

EPA Announces PFAS Action Plan

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On February 14, 2019, EPA announced a new [action plan](#) to address a group of emerging contaminants known as per- and polyfluoroalkyl substances (PFAS), also known as perfluorinated chemicals (PFCs). The action plan calls for regulatory action, research programs, risk communication tools, and enforcement measures. EPA intends to take a wide variety of actions under the plan, including the following priority actions, which EPA intends to take this year:

- Propose a national drinking water regulatory determination for perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) under the Safe Drinking Water Act, which could eventually result in the Agency establishing a maximum contaminant level (MCL) for PFOA and PFOS.
- Proceed with the regulatory development process for listing PFOA and PFOS as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).
- Develop interim cleanup recommendations for PFOA and PFOS contamination in groundwater, which may be considered for cleanups under CERCLA, the Resource Conservation and Recovery Act (RCRA) and state cleanup programs.
- Conduct toxicity assessments for certain shorter-chain PFAS known as GenX chemicals and update a toxicity assessment for perfluorobutane sulfonic acid (PFBS). EPA also intends to develop toxicity values for certain PFAS chemicals.
- Review new PFAS under the Toxic Substances Control Act (TSCA) and issue supplemental proposed Significant New Use Rules (SNURs) for PFAS under TSCA.

EPA intends to take several other short-term and long-term actions under the action plan, including initiating enforcement actions against parties responsible for releasing PFAS into the environment, evaluating whether to implement PFAS effluent limitation guidelines for wastewater discharges, considering whether to include PFAS as chemicals that are subject to Toxic Release Inventory (TRI) reporting under the Emergency Planning and Community Right-to-Know Act (EPCRA), and proposing nationwide drinking water monitoring for PFAS under the Unregulated Contaminant Monitoring Rule (UCMR).

EPA's action plan reflects the increasing regulatory and public scrutiny regarding PFAS in commerce and the environment. Stakeholders should watch these regulatory developments closely and remain apprised of the rapidly

evolving regulatory landscape.

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