

EPA Issues Interim Final Rule Extending TSCA PFAS Reporting Deadlines

By **Howard P. Goldberg** | **Brian D. Gross** | **Mikaela Barbour**

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Introduction

On May 12, 2025, the US Environmental Protection Agency (EPA) issued an interim final rule significantly extending the reporting deadlines for PFAS reporting under Section 8(a)(7) of the Toxic Substances Control Act (TSCA). The extension postpones the start of the reporting period by nine months—from July 11, 2025, to April 13, 2026—and sets a new submission deadline of October 13, 2026, for most manufacturers. Small manufacturers who import PFAS-containing articles will now have until April 13, 2027, to comply.

This extension responds to feedback from stakeholders and is designed to give EPA additional time to finalize and test the electronic reporting system. Significantly, EPA's delay also provides industry more time to prepare for what many have described as a complex and demanding reporting obligation. According to its May 12, 2025 update, "EPA is separately considering reopening certain aspects of the rule to public comment," and the "delayed reporting date ensures that EPA has adequate time to consider the public comments and propose and finalize any modifications to the rule before the submission period begins." That statement, coupled with EPA's April 28 announcement that it would minimize the burden on article importers and small businesses, may mean that EPA is already considering future rule changes.

Scope and Purpose of the TSCA Section 8(a)(7) PFAS Reporting Rule

The 2023 final rule marked a significant expansion of EPA's data-gathering authority over PFAS. Issued pursuant to the 2020 National Defense Authorization Act, which amended TSCA to mandate reporting on PFAS, the rule requires any entity that manufactured or imported PFAS, including as components of articles, between 2011 and 2022, to report a broad range of information. This includes data on chemical identity, production volumes, uses, byproducts, disposal practices, worker exposure and known environmental or health effects.

EPA's stated objective is to build a comprehensive inventory of historical PFAS manufacturing and importation in the US to support future regulatory action, risk evaluation, and risk management efforts. Given the growing regulatory and public health focus on PFAS as a class of persistent and potentially harmful chemicals, the reporting rule represents a critical step in the federal government's effort to close longstanding data gaps.

Implementation Challenges and the Basis for Extension

In issuing the interim final rule, EPA cited the need for additional time to develop and test the electronic reporting platform that will be used to receive the required information. The agency emphasized that the extended timeline will not only allow for technical improvements but also enable regulated entities to provide feedback on the tool's usability and to request clarifying guidance on reporting expectations.

Stakeholders across multiple industries have raised concerns about the complexity of the reporting requirements and the burden associated with reconstructing over a decade of historical data. In particular, trade associations such as the RV Industry Association (RIVA) have highlighted the difficulty for article importers—especially small businesses—with limited access to upstream supplier information. These concerns appear to have factored heavily into EPA's decision to issue the interim final rule, as the agency acknowledged the need to provide reasonable timeframes for

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compliance and reduce the likelihood of widespread reporting errors.

Implications for Manufacturers, Importers and Article Handlers

The extended deadlines offer short-term regulatory relief but underscore the need for companies to begin preparing now. Manufacturers and importers must identify all PFAS that they handled from 2011 to 2022. Importantly, the reporting obligation applies even if the PFAS was imported unintentionally or as part of a complex product. The scope of required data, such as information related to environmental and health effects, will necessitate significant internal coordination and engagement with suppliers.

While EPA has not yet modified the substance of the TSCA PFAS reporting requirements, companies should not postpone their due diligence efforts to determine whether any such changes may impact their reporting obligations, as the delay is an acknowledgment that compliance will require substantial, time-consuming effort and that additional guidance and outreach will be critical. The final version of the reporting tool, once released, may also influence how companies structure their data collection efforts in the coming year.

Conclusion

By balancing regulatory objectives with industry feedback and technological readiness, EPA aims to facilitate more accurate and complete PFAS reporting submissions. The regulated community should view this extension not as a reason to delay preparation, but as an opportunity to carefully align compliance strategies with EPA's guidance and technological updates. As EPA advances its broader PFAS agenda, including potential future restrictions and risk management rules, early and thorough compliance with the reporting rule will be essential.