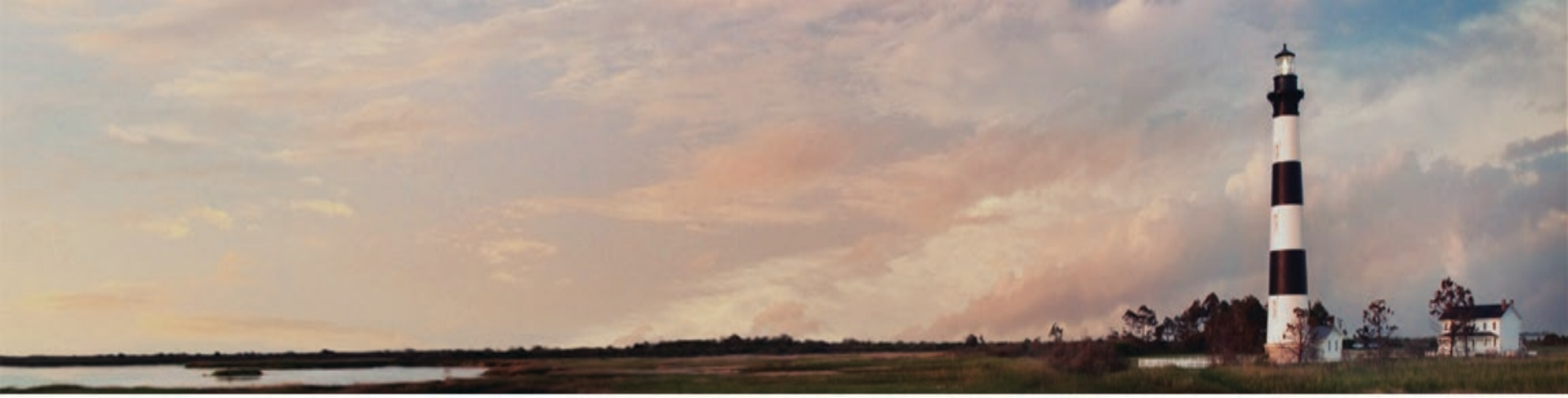

PFAS Rule and Requirements

November 18, 2026

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National Primary Drinking Water Regulation

- Due to the concerns about public health impacts related to PFAS, the U.S. Environmental Protection Agency (EPA) proposed and requested comment on a National Primary Drinking Water Regulation (NPDWR) for six PFAS contaminants in March of 2023.

- After receiving and incorporating comments on the proposed rule, the EPA published the final PFAS NPDWR to Federal Register on April 26, 2024.

- The final rule is listed in the Federal Register as 40 C.F.R. 141 Subpart Z – Control of Per- and Polyfluoroalkyl Substances (PFAS)

Finalized NC Rule

15A NCAC 18C .1540 is adopted as published in 39:12 NCR 767-768 as follows:

15A NCAC 18C .1540 CONTROL OF PER- AND POLYFLUOROALKYL SUBSTANCES

The provisions of 40 C.F.R. 141, Subpart Z – Control of Per- and Polyfluoroalkyl Substances (PFAS) are hereby incorporated by reference including any subsequent amendments and editions. Copies are available for public inspection as set forth in Rule .0102(a) and (b) of this Subchapter.

History Note: Authority G.S. 130A-315; 130A-320(c); P.L. 93-523; 40 C.F.R. 141; Eff. July 1, 2025.

NC Public Drinking Water Systems Impacted by the PFAS Rule

All NC Community Water Systems (CWSs) and Non-Transient Non-Community Water Systems (NTNCWSs) with their own source are affected by the PFAS rule.

Category	Number of Systems (updated Feb. 2026)
Total Number of Water Systems Affected	**1,951**
CWSs	1,652
NTNCWSs	299
Groundwater (GW) Systems	1,813
Surface Water (SW) Systems*	127
Systems with both GW and SW*	11

*Includes surface water purchase systems with their own source and Groundwater Under the Direct Influence of Surface Water (GWUDI) systems.

Final Rule MCLs and HI

Maximum Contaminant Levels (MCLs) for five individual PFAS and the Hazard Index (HI).

Chemical	Maximum Contaminant Level Goal (MCLG)	Maximum Contaminant Level (MCL)
PFOA	0	4.0 ppt
PFOS	0	4.0 ppt
PFHxS	10 ppt	10 ppt
HFPO-DA (GenX chemicals)	10 ppt	10 ppt
PFNA	10 ppt	10 ppt
Mixture of two or more: PFHxS, PFNA, HFPO-DA, and PFBS	Hazard Index of 1	Hazard Index of 1

Compliance determined by running annual averages at each entry point.

Hazard Index

The Hazard Index (HI) is a long-established approach that the EPA regularly uses, for example in the Superfund program.

- To determine the health concerns associated with exposures to chemical mixtures.
- It is calculated by adding the ratio of the water sample concentration to a Health Based Water Concentration.
- A HI greater than 1 requires a system to take action.
- To be considered an exceedance, the sample has to be a *mixture* of a minimum of two contaminants.

The Hazard Index calculation can be expressed as:

$$\text{Hazard Index (unitless)} = \left(\frac{HFPO\text{–}DA_{water}\ ppt}{10\ ppt}\right) + \left(\frac{PFBS_{water}\ ppt}{2000\ ppt}\right) + \left(\frac{PFNA_{water}\ ppt}{10\ ppt}\right) + \left(\frac{PFHxS_{water}\ ppt}{10\ ppt}\right)$$

MCL Calculation and Return to Compliance

- MCLs are based on an annual average calculated on a rolling basis (running annual average)

$$RAA = \frac{Q3_{2027} + Q4_{2027} + Q1_{2028} + Q2_{2028}}{4}$$

- Each time a new sample is collected, the system will return to compliance if the newly calculated RAA goes back below the MCL and/or HI.

Under the final PFAS Rule requirements, a public water system must:

- Conduct initial and ongoing compliance monitoring for the six regulated PFAS compounds.
  - Take samples at all entry points to the distribution system.
  - Sample “during periods of representative operating conditions.”
- Implement solutions to reduce regulated PFAS in their drinking water if levels exceed the MCLs.
- Inform the public of the levels of regulated PFAS measured in their drinking water and if one or more MCLs are exceeded.

PFAS Initial Monitoring Requirements

- Public water systems must initially monitor quarterly or bi-annually prior to April 26, 2027.
- Public water systems must conduct initial monitoring at each entry point to determine their compliance monitoring schedule.

Quarterly Samples

- Groundwater CWS and NTNCWS > 10,000 persons, all surface water CWS and NTNCWS, and all groundwater under the direct influence of surface water (GWUDI) CWS and NTNCWS.
- Must take four consecutive samples two to four months apart within a 12-month period (quarterly samples).

Bi-Annual Samples

- Groundwater CWS and NTNCWS ≤ 10,000 persons.
- Two samples five to seven months apart within a 12-month period.

PFAS Initial Monitoring Results

Compound	Trigger Level (ppt) – ½ MCLs
PFOA	2.0
PFOS	2.0
PFHxS	5
HFPO-DA (GenX)	5
PFNA	5
PFBS	N/A
HI	0.5 (unitless)

Quarterly Monitoring:

If ANY initial sampling result at the Entry Point > trigger level

Triennial Monitoring:

If ALL initial sampling results at an Entry Point < trigger levels

Each Entry Point can be on its own schedule.

Key PFAS Rule Effective Dates

Requirement	Effective Date
Meet the analytical requirements. (Initial monitoring samples must be analyzed by certified labs.)	June 25, 2024
Report the results of initial monitoring to the State.	April 26, 2027
Begin compliance monitoring.	April 26, 2027
Submit Consumer Confidence Report (CCR) and meet public notification requirements.	April 26, 2027
Meet the MCL compliance requirements.	April 26, 2029*

***EPA has proposed a rule revision that may grant extensions to 2031.**

EPA's Announcements

On May 14, 2025, the EPA stated its intention to revise the published PFAS regulations. Some possible changes that could occur include:

- Reevaluation and possible rescinding of regulations for PFHxS, PFNA, HFPO-DA (GenX chemicals), and the Hazard Index
- Extending the compliance deadline from 2029 to 2031
- Establishment of a federal exemption framework
- Enhanced outreach for small/rural communities (PFAS OUT)
- Establishment of Effluent Limitations Guidelines (ELGs) for PFAS

DC Court Issued an Order to Deny EPA's Motion to Vacate Hazard Index PFAS from Drinking Water Rule (Case Pending)

On January 21, 2026, the U.S. Court of Appeals for the DC Circuit took action in the AMWA and AWWA PFAS National Primary Drinking Water Regulation (NPDWR) lawsuit against EPA.

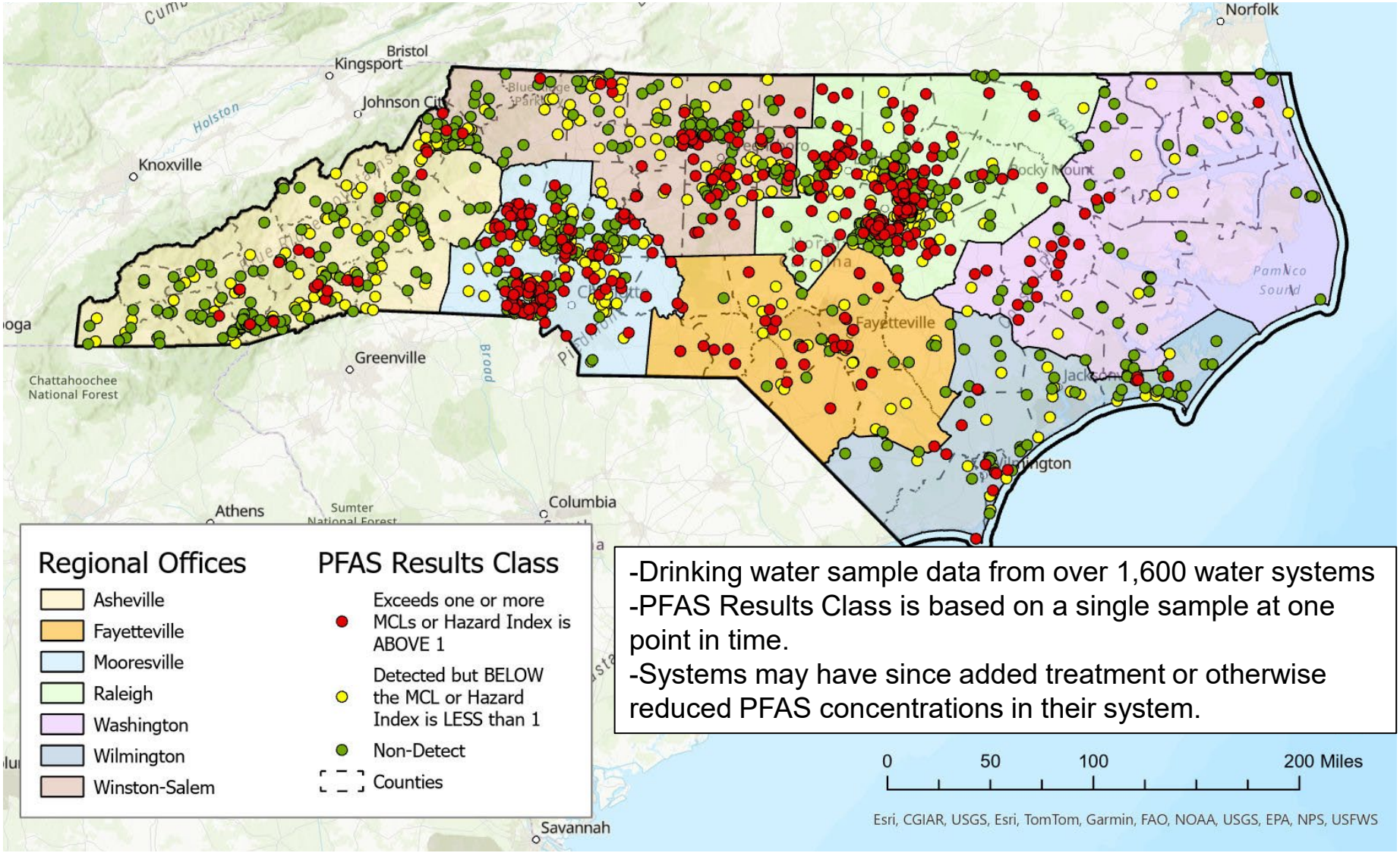
- The court issued multiple orders, including denying EPA's motion to vacate the Hazard Index PFAS compounds (PFHxS, PFNA, GenX, and PFBS) from the NPDWR.
- The court also directed EPA to file a notice informing the court of the portions of the NPDWR it no longer intends to advance.

Recent Developments

- **May 18, 2026:** EPA announced two proposed rules for PFAS in drinking water:
  - Rescission of regulatory determinations for PFHxS, PFNA, GenX, and the HI
  - Exemptions required for 2-year compliance deadline extensions for PFOA and PFOS
- **July 7, 2026:** A public hearing was held to discuss the proposed revisions to the PFAS rule.
- The deadline for public comments to be submitted was **July 20, 2026**.
- The final PFAS regulations are expected no later the **End of 2026**.

Until finalized rule revisions are implemented, the currently published rule will be upheld without exception.

Statewide PFAS Sampling Efforts



PWS Sampling Assistance

The Public Water Supply (PWS) Section is collecting initial monitoring samples from eligible water systems that have accepted no-cost sampling. This program covers:

- Sample collection completed by PWS staff
- Cost of lab analyses
- Data submission to the State

Systems that were sampled in Q1 or Q2 2026 and have not yet been sampled again in Q3 or Q4 2026 will be contacted to schedule their 2nd sample soon.

NCDEQ's Offer of No-Cost PFAS Sampling Supplies

The PWS Section has offered no-cost sampling supplies to eligible water systems to support completion of initial monitoring. This offer covers:

- Supplies for independent sample collection
- Cost of lab analyses
- Data submission to the State

Eligible systems have been contacted via email.

Acceptance Deadline: **May 29, 2026**

NCDEQ's Offer of No-Cost PFAS Sampling Supplies

REMINDERS:

- Place sample bottles in cooler(s) provided and **fill them to the top with ice**! Ice is much cheaper than resampling.
- A field reagent blank must be submitted with each sample.
- Ship the cooler(s) to the lab within 2 days of sample collection.
- Do NOT ship samples to the lab on Fridays or the day before holidays.



Thank You!

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