

EPA Adds Nine Additional PFAS to the Toxics Release Inventory: Implications for Businesses and Communities

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The US Environmental Protection Agency (EPA) has made a significant update to its Toxics Release Inventory (TRI)¹, automatically adding nine per- and polyfluoroalkyl substances (PFAS) to the list of chemicals subject to reporting requirements. This action, announced on January 3, 2025, marks another step in the Biden-Harris Administration's push for environmental accountability and transparency, particularly in underserved communities disproportionately affected by chemical exposure.

Why This Matters

PFAS, often referred to as "forever chemicals" due to their persistence in the environment, have been linked to various health and environmental concerns. By including more PFAS in the TRI, the EPA is advancing its mission to ensure that communities, businesses, and regulators have access to crucial data on chemical releases. For businesses, this means increased scrutiny and the need to align operations with evolving regulatory requirements.

The Addition of Nine PFAS: What You Need to Know

The new PFAS added to the TRI list for Reporting Year 2025 include:

- + Ammonium perfluorodecanoate (PFDA NH₄) (CAS No. 3108-42-7)
- + Sodium perfluorodecanoate (PFDA-Na) (CAS No. 3830-45-3)
- + Perfluoro-3-methoxypropanoic acid (CAS No. 377-73-1)
- + 6:2 Fluorotelomer sulfonate acid (CAS No. 27619-97-2)
- + 6:2 Fluorotelomer sulfonate anion (CAS No. 425670-75-3)
- + 6:2 Fluorotelomer sulfonate potassium salt (CAS No. 59587-38-1)
- + 6:2 Fluorotelomer sulfonate ammonium salt (CAS No. 59587-39-2)
- + 6:2 Fluorotelomer sulfonate sodium salt (CAS No. 27619-94-9)
- + Acetic acid, [(γ-ω-perfluoro-C8-10-alkyl)thio] derivs., Bu esters (CAS No. 3030471-22-5)

These additions result from the EPA's finalization of toxicity values for these substances in 2024 and the declassification of certain chemical identities previously protected as confidential business information (CBI).

Key Implications for Businesses

Enhanced Reporting Requirements

Facilities in industries subject to TRI reporting must track their use, manufacture, and disposal of these nine PFAS starting January 1, 2025. Reporting forms are due by July 1, 2026. Businesses will need to:

- + Implement tracking mechanisms for PFAS usage and emissions.
- + Review and update compliance protocols to meet TRI requirements.
- + Prepare for potential audits or inspections focused on PFAS management.

Elimination of Reporting Exemptions

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In October 2023, the EPA classified all TRI-listed PFAS as “chemicals of special concern.” This designation eliminates the *de minimis* reporting exemption, which previously allowed facilities to bypass reporting for PFAS used in low concentrations. Companies must now disclose any activity involving these substances, regardless of concentration levels.

Increased Community Scrutiny

TRI data is publicly available, enabling communities to monitor local facilities' chemical management practices. This transparency could amplify public and media scrutiny, making it essential for businesses to proactively communicate their compliance efforts and environmental stewardship.

Opportunities and Challenges for Communities

Opportunities

Informed Decision-Making: Community members can access detailed information on PFAS releases in their areas, empowering them to advocate for safer practices and engage in local environmental planning.

Improved Environmental Justice: The expanded TRI data aligns with the administration's environmental justice goals by highlighting potential risks in underserved neighborhoods.

Challenges

Data Interpretation: Understanding TRI data can be complex, requiring community organizations and individuals to rely on experts or tools to interpret the implications of reported emissions.

Resource Allocation: Local governments may face challenges in addressing PFAS contamination without adequate funding or technical support.

What's Next for Stakeholders?

For Businesses

Compliance Preparation: Companies should conduct internal audits to identify PFAS usage and ensure accurate reporting. Legal and environmental teams should stay abreast of further EPA actions related to PFAS.

Community Engagement: Transparent communication with local communities can build trust and mitigate reputational risks. Consider hosting informational sessions or publishing sustainability reports.

For Communities

Advocacy and Action: Use TRI data to engage with local authorities and businesses about PFAS management. Advocate for stricter regulations or remediation efforts where necessary.

Collaboration with Experts: Partner with environmental organizations or academic institutions to better understand the health and environmental impacts of PFAS in your area.

Call to Action

The addition of nine PFAS to the TRI underscores the growing regulatory focus on these persistent chemicals. Businesses must act now to ensure compliance and demonstrate environmental responsibility. Communities, armed with greater transparency, have an opportunity to advocate for safer and cleaner environments. By working together, stakeholders can address the challenges posed by PFAS and pave the way for a healthier future.

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¹ The TRI was established by the Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986, following concerns about environmental and public health risks from hazardous chemicals. TRI was designed to provide the public with data on the release of toxic chemicals into the air, water, and land, promoting transparency and empowering communities to take action to reduce exposure. It is a key tool for environmental monitoring and informs both regulatory agencies and the public about the chemical waste practices of industries.

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