

PER- AND POLYFLUOROALKYL SUBSTANCES (PFAS)

RULE : 15A NCAC 18C Section .1540 – “Control of Per- and Polyfluoroalkyl Substances (PFAS)” (Note: Federal Rule 40 CFR 141 Subpart Z was incorporated into Section .1540 of NC’s Regulations by reference.)

APPLIES TO : Community and non-transient non-community (NTNC) systems

INITIAL SAMPLING REQUIREMENTS :

- **Sampling Location:** Entry points to distribution system [40 CFR 141.902(a)(1-2)]
- **Sampling Frequency and Number of Samples Required:** Based on source type and population [CFR 141.902(b)]
 - Groundwater systems serving >10,000 persons and all surface water systems: 4 consecutive quarterly samples collected 2 to 4 months apart within a 12-month period [40 CFR 141.902(b)(1)(i)]
 - Groundwater systems serving 10,000 or fewer persons: 2 biannual samples collected 5 to 7 months apart within a 12-month period [40 CFR 141.902(b)(1)(ii)]
 - All groundwater under the direct influence of surface water (GWUDI) systems: 4 consecutive quarterly samples collected 2 to 4 months apart within a 12-month period [40 CFR 141.902(b)(1)(iii)]
- **Deadline:** Sample results must be submitted to the State before April 26, 2027 [40 CFR 141.900(b)(2)]

COMPLIANCE SAMPLING REQUIREMENTS :

- **Sampling Location:** Entry points to distribution system [40 CFR 141.902(a)(1-2)]
- **Number of Samples Required:** One sample from each entry point [40 CFR 141.902(a)(1-2)]
- **Sampling Frequency:**
 - Routine – Four consecutive quarterly samples every year [40 CFR 141.902(b)(2)(i)]
 - Reduced Monitoring [40 CFR 141.902(b)(2)(iii)] –
 - Four most recent consecutive quarterly sample results reliably and consistently below MCLs: one sample from the associated entry point each year
 - Three most recent consecutive annual sample results below the trigger levels and treatment is not being used to satisfy maximum contaminant levels (MCLs): one sample from the associated entry point during each repeat three-year period

- Annual and triennial samples must be collected in the quarter in which concentrations were highest during the most recent year of quarterly monitoring
 - Sampling points with all initial monitoring results below trigger levels will begin compliance monitoring on a reduced schedule. All other sampling points will begin compliance monitoring on a routine schedule [40 CFR 141.902(b)(2)(i)]
 - Waivers (if applicable) – N/A
 - Increased Monitoring:
 - Most recent triennial sample results include PFAS at a level equal to or greater than a trigger level: Quarterly sampling begins in the next quarter for the associated entry point [40 CFR 141.902(b)(2)(ii)]
 - Most recent annual sample meets or exceeds an MCL or the State determines that the result is not reliably and consistently below the MCLs: Quarterly sampling begins in the next quarter for the associated entry point [40 CFR 141.902(b)(2)(iii)]
- **Any Additional/Special Sampling Requirements:**
 - Confirmation Samples – may be required [40 CFR 141.902(b)(2)(v)]
 - More frequent monitoring may be required at State’s discretion [40 CFR 141.902(b)(2)(vi)]

COMPLIANCE WITH THE MCL : For systems monitoring quarterly - based on the running annual average (RAA); For systems monitoring triennially, if any PFAS analyte is detected above trigger levels, quarterly monitoring is required; For systems monitoring annually, if any PFAS analyte is detected at or above the MCL or if the State determines that the result is not reliably and consistently below the MCLs, quarterly monitoring is required; the system will not be considered in violation of the MCL until April 26, 2029. [40 CFR 141.903(a-e)].

INCOMING REPORT/PLAN SUBMITTALS FROM SYSTEMS TO THE STATE :

- **Analytical Results for All Compliance Samples** MUST be submitted to the State by NC certified laboratories in required format. (15 NCAC 18C Section .1525; [40 CFR 141.31])
- **Sample Siting/Location Plans:** N/A
- **Waiver Applications:** N/A
- **Monthly Operating Reports:** N/A
- **Quarterly Status Reports and Corrective Action Plan Following MCL Violations**
- **Other Misc. Submittals if triggered by conditions of the rule:** N/A

OUTGOING ENFORCEMENT/REPORTS/APPROVALS FROM STATE TO SYSTEMS:

- **Violation Letters:** Includes monitoring/reporting violations and maximum contaminant level (MCL) violations
- **Administrative Orders**
- **Administrative Penalties**
- **Exceedance Letters :** N/A
- **Increased Monitoring Emails:**
 - Sent if any PFAS is found at or above trigger levels during triennial monitoring. Quarterly monitoring must commence for the associated entry point.
 - Sent if any PFAS is found at or above the MCL during annual monitoring or if the State determines that the result is not reliably and consistently below the MCLs during annual monitoring. Quarterly monitoring must commence for the associated entry point.

(February 2026)