain about potential health effects caused by exposure to this and other emerging contaminants, and we know that only your agency can give regulatory certainty about this contaminant.

The troubling problem of unregulated, relatively unknown chemicals in the public water supply is nationwide and cannot be solved by our state alone. I appreciate the assistance the EPA has provided thus far to scientists with DEQ and DHHS working on our GenX investigation, but we need the EPA to move more quickly to finalize its health assessment of GenX and set a maximum contaminant level for it. These are critical steps that must take place in order for North Carolina to be able to require Chemours to limit or eliminate discharge of GenX.

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The EPA already has an order in place to control some GenX emissions that should be expanded to hold Chemours accountable for any discharge of GenX. As you may know, EPA concerns that GenX could be toxic led the agency to seek a 2009 consent order limiting Chemours' emissions from GenX production. However, Chemours has stated publicly that it does not believe this order governs discharge of the same chemical when it is a byproduct of other chemical processes. I ask that the EPA revisit this consent order immediately and modify it to apply to any and all release of GenX.

North Carolina and its people rely on the EPA to ensure chemicals are manufactured in a way that protects our air, our water and our health. Under the U.S. Toxic Substances Control Act (TSCA), the EPA bears the sole responsibility for regulating the introduction of new chemicals. I urge you to use EPA authority under the TSCA to evaluate byproducts from other Chemours production lines, including wastewater discharge.

I also ask that you require companies to submit not just one but multiple health studies covering several exposure methods when registering chemicals under TSCA. This will increase the public's understanding of chemical compounds introduced into our waterways. These safeguards are more important than ever as North Carolina and other states confront the presence of unregulated, emerging contaminants in our water.

The water, health and welfare of the people of North Carolina require your protection now from unregulated emerging contaminants like GenX, and I look forward to working with your agency on this and a variety of water quality issues.

Thank you for the support your agency is providing to North Carolina, and look forward to your swift reply.

With kind regards, I am

Very truly yours,


Roy Cooper

RAC/sm