

North Carolina Attempts to Crack Down on PFAS Contamination

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As EPA continues to review potential regulations for PFAS contamination in drinking water, some state regulatory bodies have decided not to wait for the federal government to act. North Carolina is the latest state to announce measures that Governor Roy Cooper and state lawmakers claim will ensure that alleged polluters, rather than water customers, pay the cost of PFAS cleanup and abatement.

[North Carolina Bill 864](#) would grant the North Carolina Department of Environmental Quality (NCDEQ) the power to “order the responsible party to pay the public water system any actual and necessary costs incurred by the public water system to remove, correct or abate any adverse effects upon the water supply resulting from the contamination for which the person is responsible. Such costs shall include costs to procure, implement, maintain and operate technology to reduce PFAS concentrations in finished drinking water below the permissible concentration level.” Support for the bill has been widespread with both Governor Cooper's blessing and bipartisan sponsorship in the House.

In addition, earlier this month, NCDEQ presented its [plan](#) to draft regulatory standards for six PFAS compounds found in groundwater and surface water. The agency has announced plans to develop additional scientific evidence this fall to support these standards. The North Carolina Environmental Management Commission must, however, approve these regulatory standards before they become effective.

Moreover, Governor Cooper has proposed budget allocations which would dedicate more than \$4 million annually to addressing PFAS contamination of drinking water. His proposed budget would also form a specialized team at the NCDEQ to study water contamination issues.

While EPA considers actions to regulate PFAS, a number of states, including North Carolina, have decided to move forward with their own PFAS enforcement initiatives. Those proposed regulations could pose considerable consequences to companies that previously or currently manufacture, use, or dispose of PFAS and/or PFAS-containing materials. As such, those companies should implement measures to reduce or eliminate their PFAS output, particularly in those areas deemed environmental justice communities.

Author Tim Hugo is an MG+M law clerk.