



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Addition of Certain Per- and Polyfluoroalkyl Substances/Community-Right-to-Know Act: U.S. Environmental Protection Agency Issues Final Rule

05/27/2020

The United States Environmental Protection Agency (“EPA”) issued a final rule adding certain per- and polyfluoroalkyl substances (“PFAS”) to the Toxic Release Inventory (“TRI”) Chemical List under Section 313 of the Emergency Planning and Community Right-to-Know Act and Section 6607 of the Pollution Prevention Act.

EPA states that the addition of these PFAS was mandated by the National Defense Authorization Act.

PFAS consists of a large group of man-made chemicals. Their properties include resistance to heat, water, and oil. They have been described as persistent in the environment and resist degradation.

The compounds have been used in various industrial applications of consumer products such as:

- Fabrics for furniture
- Paper packaging for food and other material resistant to water, grease, or stains
- Firefighting at airfields
- Utilization in several industrial processes

Potential exposure to PFAS includes pathways through drinking water, air, and food.

One hundred and seventy-two (172) PFAS were added to the TRI. A 100 pound reporting threshold was established for these substances. The rule becomes effective immediately because it is being undertaken pursuant to a Congressional legislative mandate.

A link to the EPA rule, including the identification of the relevant PFAS can be found [here](#).