

Insights

TSCA PFAS REPORTING POSTPONED AGAIN

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The United States Environmental Protection Agency (“EPA”) has announced it will again delay the start of the data submission period for the Toxic Substances Control Act (“TSCA”) Section 8(a)(7) reporting requirement for per- and polyfluoroalkyl substances (“PFAS”), previously slated to begin April 13, 2026. According to a pre-published version of EPA’s rule modifying the submission period timeline, this action officially shifts the start of the reporting period to either January 31, 2027, or “to 60 days following the effective date of the agency’s forthcoming revision to the PFAS 8(a)(7) rule,” whichever is earlier.

In a published announcement regarding its adjustment to the submission period start date, EPA cited the agency’s need to “review the thousands of public comments on the November 2025 proposed updates [to the PFAS 8(a)(7) rule] so that the agency can refine the rule to better deliver timely, actionable reporting guidance without unnecessary loopholes that could delay health-protective decisions.” As previously reported, EPA has announced its intention to finalize a rule that will contain an exemption for “articles” (i.e., finished goods), and the final rule is expected later this year according to EPA.

Significantly, this extension does not include any substantive changes to the PFAS reporting requirements or changes to the ultimate reporting deadline— only to the start of the reporting timeframe. Under the currently proposed rule, the reporting window would remain open for three months following the start of the submission period.

For more information regarding what the shift in the reporting window means for your company’s reporting process or to get back on track with your PFAS reporting due diligence, please contact Erin Brooks, Christian Bromley, Nora Faris, Bryan Keyt, John Kindschuh, or any member of the PFAS team.

RELATED CAPABILITIES

- PFAS

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