

EPA Proposes New Reporting and Recordkeeping Rule for PFAS

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On June 28, 2021, EPA proposed a [new reporting and recordkeeping rule](#) for per- and polyfluoroalkyl substances (PFAS) pursuant to Section 8(a)(7) of the Toxic Substances Control Act (TSCA), as amended by the National Defense Authorization Act. The proposed rule applies to PFAS manufacturers and importers, including small manufactures and manufacturers who produce PFAS as a byproduct. If finalized, the rule would require certain persons that manufactured or imported PFAS in any year since January 1, 2011, to report information related to chemical identity, categories of use, volumes manufactured and processed, byproducts, environmental and health effects, worker exposure, and disposal. Affected entities will have one year from the effective date of the final rule to submit their required disclosures to EPA. In addition to reporting, the proposed rule would require records documenting any information reported to EPA to be retained for a period of five years.

EPA will accept comments on the proposed rule until August 27, 2021. The proposed rule is part of a package of regulatory activities recently taken by EPA related to PFAS, including [withdrawing](#) January 2021 guidance regarding EPA's July 2020 Significant New Use Rule for certain long-chain PFAS and by adding [three more PFAS](#) to the Toxics Release Inventory.

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