

Staff Report

Subject: Approval of Legal Services Agreement – PFAS Contamination Investigation and Potential Litigation

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Department: County Manager

Meeting Date: March 17, 2026

Item Description: Consideration to approve a Legal Services Agreement between Effingham County and SL Environmental Law Group PC, Madonna & Madonna LLP, Douglas & London P.C., Taft Stettinius & Hollister LLP, and Levin Papantonio Proctor Buchanan O'Brien Barr Mougey P.A. for investigation and potential litigation related to PFAS contamination impacting the County's water systems.

Summary Recommendation: Staff recommends approval of the Legal Services Agreement for legal representation related to PFAS contamination investigation and potential claims.

Executive Summary/Background: PFAS compounds have been detected in surface water sources that supply Effingham County's water system. Treatment of PFAS contamination may require significant long-term infrastructure and operational costs.

The proposed agreement would retain a group of law firms experienced in PFAS litigation to investigate potential sources of contamination and pursue claims against responsible parties if appropriate. The agreement is structured on a contingency fee basis, meaning the firms would receive 25% of any settlement or judgment obtained and would advance litigation costs, which would only be reimbursed if a recovery is achieved.

This arrangement allows the County to pursue potential cost recovery related to PFAS contamination without committing significant upfront legal expenses.

Alternatives for Commission to Consider:

1. Approve the Legal Services Agreement for PFAS investigation and potential litigation.
2. Do not approve the Legal Services Agreement.
3. Provide staff with direction.

Recommended Alternative: Staff recommends Alternative 1 – Approval of the Legal Services Agreement for investigation and potential litigation related to PFAS contamination.

Other Alternatives: N/A

Department Review: County Manager, County Attorney, Engineering

Funding Source: Contingency-based agreement; no upfront County funding required.

Attachments: Legal Services Agreement – PFAS Investigation and Litigation Representation