



November 25, 2025

Memorandum for: IHMM Government Relations
IHMM Board of Directors

From: Gene Guilford

Subject: EPA's Proposed PFAS Reporting Rule (TSCA § 8(a)(7))

EPA proposes amendments to its 2023 PFAS Data Reporting Rule under TSCA § 8(a)(7). Congress, through the FY2020 NDAA, required EPA to collect retrospective information from anyone who has manufactured (including imported) PFAS in any year since January 1, 2011. The 2023 rule required extensive, no-threshold reporting across all manufacturing scenarios, including PFAS in articles, byproducts, impurities, and R&D substances.

PFAS Reporting Rule – Comprehensive Risk Matrix for CHMM & CHMP

This risk matrix evaluates regulatory, operational, legal, and professional risks faced by CHMM and CHMP certificants under EPA's Proposed PFAS Data Reporting Rule (TSCA § 8(a)(7), November 13, 2025). It reflects exposure due to reporting obligations, historical data reconstruction, and compliance responsibilities across hazardous materials lifecycle management.

Risk Category	Description	Impact on CHMM/CHMP	Risk Rating (L/M/H)
Regulatory Compliance	Failure to identify PFAS subject to TSCA §8(a)(7) reporting, including misapplication of exemptions.	CHMM/CHMP responsible for chemical identification, classification, and TSCA reporting accuracy.	High

Recordkeeping Gaps	Missing or incomplete records from 2011–2022 regarding PFAS manufacturing, import, use, or disposal.	Professionals may be required to reconstruct historical data using SDS, procurement, waste manifests.	High
Liability Exposure	Civil penalties for inaccurate or missing TSCA submissions; potential organizational enforcement.	CHMM/CHMP serve as technical authorities and may be implicated in compliance assessments.	Medium-High
Operational Risk	Inability to determine PFAS in mixtures/articles at $\geq 0.1\%$ due to poor documentation.	CHMM/CHMP must interpret analytical data, SDS, and supply-chain communications.	Medium
Environmental Release Reporting	Failure to document PFAS releases via waste, emissions, or disposal pathways.	Directly intersects with domains relating to spill response, remediation, waste disposition.	Medium-High