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GENERAL ASSEMBLY OF NORTH CAROLINA
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SENATE BILL DRS35445-MHa-125

Short Title:	2026 Water Safety Act.	(Public)
Sponsors:	Senators Lee and Britt (Primary Sponsors).	
Referred to:		

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FUNDS FOR EMERGING CONTAMINANT MITIGATION AND RESEARCH.

The General Assembly of North Carolina enacts:

EMERGING CONTAMINANT 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. Emerging Contaminant 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.

(2) Emerging contaminant. – PFAS and 1,4-Dioxane.

(3) Fund – The Emerging Contaminant Mitigation 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), perfluorononanoic acid (PFNA), and perfluorobutanesulfonic acid (PFBS).

(5) Significant Industrial User. – Defined in 40 CFR 403.3.

(6) 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 emerging contaminants on local public water and wastewater systems.

"**§ 130A-310.84. Emerging Contaminant Mitigation Fund.**

(a) Fund Established. – The Emerging Contaminant 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 emerging contaminants and to support scientific research and technology development related to the removal, treatment, monitoring, and precursor identification for emerging contaminants. The fund consists of any funds appropriated to it by the General Assembly and grants from federal agencies or other non-State entities.

(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) Emerging contaminant sampling and monitoring in drinking water, wastewater, surface water, and groundwater.

(2) Installation or upgrade of water treatment technologies for emerging contaminant removal.

(3) Emergency response and remediation of emerging contaminant contamination in soil, surface water, and groundwater.

(4) Provision of technical assistance to significant industrial users for the purpose of eliminating discharges of PFAS and 1,4-dioxane to publicly owned treatment works.

(c) Funding Criteria and Oversight. – SWIA shall establish criteria and application procedures for local emerging contaminant response grants, and shall prioritize grants to public water systems and public wastewater systems (i) for which emerging contaminants have 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 and 1,4-dioxane 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 2026-2027 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 2026-2027 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 emerging contaminants, as defined in G.S. 130A-310.80, conducted by or in collaboration with public or nonprofit academic institutions, including any of the following:

(1) Detection methods for known and emerging PFAS and 1,4-dioxane.

(2) Fate and transport of PFAS and 1,4-dioxane in environmental media.

(3) Innovative remediation, filtration, and destruction technologies for PFAS and 1,4-dioxane.

(4) Public health and toxicological impact assessments of PFAS and 1,4-dioxane.

(5) Evaluation of the health impacts of PFAS mixtures and 1,4-dioxane found in the State's drinking water to more closely model real-world public health scenarios.

(6) Replacement compounds for PFAS and 1,4-dioxane.

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.

FUNDING FOR FIREFIGHTER PROTECTION

SECTION 4.(a) Firefighter Protection Funding. – The sum of twenty-five million dollars ($25,000,000) in nonrecurring funds for the 2026-2027 fiscal year is appropriated to the Board of Governors of The University of North Carolina to be allocated to the North Carolina Collaboratory (Collaboratory) at the University of North Carolina at Chapel Hill. The Collaboratory shall use these funds for any of the following research, development, and remedial activities related to per- and polyfluoroalkyl substances (PFAS):

(1) Groundwater studies of areas at or adjacent to fire stations with elevated levels of PFAS including the purchase and deployment of analytical instrumentation or mobile platforms utilizing analytical equipment to analyze and assess PFAS levels in the environment.

(2) The provision of temporary water supplies to fire stations currently or formerly on water wells with elevated levels of PFAS including, but not limited to, mobile tankers of food-grade water.

(3) The provision of longer-term filtration systems for water wells at fire stations with elevated levels of PFAS including reverse osmosis, granular activated carbon, anion exchange resins, or other novel sorbent media developed by the University of North Carolina at Chapel Hill.

(4) Short- or long-term voluntary human exposure studies to assess levels of PFAS in the bodies of firefighters and their families.

(5) Sampling and assessment of drinking water wells at residences of firefighters and at locations formerly used as fire stations and other wells of concern to better understand local and regional impact of PFAS in groundwater.

(6) Supplemental support of the Bernard Allen Emergency Drinking Water Fund in areas surrounding fire stations with elevated levels of PFAS in their water wells.

(7) Funding of a partnership with the Office of the State Fire Marshall and North Carolina State University to develop and develop and and implement a pilot program for deep cleaning of firefighter protective gear to mitigate PFAS exposure; and

(8) Any other projects of opportunity deemed relevant by the Collaboratory related to PFAS, firefighters, and the communities they serve.

SECTION 4.(b) Report. – As a part of the report required by G.S. 116-256, the Collaboratory shall summarize activities funded by this section, including a listing of the projects of opportunity deemed relevant under section 4.(a)(9) of this act.

ESTABLISH PFAS STANDARDS FOR DRINKING WATER

SECTION 5. 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 at 10 ppt.
(5) Perfluorohexanesulfonic acid (PFHxS) at 10 ppt.
(6) 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 INDUSTRIAL DISCHARGERS AND SIGNIFICANT INDUSTRIAL USERS

SECTION 6.(a) No later than October 1, 2026, 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, 2027, 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 6.(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 6.(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 industrial 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 6.(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.

MORATORIUM ON NEW OR INCREASED INTERBASIN TRANSFERS FROM THE UPPER REACHES OF THE CAPE FEAR RIVER BASIN

SECTION 7.(a) Definitions. – The definitions set forth in G.S. 143-215.22G apply to this section.

SECTION 7.(b) Moratorium on New or Increased Interbasin Transfers. – There is hereby established a moratorium on the initiation of new surface water transfers or increases in existing surface water transfers from any source in the Cape Fear River Basin located upstream of Cape Fear Lock and Dam #2 in Bladen County. The Environmental Management Commission shall not issue a certificate authorizing a new surface water transfer or an increase in an existing surface water transfer from any source in the Cape Fear River Basin located upstream of Cape Fear Lock and Dam #2.

SECTION 7.(c) Exceptions. – The moratorium established by subsection (b) of this section shall not prohibit the following surface water transfers from the Cape Fear River Basin:
(1) Any existing transfers authorized by the Environmental Management Commission or else lawfully initiated prior to the effective date of this act. No person who maintains an existing transfer under this subdivision shall increase the amount of surface water transferred to another river basin.
(2) Any emergency transfer of surface water authorized by the Secretary of Environmental Quality under G.S. 143-215.22L(q) or G.S. 143-355.3.

SECTION 7.(d) Moratorium Duration. – This section is effective when it becomes law and expires June 1, 2030.

CAPE FEAR RIVER BASIN STUDY

SECTION 8.(a) Study. – The North Carolina Collaboratory at the University of North Carolina at Chapel Hill (Collaboratory) shall study the Cape Fear River Basin to determine its reliable yield of water supply and make recommendations for any legislative changes necessary to ensure the sustainability of existing and future in-basin water uses. The Collaboratory shall include all of the following in its study:
(1) A catalog of the existing water uses and users of the Cape Fear River Basin.
(2) An assessment of the reliable yield of water supply of the Cape Fear River Basin, including an assessment for each of its subbasins and major tributaries. This assessment shall include a scientific evaluation of the quantity of water that can be dependably withdrawn or transferred under current and projected future hydrologic conditions without causing unacceptable environmental or economic impacts to in-basin uses.

(3) An analysis of the adequacy of the environmental impact study requirements for interbasin transfers from sources in the Cape Fear River Basin located upstream of Cape Fear Lock and Dam #2.

(4) An assessment of the economic equity of interbasin transfers for affected communities within the Cape Fear River Basin.

(5) An examination of any anticipated water quality and ecological impacts from approved and proposed interbasin transfers from the Cape Fear River Basin.

SECTION 8.(b) Consultation. – In collecting and analyzing data relevant to determining reliable yield of water supply from the Cape Fear River Basin, the Collaboratory shall consult with the United States Army Corps of Engineers, the Department of Environmental Quality, the Environmental Management Commission, the State Water Infrastructure Authority, the North Carolina League of Municipalities, and other relevant public and private entities responsible for impoundments and water supply infrastructure in the Cape Fear River Basin.

SECTION 8.(c) Report. – The Collaboratory shall report its findings, together with any proposed legislation, to the General Assembly no later than July 1, 2029.

SECTION 8.(d) Appropriation. – There is appropriated from the General Fund to the Board of Governors of The University of North Carolina the sum of one million five hundred thousand dollars ($1,500,000) in nonrecurring funds for the 2026-2027 fiscal year to be allocated to the North Carolina Collaboratory to fund the study of the Cape Fear River Basin described in subsection (a) of this section. These funds shall not revert to the General Fund at the end of the 2026-2027 fiscal year but shall remain available until the end of the 2028-2029 fiscal year.

STUDY OF PFAS IN INFLUENT AND EFFLUENT OF PUBLICLY OWNED OR OPERATED WASTEWATER TREATMENT WORKS

SECTION 9.(a) The General Assembly finds that contamination of biosolids by Per- and Polyfluoroalkyl Substances (PFAS) produced by wastewater facilities, as well as the origin of the PFAS themselves, present significant environmental, economic, and public health concerns. To address PFAS influent and effluent related to publicly owned or operated wastewater treatment works facilities in the State, the North Carolina Collaboratory at the University of North Carolina at Chapel Hill (Collaboratory) will carry out a collaborative research effort in partnership with utilities and State regulators for the purposes of providing utilities, State regulators, and other relevant entities with the knowledge, data, and strategies they need for utility management and decision-making. As part of this collaborative research effort, the Collaboratory shall study all of the following:

(1) The impact of land application of biosolids generated at a publicly owned or operated wastewater treatment works facilities across the State including the amount of biosolids generated; types and concentrations of Per- and Polyfluoroalkyl Substances (PFAS) found in the biosolids; the locations of the final disposition of biosolids generated at, and removed by, the wastewater facilities; the amount of PFAS contributed by the biosolids to surface and groundwater sources; current and alternative biosolids management options; the development of new management practices and technologies to minimize or remove PFAS; and any other variables related to biosolids management deemed relevant by the Collaboratory and its research partners.

(2) The concentrations and types of PFAS influent and effluent at wastewater treatment works facilities across the State including identification of sources contributing to PFAS in facility influents; the fate and transport of PFAS effluent from the facilities; best management practices for identifying, managing, reducing, mitigating, and removing both PFAS from the influent and effluent at these wastewater facilities; development or deployment of PFAS reduction, mitigation, or destruction technologies to mitigate influent

or effluent; and any other variables related to PFAS deemed relevant by the Collaboratory and its research partners.

(3) The feasibility of developing PFAS reduction strategies for industrial discharges into either surface or groundwater in the State that may include analytical methods, targeted compounds, concentration thresholds, best available control technologies, development of new detection and reduction technologies, benefit-cost calculations, a proposed regulatory framework, and any other components deemed relevant by the Collaboratory and its research partners necessary to achieve PFAS reduction goals and standards.

SECTION 9.(b) Publicly owned or operated wastewater treatment works and the Department of Environmental Quality shall partner with the Collaboratory to carry out the study authorized by this section to the extent permitted under public records laws, the requirements for protection of confidential information under G.S. 143-215.3C, or the terms of any delegation of enforcement authority under federal or State law or memoranda of agreement or understanding setting forth the delegation.

SECTION 9.(c) The Collaboratory is authorized to use any prior or future funds appropriated by the General Assembly for PFAS-specific research, or other discretionary funds, to carry out this study and shall present the final results of this study to the Department of Environmental Quality, the Environmental Review Commission and the Environmental Management Commission no later than January 31, 2029.

BERNARD ALLEN FUNDS

SECTION 10. There is appropriated from the General Fund to the Department of Environmental Quality the sum of ten million dollars ($10,000,000) in nonrecurring funds and two hundred thousand dollars ($200,000) in recurring funds for the 2026-2027 fiscal year for the Bernard Allen Drinking Water Fund established by G.S. 87-98 for purposes consistent with that section.

ADDITIONAL DEQ FUNDING

SECTION 11. There is appropriated from the General Fund to the Department of Environmental Quality the sum of two million six hundred thirteen thousand nine hundred twenty-five dollars ($2,613,925) in nonrecurring funds and one million six hundred fifty-nine thousand three hundred ninety-three dollars ($1,659,393) in recurring funds for the 2026-2027 fiscal year. The Department shall use these funds for lab operations and field work, including the development of new sampling and testing protocols, to identify, reduce and remediate PFAS contamination.

SEVERABILITY AND EFFECTIVE DATE

SECTION 12. 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 13. Except as otherwise provided, this act is effective July 1, 2026.