

PFAS Reporting Rule Likely to Impact Many Businesses

PUBLISHED ON

October 5, 2021

A pending federal requirement that companies report their use of per- and polyfluoroalkyl substances (PFAS) - commonly known as "forever chemicals" - will likely have significant impacts on many businesses, including those that have not previously had to deal with federal reporting requirements.

The [proposed rule](#) would require businesses that have manufactured, processed or imported PFAS substances to submit a comprehensive report detailing all of those uses for a 10-year period. While the reporting would be a one-time requirement, compliance could pose a significant burden for businesses that may not have routinely documented their past usage of PFAS substances.

PFAS are a ubiquitous class of chemicals that were commonly used in surface coatings of paper and cardboard packaging, carpets, non-stick pans, textiles and firefighting foams. Several classes of PFAS are suspected of causing a wide variety of health problems, especially from drinking water contamination. PFAS are highly mobile and persistent in the environment. The proposed rule is intended to provide the EPA with a more comprehensive understanding of the potential risks of PFAS.

The EPA proposed the rule in June, and the public comment period ended in September. A final version could be coming soon, and it could include whatever changes the EPA deems necessary from the public comments. Its proposed version would require any business that manufactures or imports PFAS, including products that might contain the chemicals but are otherwise finished products before being imported, to report these imports back to 2011.

Potentially impacted businesses should familiarize themselves with the rule's requirements and determine whether they would be covered by the rule and, if so, how they would comply.

If you have any questions about how the proposed rule could affect your business, please [contact me](#) or anyone in the [Barley Snyder Environment & Energy Industry Group](#).

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