



## Fall Has Sprung? EPA Signals PFAS Rollbacks in “Spring” Unified Agenda

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By: David H. Quigley, Brecken Petty, Shivani Swami (International Law Advisor)

On September 4, the U.S. Environmental Protection Agency (EPA) (finally) published its Spring 2025 Unified Agenda of Regulatory and Deregulatory Actions (UA), a semiannual publication outlining federal agencies’ regulatory priorities and timelines for the upcoming year. The UA included a notice of its intent to rescind drinking water limits set by a Biden-era rule for three per- and polyfluoroalkyl (PFAS) substances and one PFAS mixture. EPA also published a notice of intent to retain limits on PFOA and PFOS, although with extended timelines for compliance.

Specifically, EPA intends to finalize rules repealing the legally enforceable maximum contaminant levels (MCLs) for PFHxS, PFNA, GenX and PFBS in drinking water by February 2026, and to extend the PFOA and PFOS compliance timeline by April 2026. EPA followed the UA notice by asking the D.C. Circuit to vacate the former four drinking water limits in response to a legal challenge to the April 2024 rules: *American Water Works Association, et al. v. EPA*. Interestingly, EPA remained completely silent in the UA as to whether it will similarly repeal or limit the 2024 rule designating PFOA and PFOS as hazardous substances under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). A decision on those designations may come as early as this week, when a fifth stay expires in the Chamber of Commerce litigation challenging the EPA rule, requiring EPA to state whether it will defend the rule (or seek an additional extension of time to do so).

Akin will continue to track developments in rulemaking and the associated litigation—stay tuned!

## Categories

Policy & Regulation

Environment

Regulatory

Polyfluoroalkyl Substances (PFAS)

Environmental Protection Agency (EPA)

Fluoropolymer Focus

Perfluorooctanoic Acid (PFOA)

Perfluorooctanesulfonic Acid (PFOS)

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