

Important Information Regarding Your Water District Contamination Claim

June 12, 2023

As you may be aware, KP Law has partnered with Napoli Shkolnik PLLC to address the federal multi-state litigation regarding PFAS contamination found in water systems throughout the Commonwealth. As a result of this litigation, a \$1.185 Billion settlement has been reached with Defendants DuPont, Chemours, and Cortiva relative to these defendants' role in PFAS contamination. The attached information from Napoli Shkolnik discusses this settlement, its benefits, and the process for participation in this multi-state litigation by municipalities and water systems.

Please contact Attorney Mark R. Reich (mreich@k-plaw.com) if you have any further questions.

Disclaimer: This information is provided as a service by KP Law, P.C. This information is general in nature and does not, and is not intended to, constitute legal advice. Neither the provision nor receipt of this information creates an attorney-client relationship with KP Law, P.C. Whether to take any action based upon the information contained herein should be determined only after consultation with legal counsel.

RED ALERT:

PFAS COST RECOVERY PROGRAM DEADLINE APPROACHING



SETTLEMENT UPDATE

Napoli Shkolnik and Co-Leads Secure \$1.185B Agreement with DuPont, Chemours, and Corteva over PFAS Pollution and Remediation Expenses in U.S. Public Water Supply

The settlement with DuPont, Chemours, and Corteva symbolizes their unspoken acceptance of their part in the PFAS pollution crisis. They are now obligated to financially compensate for the necessary remediation required to address the pollution caused by their persistent chemicals.

In November of last year, the Court appointed a settlement mediator, and appointed Napoli Shkolnik Partner Paul Napoli to lead coordination of settlement discussions in this litigation.

We anticipate that the Court will soon set a deadline for participation. If you do not elect to participate in the multi-district litigation (MDL) soon, you may be left out of initial rounds of settlement, and may risk losing access to available funds, accordingly.

If your utility has any detections of PFAS, let us help you file a complaint immediately to benefit from any impending settlement. Even if your utility hasn't tested yet, please register so you do not miss out on any potential future benefits.

The deadline is fast approaching for water utilities and municipalities to register for the PFAS Cost Recovery Program and Multi-District Litigation, *In Re: Aqueous Film-Forming Foams (AFFF) Products Liability Litigation*, MDL No. 2873 (D.S.C.)

On March 14, 2023 EPA Proposed National Mandatory Maximum Contaminant Levels

The key details include:

- ❖ PFOA and PFOS will be subject to a MCL of 4 ppt (parts per trillion). This will be determined by a running annual average. The MCLG for PFOA and PFOS will be zero.
- ❖ 4 additional PFAS (PFNA, PFHxS, PFBS, and GenX) will be subject to an MCL determined by a unitless "hazard index"- which will be the sum of the individual ratios of these 4 PFAS. This is intended to regulate the individual chemicals plus a mixture of these chemicals.
- ❖ The rule contains standard monitoring, public notice, and treatment requirements.
- ❖ EPA is taking comments for 60 days on the rule, plus their decision to regulate the 4 additional PFAS. The rule is expected to be finalized at the end of 2023 or the beginning of 2024. Compliance will begin 3 years after the rule is promulgated.

REGISTER TODAY:
www.WaterUtilitySettlement.com

**FREE LEGAL CONSULTATION
NO UPFRONT LEGAL FEES**

**ALREADY REGISTERED? BE SURE YOUR UTILITY HAS
SIGNED THE REQUIRED RETAINER AGREEMENT.**

There is zero cost to register into the litigation and if there is no recovery specifically for your utility, there is zero cost to the utility.

More information and/or to request a presentation to your utility.
Contact **SAM WADE** at **(580) 917-1425**.

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- ❖ Dedicated Environmental Department
- ❖ Regular Communication
- ❖ Conflict Free, Work with Local Counsel
- ❖ Investigative Resources
- ❖ Customized Approach
- ❖ Personalized Attention

A Cost Recovery Program

- ❖ Cost Recovery, Not Punitive
- ❖ Does not impact local companies
- ❖ No Upfront costs, but you must register
- ❖ Zero cost if no recovery specifically for your system
- ❖ Positive Action for the Rate Payer

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