EPA Interim Guidance on the Destruction and Disposal of PFAS and Materials Containing PFAS/2026 Version: Association of State and Territorial Solid Waste Management Officials Comments



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

06/30/2026

The Association of State and Territorial Solid Waste Management Officials ("ASTSWMO") submitted June 25th comments on the United States Environmental Protection Agency ("EPA") document titled:

Interim Guidance on the Destruction and Disposal of PFAS and Materials Containing PFAS – 2026 Version ("Interim Guidance").

EPA solicited comments on the Interim Guidance.

ASTSWMO describes the organization as representing:

… the waste management and remediation programs of the 50 States, 5 Territories and the District of Columbia.

The comments are stated to have been generated by the organization's Contaminants of Emerging Concern Steering Committee ("CEC") which includes representatives from several state waste and remediation programs. However, the comments are stated to have not been reviewed or adopted by the ASTSWMO Board of Directors.

EPA's Interim Guidance states that this 2026 update provides the currently available information on the destruction and disposal of PFAS and PFAS-containing materials.

The Interim Guidance focuses on updates to the current state of science and what it describes as associated uncertainties for three large-scale capacity technologies that can destroy PFAS or control PFAS release into the environment which include:

- Thermal treatment.
- Landfills.
- Underground injection.

The Interim Guidance also discusses:

- Emerging technologies.

- Framework for evaluation these technologies for PFAS destruction or disposal.

The Interim Guidance's primary target audience is stated to be:

- Decision-makers (e.g., managers of PFAS and PFAS-containing materials making decisions about destruction and disposal) who need to identify effective means for destroying or disposing of PFAS-containing materials and wastes.
- Regulators.
- Waste managers.
- The public, including affected communities.

The June 25th ASTSWMO comments state that the organization and CEC support EPA's ongoing efforts to develop guidance regarding the destruction and disposal of PFAS and PFAS-containing materials. They further note by way of introduction:

- This remains an area of active research and rapidly evolving understanding.
- Appreciates EPA's continued commitment to updating this guidance to reflect:
- Emerging science.
- Technological advances.
- Implementation experience.

ASTSWMO notes that it published a 2026 position paper on the subject which advocated for a "coordinated, science-based federal regulatory framework— developed and implemented in partnership with States and supported by clear authority, timelines, and funding." The organization states that the Interim Guidance constitutes an important step toward providing information necessary to develop and refine that framework. Specifically, the comments state that the identification of certain information helps support informed decision-making:

- Data gaps.
- Research needs.
- Site-specific considerations such as regional disposal capacity.

Recognition of what is described as the framework provided for evaluating proposed technologies is stated to assist States in assessing technologies presented for consideration. Also referenced is the Fact Sheet (Appendix E) which is characterized as promoting consistent, plain-language communication that can improve public understanding and support meaningful community engagement.

The CEC requests that EPA support robust funding for research and demonstration projects that focus on destruction technologies. Further, destruction of PFAS is indicated to be the preferred management approach when it is demonstrated to be effective/capable of safely destroying PFAS, while minimizing byproducts. It is recommended that EPA include such information in the Interim Guidance.

The addition of a clear definition of destruction is stated to potentially assist readers in understanding the capacities and limitations of various technologies. The inclusion and discussion of other emerging destruction technologies, such as oxidation/reduction technologies and chemical treatment technologies, are suggested in addition to incineration. ASTSWMO and CEC believe that the Interim Guidance should acknowledge the long-term goal of transitioning away from disposal-oriented approaches toward destruction technologies that are technically feasible, economical, and available at scale.

CEC notes that the management of PFAS-containing wastes and materials is influenced not only by the availability and performance of destruction and disposal technologies, but also by the regulatory programs that generate and govern those waste streams, as well as upstream regulations and material management aimed at minimizing future production of PFAS-containing waste. It further notes in part:

… Future regulatory decisions related to PFAS in drinking water, wastewater, biosolids, remediation programs, air emissions, and waste management will directly affect the volume, characteristics, and geographic distribution of PFAS-containing materials requiring management, destruction and disposal.

EPA is encouraged to continue to refine the Interim Guidance and consider how future regulatory action may affect:

- Treatment and disposal capacity needs.
- Infrastructure planning.
- Implementation timelines.
- Development of practical management approaches.

A copy of the comments can be found here.