

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

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HOUSE BILL 1110

Short Title: PFAS Studies. (Public)

Sponsors: Representatives Harrison, Russell, Lofton, and Reives (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Regulatory Reform, if favorable, Environment, if favorable, Appropriations, if favorable, Rules, Calendar, and Operations of the House

May 18, 2020

A BILL TO BE ENTITLED

AN ACT TO DIRECT VARIOUS AGENCIES TO STUDY MATTERS ASSOCIATED WITH  
PFAS CONTAMINATION.

The General Assembly of North Carolina enacts:

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

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

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

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

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

**SECTION 3.** The Office of State Budget and Management (OSBM) shall study estimated costs incurred by the State, local governments, businesses, and individuals in response to human and ecological exposure to PFAS. OSBM shall, in consultation with the Department of Environmental Quality and the Attorney General, establish an estimate of costs attributable to each source of PFAS identified in the State. No later than December 31, 2021, OSBM shall issue



1 a final report on its findings under the study, including any recommendations for legislative  
2 action, to the Environmental Review Commission. Until such time as the final report is issued,  
3 OSBM shall submit quarterly reports to the Environmental Review Commission, beginning no  
4 later than January 1, 2021, on activities conducted pursuant to this section.  
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#### 6 **PART IV. STUDIES REQUIRED FROM THE DEPARTMENT OF ENVIRONMENTAL** 7 **QUALITY**

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

19 **SECTION 5.** The Secretaries' Science Advisory Board of the Department of  
20 Environmental Quality shall conduct a risk assessment, based on the best available scientific  
21 information, of the risks to human health presented by exposures to PFAS present in North  
22 Carolina in various media, including air, water, and soil, both as individual toxic substances and  
23 as a class of toxic substances. The Secretaries' Science Advisory Board shall report the findings  
24 of its risk assessment to the Joint Legislative Oversight Committee on Health and Human  
25 Services and the Environmental Review Commission no later than September 1, 2021.  
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#### 27 **PART V. STUDIES REQUIRED FROM THE NORTH CAROLINA POLICY** 28 **COLLABORATORY**

29 **SECTION 6.** The North Carolina Policy Collaboratory shall study the ongoing and  
30 anticipated future costs of the aggregate impact of the discharge, emission, and contamination of  
31 PFAS in North Carolina, including the costs of sampling, testing, cleanup, and decontamination,  
32 health care related to PFAS exposure, infrastructure improvements, and any other associated  
33 costs. The Collaboratory shall determine anticipated future costs of PFAS discharge, emission,  
34 and contamination by extrapolating from the best available scientific information about PFAS  
35 risks and impacts. The Collaboratory shall report its findings to the Joint Legislative Oversight  
36 Committee on Government Operations, the Joint Legislative Oversight Committee on Health and  
37 Human Services, the Joint Legislative Oversight Committee on Agriculture and Natural and  
38 Economic Resources no later than September 1, 2021.  
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#### 40 **PART VI. STUDIES REQUIRED FROM THE ENVIRONMENTAL REVIEW** 41 **COMMISSION**

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

48 **SECTION 8.** The Environmental Review Commission shall study actions taken by  
49 other states to promote and expand the practice of green chemistry to reduce the generation and  
50 use of hazardous chemicals and to drive sustainable alternatives to the manufacture and use of  
51 PFAS and other emerging contaminants. In conducting its study, the Environmental Review

1 Commission shall examine tax incentives, reporting requirements, regulatory changes, and any  
2 other relevant approaches that other states have adopted to promote and expand the practice of  
3 green chemistry. The Environmental Review Commission shall report its findings and  
4 recommendations, including any legislative proposals, to the 2021 Regular Session of the  
5 General Assembly upon its convening.

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

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

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

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

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

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

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

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27 **PART VIII. EFFECTIVE DATE**

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