

GENERAL ASSEMBLY OF NORTH CAROLINA  
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SENATE BILL DRS35246-MHa-88

Short Title: 2025 Water Safety Act. (Public)

Sponsors: Senator Lee (Primary Sponsor).

Referred to:

A BILL TO BE ENTITLED  
AN ACT TO PROVIDE FUNDS FOR PFAS MITIGATION AND RESEARCH, TO DIRECT  
THE COMMISSION FOR PUBLIC HEALTH TO ADOPT STANDARDS FOR PFAS IN  
DRINKING WATER, AND TO DIRECT THE DEPARTMENT TO ADOPT PFAS  
DISCHARGE LIMITS FOR SIGNIFICANT INDUSTRIAL USERS AND PUBLICLY  
OWNED TREATMENT WORKS DISCHARGING DIRECTLY TO SURFACE WATERS.  
The General Assembly of North Carolina enacts:

**PFAS MITIGATION GRANTS**

**SECTION 1.(a)** Mitigation Grants. – Article 9 of Chapter 130A of the General  
Statutes is amended by adding a new Part to read:

"Part 9. PFAS Mitigation.

**"§ 130A-310.80. Definitions.**

In addition to the definitions in G.S. 130A-2 and G.S. 130A-290, the following definitions  
apply in this Part:

- (1) Distressed unit. – As defined in G.S. 159G-20.
- (3) Fund – The PFAS Mitigation and Fund established in G.S. 130A-310.84.
- (4) PFAS. – Per- and polyfluoroalkyl substances, including perfluorooctanoic  
acid (PFOA), perfluorooctanesulfonate (PFOS), hexafluoropropylene oxide  
dimer acid (HFPO-DA, also known as GenX), perfluorohexanesulfonic acid  
(PFHxS), and perfluorononanoic acid (PFNA), and Perfluorobutanesulfonic  
acid (PFBS).
- (5) SWIA. – The State Water Infrastructure Authority established in Article 5 of  
Chapter 159G of the General Statutes.

**"§ 130A-310.82. Purpose.**

The purpose of this Part is to provide funding to support the mitigation of the impacts of  
environmental contamination due to PFAS on local public water and wastewater systems.

**"§ 130A-310.84. PFAS Mitigation Fund.**

(a) Fund Established. – The PFAS Mitigation Fund is established within the Department.  
The purpose of the Fund is to support statewide efforts to detect, reduce, mitigate, and prevent  
exposure to PFAS and to support scientific research and technology development related to PFAS  
removal, treatment, monitoring, and precursor identification. The fund consists of any funds  
appropriated to it by the General Assembly and grants from federal agencies or other non-State  
entities.



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(b) Uses of Fund. – The Fund may only be used by SWIA to provide grants to units of local government operating public water or wastewater treatment systems for any of the following:

- (1) PFAS sampling and monitoring in drinking water, wastewater, surface water, and groundwater.
- (2) Installation or upgrade of water treatment technologies for PFAS removal.
- (3) Emergency response and remediation of PFAS contamination in soil, surface water, and groundwater.

(c) Funding Criteria and Oversight. – SWIA shall establish criteria and application procedures for local PFAS response grants, and shall prioritize grants to public water systems and public wastewater systems (i) for which contamination from PFAS has caused the greatest impacts on public health and the environment and (ii) that are or meet the criteria to be categorized as a distressed unit.

(d) Report. – SWIA shall report annually as a part of the report required by G.S. 159G-72 regarding projects funded under this section. The report shall include the project type (sampling and monitoring, treatment technologies, or emergency response), the project recipient, a brief description of project and the amount of funding provided."

**SECTION 1.(b) Conforming Change. – G.S. 159G-71 reads as rewritten:**

**"§ 159G-71. State Water Infrastructure Authority; powers and duties.**

The Authority has the following additional duties:

...

- (13) To award grants to mitigate the impacts of environmental contamination due to PFAS on local public water and wastewater systems."

**SECTION 2. Funding. – The sum of fifty-six million dollars (\$56,000,000) in recurring funds for the 2025-2026 fiscal year is appropriated from the General Fund to the Department of Environmental Quality for the PFAS Mitigation Fund established in Part 9 of Article 9 of Chapter 130A of the General Statutes, as enacted by Section 1 of this act.**

## **RESEARCH GRANTS**

**SECTION 3.(a) PFAS Research Funding. – The sum of fourteen million dollars (\$14,000,000) in recurring funds for the 2025-2026 fiscal year is appropriated from the General Fund to the North Carolina Collaboratory at the University of North Carolina (Collaboratory). These funds will be used to support scientific research on PFAS conducted by or in collaboration with public or nonprofit academic institutions, including any of the following:**

- a. Detection methods for known and emerging PFAS and PFAS precursors.
- b. Fate and transport of PFAS and PFAS precursors in environmental media.
- c. Innovative PFAS remediation, filtration, and destruction technologies.
- d. Public health and toxicological impact assessments of PFAS and related compounds.
- e. Evaluation of the health impacts of PFAS mixtures found in the State's drinking water to more closely model real-world public health scenarios.

**SECTION 3.(b) Directive. – The Collaboratory shall consult with affected stakeholders, scientific experts, and State and local officials to ensure funding is targeted to research in areas of highest environmental and public health impact.**

**SECTION 3.(c) Restrictions. – The restrictions of G.S. 116-255(c) apply to funds appropriated by this section.**

**SECTION 3.(d)** Report. – The Collaboratory shall include in the report required by G.S. 116-256 documentation of its use of the funds allocated by this section and updates regarding the research funded by this section.

## **ESTABLISH PFAS STANDARDS FOR DRINKING WATER**

**SECTION 4.** Article 10 of Chapter 130A of the General Statutes is amended by adding a new section to read:

**"§ 130A-315.1 Maximum contaminant levels for certain contaminants established.**

(a) Maximum contaminant levels are established for all of the following contaminants:

(1) Perfluorooctanoic acid (PFOA) at 4.0 parts per trillion (ppt).

(2) Perfluorooctanesulfonic acid (PFOS) at 4.0 ppt.

(3) Perfluorononanoic acid (PFNA) at 10 ppt.

(4) Hexafluoropropylene oxide dimer acid (HFPO-DA, also known as GenX) at 10 ppt.

(5) Perfluorohexanesulfonic acid (PFHxS) at 10 ppt.

(6) Perfluorobutanesulfonic acid (PFBS) at 10 ppt.

(7) Mixtures containing two or more of PFHxS, PFNA, HFPO-DA, and PFBS at 1 (unitless).

(b) The Commission shall adopt rules to establish a compliance schedule with respect to the maximum contaminants levels set forth in subsection (a) of this section for all public water systems, including community water systems and transient and non-transient non-community water systems that is substantially identical to the compliance schedule set forth in 40 C.F.R. Part 141, Subpart Z."

## **ESTABLISH PFAS STANDARDS FOR DIRECT DISCHARGERS AND SIGNIFICANT INDUSTRIAL USERS**

**SECTION 5.(a)** No later than October 1, 2025, the Department of Environmental Quality, in consultation with the North Carolina Collaboratory, shall develop:

(1) Science-based PFAS concentration limits for commonly detected PFAS, which shall be used to establish monitoring, permitting, and pollution reduction requirements for direct dischargers to surface waters and significant industrial users ("regulated entities") as provided in subsection (c) of this section. Concentrations limits for significant industrial users shall be made applicable through a pretreatment permit to be issued by the applicable publicly owned treatment works (POTW).

(2) Source reduction and treatment requirements to be imposed, including requiring regulated entities to do one or more of the following, as applicable:

a. Conduct a PFAS source identification and minimization plan, approved by the Department, to reduce PFAS inputs into their wastewater streams.

b. Install and operate pretreatment technology to remove or reduce PFAS to below concentration limits before discharge.

c. Submit to enhanced monitoring and reporting as required by the Department.

d. Cease discharge of identified PFAS compounds where the Department determines that feasible alternatives exist.

(3) A compliance schedule of up to 36 months to begin no later than January 1, 2026, for regulated entities to achieve the requirements developed pursuant to subdivisions (1) and (2) of this Section. During this time, the Department shall coordinate with the North Carolina Collaboratory to do all of the following:

a. Provide technical assistance for PFAS treatment technologies.

- b. Assess cost-effective alternatives.
- c. Develop sector-based PFAS guidance for best available technology (BAT).

**SECTION 5.(b)** All National Pollutant Discharge Elimination System (NPDES) permits and pretreatment permits, as applicable, for regulated entities subject to this section shall include enforceable limits or conditions for PFAS discharges based on the concentration limits established pursuant to subsection (a) of this section and available treatment options, as determined by the Department. The Department may, however, exempt regulated entities from the requirements of this subsection, and requirements established under subdivision (2) of subsection (a) of this section, if the regulated entity demonstrates, through sampling and analysis verified by the Department, that PFAS discharge concentrations are below background levels or that the discharges do not contribute to PFAS exceedances downstream.

**SECTION 5.(c)** This section applies only to the following regulated entities:

- (1) Significant industrial users, as that term is defined under 15A NCAC 02H .0903, that:
  - a. Discharge wastewater containing PFAS compounds to a POTW; and
  - b. Have exceedances of PFAS concentration limits established pursuant to subsection (a) of this section.
- (2) Direct dischargers that:
  - a. Discharge wastewater containing PFAS compounds to surface waters of the State under an NPDES permit; and
  - b. Have exceedances of PFAS concentration limits established pursuant to subsection (a) of this section.

**SECTION 5.(d)** The Environmental Management Commission shall adopt temporary and permanent rules to implement the provisions of this section. Permanent rules adopted pursuant to this section are not subject to Part 3 of Article 2A of Chapter 150B of the General Statutes. The Department may issue interim guidance pending rule adoption.

## **SEVERABILITY AND EFFECTIVE DATE**

**SECTION 6.** If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this act that can be given effect without the invalid provision or application, and, to this end, the provisions of this act are declared to be severable.

**SECTION 7.** Except as otherwise provided, this act is effective when it becomes law.