

#### Insights

# PFAS STATE SNAPSHOT: NORTH CAROLINA PFAS REGULATION

Mar 06, 2020

North Carolina is one of several states that has started regulating per- and polyfluoroalkyl substances ("PFAS") in drinking water. This client alert reflects the status of PFAS regulations in North Carolina as of March 3, 2020.



#### WHAT IS GENX?

These man-made compounds were introduced in 2009, and were marketed as a "safer" and "high-performance" alternative to other PFAS chemicals. The term "GenX" refers to a technology and a high-performance substance, as well as a trade name for one PFAS chemical compound used in manufacturing non-stick coatings and for other purposes. EPA has conducted health risk assessments for GenX, and GenX compounds are the subject of increasing regulation.

#### WHY IS THIS LOCATION IMPORTANT?

The release of GenX to the Cape Fear River (near Fayetteville and Wilmington, NC) led to numerous lawsuits against DuPont and Chemours for personal injury claims. This contamination was one of the reasons why NC DHSS established this guidance level.

## For additional information regarding GenX in North Carolina, please see: https://files.nc.gov/ncdeq/GenX/DEQ-GenX%20FAQ%2008212017%201.pdf

For more information on PFAS chemicals, and the regulatory and litigation risks that they pose, please visit our PFAS webpage. If you have a question about how to manage PFAS risk in North

### DRINKING WATER

The GenX value stated by the North Carolina Department of Health and Human Services ("NC DHHS") is 140 ng/L. This health screening goal is protective for the most vulnerable populations (bottle-fed infants, pregnant women, lactating women, children, and other adults). Drinking Water well sampling for GenX compounds began on a targeted basis near the Cape Fear River, and has expanded to include testing in the surrounding areas.

Carolina, or any other jurisdiction, please contact Tom Lee, Susan Brice, John Kindschuh, or any other member of our PFAS team at Bryan Cave Leighton Paisner LLP.

## **RELATED CAPABILITIES**

- PFAS
- Environment
- Real Estate

## **MEET THE TEAM**



John R. Kindschuh

St. Louis john.kindschuh@bclplaw.com +1 314 259 2313



Thomas S. Lee San Francisco tom.lee@bclplaw.com +1 415 675 3447 This material is not comprehensive, is for informational purposes only, and is not legal advice. Your use or receipt of this material does not create an attorney-client relationship between us. If you require legal advice, you should consult an attorney regarding your particular circumstances. The choice of a lawyer is an important decision and should not be based solely upon advertisements. This material may be "Attorney Advertising" under the ethics and professional rules of certain jurisdictions. For advertising purposes, St. Louis, Missouri, is designated BCLP's principal office and Kathrine Dixon (kathrine.dixon@bclplaw.com) as the responsible attorney.