

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: March 25, 2025

Item Details

Presenter(s): Lori Avent

Department(s): Water Resources

Requested Motion

Motion to authorize the Apex Town Manager or his designee to accept the 3M/Dupont and Tyco/BASF PFAS litigation settlement's "Terms and Conditions of Accepting Payments from the AFFF Public Water System Settlement Program".

Approval Recommended?

Yes

Item Details

The Cary/Apex Water Treatment Plant is participating in the 3M, Dupont, Tyco, and BASF Aqueous Film-Forming Foam (AFFF) Products Liability Litigations. These Settlements are designed to resolve claims for PFAS contamination in public water systems' drinking water to compensate for the costs incurred to remove and monitor for PFAS in the drinking water supply. For the Town account to receive funds from the settlements, the Apex Town Manager or his designee must accept the "Terms and Conditions of Accepting Payments from the AFFF Public Water System Settlement Program."

The amount of compensation that will be received from the litigations is currently unknown. The funds are being divided up and distributed to all public water systems that submitted claims forms and are eligible to participate. Larger systems and systems who were more impacted by PFAS will receive a larger sum than smaller systems, or systems with less PFAS impact. Apex will receive a 23% share of the total amount awarded to The Cary/Apex WTP and the funds will be placed directly into the Apex account.

Attachments

- CN4-A1: Agreement - Terms and Conditions of Accepting Payments from the AFFF Public Water System Settlement Program

