NOTIFICATION

Addendum

The following communication, dated 13 May 2024, is being circulated at the request of the delegation of the United States of America.

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**Title:** Designation of Perfluorooctanoic Acid (PFOA) and Perfluorooctanesulfonic Acid (PFOS) as CERCLA Hazardous Substances

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| **Reason for Addendum:** |
| [ ] | Comment period changed - date:  |
| [ ] | Notified measure adopted - date:  |
| [X] | Notified measure published - date: 8 May 2024 |
| [X] | Notified measure enters into force - date: 8 July 2024 |
| [X] | Text of final measure available from[[1]](#footnote-1): 89 Federal Register (FR) 39124, Title 40 Code of Federal Regulations (CFR) Part 302:<https://www.govinfo.gov/content/pkg/FR-2024-05-08/html/2024-08547.htm><https://www.govinfo.gov/content/pkg/FR-2024-05-08/pdf/2024-08547.pdf><https://members.wto.org/crnattachments/2024/TBT/USA/final_measure/24_03188_00_e.pdf> |
| [ ] | Notified measure withdrawn or revoked - date: Relevant symbol if measure re-notified:  |
| [ ] | Content or scope of notified measure changed and text available from1: New deadline for comments (if applicable):  |
| [ ] | Interpretive guidance issued and text available from1:  |
| [ ] | Other:  |

**Description:** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act ("[CERCLA](https://www.epa.gov/superfund/superfund-cercla-overview)" or "Superfund"), the Environmental Protection Agency (EPA) is designating two per- and polyfluoroalkyl substances (PFAS)--perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS), including their salts and structural isomers--as hazardous substances. The Agency reached this decision after evaluating the available scientific and technical information about PFOA and PFOS and determining that they may present a substantial danger to the public health or welfare or the environment when released. The Agency also determined that designation is warranted based on a totality of the circumstances analysis, including an analysis of the advantages and disadvantages of designation.

Effective 8 July 2024

[Title 40 Code of Federal Regulations (CFR) Part 302](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-J/part-302)

This final rule and the proposed rule notified as [G/TBT/N/USA/1915](https://eping.wto.org/en/Search?domainIds=1&documentSymbol=usa%2F1915) are identified by Docket Number EPA-HQ-OLEM-2019-0341. The Docket Folder is available on Regulations.gov at <https://www.regulations.gov/docket/EPA-HQ-OLEM-2019-0341/document> and provides access to primary and supporting documents as well as comments received. Documents are also accessible from [Regulations.gov](http://www.regulations.gov/) by searching the Docket Number.

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1. This information can be provided by including a website address, a pdf attachment, or other information on where the text of the final/modified measure and/or interpretive guidance can be obtained. [↑](#footnote-ref-1)