

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 503

Short Title: PFAS Studies. (Public)

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

Referred to: Rules, Calendar, and Operations of the House

April 12, 2021

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, 2022, 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 2022, 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, 2022, 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, 2022, 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, 2022, OSBM shall issue
35 a final report on its findings under the study, including any recommendations for legislative



1 action, to the Environmental Review Commission. Until such time as the final report is issued,
2 OSBM shall submit quarterly reports to the Environmental Review Commission, beginning no
3 later than January 1, 2022, on activities conducted pursuant to this section.
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5 **PART IV. STUDIES REQUIRED FROM THE DEPARTMENT OF ENVIRONMENTAL** 6 **QUALITY**

7 **SECTION 4.** The Department of Environmental Quality shall create an inventory of
8 all ongoing direct and indirect discharges of PFAS to the air and surface waters, as well as known
9 and likely instances of PFAS contamination in soil and groundwater. This inventory shall
10 include, at minimum, the location of the discharge, the amount of the ongoing discharge, and the
11 duration of the discharge, to the extent that the Department can determine those parameters. The
12 Department may coordinate with the North Carolina Per- and Poly-fluoroalkyl Substances
13 Testing (PFAST) Network, organized by the North Carolina Policy Collaboratory, or any other
14 entity the Department deems necessary to assemble the inventory of PFAS discharges and
15 contamination. The Department shall report its initial findings to the Environmental Review
16 Commission no later than September 1, 2022, and shall provide quarterly updates on new
17 discharges or contamination to the Environmental Review Commission thereafter.

18 **SECTION 5.** The Secretaries' Science Advisory Board of the Department of
19 Environmental Quality shall conduct a risk assessment, based on the best available scientific
20 information, of the risks to human health presented by exposures to PFAS present in North
21 Carolina in various media, including air, water, and soil, both as individual toxic substances and
22 as a class of toxic substances. The Secretaries' Science Advisory Board shall report the findings
23 of its risk assessment to the Joint Legislative Oversight Committee on Health and Human
24 Services and the Environmental Review Commission no later than September 1, 2022.
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26 **PART V. STUDIES REQUIRED FROM THE NORTH CAROLINA POLICY** 27 **COLLABORATORY**

28 **SECTION 6.** The North Carolina Policy Collaboratory shall study the ongoing and
29 anticipated future costs of the aggregate impact of the discharge, emission, and contamination of
30 PFAS in North Carolina, including the costs of sampling, testing, clean up, and decontamination;
31 health care related to PFAS exposure; infrastructure improvements; and any other associated
32 costs. The Collaboratory shall determine anticipated future costs of PFAS discharge, emission,
33 and contamination by extrapolating from the best available scientific information about PFAS
34 risks and impacts. The Collaboratory shall report its findings to the Joint Legislative Oversight
35 Committee on Government Operations, the Joint Legislative Oversight Committee on Health and
36 Human Services, and the Joint Legislative Oversight Committee on Agriculture and Natural and
37 Economic Resources no later than September 1, 2022.
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39 **PART VI. STUDIES REQUIRED FROM THE ENVIRONMENTAL REVIEW** 40 **COMMISSION**

41 **SECTION 7.** The Environmental Review Commission shall study all statutory and
42 regulatory requirements for disclosing the discharge or release of PFAS or other emerging
43 contaminants to the Department of Environmental Quality and the public, including downstream
44 water users. The Environmental Review Commission shall report its findings and
45 recommendations, including any legislative proposals, to the 2022 Regular Session of the
46 General Assembly upon its convening.

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

1 other relevant approaches that other states have adopted to promote and expand the practice of
2 green chemistry. The Environmental Review Commission shall report its findings and
3 recommendations, including any legislative proposals, to the 2022 Regular Session of the
4 General Assembly upon its convening.

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

7 **SECTION 9.(a)** The sum of one hundred thousand dollars (\$100,000) in
8 nonrecurring funds for the 2021-2022 fiscal year is appropriated from the General Fund to the
9 Department of Health and Human Services to carry out the studies required by Section 1 of this
10 act.

11 **SECTION 9.(b)** The sum of one hundred thousand dollars (\$100,000) in
12 nonrecurring funds for the 2021-2022 fiscal year is appropriated from the General Fund to the
13 Wildlife Resources Commission to carry out the study required by Section 2 of this act.

14 **SECTION 9.(c)** The sum of one hundred thousand dollars (\$100,000) in
15 nonrecurring funds for the 2021-2022 fiscal year is appropriated from the General Fund to the
16 Office of State Budget and Management to carry out the study required by Section 3 of this act.

17 **SECTION 9.(d)** The sum of two hundred thousand dollars (\$200,000) in
18 nonrecurring funds for the 2021-2022 fiscal year is appropriated from the General Fund to the
19 Department of Environmental Quality to carry out the studies required by Sections 4 and 5 of
20 this act.

21 **SECTION 9.(e)** The sum of one hundred thousand dollars (\$100,000) in
22 nonrecurring funds for the 2021-2022 fiscal year is appropriated from the General Fund to the
23 North Carolina Policy Collaboratory to carry out the study required by Section 6 of this act.

24 **SECTION 9.(f)** This section becomes effective July 1, 2021.

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26 **PART VIII. EFFECTIVE DATE**

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