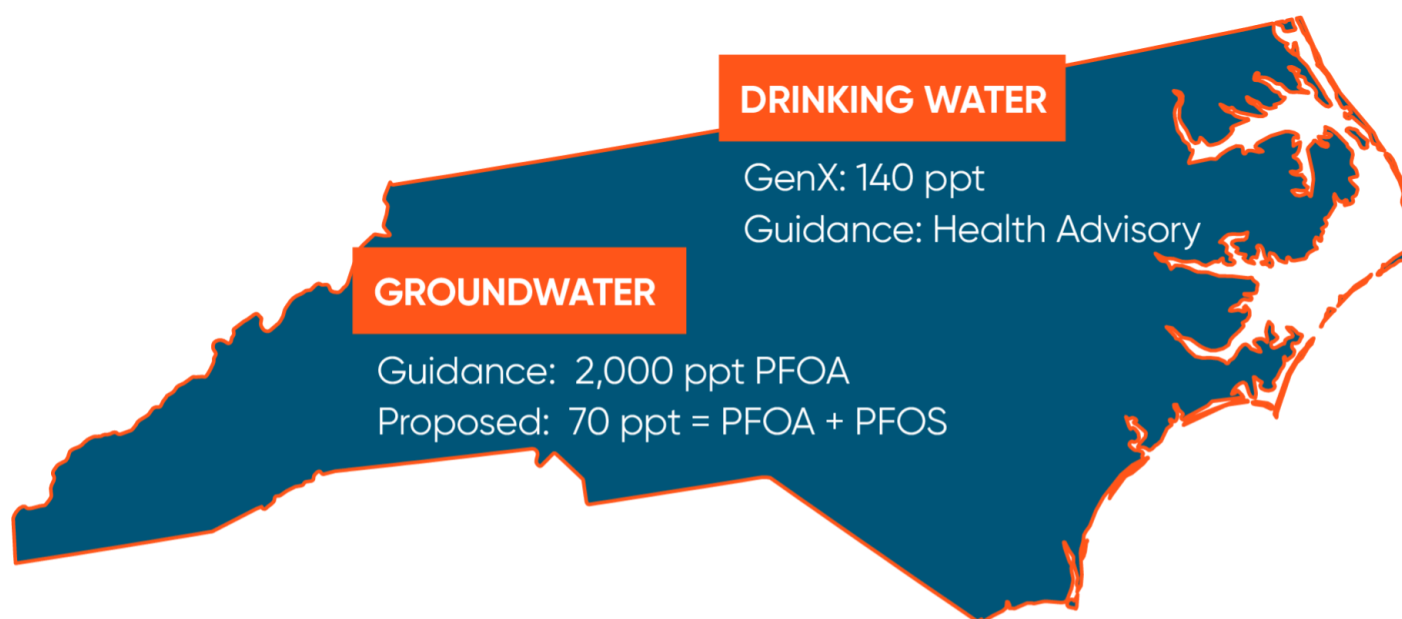


PFAS STATE SNAPSHOT: NORTH CAROLINA PFAS REGULATION

Nov 17, 2021

North Carolina has begun the process of regulating per- and polyfluoroalkyl substances (“PFAS”) in drinking water and groundwater. This client alert reflects the status of PFAS regulations in North Carolina as of **November 16, 2021**.



WHAT IS GENX?

These man-made chemicals 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 to a high-performance substance, as well as to 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.

Drinking Water Regulations

Summary: The North Carolina Department of Health and Human Services (“NC DHHS”) has set a health goal for GenX in drinking water at 140 parts per trillion (“ppt”). According to NC DHHS,

the health screening goal is protective for all individuals, including the most vulnerable populations. Drinking water well sampling for GenX compounds began in 2012 on a limited basis near the Cape Fear River, and has significantly expanded to include testing in nearby areas.	
Health Advisory	
NC Department of Environmental Quality (“NCDEQ”) GenX Information	View document
GenX Surface Water Sampling Sites (including an interactive map with numerous sampling results)	Visit GenX website
Groundwater Regulations	
<p>Summary:</p> <ul style="list-style-type: none"> ▪ There is an Interim Maximum Allowable Concentration of 2,000 ppt for PFOA. ▪ The North Carolina Division of Water Resources (“DWR”) has proposed a rule that, if promulgated, would establish the maximum concentration of PFOA and PFOS (combined) in groundwater at 70 ppt. 	
Regulation, 15A NCAC 02L.0202 (expressed in µg/L)	View document
Proposed Standard	Managing Emerging Compounds in Water and Groundwater Triennial Review and Rulemaking

EPA GenX Chemicals Human Health Toxicity Assessments, dated October 2021:

<https://www.epa.gov/chemical-research/human-health-toxicity-assessments-genx-chemicals>

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

RELATED CAPABILITIES

- PFAS
- Environment

MEET THE TEAM



Thomas S. Lee

San Francisco

tom.lee@bclplaw.com

[+1 415 675 3447](tel:+14156753447)



John R. Kindschuh

St. Louis

john.kindschuh@bclplaw.com

[+1 314 259 2313](tel:+13142592313)

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