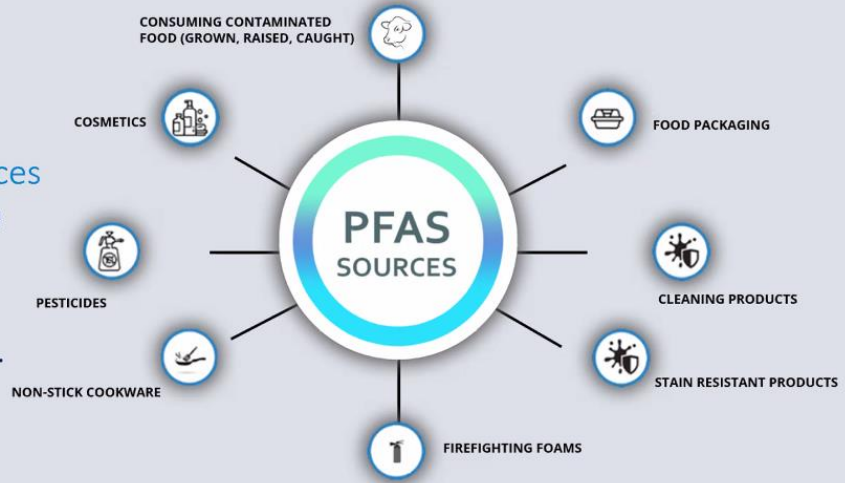


Zoom Meeting You are viewing Coral Odiot's screen View Options

Leonard Ludi Candice Grunseth Dean Curtis Coral Odiot

PFAS (The Everywhere and Forever Chemicals)

Perfluoroalkyl and Polyfluoroalkyl Substances are group of man-made chemicals that include PFOA, PFOS, PFNA, GenX, and many others.



PFAS (The Everywhere and Forever Chemicals)



USGS recently estimated that 45% of tap water contains at least one detectable PFAS, while the EPA recently reported that ~8% of PWSs tested under UCMR5 found PFOS/PFOA at levels above proposed MCL

NATIONAL NEWS RELEASE
Tap water study detects PFAS 'forever chemicals' across the US
 USGS estimates at least 45% of tap water could have one or more PFAS



Table 3. July 2023 Data Summary¹

Contaminant	MRL ² (µg/L)	Total number of PWSs with results	Number of PWSs with results ≥MRL	% of PWSs with results >Ref Conc ⁴
hexafluoropropylene oxide dimer acid (HFPO-DA) (GenX chemicals)	0.005	2,002	6	0.05%
perfluorobutanesulfonic acid (PFBS)	0.003	2,003	192	0.0%
perfluorooctanesulfonic acid (PFOS) ⁵	0.004	2,001	170	8.5%
perfluorooctanoic acid (PFOA) ⁵	0.004	2,002	156	7.8%


1. DoD AFFF Use
2. Manufacturing
3. Landfills
4. Airport AFFF Use
5. FTC AFFF Use
6. Refinery AFFF Use

Evaluation and Management Strategies for Per- and Polyfluoroalkyl Substances (PFASs) in Drinking Water Aquifers: Perspectives from Impacted U.S. Northeast Communities

Table 2. Risk scores utilized for calculation of the PFAS source hazard index (HI).

PFAS source	Upper magnitude (µg/L)	No. PFASs	Risk score	Table 1 source type
DoD facilities	10,000	28	100	AFFF use (DoD)
Chemical manufacturing	1,000	13	100	PFAS/FP manufacturing
Landfills	1,000	11	100	Waste streams (landfills)
Airports	100	28	75	AFFF use (Airports) ^a
Fire training areas	100	28	75	AFFF use (fire training areas) ^a
Petroleum refineries	10	28	75	AFFF use (petroleum refineries) ^a
Textiles	10	13	50	FP coating (plastics, textiles, metals)
Furniture	10	13	50	FP coating (plastics, textiles, metals)
Paper	10	13	50	FP coating (plastics, textiles, metals)
Rubber/plastics	10	13	50	FP coating (plastics, textiles, metals)
Fire Stations	N/A	28	25	N/A ^b
Fabricated metal	N/A	11	25	N/A ^c

Source: Guello et al., Evaluation and Management Strategies for Per- and Polyfluoroalkyl Substances (PFASs) in Drinking Water Aquifers: Perspectives from Impacted U.S. Northeast Communities, Env't Health Perspectives (2018), <https://doi.org/10.1289/EHP2727>.



“PFAS are an urgent public health issue facing people and communities across the nation. The latest science is clear: exposure to certain PFAS, also known as forever chemicals, over long periods of time is linked to significant health risks.”

- Radhika Fox, EPA Assistant Administrator Water

EPA Releases Initial Nationwide Monitoring Data on 29 PFAS and Lithium

First of 12 sets of data to be released through 2026, this information further builds upon EPA actions to address PFAS in Drinking Water

August 17, 2023

Content Information
EPA newsroom (https://www.epa.gov/newsroom)

WASHINGTON Today, the U.S. Environmental Protection Agency is releasing the first set of data collected under the EPA Unregulated Contaminant Monitoring Plan (UCMP 3), in the initial action for the 2023 UCMP 3. This data will provide new data that will improve EPA's understanding of the frequency and extent of PFAS and lithium in the nation's drinking water systems, and at what levels. The new findings on PFAS and lithium will help the Agency make data-driven decisions about future actions to protect public health under the Safe Drinking Water Act. This action advances the Biden-Harris administration's commitment to protect PFAS pollution and safeguard drinking water for all people.

“PFAS are an urgent public health issue facing people and communities across the nation. The latest science is clear: exposure to certain PFAS, also known as forever chemicals, over long periods of time is linked to significant health risks,” said Assistant Administrator for Water Radhika Fox. “Along with the latest science, additional information is being gathered by government agencies to address these harmful chemicals, as part of this commitment. EPA is conducting the most comprehensive monitoring for PFAS in the country and a national public water system survey to assess and benchmark local water systems.”

The data released under UCMP 3 will ensure science-based decision-making and help EPA better understand national-level trends in exposure to these 29 PFAS and lithium, and whether they disproportionately impact communities with environmental justice concerns. This initial data release represents approximately 70% of the data that EPA expects to release over the next five years. The Agency will update the results quarterly and share them with the public via EPA's National Contaminated Sites and Facilities (NCSF) and 4th Supplemental Data Reporting (SDR). EPA continues to conduct research and monitor additional techniques that may improve our ability to protect lives and other communities at maximum levels.

EPA is asking to protect people's health from PFAS in drinking water. In March 2022, EPA announced updates to the UCMP 3. The updated UCMP 3 would allow public water systems to use existing monitoring data to meet the rule's initial monitoring requirements and develop a plan of action for areas that may need to improve their monitoring of PFAS. Drinking water standards in final, EPA has established a goal to reduce PFAS in tap water by 2030. EPA continues to advance the science on the potential health effects of a wide range of PFAS, including testing of these chemicals for cancer programs.

EPA is moving forward to expand the investigation and removal of PFAS contaminated sites, including by building new testing and monitoring capabilities to hold polluters accountable for contamination that has widely used PFAS chemicals. The Agency also recently issued its final order to require PFAS remediation in residential testing under EPA's National Train-to-Test Strategy to help the Nation understand these invisible threats.

EPA is also developing a memorandum for the DOD, included in President Biden's Executive Order on PFAS, that requires the DOD to submit to the Commission on the Status of the Environment (COSE) a report on the status of PFAS in the DOD's drinking water. This includes 24 DOD facilities in the Drinking Water State Monitoring System (DWSMS) and 150 DOD facilities in the National Contaminated Sites and Facilities (NCSF) program. States, Tribes and communities can further engage on PFAS testing by 2023 through the DWSMS and other programs to help EPA better understand the risk to drinking water. These findings and the governmentwide data reported immediately in violation to remove PFAS from drinking water.

For more information visit <https://www.epa.gov/water-and-drinking-water>

Background

Drinking water at 240 DOD facilities that serves the areas EPA is required to monitor for publicly owned utilities that may be drinking water but are not yet subject to EPA drinking water regulations. EPA uses the Unregulated Contaminant Monitoring Plan to provide the agency and other interested parties with nationally representative data on the occurrence of contaminants in the nation's public water supply systems, and to make the results of these studies available to the public. These data are used to inform decision-making, the development of national or state drinking water regulations, DWSMS, and other actions to protect public health. EPA's Unregulated Contaminant Monitoring Rule (UCMR) requires compliance with the UCMP 3 for 12 PFAS and lithium between 2023 and 2025 using analytical methods approved by EPA and consistent regulations.

Court ordered Mandates presentation here

EPA's Proposed Action for the PFAS NPDWR

Compound	Proposed MCLG	Proposed MCL (enforceable levels)
PFOA	0 ppt*	4.0 ppt*
PFOS	0 ppt*	4.0 ppt*
PFNA		
PFHxS	1.0 (unitless)	1.0 (unitless)
PFBS	Hazard Index	Hazard Index
HFPO-DA (commonly referred to as GenX Chemicals)		

The Hazard Index is a tool used to evaluate potential health risks from exposure to chemical mixtures.

*ppt = parts per trillion (also expressed as ng/L)

First contaminate measured in the parts per trillion – goal was 0 at a non-detect.



EPA has estimated the annual costs for PWSs nationwide to comply with NPDWR will be between **\$772 million** and **\$1.2 billion**

Table 5-2: National Annualized Costs, Proposed Option (PFOA and PFOS MCLs of 4.0 ppt and HI of 1.0; Million \$2021)

	3% Discount Rate			7% Discount Rate		
	5 th Percentile ^a	Expected Value	95 th Percentile ^a	5 th Percentile ^a	Expected Value	95 th Percentile ^a
Annualized PWS Sampling Costs	\$76.33	\$88.64	\$102.15	\$78.71	\$91.27	\$105.00
Annualized PWS Implementation and Administration Costs	\$1.71	\$1.71	\$1.71	\$3.52	\$3.52	\$3.52
Annualized PWS Treatment Costs	\$619.29	\$673.59	\$741.17	\$1,012.54	\$1,101.26	\$1,206.49
Total Annualized PWS Costs	\$697.54	\$763.93	\$841.97	\$1,098.59	\$1,195.99	\$1,311.59
Primacy Agency Rule Implementation and Administration Cost	\$6.91	\$7.83	\$8.86	\$7.68	\$8.64	\$9.69
Total Annualized Rule Costs^{b,c,d}	\$704.53	\$771.77	\$850.40	\$1,106.01	\$1,204.61	\$1,321.01

Who is responsible for this? Class actions can be filed in district court.

PFAS Manufacturers
3M Company
Asahi Glass Co. (AGC)
Archroma/Clariant
Arkema
BASF/Ciba-Geigy
Chemguard
Chemours/DuPont
Daikin
Dynax
Solvay

AFFF Manufacturers
3M Company
Ansul
Amerex
Buckeye
Chemguard
Kidde
National Foam
Perimeter Solutions
Tyco

Date	Event
December 7, 2018	MDL is established consolidating AFFF cases nationwide
February 1, 2021	Initial pool of bellwether water supplier cases chosen
September 15, 2022	Court denies manufacturers' motion re: government contractor defense
October 24, 2022	Court scheduled first bellwether supplier trial to begin on June 5, 2023
May 11, 2023	Kidde-Fenwal Inc. files for Chapter 11 bankruptcy
June 4, 2023	Court postpones first bellwether water supplier trial against 3M to allow parties to continue negotiating global resolution
June 22, 2023	\$12.5 billion settlement reached with 3M to resolve water supplier liabilities
June 30, 2023	\$1.185 billion settlement reached with Dupont to resolve water supplier liabilities
August 22, 2023	Court granted preliminary approval of Dupont settlement.
August 29, 2023	Court granted preliminary approval of 3M settlement.

June 22 and June 30 – 3M & Dupont Settlement key information. Court has approved a notice to municipalities. The following is how it came together. Kiddie filed for bankruptcy earlier this year. Here are what the claims look like:

- Kidde-Fenwal, Inc., manufactures fire protection and suppression systems, including fire detectors, alarm notification appliances, fire-suppression control units and fire suppression agent delivery systems.
- Kidde filed in the United States Bankruptcy Court, a voluntary petition for relief under Title 11 of the United States Code, 11 U.S.C. §§ 101 *et seq.*
- Kiddie Fenwal, Inc. was named as a Defendant in the AFFF MDL Litigation and filed for Bankruptcy to address its liabilities in this litigation.
- Our firm is monitoring closely the Bankruptcy process as one of our clients is a member of the Unsecured Creditors Committee and my Partner, Hunter Shkolnik was appointed as Co-Chair of the Committee.

This presentation is only about public water systems only.....not the others.



Important Timelines below as of a certain date, you are eligible for a phase 1 settlement:

DUPONT	
Date	Event
September 5, 2023	Notice of Settlement
December 4, 2023	Objections and Requests for Exclusions
December 14, 2023	Final Fairness Hearing
Pending (Final Fairness Hearing + 30 business days)	Order Granting Final Approval
Pending (Order Granting Final Approval + 30 business days).	Final Judgement
Pending (Date of Final Judgement)	Pending (Date of Final Judgement)
60 days after the Effective Date	Phase One Public Water System Settlement Claims Form
45 days after the Phase One Public Water Systems Claims Form	Phase One Special Needs Claims Form
January 1, 2026	Phase Two Testing Claims Form
June 30, 2026	Phase Two Public Water System Claims Form

Important Timelines below – larger settlement

3M	
Date	Event
9/12/2023	Notice of Settlement
TBD (No less than 60 calendar days after Notice is issued)	Objections and Requests for Exclusions
2/4/2024	Final Fairness Hearing
Pending (Final Fairness Hearing + 30 business days)	Order Granting Final Approval
Pending (Order Granting Final Approval + 30 business days).	Final Judgement
Pending (Date of Final Judgement)	Pending (Date of Final Judgement)
60 days after the Effective Date	Phase One Public Water System Settlement Claims Form
45 days after the Phase One Public Water Systems Claims Form	Phase One Special Needs Claims Form
January 1, 2026	Phase Two Testing Claims Form

- 3M settlement alone would be the largest drinking water contamination settlement in U.S. history and represents nearly a quarter (22%) of 3M's total value.
- Collectively the settlements would be the largest source of PFAS funding made available to water suppliers to date.
- Proposed settlements only release water supplier claims for treatment and remediation costs.
- Proposed settlement **does not cover or release:**
 1. Claims against 3M or DuPont for anything other than water treatment/remediation costs
 2. Water supplier claims asserted against any other defendant in the MDL
 3. Claims asserted against 3M and DuPont by non-water supplier plaintiffs

WI just distributed state grants and Federal Grants. Compare both 3-M and Dupont: Bullet 2 should be less than 3000 - note

Recording **Comparison: 3M and DuPont Settlements** Sign in

A participant has enabled Closed Captioning Who can see this transcript? Recording on

3M	DUPONT
<ul style="list-style-type: none"> • Settlement amount is no less than \$10.5B and no more than \$12.5B. • Class excludes Non-Transient Non-Community Water Systems serving >3,300 customers and all Transient Non-Community Water Systems. • Provides Phase 2 Baseline Testing compensation of up to \$800. • Baseline Testing samples can be taken from both raw and treated water. • Phase I Class Members do not need to perform Baseline Testing on water sources tested after Jan. 1, 2019. 	<ul style="list-style-type: none"> • Settlement amount is \$1.185B. • Class includes all Non-Transient Non-Community Water Systems and Transient Non-Community Water Systems. • Provides Phase 2 Baseline Testing compensation of up to \$200. • Phase I Class Members do not need to perform Baseline Testing on water sources tested after Dec. 7, 2021. • Baseline Testing samples need to be taken from raw water only. • Provides <i>de minimis</i> compensation to Phase One Very Small Public Water Systems and Inactive Impacted Water Sources.

Phase 2 – non-detect funding, which is most of the viewers. Phase 1 detects do not need to perform phase 2 testing.

Who is part of this eligibility? Had a detect under UCMR-5

3M	DUPONT
<p>(a) An Active Public Water System in the United States that has one or more Impacted Water Sources as of June 22, 2023;</p> <p style="text-align: center;"><u>AND</u></p> <p>(b) An Active Public Water System that does not have one or more Impacted Water Sources as of June 22, 2023, and (i) is required to test for certain PFAS under UCMR-5, or (ii) Serves more than 3,300 people as defined under SDWIS.</p>	<p>(a) All Public Water Systems in the United States of America that draw or otherwise collect from any Water Source that, <u>on or before June 30, 2023, was tested or otherwise analyzed for PFAS and found to contain any PFAS at any level;</u></p> <p style="text-align: center;"><u>AND</u></p> <p>(b) All Public Water Systems in the United States of America that, as of June 30, 2023, are (i) subject to the monitoring rules set forth in UCMR 5 (i.e., “large” systems serving more than 10,000 people and “small” systems serving between 3,300 and 10,000 people), or (ii) required under applicable state or federal law to test or otherwise analyze any of their Water Sources or the water they provide for PFAS before the UCMR 5 Deadline.</p>

Exclusions: no private wells.

3M	DUPONT
<ul style="list-style-type: none"> a) Non-Transient Non-Community Water Systems serving 3,300 or fewer people. b) Transient Non-Community Water Systems of any size. c) Public Water Systems listed in Exhibit G, which are associated with a specific PFAS-manufacturing facility owned by 3M. d) Any Public Water System that is owned by the state or federal government and lacks independent authority to sue and be sued. e) The Public Water Systems that are listed in Exhibit J and have previously settled their PFAS-related Claims against 3M. f) Any privately owned well that provides water only to its owner’s (or its owner’s tenant’s) individual household and any other system for the provision of water for human consumption that is not a Public Water System. 	<ul style="list-style-type: none"> a) Any Public Water System that is in Bladen, Brunswick, Columbus, Cumberland, New Hanover, Pender, or Robeson counties in North Carolina; provided, however, that any such system will be included within the Settlement Class if it so requests. b) Any Public Water System that is owned and operated by a State or federal government and cannot sue or be sued in its own name. d) Any privately owned well or surface water system that is not owned by, used by, or otherwise part of, and does not draw water from, a Public Water System within the Settlement Class.

Calculation of the volume of the water system and the concentration of the detection give you a score of PFAS

- The Allocation Procedures were designed to fairly and equitably allocate the Settlement Funds among Qualifying Settlement Class Members to resolve PFAS contamination of Public Water Systems in such a way that reflects factors used in designing a water treatment system in connection with such contamination.
- Both the volume of contaminated water and the degree of contamination are the main factors in calculating the cost of treating PFAS contamination.
- The Allocation Procedures use scientific EPA-derived formulas to arrive at Allocated Amounts that proportionally compensate Qualifying Settlement Class Members for PFAS-related treatment.

Submitting Claims Form:

The Claims Administrator will verify that each Entity that submits a Claims Form is a Qualifying Settlement Class Member and will confirm the category into which the Settlement Class member falls.

- [Phase One](#) Qualifying Settlement Class Member
- [Phase Two](#) Qualifying Settlement Class Member

Categories: Allocation Qualifier

DUPONT

[Phase One](#)

- Any PWS that HAS detected PFAS before June 30, 2023, in any water source.
- All sizes PWS
- Inactive PWS

[Phase Two](#)

- PWS that HAS NOT detected PFAS before June 30, 2023, but is required to test by UCMR5 or other federal or state rules.
- All sizes PWS – if required to test by state or federal rule
- Inactive PWS – if required to test by state or federal rule

3M

[Phase One](#)

- Any PWS that HAS detected PFAS before June 22, 2023, in any water source.
- All community water systems.
- Non transient non community water systems serving less than 3,300 people.

[Phase Two](#)

- PWS that HAS NOT detected PFAS before June 22, 2023, but is required to test by UCMR5 or other federal or state rules.
- Required to test under UCMR5
- Serves more than 3,300 people.

Overview of Funds



- Action Fund (litigation, regulatory and bellwether enhancement)
- Phase Two Baseline Testing Costs
- Very Small System Payments (DuPont)
- Inactive System Payment (DuPont)
- Transient Non Community Water System Payment (DuPont)
- Non Transient Non Community Water System Payment (DuPont)
- Special Needs and Supplemental Funds

" Does the settlement apply to municipal systems who's water source is another system? "

It depends. If the system treats the purchased water it could potentially qualify.

Allocation of Action Funds

Calculate a PFAS Score for each impacted water source

Calculate PFAS Score
(for each impacted source)

Select the higher of:
(max PFOA level + max PFOS level)

OR

(Max PFOA + Max PFOS) averaged with
 $\sqrt{\text{Max of any other PFAS Listed on Claims Form}}$

The Claims Administrator will then evaluate the Claims Forms of each Class Member to determine if it is eligible for 3 bumps:

LITIGATION BUMP: will apply to Class Members with a pending lawsuit against the Settling Defendants alleging PFAS contaminated drinking water.

BELLWETHER BUMP: will apply to the 10 Class Members that served as the Public Water Provider Bellwether plaintiffs.

REGULATORY BUMP: will apply when an impacted water source exceeds an applicable state Maximum Contaminant Level (MCL) or the proposed federal MCL.

The calculation of the bumps is going to be added to the Base Score:

$$\text{Adjusted Base Score} = (\text{Sum of Adjustments} * \text{Base Score}) + \text{Base Score}$$

There are differences in testing procedures – so below list explains. Raw should be tested to comply with both settlements. A test of every source is required.

Baseline Testing

- Phase One and Phase Two Settlement Class Members must perform “Baseline Testing”, that is, public water systems must test every water source (groundwater well or surface water system) they own for PFAS.
- Baseline Testing is different from what the EPA requires for UCMR5. Under UCMR5, a public water system is required to test for PFAS only at the entry points to its distribution system. However, Baseline Testing requires:
 1. settlement class members to test every water source for at least 29 PFAS chemicals required under UCMR 5, using a methodology consistent with the requirements of UCMR 5 or applicable State requirements (if stricter);
 2. request from the laboratory that performs the analyses all analytical results, including the actual numeric values of all analytical results; and
 3. submit the detailed PFAS test results to the claims administrator on a claims form(s) by the relevant claims form deadline.

Exceptions to baseline test:

If the Public Water System previously performed testing on their water sources, they may qualify for one of the testing exceptions available under each settlement:

3M Settlement

1. Any water source that was tested on or before June 22, 2023, using a state or federal approved methodology and was found to contain a measurable concentration of PFAS does not need to be tested again for purposes of Baseline Testing
2. Any water source that was tested between January 1, 2019, and June 22, 2023, and did not find a measurable concentration of PFAS does not need to be tested again for purposes of Baseline Testing.

DuPont Settlement

1. Any water source that was tested on or before June 30, 2023, and was found to contain a measurable concentration of PFAS does not need to test that water source again for purposes of Baseline Testing
2. Any water source that was tested between December 7, 2021, and June 30, 2023, and did not find a measurable concentration of PFAS does not need to be tested again for purposes of Baseline Testing.

Resource for testing: You can use any EPA approved Lab.

Recording **Baseline Testing: Eurofins Environmental Lab** Sign i

Class Counsel has arranged for discounted testing with the following laboratory to assist class members with Baseline Testing.

There is no requirement to use the listed laboratory.

Eurofins Environmental Testing
Telephone Number: (916) 374 - 4499
<https://www.eurofinsus.com/environment-testing/pfas-testing/pfas-water-provider-settlement/>

Per contaminated water source below:

3M Estimated Allocation Table

For illustration purposes only; not reflective of actual allocation awards

3M Public Water Provider Settlement Estimated Allocation Range Table

Each cell in the Table represents an estimated allocation **PER IMPACTED WATER SOURCE (per groundwater well or surface water source)**. The Settlement Class consists of Public Water Systems, which may and often do have multiple wells or water sources, each of which would be calculated individually and added up to arrive at the total.

IMPACTED WATER SOURCE
means a Water Source that has a Qualifying Test Result showing a Measurable Concentration of PFAS.
See the Settlement Agreement for defined terms.

		Adjusted Flow Rate (gpm)										
		100	250	500	1,000	1,500	5,000	10,000	25,000	50,000	100,000	300,000
PFAS SCORE	0											
	2	\$36,240	\$70,013	\$115,244	\$189,694	\$253,898	\$603,369	\$993,106	\$1,918,881	\$3,157,910	\$5,196,296	\$11,436,561
	4	\$145,785	\$281,723	\$463,713	\$763,253	\$1,021,550	\$2,427,216	\$3,994,261	\$7,714,149	\$12,687,352	\$20,855,641	\$45,758,953
	10	\$148,252	\$286,489	\$471,559	\$776,166	\$1,038,832	\$2,468,269	\$4,061,800	\$7,844,507	\$12,901,569	\$21,207,290	\$46,527,259
	50	\$164,724	\$318,320	\$523,950	\$862,394	\$1,154,236	\$2,742,397	\$4,512,775	\$8,714,863	\$14,331,681	\$23,554,481	\$51,652,815
	100	\$185,313	\$358,108	\$589,437	\$970,176	\$1,298,484	\$3,085,022	\$5,076,399	\$9,802,456	\$16,118,368	\$26,485,901	\$58,047,466
	250	\$247,082	\$477,467	\$785,890	\$1,293,499	\$1,731,188	\$4,112,663	\$6,766,639	\$13,062,886	\$21,472,088	\$35,263,074	\$77,149,868
	500	\$350,027	\$676,390	\$1,113,285	\$1,832,294	\$2,452,225	\$5,824,623	\$9,581,606	\$18,489,120	\$30,373,873	\$49,834,987	\$108,717,963*
	750	\$452,968	\$875,299	\$1,440,643	\$2,370,993	\$3,173,089	\$7,535,613	\$12,393,952	\$23,905,608	\$39,249,406	\$64,336,461*	\$139,954,105*
	1000	\$555,906	\$1,074,195	\$1,767,967	\$2,909,596	\$3,893,781	\$9,245,635	\$15,203,680	\$29,312,376	\$48,098,804*	\$78,768,005*	\$170,863,503*

*While the available data has not revealed any Impacted Water Source with the values in the shaded cells, and any such Impacted Water Source would be an anomaly, the Table is designed to account for and estimate any scenario that could occur as a result of the Allocation Procedure.

Page 4 of 4

Water system can do this or an attorney.

Claims Form Submission Process

1. The initial step for establishing Settlement Class Membership eligibility for compensation from any of the Settlement Funds is the completion of the [Claimant Information Form](#).

2. After a Person completes the Public Water System Settlement Claims Form, the Settlement Class Member will be provided with additional relevant Claims Form(s) for the payment sources for which the Settlement Class Member may be eligible:

- Phase One Public Water Systems Claims Form;
- Phase One Supplemental Fund Claims Form;
- Phase One Special Needs Fund Claims Form;
- Phase Two Testing Claims Form;
- Phase Two Public Water System Claims Form;
- Phase Two Supplemental Fund Claims Form; and
- Phase Two Special Needs Funds Claims Form

*These Claims Forms will be available online www.PFASWaterSettlement.com and can be submitted to the Claims Administrator electronically or on paper.

Opting out not a good choice – municipality would be precluded from future settlements for citizens. All other cases that develop as a result of PFAS will place you community at the very back seat.

- A Class Member can opt-out from both 3M and DuPont Settlement Agreements.
- Class Members that opt-out do not release any of their claims related to the PFAS contamination of its drinking water supply system, and thus, **must continue to litigate their case, spend resources on further litigation, and continue with the uncertainties of a complex trial, among many other detrimental factors.**

“The enemy of the good is perfect”

Hon. Richard Gergel

“ If our municipality tested for PFAS and found no detect do we qualify for the law suit and do we have to do anything further? ”

Yes, you could potentially qualify. A claims form should be submitted to preserve your claims if PFAS becomes a problem in the future.

CONTACT US

Paul J. Napoli

PARTNER

Email: pnapoli@nsprlaw.com

Coral M. Odio-Rivera

PARTNER

Email: codiot@nsprlaw.com

Stephen J. Acquario

OF COUNSEL

Email: sacquario@napolilaw.com

Verónica N. Vázquez

SENIOR ASSOCIATE

Email: vvazquez@nsprlaw.com

Court has required this be sent out to all municipalities. Very important to participate.

Claims related to public drinking water system

Claims relate to ground water

Claims relate to systems are preserved via filing a claim

Coral M. Odio-Revera – a print of the chat will be coming out to all of us. If there are anymore questions, use the email on the final slide.

Question; Release and objections.

How should non-drinking water claims that are preserved should be evaluated? Bio solids and wastewater will only apply the remediation claims.

Can you describe- Opting Out before filing a request of exclusion before the. You can opt out and request an exclusion all the way to the final submission of the court action.

Group questions from the legal perspective can be submitted as a group review email above.

Hard date

3M hard date to opt in or out is Dec 4, 2023

Dupont hard date to opt in or out is Dec 11