

CENTRE WATER CONTAMINATION SUIT AGAINST 3M DUPONT TO PROCEED

The trial, set to take place, was previously stayed to do a proposed MDL settlement for PFAS contamination in U.S. Public Water Systems.

Montgomery, AL (March 21, 2024) - The Water Works and Sewer Board of Centre, Alabama (Centre Water) can proceed with its lawsuit against 3M and DuPont for contaminating the Coosa River with toxic chemicals, namely PFAS.

The litigation, which was scheduled for trial in October 2023, was briefly stayed due to a proposed MDL settlement aimed at resolving claims for PFAS contamination in almost all U.S. Public Water Systems. The MDL settlement was approved by Judge Richard Gergel of the United States District Court for the District of South Carolina in February, which cleared the way for the remaining trials to proceed. Centre opted out of this settlement.

The lawsuit alleges that the defendants' past and present release of a class of toxic chemicals known as PFAS, such as perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS), has damaged Centre Water's raw water source in the Coosa River Basin and exposed its customers to these dangerous chemicals, which have been linked to various cancers.

"We are pleased that the stay has been lifted in this case," said Beasley Allen attorney Rhon Jones. "This is a significant step toward holding the defendants responsible for their actions and guaranteeing that customers have access to clean and safe drinking water. We will continue to pursue this case vigorously and fight for justice for the damage caused."

These chemical compounds are manufactured by 3M and DuPont and sold to carpet mills in Georgia. There, the mills use PFAS to make carpet and textile products resistant to water, stains, and grease. This has led to the discharge of industrial wastewater containing PFAS, which resist degradation during treatment and contaminate the Conasauga River, which flows into the Coosa River. As a result, Centre Water has suffered economic and consequential damage, including costs for filtration, to remove the chemicals from drinking water and monitoring for PFAS levels. This lawsuit seeks compensatory and punitive damages in order to allow Centre to remove these chemicals from its drinking water. Currently, the EPA has issued a lifetime health advisory recommending that drinking water should contain less than 4 parts per trillion of either PFOS and PFOA.

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Other defendants in the case settled prior to trial for confidential amounts.

Along with Jones, Centre Water is represented by Matt Griffith, David Diab, Elliot Bienenfeld, Gavin King, Jeff Price, and Elizabeth Weyerman.

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