



PFAS Strategic Roadmap: Office of Chemical Safety and Pollution Prevention Actions

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3rd Annual PFAS Meeting, Wilmington, NC
June 17, 2022

Overview of Today's Briefing

- **EPA's Approach to Tackling PFAS:** Principles and Goals
- **Actions:** Overview of Office of Chemical Safety & Pollution Prevention Activities – TSCA, TRI

EPA's Approach to Tackling PFAS: Principles

EPA using every tool in its toolbox. EPA's approach is centered around the following principles:

- Consider the Lifecycle of PFAS.
- Get Upstream of the Problem.
- Hold Polluters Accountable.
- Ensure Science-Based Decision-Making.
- Prioritize Protection of Disadvantaged Communities.

EPA's Approach to Tackling PFAS: Goals

RESEARCH

Invest in research, development, and innovation to increase understanding of PFAS exposures and toxicities, human health and ecological effects, and effective interventions that incorporate the best available science.

RESTRICT

Pursue a comprehensive approach to proactively prevent PFAS from entering air, land, and water at levels that can adversely impact human health and the environment.

REMEDiate

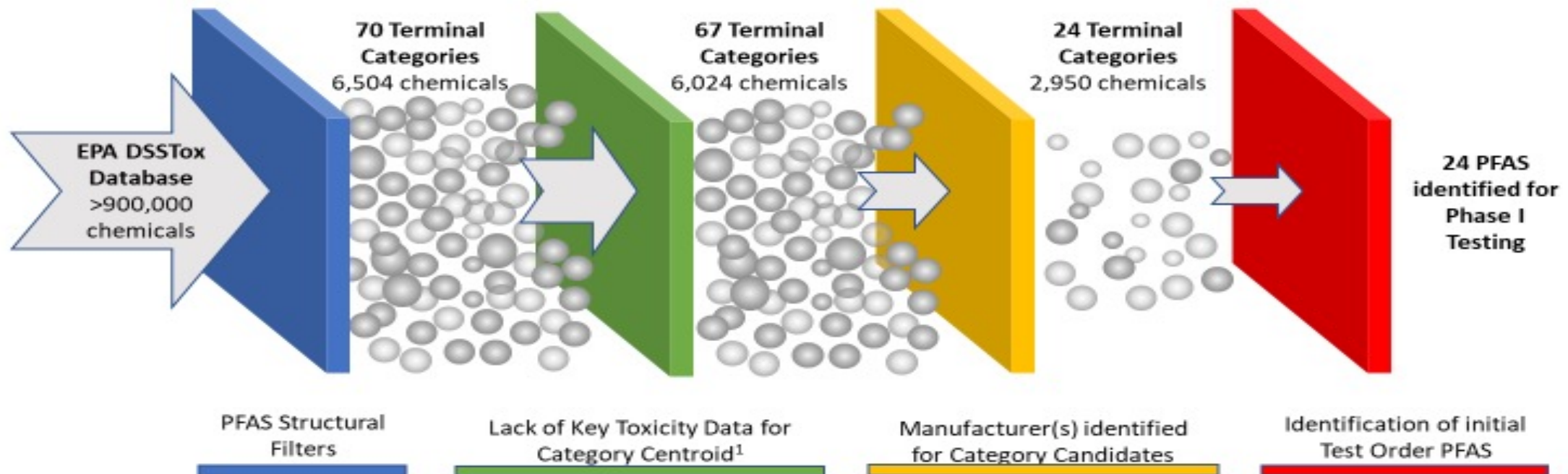
Broaden and accelerate the cleanup of PFAS contamination to protect human health and ecological systems.

Actions: Office of Chemical Safety and Pollution Prevention

- **Publish a national PFAS testing strategy.**
- **Ensure a robust review process for new PFAS.**
- **Review existing PFAS under TSCA.**
- **Enhance PFAS reporting under the Toxics Release Inventory.**
- **Finalize new PFAS reporting under TSCA Section 8.**

OCSPPP Action: Publish a National PFAS Testing Strategy

Development of PFAS Structural Categories & Identification of Testing Candidates
A Collaboration between EPA's Offices of Chemical Safety and Pollution Prevention & Research and Development



¹ In some cases, a PFAS within the category with close structural distance to the category's centroid was selected as the candidate

Take Home Messages

- The testing to be conducted under the Testing Strategy, and the category approach it employs, is strategic—to fill data gaps in a manner that will allow regulatory agencies to identify and focus on the highest potential risk PFAS soonest--and is also consistent with statutory direction to utilize a tiered testing approach and reduce testing in vertebrate animals.
- EPA expects to issue TSCA Test Orders in multiple Phases, the first focusing on human health hazard data.
- EPA expects to refine initial structural categories based on: (1) data collected from issuance of test orders, (2) mechanistic and toxicokinetic data, as available, and (3) evaluation of degradation products and exposure data (e.g., environmental monitoring, biomonitoring).
- The process for refining and issuing Test Orders will be an iterative process.
- While EPA expects to use TSCA Section 4 order authority to require PFAS manufacturers to conduct and fund the studies, the information derived from this testing strategy can be used across the Agency and by others to evaluate of toxicity and risks associated with this large class of chemicals to inform future research, monitoring, and regulatory efforts.

OCSP Action: Ensure a Robust Review Process for New PFAS

- EPA's TSCA New Chemicals program plays an important gatekeeper role in ensuring the safety of new PFAS prior to their entry in U.S. commerce. Where unreasonable risks are identified as part of the review process, EPA must mitigate those risks before any manufacturing activity can commence.
 - *Since early 2021, EPA has taken steps to ensure that new PFAS are subject to rigorous reviews and appropriate safeguards, including making changes to the policies and processes underpinning reviews and determinations on new chemicals to better align with the 2016 amendments.*
 - *In April 2021, the Agency announced that it would generally expect to deny pending and future LVE submissions for PFAS based on the complexity of PFAS chemistry, potential health effects, and their longevity and persistence in the environment.*
- A prohibition on all new PFAS or new uses of PFAS (which has been advocated by some) could have the unintended consequence of perpetuating or even increasing the use of older unrestricted PFAS – including unsafe PFAS which have never undergone EPA review, or which were reviewed decades ago when the Agency's understanding of the science and the risks associated with PFAS was very different than it is today.

OCSP Action: Review Existing PFAS under TSCA

- Review Previous Decisions on PFAS
 - *July 2021: Stewardship program to encourage companies to voluntarily withdraw of ~600 previously granted PFAS LVEs.*
 - *Issue TSCA Section 5(e) orders for existing PFAS for which significant new use notices (e.g., a new manufacturing process for an existing PFAS, or a new use or user) have recently been filed; impose rigorous safety requirements as a condition of allowing the significant new use to commence.*
 - *Improve approaches for overall tracking and enforcement of requirements in new chemical consent orders and significant new use rules (SNURs) to ensure that companies are complying with the terms of those agreements and regulatory notice requirements.*
- Close the Door on Abandoned PFAS and Uses
 - Many existing PFAS (i.e., that are already in commerce and listed on the TSCA Inventory of chemicals), are currently not subject to any type of restriction under TSCA.
 - Many PFAS (hundreds) have not been actively manufactured for many years and/or past uses have been abandoned.
 - Absent restriction, manufacturers are free to begin using those abandoned chemicals or resume those abandoned uses at any time.
 - *SNUR: Rulemaking to designate uses of a chemical that are not currently ongoing—and potentially all uses associated with an inactive chemical—as “significant new uses” → ensures that an entity must first submit a notice to EPA before it can resume use of that chemical or use. TSCA then requires EPA to review and make an affirmative determination on the potential risks to health and the environment and to require safety measures to address unreasonable risks identified.*

OCSP Action: Finalize new PFAS Reporting under TSCA Section 8(a)(7)

- As per the 2020 National Defense Authorization Act, in June 2021 EPA proposed rule to collect information on any PFAS manufactured since 2011, including:
 - Chemical or mixture identity, trade name, and molecular structure; Descriptions of byproducts resulting from the manufacture, processing, use, or disposal
 - Categories of use and quantity manufactured or processed for each category of use
 - Existing environmental and health effects information
 - Number of workers exposed and duration of exposure
 - Manner or method of disposal and any change in manner or method
- EPA has identified at least 1,364 PFAS meeting the structural definition, including:
 - All PFAS listed as active on the February 2021 TSCA Inventory and with TSCA section 5 (new chemicals) low-volume exemptions (including those with CBI identities)
- Proposal did not include, but took comment on, exemptions (e.g., articles)
- Public Comment ended September 27, 2021; Statutory Deadline for Final: January 1, 2023
- *Next Steps: Complete Small Business Advocacy Review → Finalize by Jan 1, 2023*

OCSP Action: Enhance PFAS Reporting under the Toxics Release Inventory

- 2020 NDAA: 172 PFAS reported TRI for RY2020.
 - Exemptions and exclusions resulted in lower reporting than expected.
 - *Rulemaking to categorize the PFAS on the TRI list as “Chemicals of Special Concern” and to remove the de minimis eligibility from supplier notification requirements*
- Continue 2020 NDAA Additions to TRI
 - *Automatic additions for certain PFAS (e.g., PFBS, GenX, certain PFAS subject to TSCA SNURs)*
 - *Rulemaking to add more PFAS to TRI in 2022*

For More Information

- **PFAS Strategic Roadmap:**
EPA's Commitments to Action 2021-2024
[epa.gov/pfas](https://www.epa.gov/pfas) & https://www.epa.gov/system/files/documents/2021-10/pfas-roadmap_final-508.pdf
- **National PFAS Testing Strategy:**
Identification of Candidate Per- and Polyfluoroalkyl Substances (PFAS) for Testing
<https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/national-pfas-testing-strategy>
- **Risk Management for Per- and Polyfluoroalkyl Substances (PFAS) under TSCA**
<https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-management-and-polyfluoroalkyl-substances-pfas>

Thank You

Questions?