

**NOTICE OF PUBLIC HEARING AND INTENT TO REISSUE A CORRECTIVE
ACTION PERMIT TO E.I. DUPONT DE NEMOURS & COMPANY, INC. AND TO
APPROVE FINAL REMEDIES**

The Tennessee Department of Environment and Conservation's (TDEC) Division of Solid Waste Management (DSWM) proposes to reissue a corrective action only permit to E.I. DuPont de Nemours & Company, Inc. (DuPont) that would allow the facility to implement final corrective action remedies. This action follows the pre-application public meeting conducted by the facility on August 7, 2002, as required by Tennessee Rule 1200-1-11-.07(2)(c)3(i). One member of the community attended the public meeting. **A public hearing will be held at 6:00 p.m. on Monday, September 14, 2009 at the Baker Community Center, 7942 Church Street, Room 2, Millington, TN, to discuss the permit and provide the public the opportunity to comment.**

Starting at 6:00 p.m., citizens are invited to inspect and discuss the draft permit, [fact sheet](#) and other materials with DSWM and DuPont representatives. The formal part of the hearing will begin at 6:30 p.m. DSWM will explain its tentative decision to issue the permit after which DuPont will describe the facility operation relevant to the permit. Oral and/or written comments on the draft permit will then be received from the public. There will also be an opportunity for public comments to be taped or written and submitted.

The DuPont Memphis Plant, EPA ID Number: **TND 00 702 4672**, located at [2571 Fite Road in Memphis, Shelby County, TN 38127](#), is currently permitted under Tennessee Permit Number **TNHW-018**. The current permit was issued on September 30, 1988. The incinerator portion of the current permit for treatment of hazardous waste was terminated on March 24, 1994. However, the requirements for corrective action remained in effect. DuPont submitted a Part A and Part B Application to DSWM for renewal of the facility's corrective action permit on August 16, 2002, thus enabling the facility to continue to perform corrective action under the current permit until the permit is reissued.

The proposed permit is for the implementation of final remedies for all solid waste management units (SWMUs) and areas of concern (AOC's) that require institutional controls and groundwater monitoring. DuPont will be required to investigate any release of hazardous waste or hazardous constituents at the facility, regardless of the time at which waste was placed in a unit, and to take appropriate corrective action for any such release. All investigations required under the current permit have been completed and approved by the DSWM. In addition to corrective action under the conditions of this permit, DuPont is required to notify of imminent hazards, and when applicable, comply with the requirements developed under land disposal restrictions and organic air emission standards. If issued, the permit would be effective for ten years.

A Fact Sheet has been prepared that summarizes the draft permit requirements and includes a Statement of Basis (SB) that recommends remedies for those releases identified during the corrective action process. The SB summarizes the nature and extent of the contamination, the potential risks to human health and the environment, and the remedy to be implemented.

The permit is proposed to be reissued under the authority of the Tennessee Hazardous Waste Management Act of 1977, as amended, Tennessee Code Annotated, Section 68-212-101 et seq., and Rule Chapter 1200-1-11, Hazardous Waste Management.

Copies of DuPont's application, draft permit, Fact Sheet, Statement of Basis, Draft Corrective Measures Study Report and public notice are available for public inspection at the Frayser Public Library, 3712 Argonne Street, Memphis, TN 38127 (901-357-4115). These materials are also

available for public inspection during normal business hours, 8:00 a.m. to 4:30 p.m., Monday through Friday, except legal holidays, at the TDEC Memphis Environmental Field Office, Public Access Area, 2510 Mt. Moriah, Perimeter Park, Suite E-645, Memphis, TN 38115-1520 (901-368-7939).

Any interested person may submit written comments on DSWM's proposal by contacting: Mr. Charles Burroughs; Corrective Action Section; Division of Solid Waste Management; TDEC; 5th Floor, L & C Tower; 401 Church Street; Nashville, TN 37243-1535; telephone 615-532-0863; or e-mail to Charles.Burroughs@tn.gov. **Comments must be received by 4:30 p.m., Thursday, September 17, 2009, to assure consideration.** Comments will also be received at the public hearing. After considering all public comments received, the DSWM Director will issue a final permit decision and a Response to Comments.

TDEC is committed to principles of equal opportunity, equal access, and affirmative action. Contact the EEO/AA Coordinator at 1-888-867-7455 or the ADA Coordinator at 1-866-253-5827 for further information. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).

Persons who wish to be on DSWM's mailing list should request a Mailing List Request form by calling or writing: Public Participation Officer; Division of Solid Waste Management; TDEC; 5th Floor, L & C Tower; 401 Church Street; Nashville, TN 37243-1535 (615-532-0798); or e-mail Solid.Waste@tn.gov.

NOTICE ISSUED: August 3, 2009

