



EPA Revisits PFAS Reporting (Again)

November 11, 2025

Reading Time : **2 min**

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

On November 10, 2025, the U.S. Environmental Protection Agency (EPA) released the pre-publication draft proposed rule to amend the PFAS reporting requirements under TSCA, entitled “Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) Data Reporting and Recordkeeping Under the Toxic Substances Control Act (TSCA); Revision to Regulation.” The proposal aims to augment the exemptions to the scope of the reporting requirements and introduces additional modifications to make the rule “more practical and implementable and reduce unnecessary, or potentially duplicative, reporting requirements for businesses.” Potentially offering even greater flexibility, it concludes with a request for comment on additional provisions.

As you already know, the original rule, finalized in October 2023, imposed a one-time requirement on entities that manufactured or imported PFAS or PFAS-containing products in any year between 2011 and 2022 to report data related to PFAS exposure and environmental and health effects to EPA. After two extensions due to delays in developing the reporting portal, the reporting window currently is set to open April 13, 2026, and close October 13, 2026. The proposed rule will delay it further, to begin 60 days after the final rule’s effective date and remain open for three months.

Under the proposed revisions, EPA would exempt PFAS manufactured or imported in mixtures or products at concentrations of 0.1% or lower, regardless of total production volume. Imported articles would also be excluded, as would PFAS manufactured as byproducts, impurities and non-isolated intermediates. PFAS manufactured or imported in small quantities for research and development purposes would likewise be exempt.

The proposal also contains technical corrections to the original rule, including changes to the scope and format of the health effects information required to be reported and changes to the names of certain consumer and commercial product categories. EPA proposes all of these changes to better align the information requested with the information needed under TSCA, and to ensure it comes from the parties most likely to have relevant information while minimizing duplication.

Lastly, the proposal outlines a number of specific requests for comment, including some regarding the provisions discussed above and others that may indicate a willingness to provide further dispensation through additional provisions. This latter category includes requests for comment on the scope of reportable chemicals (though not mentioned, this seems to open the door for a fluoropolymer discussion) and the EPA's underlying economic analysis.

Akin will continue to closely monitor the space and provide updates here – stay tuned!

Categories

Polyfluoroalkyl Substances (PFAS)

Environmental Protection Agency (EPA)

Fluoropolymer Focus

[Subscribe to the PFAS Press Blog Series >](#)

© 2025 Akin Gump Strauss Hauer & Feld LLP. All rights reserved. Attorney advertising. This document is distributed for informational use only; it does not constitute legal advice and should not be used as such.

Prior results do not guarantee a similar outcome. Akin is the practicing name of Akin Gump LLP, a New York limited liability partnership authorized and regulated by the Solicitors Regulation Authority under number 267321. A list of the partners is available for inspection at Eighth Floor, Ten Bishops Square, London E1 6EG. For more information about Akin Gump LLP, Akin Gump Strauss Hauer & Feld LLP and other associated entities under which the Akin Gump network operates worldwide, please see our Legal Notices page.