



STATE OF NORTH CAROLINA

August 8, 2017

The Honorable Ted Davis
N.C. House of Representatives
300 N. Salisbury Street, Room 417B
Raleigh, NC 27603-5925

Dear Representative Davis:

This is a critical time in our efforts to make sure water is protected in the lower Cape Fear River as well as the rest of our state.

We regret our planned meeting with you Thursday, August 3, 2017 was not convened. We had hoped to discuss a legislative request regarding enhanced water quality and public health.

Following our meeting with you July 24 in New Hanover County, we reviewed our staffing and work requirements to address the urgent need that affects the health and safety of residents in southeastern North Carolina: the discharge of unregulated chemicals into the Cape Fear River Basin.

While we have deployed our staff experts to address the immediate challenges, long-term solutions such as rigorous water testing and scrutiny of water discharge permits will take more resources than the State of North Carolina currently maintains in our departments.

Enclosed you will find information that outlines our proposal. If you act, this will give our state a strong team to confront this challenge head-on.

For background, the chemical byproduct GenX has been discharged into the Cape Fear River Basin from Fayetteville-based Chemours. In the short term the North Carolina Department of Environmental Quality ("DEQ") has denied the company's permit request to release GenX. DEQ and the Department of Health and Human Services ("DHHS") chartered a Science Advisory Board to tackle the issue of unregulated compounds. Governor Roy Cooper requested an investigation by the State Bureau of Investigation, and federal prosecutors are also requesting information regarding the company's discharge history.

But even as these reviews are ongoing, efforts to protect our drinking water can't stop here. We ask that when you reconvene in September you authorize an emergency appropriation to

provide North Carolina with more frequent testing, scientists, medical experts, engineers and inspectors.

The legislation contains appropriations to the state agencies as follows:

Water and public health; Department of Health and Human Services, \$530,839

Resources to establish a Water Health and Safety unit in the Division of Public Health that would include additional expertise specifically related to water quality.

- Medical risk assessor, a physician who has experience with poisoning and environmental toxicity;
- PhD Toxicologist, to research and review available studies and formulate strategies to mitigate harmful health effects;
- Informatics/epidemiologist, to organize data and perform high-level analysis to arrive at causation of harm;
- Health educator, to establish adequate public notifications and provide educational materials and briefings to the public.

Water quality monitoring, permitting; Department of Environmental Quality, \$2,049,569

- Funding for long-term water sampling for the presence of GenX by DEQ at a cost of \$14,000 per week for a full year (currently the cost is being funded by the corporation and performed by the Environmental Protection Agency and private labs on a time-limited basis).
- Staff for the Division of Water Resources: Already a backlog of water permits exists, and the review time can take as long as two years. That's too long for the public and industry. Adding experts would give us more thorough and timely review.
 - Four Engineers, three Environmental Specialists, two Environmental Senior Specialists, two Hydrogeologists, two Program Consultants, a Business Technology Analyst and two Chemist III to strengthen the Division of Water Resources so it can address unregulated compounds in the water discharge permitting program and allow more frequent sampling and faster evaluation.
 - These water quality scientists and experts like hydrogeologists and chemists would work with local governments to identify where contaminants occur and where they came from.
 - Move the permits from paper copies to an electronic database to integrate wastewater, drinking water and groundwater information and allow for easy searches.

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Legislative study on the effect of emerging compounds such as GenX

The status of emerging contaminants and whether an exemption to the “Hardison Amendment” should be made for drinking water quality is a critical area for study. The Environmental Review Commission is the most appropriate body to conduct such a study and make recommendations to the legislature for the short session.

We will continue to redirect available resources to address this urgent need. However, recent budget cuts and the large scope and pressing nature of this challenge require your help.

We are available to talk with you by telephone or meet in person at your convenience regarding this proposal. We are sharing it with your local officials and it will be released publicly.

Thank you for your interest in this important public health and safety issue, and please let us know what additional information we can provide.

Sincerely,



Michael Regan, Secretary
NC Department of Environmental Quality



Mandy Cohen, Secretary
NC Secretary of Health and Human
Services

Enclosures

CC: Chairman Frank Williams
Brunswick County Commission

Chairman Woody White
New Hanover County Commission

Chairman George Brown
Pender County Commission

Mayor Bill Saffo
City of Wilmington