

Part of \$550 Million Monsanto PCB Class Action Settlement May Go to Cities Nationwide

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Over 2,500 government entities could receive funds from a pending class action settlement with Monsanto for its alleged pollution.

Between the 1930s and 1977, the Monsanto Company (“Monsanto”) manufactured industrial chemicals called polychlorinated biphenyls (“PCBs”) that were used as insulating fluids in electrical equipment in power plants, industries, and large buildings, as well as being present in sewer lines and storm drain facilities. In 1979, two years after Monsanto stopped manufacturing PCBs, the Environmental Protection Agency (“EPA”) banned PCBs in the United States. The EPA found that PCBs were a suspected cause of birth defects and cancer in animals and other harmful effects in the immune, reproductive, and nervous systems in humans.

In 2015, cities began to file lawsuits against Monsanto, the sole producer of PCBs, alleging that PCBs contaminated storm water, wastewater systems, water bodies, sediment, natural resources, fish and wildlife. In June of 2020, thirteen government entities filed a motion to approve a \$550 million class action settlement with Monsanto to resolve the ongoing litigation. The settlement also provides funds for a proposed class of 2,528 other government entities that the parties believe were similarly impacted by the PCB contamination. The settlement funds are intended to go toward the protection of local waterways and the mitigation and monitoring of PCBs.

The settlement agreement is still awaiting approval before Judge Fernando M. Olguin in the Central District of California. If approved, a class of 2,528 governmental entities nationwide may be eligible for payouts from the settlement fund.

The proposed list of government entities that may receive settlement funds and the amounts they are proposed to receive can be viewed [here](#).

If you have any questions about how this class action settlement may affect your jurisdiction, please contact your RWG attorney. This e-alert was written by Victoria Nakaganeku, a RWG summer associate from Loyola Law School in Los Angeles.