



Groundwater Quality Standards PFAS Rulemaking Status

October 2025 Secretaries' Science Advisory Board Meeting

Bridget Shelton
Division of Water Resources



Rulemaking Authority

- The Environmental Management Commission (EMC) has the statutory authority to adopt groundwater standards under 15A NCAC 02L .0202.
 - Meeting materials for both current and prior meetings can be accessed on the EMC website at: <https://www.deq.nc.gov/about/divisions/water-resources/water-resources-commissions/environmental-management-commission>
- Rulemaking must follow the requirements and procedures in Chapter 150B (Administrative Procedure Act) of the NC General Statutes



Proposed Groundwater Standards for PFAS

Compound		Reference	Toxicity Benchmarks and Values Available ⁺	Proposed 02L Standard (ng/L)
1	PFOS	2023 EPA Toxicity Assessment [^]	RfD , CSF, MCL	0.7*
2	PFOA	2023 EPA Toxicity Assessment [^]	RfD, CSF , MCL	0.001*
3	HFPO-DA (GenX)	2021 EPA Human Health Toxicity Assessment [^]	RfD, MCL	10

[^]Used as basis for EPA's PFAS National Primary Drinking Water Regulation

⁺RfD: reference dose; CSF: cancer slope factor; MCL: Maximum Contaminant Level in drinking water

*The proposed standards for PFOA and PFOS are below the EPA reported practical quantitation limit (PQL)



Public Comment and Hearings

- Public Comment period: November 1, 2024 – December 31, 2024
- Public Hearings:
 - November 21, 2024 in Charlotte, NC
 - *10 people attended, 2 registered to speak*
 - December 2, 2024 in Wilmington, NC
 - *56 people attended, 16 registered to speak*
 - December 3, 2024 in Raleigh, NC
 - *19 people attended, 6 registered to speak*
- 576 individual written comments were received prior to the close of the comment period



Summary of Comments Received

- Comments are summarized with responses in the Hearing Officers' Report of Proceedings
- Majority of the individual comments received were in support of the proposed GenX, PFOA, and PFOS groundwater quality standards
- Other comment topics included:
 - Additional PFAS standards
 - EPA's PFAS National Primary Drinking Water Regulations
 - Implementation of the standards
 - Derivation of the standards



Hearing Officers' Recommendation

The Hearing Officers recommended that the proposed revisions to 15A NCAC 02L .0202 as public noticed, to establish groundwater standards for perfluorooctanoic acid (PFOA), perfluorooctane sulfonic acid (PFOS), and hexafluoropropylene oxide dimer acid (HFPO-DA) be adopted by the Environmental Management Commission.



Current Rulemaking Status and Anticipated Schedule

Action / Responsibility	Date
Stakeholder Meetings	January and February 2024
GWWMC/EMC Information Item Presentations	May and July 2022; July and November 2023; and January, March, and May 2024
GWWMC – Decision to revise RIA to include only PFOA, PFOS, and GenX and return to GWWMC	July 10, 2024
GWWMC – Decision to Approve Rule Text and RIA to go to EMC	September 12, 2024
EMC – Decision to Approve Rule and RIA for Public Comment	September 13, 2024
Public Comment Period	November 2024 – December 2024
Review public comments, draft Hearing Officers' Report	January 2025 – June 2025
EMC – Decision whether to Approve Hearing Officers' Report and final RIA, Adopt Rule	September 2025
Rules Review Commission – Decision whether to Approve Rule	October 2025
Proposed effective date, if approved by RRC	November 1, 2025

Thank you!

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