

PFAS Policy Activity

Chemical Regulation



Issue Summary

Acting at the direction of Congress and on its own initiative, EPA has recently announced a range of actions that it has taken, or will take, to address per- and polyfluorinated alkyl substances (PFAS).

Significant policy activity has been occurring under the Toxic Substances Control Act (TSCA), Emergency Planning and Community Right-to-Know Act (EPCRA), Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and Safe Drinking Water Act (SDWA). There have also been a wide range of PFAS-related bills introduced in Congress.

Business Impact on the Chemical Industry

Companies who manufacture or use PFAS in their manufacturing processes will need to comply with any additional regulations or restrictions as EPA and Congress move forward.



SOCMA's Goal

Ensure SOCMA members are adequately informed of current PFAS developments and actively engage on specific issues of interest.

Current Status

- TSCA § 8(a) reporting rulemaking. EPA is moving forward with a proposed rule that would require anyone who has manufactured or imported any PFAS since 2011 to report the uses, production volumes, disposal, exposures, and hazards of those materials.
- Addition of Three PFAS to the TRI. Last year, EPA published a final rule adding three PFAS to the Toxics Release Inventory: perfluorooctyl iodide, potassium perfluorooctanoate, and Silver (I) perfluorooctanoate. EPA can be expected to periodically add more PFAS to the TRI.
- EPA PFAS Strategic Roadmap. The document lays out a whole-of-agency approach to regulating PFAS.
- 2022 and 2023 National Defense Authorization Act (NDAA). Several provisions primarily focused on spill prevention and mitigation and environmental remediation and clean-up of military installations, formerly used defense sites, and national guard sites.
- Additional EPA Rulemakings: In the most recent Regulatory Agenda, EPA indicated that it intends to move forward with pending rulemakings involving PFOA and PFOS: a rule to list PFOA & PFOS as CERCLA hazardous substances; Safe Drinking Water limits for PFOA & PFOS; and a rule to list PFOA, PFOS & Gen X chemicals as hazardous under RCRA.

SOCMA Activity

- December 2019: Informed and educated members about the PFAS provisions in the 2020 NDAA bill.
- December 2022: Informed and educated members about the PFAS provisions in the 2022 NDAA bill.
- August 2022: Facilitated affected member companies' participation in SBREFA panel on TSCA § 8(a) PFAS reporting rulemaking.
- Continually monitoring regulations and legislation related to PFAS.