



ANTHONY G. BROWN, MARYLAND ATTORNEY GENERAL

# PRESS RELEASE

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## Attorney General Brown Joins Multistate Coalition Opposing 3M's Proposed PFAS Settlement

*Multistate Coalition Represents Approximately 171 Million People, More Than Half of U.S. Population*

**BALTIMORE, MD (July 26, 2023)** – Maryland Attorney General Anthony G. Brown today joined a coalition of 23 Attorneys General announcing opposition to a proposed class action settlement that fails to adequately hold accountable the 3M Company for contaminating Americans' drinking water supply. Under the proposed settlement, water providers would withdraw the hundreds of lawsuits they have filed against 3M over its use of PFAS, or toxic "forever chemicals," in a wide range of consumer products and firefighting foams. PFAS are stable in the environment, resistant to degradation, persistent in soil, and known to leach into groundwater.

"The proposed settlement falls short of delivering the accountability and protection our citizens deserve," **said Attorney General Brown**. "The potential risks posed by PFAS contamination are far-reaching, threatening the health and well-being of our families, our communities, and the ecological balance of our environment. Marylanders deserve better than a half-hearted attempt and sweeping these concerns under a rug."

The proposed settlement could apply to nearly every public water provider in the United States, even those that have not sued and those that have yet to test for the presence of PFAS in their water. In return for waiving their claims, 3M would allegedly pay out \$10.5 to \$12.5 billion to water providers. However, this stated amount is worth far less because of certain provisions that could ultimately force water providers to reimburse 3M for many costs.

In the [brief](#) filed with the U.S. District Court for the District of South Carolina, the coalition warns that:

- Whether they have already sued 3M or tested for PFAS, individual water providers would be bound by the proposed settlement *unless* they proactively opt out. Troublingly, the providers would have to make their opt-out decisions without knowing how much money they would receive and, in many cases, before knowing the extent of contamination in their water supplies and the cost of remediating it.

- The proposed settlement contains an indemnification clause, which shifts liability from 3M to water suppliers that did not proactively opt-out. For example, if a cancer cluster develops in a PFAS-impacted community and the victims sue 3M, 3M would likely be able to seek compensation from the community's public water supplier for any amount it owed to the victims. As such, the proposed settlement is worth far less than the advertised \$10.5 to \$12.5 billion.

Joining Attorney General Brown in opposing the proposed settlement are the Attorneys General of Arizona, California, Colorado, Connecticut, the District of Columbia, Hawaii, Maine, Massachusetts, Minnesota, New Hampshire, New Jersey, New Mexico, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Texas, Vermont, Wisconsin, as well as the Commonwealth of the Northern Mariana Islands and the Commonwealth of Puerto Rico.

<https://www.marylandattorneygeneral.gov/press/2023/072623.pdf>