

2026 Unified Regulatory Agenda: PFAS-Related Actions

Released July 2026

On July 3, 2026, the current administration released its [“2026 Regulatory Plan and the Unified Agenda of Federal Regulatory and Deregulatory Actions,”](#) which details upcoming rulemakings, including actions related to per- and polyfluoroalkyl substances (PFAS). The U.S. Environmental Protection Agency’s [share of that agenda](#) includes PFAS-related actions from multiple national program offices. Most are existing proposals for which EPA is now updating timeframes.

EPA—Office of Water (OW)

- [Clean Water Act Effluent Limitations Guidelines and Standards for PFAS Manufacturers Under the Organic Chemicals, Plastics and Synthetic Fibers Point Source Category](#): As announced in the Effluent Guidelines Program Plan 15, EPA is revising the existing Organic Chemicals, Plastics, and Synthetic Fibers Effluent Limitations Guidelines and Standards (40 CFR part 414) to address PFAS discharges from facilities manufacturing PFAS. EPA released an Advance Notice of Proposed Rulemaking (ANPRM) in March 2021, and the proposed rule is currently expected in July 2026.
- [Clean Water Act Effluent Limitations Guidelines and Standards for PFAS Manufacturers Under the Organic Revisions to the Metal Finishing Effluent Guidelines to Address PFAS discharges in Chromium Electroplating Wastewater](#): As announced in the Effluent Guidelines Program Plan 15, EPA is revising the Metal Finishing Effluent Limitations Guidelines at 40 CFR part 433 to address discharges of PFAS in wastewater from chromium electroplating facilities. EPA continues to review the information and data collected during the Multi-Industry PFAS Study to determine potential next steps and expects a proposed rule in February 2027.
- [PFAS Requirements for NPDES Permit Applications](#): The Clean Water Act (CWA) prohibits discharging pollutants from a point source into waters of the United States unless the discharge is authorized by a National Pollutant Discharge Elimination System (NPDES) permit. NPDES permit applicants must report to the permitting authority only pollutants in their discharge that are listed in the NPDES application regulations at 40 CFR § 122.21. That list of pollutants has not been updated since 1987 and currently does not include PFAS. This proposed rulemaking seeks to update requirements applicable to several of the existing NPDES permit applications to address monitoring and reporting of PFAS. EPA anticipates a proposed rule in January 2027 and a final rule in May 2027.
- [Extending the Compliance Deadline for the PFAS National Primary Drinking Water Regulation Rulemaking](#): On May 20, 2026, EPA [proposed a rule](#) that provides additional time for public water systems to meet the compliance deadlines for the Maximum Contaminant Levels in the National Primary Drinking Water Regulations (“NPDWR”) for PFOA and PFOS. Through this rule, EPA intends address the most significant compliance challenges EPA has heard from public water systems and other stakeholders while still ensuring the long-term protection of the American people from PFAS-contaminated drinking water. Though the regulatory agenda indicates a final rule in July 2026, the comment period on the proposal only just closed on July 20, 2026.

- **Rescission of Regulatory Determinations and Removal of Related Provisions for Four PFAS Substances (PFHxS, PFNA, HFPO-DA (GenX), and the mixture of these three PFAS plus PFBS)**: On May 20, 2026, EPA [proposed to rescind](#) its regulatory determinations to regulate four PFAS: perfluorohexane sulfonic acid (PFHxS), perfluorononanoic acid (PFNA), hexafluoropropylene oxide dimer acid and its ammonium salt (HFPO-DA, commonly known as GenX), and the mixture of these three PFAS plus perfluorobutane sulfonic acid (PFBS) under the Safe Drinking Water Act. EPA also intends to propose to rescind all associated regulatory provisions associated with the [Final PFAS NPDWR](#) currently codified in 40 CFR part 141 and 142 exclusive to these PFAS that were promulgated pursuant to the regulatory determinations that EPA is now proposing to rescind. According to the regulatory agenda, EPA anticipates a final rule in September 2026.

EPA—Office of Land and Emergency Management (OLEM)

- **Listing of Specific Hazardous Constituents**: On February 8, 2024, EPA [proposed to add nine specific PFAS](#) to the list of hazardous constituents under the Resource Conservation and Recovery Act (RCRA). The nine PFAS are PFOA, PFOS, PFBS, HFPO-DA or GenX, PFNA, PFHxS, perfluorodecanoic acid (PFDA), perfluorohexanoic acid (PFHxA), and perfluorobutanoic acid (PFBA). If finalized, these PFAS would be among the hazardous constituents expressly identified for consideration in RCRA treatment, storage, and disposal facility assessments and, where necessary, further investigation and cleanup of these facilities through the RCRA corrective action process. EPA is considering public comments as it develops a final rule, which the agency anticipates issuing in January 2027.
- **Definition of Hazardous Waste Applicable to Corrective Action for Solid Waste Management Units**: On May 8, 2026, EPA withdrew its February 8, 2024, [proposal to modify RCRA regulations](#) to amend the regulatory definition of hazardous waste applicable to corrective action to address releases from solid waste management units at hazardous waste treatment, storage, and disposal facilities. Having considered public comments on the proposal, the Agency concluded that the proposed revisions to the existing regulations would have complicated, rather than contributed to, efficient implementation of corrective action. The action has been removed from the regulatory agenda.

EPA—Office of Chemical Safety and Pollution Prevention (OCSP)

- **PFAS Data Reporting and Recordkeeping under the Toxic Substances Control Act (TSCA); Revision to Regulation**: On November 13, 2025, EPA [proposed to amend](#) the TSCA Section 8(a)(7) regulation for reporting and recordkeeping requirements for per- and polyfluoroalkyl substances (PFAS). As promulgated in October 2023, the regulation requires manufacturers (including importers) of PFAS in any year between 2011-2022 to report certain data to EPA related to exposure and environmental and health effects. EPA is considering incorporating certain exemptions and other modifications to the scope of the reporting rule. According to the regulatory agenda, EPA expects a final rule in July 2026. Meanwhile, in April 2026, EPA finalized an extension of the reporting period for TSCA Section 8(a)(7) submissions by 60 days following the effective date of the final rule, once issued.
- **Addition of Certain Per- and Polyfluoroalkyl Substances (PFAS) to the Toxics Release Inventory (TRI)**: EPA is developing a final action to add individually listed PFAS and PFAS categories to the Toxics Release Inventory (TRI) list of toxic chemicals subject to reporting under the Emergency Planning and Community Right-to-Know Act (EPCRA) and the Pollution Prevention Act (PPA). EPA is evaluating comments received on the [proposed rule](#) published on October 4, 2024, and will consider how to address PFAS compound categories and what events may trigger the automatic addition of a PFAS to the TRI. The Agency anticipates a final rule in July 2026.

- **TRI; Clarification of Toxic Chemicals Due to Automatic Additions of PFAS Under the NDAA**: The FY2020 NDAA adds certain PFAS automatically to the TRI beginning January 1 of the year following specific triggering events. EPA is making conforming edits to the TRI regulation to explicitly include PFAS that are added to the TRI chemical list automatically pursuant to the NDAA in the regulation's definition of "toxic chemical." This edit confirms that the TRI supplier notification provision requires covered suppliers to notify customers receiving a mixture or other trade name product containing a TRI-listed chemical with the first shipment of each calendar year, with such a requirement beginning on January 1 of the applicable year; thus, supplier notifications are required as of January 1 for any NDAA-added PFAS. EPA released the [proposed rule](#) in January 2025 and anticipates a final rule in July 2026.
- **Implementing Statutory Addition of Certain Per- and Polyfluoroalkyl Substances (PFAS) to the Toxics Release Inventory for Reporting Year 2026**: The FY2020 NDAA Section 7321 provides a framework for PFAS to be added automatically to the TRI list on January 1 of the year following certain EPA actions. This regulatory action amends the EPCRA regulations to reflect this statutory addition. EPA notes that in each year since 2020, it has promulgated a conforming final rule to amend the codified TRI chemical list to reflect the automatic additions of PFAS from the previous year's actions. EPA issued a [final rule](#) on February 27, 2026 (effective date March 30, 2026).

"Long-Term" Action List

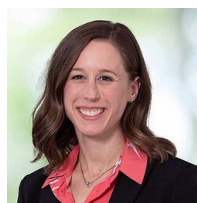
- **Addressing PFAS in the Environment (EPA)**: In April 2023, EPA released an advance notice of proposed rulemaking to seek input on additional PFAS-related designations under CERCLA. does not have a timeline in which it plans to propose this rule ("TBD").

Hunton Andrews Kurth LLP's environmental team has the legal knowledge and scientific background required to address chemical regulatory and compliance challenges. Our [chemical and hazardous materials](#) attorneys work together to create comprehensive strategies for our clients nationwide.

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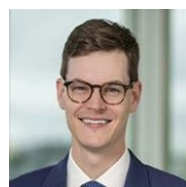
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