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PFAS/Stormwater Enforcement: U.S. Environmental Protection Agency Announces Issuance of Administrative Compliance Order on Consent to a Parkersburg, West Virginia, Organic Chemical Manufacturing Facility

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The United States Environmental Protection Agency (“EPA”) issued an April 26th news release stating that it had issued a Clean Water Act Administrative Compliance Order on Consent (“AOC”) to the Chemours Company (“Chemours”) to address per- and polyfluoroalkyl substances (“PFAS”) in stormwater and effluent discharges from the company’s Washington Works facility.

The Washington Works facility is located in Parkersburg, West Virginia.

Chemours is stated to operate several manufacturing units at the Washington Works facility. They are stated to produce fluorinated organic chemical products including fluoropolymers.

Discharges of industrial process water and stormwater are stated to flow to the Ohio River and its tributaries pursuant to the terms of a Clean Water Act National Pollutant Discharge Elimination System (“NPDES”) permit issued by the West Virginia Department of Environmental Protection.

EPA states that this is the first Clean Water Act enforcement action addressing the discharge of PFAS into the environment. The AOC is stated to address PFAS levels in discharges from the facility that exceed levels set in the facility’s NPDES permit. The NPDES permit imposes discharge limits and requires monitoring of pollutants that include PFAS.

Chemicals cited in the news release include:

- Perfluorooctanoic acid
- HFPO Dimer Acid (also known as GenX)

The AOC requires that Chemours implement the following:

- An EPA-approved sampling plan to allow PFAS
- An analysis to further understand the presence of stormwater and effluent discharge from the facility
- A plan to treat or minimize the discharge of PFAS to ensure compliance with numeric effluent limits of PFOA and HFPO Dimer acid

- Submit existing Standard Operating Procedures relating to management of wastewater for various systems
- Submit its existing Standard Operating Procedures relating to its revised Stormwater Prevention Pollution Plan

A copy of the news release can be downloaded [here](#).