

GENERAL ASSEMBLY OF NORTH CAROLINA  
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SENATE BILL DRS15524-RIa-38A\*

Short Title: PFAS Studies.

(Public)

Sponsors: Senators Garrett, Peterson, and Woodard (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO DIRECT VARIOUS AGENCIES TO STUDY MATTERS ASSOCIATED WITH  
3 PFAS CONTAMINATION.

4 The General Assembly of North Carolina enacts:

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6 **PART I. STUDIES REQUIRED FROM THE DEPARTMENT OF HEALTH AND**  
7 **HUMAN SERVICES**

8 **SECTION 1.** The Department of Health and Human Services shall develop and  
9 implement a program, in consultation with the Department of Environmental Quality, to (i) study  
10 the estimated human exposure to per- and poly-fluoroalkyl substances (PFAS) in the Cape Fear  
11 River Basin and (ii) conduct an epidemiological study of populations in the Cape Fear River  
12 Basin to identify disparities in disease prevalence that are consistent with long-term exposures to  
13 PFAS. No later than December 31, 2021, the Department shall issue a final report on its findings  
14 under these studies, including any recommendations for legislative action, to the Environmental  
15 Review Commission. Until such time as the final report is issued, the Department shall submit  
16 quarterly reports to the Environmental Review Commission, beginning no later than January 1,  
17 2021, on activities conducted pursuant to this section.

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19 **PART II. STUDIES REQUIRED FROM THE WILDLIFE RESOURCES COMMISSION**

20 **SECTION 2.** The Wildlife Resources Commission shall study the estimated  
21 ecological exposures and impacts from PFAS contamination in the Cape Fear River Basin. No  
22 later than December 31, 2021, the Commission shall issue a final report on its findings under the  
23 study, including any recommendations for legislative action, to the Environmental Review  
24 Commission. Until such time as the final report is issued, the Commission shall submit quarterly  
25 reports to the Environmental Review Commission, beginning no later than January 1, 2021, on  
26 activities conducted pursuant to this section.

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28 **PART III. STUDIES REQUIRED FROM THE OFFICE OF STATE BUDGET AND**  
29 **MANAGEMENT**

30 **SECTION 3.** The Office of State Budget and Management (OSBM) shall study  
31 estimated costs incurred by the State, local governments, businesses, and individuals in response  
32 to human and ecological exposure to PFAS. OSBM shall, in consultation with the Department of  
33 Environmental Quality and the Attorney General, establish an estimate of costs attributable to  
34 each source of PFAS identified in the State. No later than December 31, 2021, OSBM shall issue  
35 a final report on its findings under the study, including any recommendations for legislative  
36 action, to the Environmental Review Commission. Until such time as the final report is issued,



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1 OSBM shall submit quarterly reports to the Environmental Review Commission, beginning no  
2 later than January 1, 2021, on activities conducted pursuant to this section.  
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#### 4 **PART IV. STUDIES REQUIRED FROM THE DEPARTMENT OF ENVIRONMENTAL** 5 **QUALITY**

6 **SECTION 4.** The Department of Environmental Quality shall create an inventory of  
7 all ongoing direct and indirect discharges of PFAS to the air and surface waters, as well as known  
8 and likely instances of PFAS contamination in soil and groundwater. This inventory shall  
9 include, at minimum, the location of the discharge, the amount of the ongoing discharge, and the  
10 duration of the discharge, to the extent that the Department can determine those parameters. The  
11 Department may coordinate with the North Carolina Per and Polyfluoroalkyl Substances Testing  
12 (PFAST) Network, organized by the North Carolina Policy Collaboratory, or any other entity the  
13 Department deems necessary to assemble the inventory of PFAS discharges and contamination.  
14 The Department shall report its initial findings to the Environmental Review Commission no  
15 later than September 1, 2021, and shall provide quarterly updates on new discharges or  
16 contamination to the Environmental Review Commission thereafter.

17 **SECTION 5.** The Secretaries' Science Advisory Board of the Department of  
18 Environmental Quality shall conduct a risk assessment, based on the best available scientific  
19 information, of the risks to human health presented by exposures to PFAS present in North  
20 Carolina in various media, including air, water, and soil, both as individual toxic substances and  
21 as a class of toxic substances. The Secretaries' Science Advisory Board shall report the findings  
22 of its risk assessment to the Joint Legislative Oversight Committee on Health and Human  
23 Services and the Environmental Review Commission no later than September 1, 2021.  
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#### 25 **PART V. STUDIES REQUIRED FROM THE NORTH CAROLINA POLICY** 26 **COLLABORATORY**

27 **SECTION 6.** The North Carolina Policy Collaboratory shall study the ongoing and  
28 anticipated future costs of the aggregate impact of the discharge, emission, and contamination of  
29 PFAS in North Carolina, including the costs of sampling, testing, cleanup, and decontamination,  
30 health care related to PFAS exposure, infrastructure improvements, and any other associated  
31 costs. The Collaboratory shall determine anticipated future costs of PFAS discharge, emission,  
32 and contamination by extrapolating from the best available scientific information about PFAS  
33 risks and impacts. The Collaboratory shall report its findings to the Joint Legislative Oversight  
34 Committee on Government Operations, the Joint Legislative Oversight Committee on Health and  
35 Human Services, the Joint Legislative Oversight Committee on Agriculture and Natural and  
36 Economic Resources no later than September 1, 2021.  
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#### 38 **PART VI. STUDIES REQUIRED FROM THE ENVIRONMENTAL REVIEW** 39 **COMMISSION**

40 **SECTION 7.** The Environmental Review Commission shall study all statutory and  
41 regulatory requirements for disclosing the discharge or release of PFAS or other emerging  
42 contaminants to the Department of Environmental Quality, and the public, including downstream  
43 water users. The Environmental Review Commission shall report its findings and  
44 recommendations, including any legislative proposals, to the 2021 Regular Session of the  
45 General Assembly upon its convening.

46 **SECTION 8.** The Environmental Review Commission shall study actions taken by  
47 other states to promote and expand the practice of green chemistry to reduce the generation and  
48 use of hazardous chemicals and to drive sustainable alternatives to the manufacture and use of  
49 PFAS and other emerging contaminants. In conducting its study, the Environmental Review  
50 Commission shall examine tax incentives, reporting requirements, regulatory changes, and any  
51 other relevant approaches that other states have adopted to promote and expand the practice of

1 green chemistry. The Environmental Review Commission shall report its findings and  
2 recommendations, including any legislative proposals, to the 2021 Regular Session of the  
3 General Assembly upon its convening.

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5 **PART VII. FUNDING FOR STUDIES CONDUCTED BY STATE AGENCIES**

6 **SECTION 9.(a)** The sum of one hundred thousand dollars (\$100,000) in  
7 nonrecurring funds for the 2020-2021 fiscal year is appropriated from the General Fund to the  
8 Department of Health and Human Services to carry out the studies required by Section 1 of this  
9 act.

10 **SECTION 9.(b)** The sum of one hundred thousand dollars (\$100,000) in  
11 nonrecurring funds for the 2020-2021 fiscal year is appropriated from the General Fund to the  
12 Wildlife Resources Commission to carry out the study required by Section 2 of this act.

13 **SECTION 9.(c)** The sum of one hundred thousand dollars (\$100,000) in  
14 nonrecurring funds for the 2020-2021 fiscal year is appropriated from the General Fund to the  
15 Office of State Budget and Management to carry out the study required by Section 3 of this act.

16 **SECTION 9.(d)** The sum of two hundred thousand dollars (\$200,000) in  
17 nonrecurring funds for the 2020-2021 fiscal year is appropriated from the General Fund to the  
18 Department of Environmental Quality to carry out the studies required by Sections 4 and 5 of  
19 this act.

20 **SECTION 9.(e)** The sum of one hundred thousand dollars (\$100,000) in  
21 nonrecurring funds for the 2020-2021 fiscal year is appropriated from the General Fund to the  
22 North Carolina Policy Collaboratory to carry out the study required by Section 6 of this act.

23 **SECTION 9.(f)** This section becomes effective July 1, 2020.

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25 **PART VIII. EFFECTIVE DATE**

26 **SECTION 10.** Except as otherwise provided, this act is effective when it becomes  
27 law.