



NORTH CAROLINA  
*Environmental Quality*

May 1, 2024

ROY COOPER  
*Governor*

ELIZABETH S. BISER  
*Secretary*

J.D. Solomon  
Chair, Environmental Management Commission  
512 N. Salisbury Street  
Raleigh, NC 27604

Chair Solomon, Committee Chairs and Commission members,

I was deeply disappointed to learn that the Groundwater & Waste Management Committee chair and vice-chair are refusing to hear the proposed groundwater standards for PFAS as an action item at the committee meeting in May and is asking for yet another informational presentation on this topic.

As you know, on April 10, 2024, the Environmental Protection Agency announced the final National Primary Drinking Water Regulations for six PFAS compounds. In our state, more than 300 public water systems serving more than 3 million North Carolinians have PFAS levels above the Maximum Contaminant Levels, or MCLs. Those utilities will need to reduce PFAS levels through treatment or changes in water sources within the next five years. Reducing PFAS exposure is of critical importance to the public health of millions of North Carolinians who have been drinking water with elevated levels of PFAS for decades.

Under the federal Safe Drinking Water Act, EPA regulates the drinking water systems, or the water coming to our faucets. However, it is the State of North Carolina's responsibility to address the discharges to the sources of that drinking water, our surface water and groundwater (see attached diagram).

This is why DEQ is proposing state groundwater and surface water standards— to reduce the PFAS contamination of our drinking water sources. Source reduction is the most cost-effective way to help water systems meet the drinking water standards. The amount of PFAS in the drinking water supply directly impacts the operation and maintenance costs of water treatment. Absent groundwater and surface water standards for PFAS, ratepayers will foot the entire cost of removing PFAS from their drinking water.

Our staff has presented to both the Commission and the Committees at the last three meetings on the proposed standards for groundwater and surface water. In November, Assistant Secretary Sushma Masemore walked through the data we have collected across the state and the need for these actions. In January, our staff again previewed the standards as well as the method of cost-benefit analysis we are using for the fiscal note. And in March, staff again updated you on the progress and the stakeholder meetings we've held on these proposed standards.

An action item in May at the committee level would have contained sufficient information for the members to understand the fiscal impact of the proposed groundwater rule as reviewed by the Office of State Budget and Management. The Committee's action would have been followed by another presentation and action item for the full commission at the July meeting. When combined with the multiple presentations you have already heard, that is ample time to consider moving the proposed groundwater standards to the public comment and hearing process.

Setting groundwater standards protects public water supply wells and is also the most equitable way to ensure millions of residents who rely on private wells get the same protection as public water customers. Absent



North Carolina Department of Environmental Quality  
217 West Jones Street | 1601 Mail Service Center | Raleigh, North Carolina 27699-1601  
919.707.8661

further and immediate action by the Commission, residents and local utilities will continue to shoulder the burden of treatment cost while groundwater cleanup is delayed.

I urge you to reconsider and hear the action item in May and let us begin this rulemaking process that will protect the health and financial well-being of North Carolinians.

Sincerely,



Elizabeth S. Biser  
Secretary, North Carolina Department of Environmental Quality

CC: Christopher Duggan  
Yvonne C. Bailey  
Tim Baumgartner  
Charles Carter  
Marion Deerhake  
Michael Ellison  
Jacqueline MacDonald Gibson  
Steve P. Keen  
Dr. Herbert Kim Lyerly  
Joseph Reardon  
Robin Smith  
Kevin Tweedy  
Elizabeth Jill Weese  
Bill Yarborough



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