



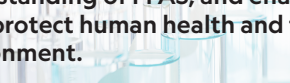
**EPA's TRI Toxics Tracker depicting total releases reported in 2022 in a 10 mile radius of West Chester, PA.**

While the recent TRI rule requiring enhanced PFAS reporting eliminated the de minimis exemption, EPA's final rule under TSCA requires reporting by all manufacturers and importers of PFAS and PFAS-containing materials, regardless of whether PFAS are released into the environment. The TSCA reporting rule took effect on November 13, 2023 and is another major step toward breaking the PFAS cycle. The rule requires companies that have manufactured or imported PFAS for commercial purposes in any year since 2011 to report to EPA the chemical identity, uses, volumes made and processed, byproducts, environmental and health effects, worker exposure, and disposal. Reporting will begin in 2025 with manufacturer reporting deadline in May 2025 and importers of PFAS-containing materials deadline in November 2025.

- (1)  $R-(CF_2)-CF(R')R$ , "where both the  $CF_2$  and  $CF$  moieties are saturated carbons.
- (2)  $R-CF_2OCF_2-R'$ , "where  $R$  and  $R'$  can either be  $F$ ,  $O$ , or saturated carbons.
- (3)  $CF_3C(CF_3)R'R$ , "where  $R'$  and  $R$ " can either be  $F$  or saturated carbons."

- ▶ **What you need to know:** Companies must submit reports within 18 months of the effective date (November 13, 2023). However, small businesses solely importing PFAS-containing articles have an additional 6 months, with their deadline falling in November 2025. The manufacturers and importers are expected to incur costs over \$800 million while the long-term benefits to the environment are largely considered to be unquantifiable. Despite the cost, EPA expects the data reported will be invaluable to state and federal governing agencies for implementing policies or laws that will protect people from adverse effects of PFAS (EPA, 2023c).
- ▶ **Impact:** Access to the newly reported PFAS data allows governing agencies to develop risk management strategies based on data rather than assumptions (EPA, 2023c). The long-term, qualitative benefits of this approach will expose who the current primary PFAS manufacturers are, and could present another opportunity to break the PFAS cycle. While the future of the structural definition for PFAS remains uncertain, its use under TSCA is a significant step toward managing PFAS more effectively.

On December 14, 2023, EPA issued its Second Annual Progress Report on their 2021 PFAS Strategic Roadmap (EPA, 2023d). The Roadmap outlined their approach to restrict, remediate, and research PFAS following a “whole of Agency” approach where actions are taken by multiple EPA offices, as noted below.

RESTRICT	REMEDIATE	RESEARCH
<p>Proactively and comprehensively prevent PFAS pollution in the air, land, and water before it threatens human health and the environment.</p> 	<p>Advance PFAS cleanup in air, water, and land to safeguard human health and ecological communities.</p> 	<p>Support research, development, and innovations that will advance methods, enhance our understanding of PFAS, and enable us to protect human health and the environment.</p> 



Since 2021, EPA has made progress in six areas including:

- (1) enhancing chemical safety
- (2) safeguarding drinking water
- (3) protecting clean water
- (4) cleaning up PFAS contamination
- (5) strengthening the scientific and data foundation
- (6) holding polluters accountable

2023 Fast News on PFAS newsletters Issues 1-4 have addressed EPA's progress in these areas, including development of the proposed Maximum Contaminant Levels (MCL) for six PFAS and a refresher of the process of developing and implementing a new MCL; discussion of the preliminary Fifth Unregulated Contaminant Monitoring Rule data; and a discussion of the HFPO DA toxicity testing order. We encourage everyone to read our previous newsletters for summaries on key progress areas.

This past year, EPA made progress in critical funding initiatives for managing and eliminating PFAS exposures. EPA began allocating some of the \$10 billion allotted for PFAS drinking water issues from the Bipartisan Infrastructure Law (BIL). Of the \$10 billion, EPA has distributed nearly \$1 billion through the BIL State Revolving Fund Emerging Contaminants program and the first \$2 billion in grant funding to states, Tribes, and territories through the new Small or Disadvantaged Communities Emerging Contaminants program. These programs fulfill the Justice40 pledge to direct 40% of federal investment, like \$10 billion for PFAS cleanup in drinking water, to marginalized and disadvantaged communities (White House, 2022).

► **What you need to know:** While EPA didn't finalize rules and regulations in each of the six areas listed above, they continue to make progress in all areas. Many, if not all, of the actions taken by EPA have met some pushback along the way to finalization. Given what we know today, we should expect 2024 to be a busy year for EPA and those who are impacted by the various rule makings and regulations. Additionally, many states are moving forward independently of the EPA, implementing regulations that impart a different set of obligations on the regulated community.

Small or disadvantaged communities can access the funding to address emerging contaminants at the following two websites: <https://www.epa.gov/dwcapacity/emerging-contaminants-ec-small-or-disadvantaged-communities-grant-sdc> and <https://www.epa.gov/tribaldrinkingwater/epas-tribal-drinking-water-funding-programs>

► **Impact:** 2023 marked a turning point in PFAS, with a focus on more robust reporting actions. The regulated community must now navigate these federal and state requirements and procedures to ensure compliance. However, progress was not limited to understanding the complete and complex PFAS cycle - but extended to breaking the PFAS cycle. For example, the transparent TSCA and TRI reporting allows an informed public to pressure the manufacturers and importers to make decisions that reduce the human health and environmental impact—and break the PFAS cycle. Seeing billions of dollars made available to the most hard-hit communities is a major step toward closing the PFAS gap and empowering vulnerable communities.



## WESTON PRACTITIONER SPOTLIGHT

**STACIE POPP-YOUNG, P.E., LEED AP®**

PRINCIPAL PROJECT ENGINEER

38 YEARS WITH WESTON

Stacie has 38 years of engineering and environmental experience, including over a decade tackling the complexities of PFAS. From QA/QC, planning, regulatory interface, and remediation design, her technical expertise spans CERCLA, RCRA, and emerging contaminants. Stacie tracks and interprets regulations, conducts investigations and response actions, and evaluates waste disposal and treatment options to save the client time and money. Her in-depth understanding of regulatory and technical QA/QC issues relating to PFAS allows Weston to plan and implement high-quality investigations and remedial actions.



*I have been fortunate that my career at Weston has allowed me to work at various and interesting locations on commercial, state, and federal projects. I have collaborated with clients and professionals from numerous disciplines and locations. Seeing projects through from investigation to remediation, solving complex problems with PFAS, and staying involved with sustainability has been very fulfilling. My passions are mentoring and training the next generation of technical personnel; educating the public and clients about sustainability and environmental topics, and volunteering at Make a Difference events and other charities.*

# LET'S MEET UP!



## A&WMA Science of PFAS Conference



## ITRC Annual Meeting



## 2024 SAME Rocky Mountain Region/ Omaha District Industry Day



## USACE Tulsa SAME/Industry Day



## Capital Week

### About:

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