**Press Release**

October 19, 2021

**City of Decatur, Morgan County, and Decatur Utilities reach $98.4 Million settlement with 3M in PFAS case**

*Decatur, AL* - Municipal leaders for Decatur, Morgan County, and Decatur Utilities (DU) today announced that settlement agreements have been reached through mediation with 3M, Daikin, Toray, BFI, and Synagro in two PFAS lawsuits. Through a court-ordered mediation process, the city, county, and Decatur Utilities will receive a $98.4 million settlement from 3M if the governing bodies of the three public entities approve the agreements.

# The Cases and Settlements

The St. John case is a civil action pending before the Circuit Court of Morgan County, Alabama. Lead

attorney for the plaintiffs is Leon Ashford of Hare, Wynn, Newell & Newton. The Tennessee Riverkeeper case is pending before the U.S. District Court, with Bill Matsikoudis of Matsikoudis & Fanciullo as lead attorney for the plaintiffs. Barney Lovelace and David Langston of Harris, Caddell & Shanks represent Decatur, Morgan County, and Decatur Utilities.

In an unusual move, the two cases were ordered into mediation together, resulting in settlements that work together for the good of the residents of Decatur and Morgan County, as well as the other plaintiffs in both cases - under the laws that govern each type of case.

The settlement of $98.4 million includes the following:

* $9.2 Million Reimbursement for past PFAS costs
* $7.0 Million for Future sludge disposal costs for DU
* $25.0 Million Payment to Decatur, Morgan County and Decatur Utilities
* $22.2 Million Payment to cap Cells 2-11 of the Decatur Morgan County Regional Landfill (DMCRL)
* $35.0 Million for a New recreational facility and ball fields to replace the Aquadome complex

In addition to the defined settlement amounts, key terms of the agreement require that 3M will pay the entire cost to investigate the extent, if any, of contamination of PFAS in groundwater at the Decatur Morgan County Regional Landfill; to treat groundwater contaminated with PFAS at DMCRL, if required by the Alabama Department of Environmental Management (ADEM); and for any remediation work related to contamination by PFAS required by ADEM or the U.S. Environmental Protection Agency for the City of Decatur’s three closed landfill sites. Today, 3M is working under an Interim Consent Order with ADEM which requires 3M to investigate and remediate any site where PFAS waste from the 3M plant site was disposed.

# The Path Forward

Decatur Mayor Tab Bowling stated, “I appreciate the work of all parties to bring these lawsuits to a close. We are ready now to look to the future. 3M has long been an involved corporate citizen here and we appreciate how they’ve stepped up to help remedy issues related to chemicals no longer produced in the U.S. This settlement will fund improvements that will make the environment in Decatur and Morgan County healthier. We are pleased that 3M is funding the development of a replacement rec center that adds a quality of life benefit for the whole city.”

**Decatur Water Quality**

The proposed settlement amounts for Decatur Utilities are related to the disposal of sludge from the wastewater treatment plant. They are not related to drinking water supplied by Decatur Utilities to its retail customers within the City of Decatur or its resale customers.

“DU takes great pride in the quality of water provided to our retail and resale customers and wants to ensure all customers that they can have great confidence in its safety. Over the last decade, DU’s Water Treatment Plant has consistently been recognized as one of the best-operated plants in Alabama,” stated DU General Manager & CEO Ray Hardin.

# Identifying Sites

“In addition to capping Cells 2 through 11 at the Decatur Morgan County Regional Landfill, 3M is working with ADEM to identify other locations in Morgan and Lawrence Counties that might have received waste with PFAS and to determine next steps,” stated Morgan County Commission Chairman Ray Long. “We are all working together to ensure solutions for a healthier future for our citizens.”

One of the impacted sites is the old city landfill that was closed in the 1950‘s. That site is the home of the current Aquadome complex. 3M has agreed to pay $35 million to the City of Decatur to build a replacement recreation facility that will include an indoor pool and ball fields at an as-yet -undetermined site.

# Significant Settlements

# Barney Lovelace said, “We are very pleased with the outcome. The significant monetary settlement and the substantial remediation work to be performed will ensure that our environment is preserved for all to enjoy.”

# Public Meeting

The City Council of the City of Decatur, AL, and the Morgan County Commission will each hold a special meeting on Tuesday, October 26, 2021, at 6:00 P.M. at Ingalls Harbor Pavilion, 802-A Wilson Street NW, Decatur, AL 35601.

The purpose of the meeting is to consider the settlement with the 3M Company and settlements in the pending cases of James St. John, et al. vs. 3M Company, et al., Case No. CV-2002-000408, in the Circuit Court of Morgan County, Alabama and Tennessee Riverkeeper, Inc. vs. 3M Company, et al., Case No. CV-16-HGD-1029-NE, in the United States District Court, Northern District of Alabama, Northeastern Division. Information about these settlements will be presented at this meeting and information also can be found at [www.decaturpfas.info](file:///C:\Users\elong\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\4WNSI4JV\www.decaturpfas.info), which will go live after 2:00 p.m. CST today.

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