

Message

From: Catherine Clabby **Ex. 6**
Sent: 7/12/2017 7:29:38 PM
To: Jones, Enesta [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65b8e6c6e5ca4a7a9ae85d98a4c8eedb-EJones02]
CC: Press [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b293283291dc44e0b5d1c36be9281d8a-Press]; Lincoln, Larry [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8248d03a1441414db7754db201ebec45-Lincoln, Larry]; Marraccini, Davina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=66fecfe52dc84d8db7ab0859adee8426-Marraccini, Davina]
Subject: Re: EPA Response on GenX Inquiry

Hello Enesta. This is so helpful. Thank you!

For follow up:

Chemours staff have said that the “GenX” that reached the Cape Fear, possibly since the 1980s, is a byproduct of a manufacturing process and is not covered by the 2009 order. Could that be true? (Doesn’t sound like it from what you’ve written below but I want to make sure I’m understanding you accurately.)

Also, if Chemours is found to have **not complied** with the order, what penalties could EPA impose?

Thank you again.

Cathy

Catherine.Clabby | Journalist
Ex. 6 @cathyclabby

On Jul 12, 2017, at 3:21 PM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Hi Catherine,

Please attribute our response below to an EPA spokesperson:

EPA has initiated an investigation into Chemours’s compliance with a 2009 order issued under the Toxic Substances Control Act (TSCA) for the production of GenX. This investigation will allow EPA to determine whether Chemours is in compliance with requirements of the order to control releases to the environment at the Fayetteville, N.C., facility. EPA is also reviewing the additional toxicity data submitted by the company, as required under the consent order, and updating the risk assessment using the additional toxicity data specific to GenX. At the request of the North Carolina Department of Environmental Quality (NCDEQ), scientists in EPA’s Office of Research and Development are conducting an independent laboratory analysis of four rounds of water samples being collected by NCDEQ at 13 locations in the Cape Fear River in June and July.

Under the terms of the Consent Order, for operations in the United States, DuPont (Chemours) is required to recover and capture (destroy) or recycle the chemical from all the process wastewater effluent streams and air emissions (point source and fugitive) at an overall efficiency rate of 99% (i.e., 99% of the chemical can't be released into the environment). Further, under the terms of the Consent Order, Dupont may only distribute the chemical to those customers, such as manufacturers and processors, that can also achieve this percentage of efficiency or destruction.

From: Catherine Clabby

Ex. 6

Sent: Tuesday, July 11, 2017 9:27 PM

To: Lincoln, Larry <Lincoln.Larry@epa.gov>; Marraccini, Davina <Marraccini.Davina@epa.gov>

Subject: Reporter's query about GenX issue in Cape Fear

Hi Larry and Davina. I'm a reporter at *NC Health News*. Jamie Krietzer at NC DEQ said you would be the right pios at EPA to contact regarding questions regarding the ongoing inquiry to the discovery of PFOA replacement chemicals in the Cape Fear River downstream of the Chemours' Fayetteville Works.

For a story I'm filing on Wednesday, here are my questions:

What is the scope of EPA's investigation into the discovery of the compounds in the Cape Fear?

If the EPA determines that Chemours plant did not comply with 2009 consent order with EPA that strictly limited release of PFOA replacement chemicals from its GenX operation in Fayetteville, what range of penalties could EPA impose on the company?

Chemours officials have told NC officials that the compounds did not come from its GenX operations. Instead they came from another site at Fayetteville Works, possibly starting back in the 1980s. Does that appear to be plausible?

Given the limits of release imposed by the consent order, did Chemours have any legal standing to release the PFOA replacements from anywhere at Fayetteville Works in the river?

How long as EPA been aware that that PFOA replacements were being released from the industrial property?

I'm happy to speak by phone if that is best for you.

Thank you in advance for your help.

Best wishes,
Cathy Clabby

Enesta Jones
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Ex. 6

"The root of all joy is gratefulness."