

PFAS Regulatory Framework and Strategies for Assessing Enterprise Risk

Brittany Barrientos, Brittany.Barrientos@Stinson.com

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	Strengthening Science	Fulfilling Statutory Obligations	Building Partnerships
Clean Water Act		ELGs (PFAS manufacturers, metal finishers, others) Enforcement (releases)	Biosolids
Clean Air Act	Info Collections/Section 114s		Assist with pending state air petitions
RCRA	Destruction/Disposal guidance	Address releases from manufacturers and producers	
CERCLA			Remediation (drinking water supplies)
SDWA		MCLs Inspections + endangerment Address most significant compliance challenges under NPDWR	
TSCA	Section 4	Enforcement (use) Risk-based reviews Narrowly tailored Section 8(a)(7)	
EPCRA		TRI per Defense Authorization Act	
Etc.	Lead Agency Testing methods	Assist with passage of "polluter pays" framework protecting "passive receivers"	Assist states with risk-assessments and enforcement

	Current Framework	2025 Announced Actions + Status	Unified Regulatory Agenda
CWA	ELG studies: textiles, pulp and paper, airports		
	Strategic Plan ELGs: OCPSF (Jan. 2025 to OMB), metal finishing, landfills, steam electric, meat and poultry	OCPSF withdrawn (from OMB)	New NPRM expected January 2026
	Draft HH ambient WQC (2024)	PFAS Manufacturers and metal finishers (press release)	New NFPRM expected June 2026
	NPDES permit guidance (Dec. 2022)		Comments closed April 2025
	POTW Influent study (Oct. 2024)		NPRM to address PFAS in permitting exp. Nov. 2025
	Biosolids guidance (Jan. 2025)	Finish public comment period and determine path (press release)	
		Enforce CWA PFAS limits to prevent release (press release)	
CAA	Strategic Plan: Inclusion of PFAS in AERR		
	Petitions to designate PFAS as HAP	Review and evaluate pending state petitions (press release)	NJ, NM, NC 8/24 Petition (PFOA, PFOS, PFNA, GenX as HAPs)
		Information collection (press release)	
RCRA	Nine PFAS + RCRA Corrective Action (PR Feb. 2024)		Final Rule exp. April 2026
	PFAS Destruction and Disposal Guidance (Oct. 2024)	Update PFAS Destruction and Disposal Guidance (press release)	
		Testing methods + detection and addressing (press release)	
		Better utilize RCRA (press release)	
CERCLA	PFOS and PFOA as hazardous substances (May 2024) ¹	(litigation)	
	NPRM adding 7 more PFAS to HS list (April 2023)		
		Advance remediation efforts where DW impacted (press release)	
SDWA	PFOA and PFOS MCLs (April 2024) ²	MCLs for PFOA and PFOS will be retained (press release)	Proposed rule expected Oct. 2025
	Initial MCL monitoring (2024-27); compliance (2029)	w/ extended compliance period to 2031 (press release)	Final rule expected April 2026
	UMCR-5		
		Reconsideration of PFHxS, PFNA, HFPO-DA (commonly known as GenX) and mixtures (press release)	Withdrawal of PFHxS, PFNA, GenX and mixtures exp. Sept. 2025; final rule Feb. 2026
		Investigate and address immediate endangerment (press release) Prioritize risk-based review of new and existing PFAS (press release)	
TSCA	PFAS Reporting Rule (Oct. 2023)	Implement smartly (press release); extend compliance dates	Interim Final Rule (extended to Oct. 2026-April 2027)
		Considering other changes (press release)	Proposed rule expected Dec. 2025; final June 2026 (at OMB)
	SNUR (Jan. 2024)		
		Implement testing strategy under Section 4 (press release)	
EPCRA		Enforce TSCA to prevent releases	
	TRI – 200+ PFAS (2020+) (most recent Oct. 2024)	Add PFAS to TRI (press release)	Final rule exp. Feb. 2026
	DFAA (proposed rule January 2025)	Defense Authorization Act	Final Rule exp. Nov. 2025

And there's more ...

- CERCLA Hazardous Substance designation: In litigation (*Chamber of Commerce v. EPA*, Case No. 24-1193) (abeyance until Sept. 17, 2025; Motion to Govern required)
- SDWA MCL Litigation (*American Water Works Ass'n v. EPA*, Case. No. 24-1188) (Sept. 10 Motion to Govern: briefing through year-end)
 - Sept. 11: EPA filed Motion to Vacate Regulatory Determinations and Regulations for PFNA, PFHxS, HFPO-DA, and the Index PFAS alleging EPA did not follow mandatory procedural requirements; requests vacatur to undergo new rulemaking

Thank You



Brittany Barrientos

816.691.2358

brittany.barrientos@stinson.com