



SENATE BILL 257: 2026 Appropriations Act, Sec. 8.27: Water Safety Act.

2025-2026 General Assembly

Analysis of: S.L. 2026-41, Sec. 8.27

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Section 8.27 of S.L. 2026-41 (Senate Bill 257):

- Authorizes the Collaboratory at the University of North Carolina at Chapel Hill (Collaboratory) to use funds appropriated under S.L. 2026-41 for per- and polyfluoroalkyl substances (PFAS) research on emerging contaminants, including:
 - Detection methods for known and emerging PFAS and 1,4 dioxane.
 - Fate and transport of PFAS and 1,4 dioxane in environmental media.
 - Innovative remediation, filtration, and destruction technologies for PFAS and 1,4 dioxane.
 - Public health and toxicological impact assessments of PFAS and 1,4 dioxane.
 - Evaluation of the health impacts of PFAS mixtures and 1,4 dioxane found in the State's drinking water to more closely model real world public health scenarios.
 - Replacement compounds for PFAS and 1,4 dioxane.
 - Other topics the Collaboratory finds relevant to the characterization, biological transport, treatment, or control of emerging contaminants.
- Directs the Collaboratory, in cooperation with the Department of Environmental Quality (DEQ), to conduct a two-phased study to identify and quantify measurable PFAS discharges in the State by collecting samples from publicly owned treatment works (POTW) permit holders and certain National Pollution Discharge Elimination System (NPDES) permit holders following sampling protocols defined by the Collaboratory.

Phase 1 includes collection by DEQ or the POTW and analysis by the Collaboratory of influent, effluent, and sludge samples from (i) every permitted POTW in the State receiving effluent from one or more significant industrial users (SIUs) and (ii) every facility holding an NPDES permit for direct discharge of process wastewater from an industrial or commercial operation. The Collaboratory and DEQ must complete sampling and analysis of samples collected during this phase no later than December 31, 2027. No later than March 31, 2028, the Collaboratory must submit to DEQ, the Environmental Management Commission (EMC), and the Environmental Review Commission (ERC) a final report of a summary of the Phase 1 results, which must be anonymized or aggregated based on county or river basin and must also include regulatory recommendations for numerical mass loading reduction thresholds. All research data gathered and analyzed by the Collaboratory as part of Phase 1, with the exception of the actual contents contained within the report released publicly, is exempt from disclosure as a public record.

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Phase 2 includes collection by DEQ and analysis by the Collaboratory of influent and effluent samples collected from every SIU discharging to a POTW. The Collaboratory and DEQ must begin Phase 2 for SIUs of a POTW upon completion of Phase 1 sampling for that POTW and complete sampling and analysis for all SIUs no later than December 31, 2028.

Research data generated by the Collaboratory or its researchers under this study may be used for regulatory recommendations but may not be used for regulatory actions by the State of North Carolina. DEQ may take regulatory actions only in compliance with the sampling and analytic protocols required under DEQ's delegation of NPDES and pretreatment program authority from the Environmental Protection Agency. No later than March 31, 2029, the Collaboratory must submit to DEQ, the EMC, and the ERC a final report of a summary of the results, which must also include regulatory recommendations for numerical mass loading reduction thresholds. Upon publication of the report, the supporting data from Phase 2 will be a public record, unless exempted under other law.

The Collaboratory must consult with affected stakeholders, scientific experts, and State and local officials in the conduct of this study.

- Directs the Collaboratory to carry out a collaborative research effort in partnership with utilities and State regulators on all of the following:
 - The impact of land application of biosolids generated at POTW facilities across the State, including the amount of biosolids generated; types and concentrations of PFAS found in the biosolids; the locations of the final disposition of biosolids generated at, and removed by, the wastewater facilities; the amount of PFAS contributed by the biosolids to surface and groundwater sources; current and alternative biosolids management options; the development of new management practices and technologies to minimize or remove PFAS; and any other variables related to biosolids management deemed relevant by the Collaboratory and its research partners.
 - The concentrations and types of PFAS influent and effluent at wastewater treatment works facilities across the State, including identification of sources contributing to PFAS in facility influents; the fate and transport of PFAS effluent from the facilities; best management practices for identifying, managing, reducing, mitigating, and removing PFAS from both the influent and effluent at these wastewater facilities; development or deployment of PFAS reduction, mitigation, or destruction technologies to mitigate influent or effluent; and any other variables related to PFAS deemed relevant by the Collaboratory and its research partners.
 - The feasibility of developing PFAS reduction strategies for industrial discharges into either surface or groundwater in the State that may include analytical methods, targeted compounds, concentration thresholds, best available control technologies, development of new detection and reduction technologies, benefit-cost calculations, a proposed regulatory framework, and any other components deemed relevant by the Collaboratory and its research partners necessary to achieve PFAS reduction goals and standards.

POTWs and DEQ must partner with the Collaboratory to carry out this study to the extent permitted under public records laws, the requirements for protection of confidential information under law, or the terms of any delegation of enforcement authority under federal or State law or memoranda of agreement or understanding setting forth the delegation.

The Collaboratory must present the final results of this study to DEQ, the ERC, and the EMC no later than January 31, 2029.

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- Creates a new Article in the General Statutes titled "Emerging Contaminant Mitigation," which establishes the Emerging Contaminant Mitigation Fund (Fund) to support statewide efforts to detect, reduce, mitigate, and prevent exposure to emerging contaminants. The Fund consists of any funds appropriated to it by the General Assembly; the clear proceeds from litigation settlement agreements, final orders, or judgments of a court received by the State in settlement of litigation related to emerging contaminants; grants from federal agencies or other non-State entities; and all interest earned on the Fund. The Fund will be administered by the State Water Infrastructure Authority (SWIA), and may only be used to provide grants to units of local government operating public water or wastewater treatment systems for any of the following:
 - Emerging contaminant sampling and monitoring in drinking water, wastewater, surface water, and groundwater.
 - Installation or upgrade of water treatment technologies for emerging contaminant removal.
 - Emergency response and remediation of emerging contaminant contamination in soil, surface water, and groundwater.
 - Provision of technical assistance to significant industrial users for the purpose of mitigating, decreasing, or eliminating discharges of PFAS and 1,4-dioxane to publicly owned treatment works.

This section became effective July 1, 2026.