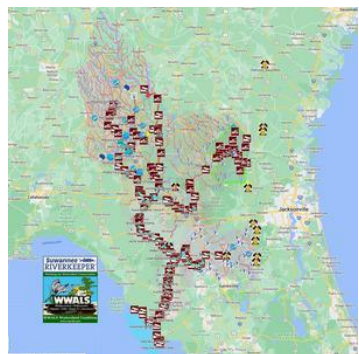
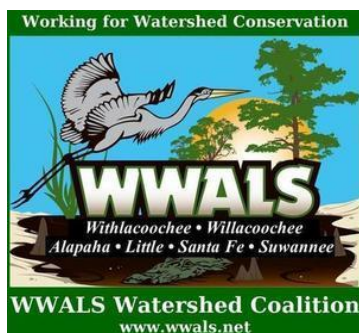


June 12, 2025



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WWALS is an IRS 501(c)(3) nonprofit  
charity est. June 2012.

*WWALS advocates for conservation  
and stewardship of the surface waters  
and groundwater of the Suwannee  
River Basin and Estuary, in south  
Georgia and north Florida, among  
them the Withlacoochee, Willacoochee,  
Alapaha, Little, Santa Fe, and  
Suwannee River watersheds, through  
education, awareness, environmental  
monitoring, and citizen activities.*



To: Commander  
U.S. Army Corps of Engineers, Jacksonville District  
Attention: John Fellows  
10117 Princess Palm Avenue, Suite 120, Tampa, FL 33610

Re: Questions and call for Public Hearing on SAJ-2019-00480 (JPF)

Commander,

Many questions, among them those in this comment letter, are not addressed by the materials provided with the Public Notice of May 13, 2025, for Permit Application No. SAJ-2019-00480 (JPF) to the U.S. Army Corps of Engineers (USACE) by The Chemours FC, LLC (CHEMOURS, aka THE CHEMOURS COMPANY TT, LLC) to mine on land owned by the Suwannee River Water Management District (SRWMD or the DISTRICT).

On behalf of WWALS Watershed Coalition, Inc., working for clean water in the Suwannee River Basin and Estuary, in which this project resides, **I ask for answers to the questions herein and I call for a Public Hearing** in which we and others may publicly address and hear responses to these and other open questions about this project.

Where-ever below I request “where can we find a public copy” a satisfactory answer would be to provide a link to the location of such a copy on the Internet, or to return an electronic copy of the relevant document(s) via electronic mail, or, if there is no electronic version, via paper mail to the address on the WWALS letterhead, PO Box 88, Hahira, GA 31632.

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## 1. Avoidance and Minimization

- Why is this assertion not enough to reject the permit application? “The applicant stated the following in their application: Due to the nature of mining, the location of the high-grade mineral sands and the locations of the wetlands, impacts to wetlands onsite are unavoidable. Large portions of wetland sloughs running through the Project Area were avoided in order to maintain the existing flow ways connecting onsite wetlands to downstream wetland systems, and flow ways that feed into the Santa Fe River Basin.” See the header “AVOIDANCE AND MINIMIZATION:” in the Public Notice for SAJ-2019-00480 (JPF).

- b. Does that assertion not imply that since impacts to wetlands onsite are unavoidable also onsite wetlands are connected by existing flow ways to downstream wetland systems and on to the Santa Fe River Basin, that mining will affect the Santa Fe River Basin?
- c. Given that the Santa Fe River system is an Outstanding Florida Water, how can such unavoidable harm be permitted under the requirement to prove no harm to an Outstanding Florida Water?

## **2. Radium exceedance and lack of reporting**

- a. What will USACE specifically require of CHEMOURS to prevent radium exceedances and lack of reporting such as documented by FDEP in 2018? See FDEP Warning Letter No. WL18-40 to CHEMOURS on March 23, 2018. A copy is attached. Here are a few excerpts: “Radium and hardness samples were not properly preserved.” “Deficiency: Chain of Custody documents were available and reviewed. Based on the review Radium and Hardness samples were not being properly preserved with HN03.” “Observation: The facility is under a consent order (CO 16-1402) for Radium 226+228 and Gross Alpha exceedances, should be “report only” (interim limit) upon effective date of CO.”

## **3. Repeated unauthorized discharge of process water by Chemours**

- a. What has USACE done to determine that CHEMOURS has adequate plans to prevent the kinds of unauthorized discharges of process water that it has had in the past?
  - i. Specifically, what plan from CHEMOURS has USACE determined will prevent unauthorized discharges such as CHEMOURS had from its wastewater ponds in each of the years 2022, 2023, 2024, and 2025, of more than 100,000 gallons per year? See the letter from the Florida Department of Environmental Protection (FDEP) to CHEMOURS of March 25, 2025, Re: Warning Letter No. WL25-092, Florida Mine – Trail Ridge South, Facility ID No. FL0A00014, Environmental Resource Permit MMR\_137482-018, Unauthorized discharge, SWO# 2025-1502, Clay and Bradford Counties. A copy is attached.
  - ii. What verification will USACE require of CHEMOURS that any such unauthorized discharges do not affect wetlands or streams downstream? For example, what additional water quality samples will USACE require CHEMOURS to take outside its state-permitted footprint to verify assertions such as this one, “Chemours’ Response — Chemours’ correspondence to the Department on February 20, 2025, indicated that sedimentation remained within the permitted footprint of the ERP and did not

enter the undisturbed wetlands.” See numbered item 1 in CHEMOURS “Response to Warning Letter,” dated April 10, 2025. A copy is attached.

- iii. Given that such unauthorized discharges extend back at least to 2017 during Hurricane Irma, what specifically will USACE require of CHEMOURS that will prevent such discharges? See <https://wwals.net/2017/09/29/florida-public-notice-of-pollution/#basin> Here is an excerpt from one of the three Pollution Notices CHEMOURS reported to FDEP on September 18, 2017:  
*“Chemours – Trail Ridge  
09/18/2017 04:04:05 EDT  
The Chemours Company – Trail Ridge PO Box 753; 5222  
Treat Road; STARKE, FL; 32091  
State Watch office has not yet assigned incident Number.  
Due to the significant rain event associated with Hurricane  
Irma, Stormwater was released from the emergency spillway  
at the West Levee.”*
- iv. What extraordinary precautions will USACE require of CHEMOURS to prevent these chronic unauthorized releases, which have been so severe as to cause FDEP to issue a Consent Order on CHEMOURS on February 7, 2019? See <https://wwals.net/?p=49898>

#### **4. Mineral rights agreement between Rayonier and Chemours?**

- a. Where can we find a public copy of an agreement between Rayonier Atlantic Timber Company (RAYONIER) and CHEMOURS for CHEMOURS to use the mineral rights retained by RAYONIER when SRWMD bought the subject property in 2015? See the Special Warranty Deed of September 15, 2015, filed September 22, 2015 with the Clerk of Courts, Bradford County, Florida, as Doc Deed 27,789.30, Int. Number 201504006337, Book 1595, page 354; a copy is attached.
- b. How specifically has USACE determined that that agreement between RAYONIER and CHEMOURS is adequate for the purpose of the mining in the subject mining permit application, SAJ-2019-00480 (JPF)?

#### **5. DISTRICT PLAN or COMPANY PLAN?**

- a. How has the DISTRICT PLAN required by the COMPENSATION AND RECLAMATION AGREEMENT (AGREEMENT) of September 2015 between SRWMD and CHEMOURS been addressed? A copy is attached.
  - i. Where can we find a public copy of the COMPANY PLAN required by section 4.1 of the AGREEMENT? “the plan for the reclamation and/or rehabilitation of the disturbed PROPERTY

(the “COMPANY PLAN”) in which the COMPANY shall provide for the reclamation of the PROPERTY in a reasonable and workmanlike manner meeting all requirements of law.”

- ii. When was this COMPANY PLAN along with all CHEMOURS permit applications submitted to SRWMD as required by section 4.2 of the AGREEMENT?
- iii. Where can we find public copies of all those CHEMOURS permit applications as provided to SRWMD?
- iv. Where can we find a public copy of the DISTRICT PLAN required by section 4.3 of the AGREEMENT? “As soon as practical after receipt of the COMPANY PLAN, the DISTRICT shall prepare and transmit to the COMPANY, a plan for the reclamation and/or rehabilitation of the disturbed PROPERTY (the “DISTRICT PLAN”) in which the DISTRICT shall provide for the reclamation of the PROPERTY meeting all requirements of law.
- v. Was the DISTRICT PLAN approved by CHEMOURS, and, if so, where can we find public copies of the “application to amend the PERMITS to require the COMPANY use and implement the DISTRICT PLAN for its reclamation activities” that section 4.4 of the AGREEMENT requires that CHEMOURS “shall submit to the government agencies having jurisdiction over the PERMITS”?
- vi. Was the DISTRICT PLAN not approved by CHEMOURS, and, if so, did CHEMOURS “elect to have the DISTRICT and the COMPANY submit to the government agencies having jurisdiction over the PERMITS, an application to amend the PERMITS to require the COMPANY use and implement the DISTRICT PLAN for its reclamation activities.” as in section 4.5 of the AGREEMENT, and where can we find a public copy of that application to amend and that DISTRICT PLAN?
- vii. Did CHEMOURS elect to follow section 4.5 of the AGREEMENT, and, if so, what costs must SRWMD pay CHEMOURS according to sections 4.5.1, 4.5.2, and 4.5.3 of the AGREEMENT?
- viii. Has the DISTRICT PLAN been approved or disapproved by any or all “government agencies having jurisdiction over the PERMITS or the DISTRICT” as in section 4.6 of the AGREEMENT, and, if so, what is the compensation required by that section?

## 6. Conclusion

- a. I respectfully ask for answers from USACE to the above questions.
- b. Also, I request a Public Hearing in which these and other questions may be publicly asked by WWALS and other interested parties and may be publicly answered by USACE, SRWMD, FDEP, and other relevant government agencies as well as private companies such as CHEMOURS and RAYONIER.

For the rivers and the aquifer,

John S. Quarterman



Suwannee Riverkeeper and Executive Director  
WWALS Watershed Coalition, Inc.  
PO Box 88, Hahira, GA 31632  
wwalswatershed@gmail.com  
229-560-4317

### Attachments:

- FDEP to CHEMOURS, March 23, 2018, Warning Letter No. WL18-40
- FDEP to CHEMOURS, March 25, 2025, Warning Letter No. WL25-092
- CHEMOURS to FDEP, April 10, 2025, RE: Chemours - Trail Ridge South Release Warning Letter No. WL25-092
- RAYONIER to SRWMD, filed with Bradford County, FL, September 22, 2025, SPECIAL WARRANTY DEED
- SRWMD Staff to SRWMD Board, September 28, 2025, Surface-Use Lease Agreement with Chemours Company TT, LLC, Rayonier Atlantic Timber Company South Tract in Bradford County, Florida