



PFAS COST RECOVERY PROGRAM

ACTION REQUIRED TO BENEFIT

The PFAS cost recovery program requires utilities to register prior to a settlement being reached in order to benefit from the settlement. The cost recovery program consist of multiple classes of plaintiffs thus it is not considered a class action. In a class action anyone in the identified class may benefit when a settlement is reached. The PFAS cost recovery program is a multi-district litigation (MDL) and in order to benefit, the utility must be registered.

While we cannot guarantee when a settlement will take, a bellwether trial is scheduled for spring 2023. This typically energizes the seriousness of negotiation talks and it is conceivable a settlement could be reached before the end of 2022.

Additional information and registration is available at www.napolilaw.com/nrwa-pfas/ or by contacting Sam Wade at Swade@napolilaw.com or at (580) 917-1425.

The **Napoli Shkolnik PFAS Team** is available to make a presentation to your utility and works with your local legal representative to represent your system. Register today and protect your utility and ratepayers.

PFAS COST RECOVERY PROGRAM Q&A

Q - Our attorney said in a class action we do not have to take any action now, that we will be able to benefit when a settlement is reached.

A - The PFAS cost recovery program is not a class action, it is multi-district litigation and requires a utility to register onto the litigation in order to benefit from a settlement. Register now to ensure your utility is protected. There is no cost to register.

Q - What are the primary sources of contamination of drinking water supplies?

A - These manmade "forever compounds" are now in the environment and in items we come into contact with daily. The primary sources of contamination of water sources are airports, military bases, firefighting or fire training facilities, landfills, and manufacturing. Subsequent contamination has been identified from the spreading of wastewater bio-solids.

Q - How will a settlement be dispersed?

A - That is dependent on the settlement and decision by the Court. The goal is to establish a fund that will address current and future expenses associated with PFAS contamination. Napoli Shkolnik has vast experience in representing utilities and local governments in major litigation such as the PFAS cost recovery program.

Q - We have detections but they are under our state's standard, should we register anyway?

A - Yes, protect your utility from a potential financial burden and there is no cost to register. The EPA is in the process of establishing an enforceable standard at the federal level as well as declaring these substances as a hazardous waste, which will impact wastewater effluent standards and disposal of biosolids.

Q - What if our board or attorney has a question or concern?

A - We are available to address any questions, issues, or concerns your board or legal counsel may have. Our goal is to represent your best interests and achieve a settlement that will prevent or lessen the expenses the PFAS requirements will place on your rate payers.

Q - Is there really no cost to our utility? Sounds too good to be true!

A - There is zero cost to your utility to register onto the cost recovery rolls. The law firm absorbs all of the upfront cost and if there is no settlement, specifically for your utility, there is zero cost to your utility.

