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PRESS RELEASE

Grassroots Group Files Complaint with United Nations About Human Rights Violations from PFAS Chemical Contamination of Drinking Water in North Carolina's Lower Cape Fear River Basin as Chemours Seeks to Expand Polluting Facility

People, pets, and livestock are dying and sick with cancer and chronic health conditions from exposure to toxic PFAS chemicals; polluter Chemours refuses to accept blame, to provide clean drinking water for most residents, to reimburse water utilities for filtration, or to fund human epidemiological health studies.

Clean Cape Fear, a grassroots community action group in Wilmington, N.C., today [filed a lengthy communication with the U.N. Human Rights Commission](#) official tasked with investigating, reporting on, and making recommendations to governments and businesses to cure human rights violations related to toxic chemicals. The 36-page document, prepared in collaboration with the U.C. Berkeley Environmental Law Clinic, alleges that DuPont and spin-off Chemours have for decades polluted the Cape Fear River, which provides drinking water for 500,000 residents in three North Carolina counties, and have contaminated groundwater for more than 6,000 private well owners in eight surrounding counties.

Clean Cape Fear demands, among other remedies, that corporate polluters be held accountable for water treatment and clean-up costs for all impacted residents, and that North Carolina regulators deny Chemours the permit it currently seeks to expand production of PFAS chemicals at its Fayetteville Works facility. This is the first time that a U.S. group has put in a formal request to the United Nations to characterize a community's pervasive PFAS contamination as a human rights violation under international law.

“We live in one of the richest nations in the world, yet our basic human rights are being violated,” says Emily Donovan, co-founder of Clean Cape Fear. “We refuse to be a sacrifice zone. Residents here are sick and dying and we continue to lack equitable access to safe water in our region, or the necessary health studies to truly understand the impacts from our chronic PFAS exposures.”

“Clean Cape Fear was created at my dining room table almost six years ago,” says Harper Peterson, Clean Cape Fear co-founder, former state senator, and former mayor of Wilmington, N.C. “We have been fighting for clean water and to hold the polluters accountable since then. I ran for office and was elected on the PFAS issue. We are grateful for the small steps our state and federal government have taken to make things right, but we need real action, once and for all.”

Clean Cape Fear’s communication is directed to Dr. Marcos Orellana, U.N. Special Rapporteur on Toxics and Human Rights. Orellana, an expert in the law on human rights and the environment, has previously investigated and reported on a PFAS contamination crisis in Veneto, Italy.

“The Cape Fear River toxic exposure crisis has its origins in weak U.S. chemical safety laws, the underenforcement of laws that do exist, and political leaders’ insufficient will to hold polluters to account,” says Claudia Polsky, director of the Environmental Law Clinic at Berkeley Law. “Clean Cape Fear’s detailed communication to the Special Rapporteur on Toxics provides a legal road map for restoring Cape Fear communities to health, and for preventing further PFAS harms in North Carolina and beyond.”

Clean Cape Fear works to restore and protect the local drinking water, air, soil, and food supply from PFAS contamination. Co-founders Donovan, Jessica Cannon, and Peterson, along with local activists, formed Clean Cape Fear around a dining room table in 2017 after protests erupted in their community over Chemours’ slow response to public questions regarding extreme levels of PFAS, including the chemical GenX, in local tap water. Using reporting from The New York Times and The Intercept, Clean Cape Fear members pieced together the similarities between their story and the PFAS debacle in Parkersburg, W.Va. that prompted the docudrama *Dark Waters*.

“During my time as a North Carolina state senator, I advocated for and sponsored legislation to protect private well owners to help ensure they had access to clean water while not having to suffer financially due to Chemours’ contamination of their wells,” says Kirk deViere of the Clean Cape Fear leadership team. “Unfortunately, not every bill passed, and many of these homeowners still live daily with contaminated well water and no financial relief.”

“Water is so vital to life that even in wartime it is against international law to ‘render water dangerous for human consumption’,” says Rebecca Trammel, DEI consultant, community organizer and member of the Clean Cape Fear leadership team. “How can a company do what a hostile combatant cannot, and then evade legal consequence? Chemours has effectively been allowed to poison its neighbors for decades, and forced its victims to pick up the tab.”

The PFAS contamination crisis is now global in scale. In the U.S. context, Chemours’ Fayetteville Works plant is ground zero for some of the most PFAS-contaminated drinking water in the nation. The Centers for Disease Control and Prevention [note](#) that PFAS chemicals are found in the blood of 97% of Americans. “There is growing evidence that a number of serious, and even some life-threatening conditions are associated with PFAS exposure,” says Kyle Horton, M.D., of the Clean Cape Fear leadership team. “Despite this, clinicians in our region face huge information gaps in understanding the health effects of the hundreds of PFAS our

communities were exposed to for decades. Clinicians need to be able to provide evidence-based care, and to answer their patients' questions with confidence. Known polluters must be held financially responsible for the cost of health studies on the effects of PFAS exposure, and the costs of related medical testing and patient care.”

While the European Union and 3M have publicly committed to phasing out PFAS, Chemours has doubled down on PFAS manufacture. Chemours now seeks a permit from the North Carolina Department of Environmental Quality (DEQ) to **expand** the production of fluorinated materials at Fayetteville Works. This expansion request is under active agency consideration notwithstanding Chemours' (and DuPont's) history of contamination and deception, and refusal to meaningfully address their legacy of existing harms to the water, air, soil, and food supply in the lower Cape Fear River watershed. The DEQ has also issued multiple notices of violation to Chemours over the company's failure to operate its facility responsibly and to fulfill obligations under court orders.

Clean Cape Fear's complaint seeks from the Special Rapporteur a statement confirming violations of residents' right to clean drinking water, protection from toxic chemicals, and a healthy environment; their right to information; and their right to an effective remedy. Clean Cape Fear also requests that the Special Rapporteur make specific asks of Chemours, DuPont, DEQ, and the Environmental Protection Agency (EPA), ranging from denying Chemours' expansion permit (a request to DEQ), to reimbursing water utilities for the facility upgrades needed for PFAS removal (a request to DuPont/Chemours), to immediately funding and beginning large-scale human epidemiological studies on specific PFAS exposures (a request to EPA and Centers for Disease Control's Agency for Toxic Substances and Disease Registry), to eliminating nonessential uses of PFAS (a request to EPA).

INTERVIEW OPPORTUNITIES:

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