

# EPA Proposes Adding Nine PFAS to RCRA

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The United States Environmental Protection Agency (EPA) has announced a proposition to add nine per- and poly-fluoroalkyl substances (PFAS) to the list of hazardous wastes under the [Resource Conservation and Recovery Act](#) (RCRA). If implemented, this rule marks a significant expansion of regulations concerning this group of chemicals, which have been linked to a variety of health concerns.

PFAS are a group of man-made chemicals that include PFOA, PFOS, GenX, and many other substances. They are used in numerous industrial applications and consumer products such as carpeting, waterproof clothing, upholstery, food packaging, and non-stick cookware due to their water- and oil-repellent properties. PFAS are often referred to as “forever chemicals” because they do not break down in the environment and can accumulate over time in both the environment and the human body.

The proposed nine PFAS are:

1. Perfluorooctanoic acid.
2. Perfluorooctanesulfonic acid
3. Perfluorobutanesulfonic acid.
4. Hexafluoropropylene oxide-dimer acid.
5. Perfluorononanoic acid.
6. Perfluorohexanesulfonic acid.
7. Perfluorodecanoic acid.
8. Perfluorohexanoic acid.
9. Perfluorobutanoic acid.

The proposed rule by the EPA is part of a broader agency effort to address [PFAS contamination](#) across the country. The addition of these chemicals to the hazardous waste list under RCRA aims to ensure their safe disposal and manage potential releases into the environment to protect human health and ecosystems.

*Under the proposed rule, facilities that generate, transport, treat, store, or dispose of the nine targeted PFAS would be subject to stringent record-keeping, reporting, and disposal requirements that are characteristic of RCRA hazardous waste management. This could include mandatory tracking of PFAS wastes from the point of generation to final disposal and implementing measures to prevent releases and exposures.*

The inclusion of PFAS under RCRA also opens the door for enforcement actions to ensure compliance with the new regulations. Entities found violating the disposal standards could face significant penalties, thereby incentivizing proper handling and reducing the generation of these substances.

Moreover, the EPA’s proposal reflects growing public and scientific concern about the widespread presence of PFAS in the environment and their potential health impacts, which range from developmental issues to immune system suppression and an increased risk of certain cancers.

The EPA seeks public comment and input on this proposal to better understand the implications for affected industries and ensure that the final rule is both effective in reducing environmental and health risks and practicable for implementation. The public, stakeholders, and potentially impacted businesses are encouraged to participate in the rule-making process. The Public Comment period runs until April 8, 2024.

If this rule becomes final, it will not only signal the EPA’s commitment to tackling PFAS contamination but also push industries to innovate and find safer alternatives to these chemicals.

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