

Chemical Companies Will Pay Billions to Water Systems to Settle PFAS Claims

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ATTORNEYS

Known as “forever chemicals,” PFAS, or per- and polyfluoroalkyl substances, are a series of human-made synthetic chemicals infamous for their inability to degrade naturally. The U.S. Geological Survey recently estimated that PFAS chemicals could contaminate at least 45% of tap water across the nation. Human exposure to PFAS is linked to potentially negative health effects.

Thousands of lawsuits targeting the manufacturers and sellers of products containing PFAS have been consolidated under multidistrict litigation in the United States District Court for the District of South Carolina. The plaintiffs include many public water systems with PFAS-contaminated wells.

On June 22, 2023, 3M announced a broad resolution in the PFAS litigation. 3M has committed to pay a class of public water systems up to \$12,500,000,000 over the next 13 years. The settlement will support remediation for public water systems that detect PFAS at any level or may do so in the future.

3M’s announcement came on the heels of another agreement in principle to comprehensively resolve PFAS-related drinking water claims against Chemours, Dupont, and Corteva.

The settlements will apply to public water systems (1) with a current measureable concentration of PFAS; and (2) that are currently required by the EPA to monitor for PFAS. This would include many public water systems in California.

The final terms of each settlement are currently being finalized for presentation to the district court. If approved, the court will establish timetables for notice, hearings, and class member opt-outs.

If you have any questions about how these settlements may affect your jurisdiction, please contact **Nicholas R. Ghirelli** or your RWG attorney. This e-alert was written by Chelsea Downes, an RWG summer associate from Loyola Law School in Los Angeles.