

## South Florida cities getting millions from settlement in ‘forever chemicals’ legal battle



**Robert F. Bukaty/AP**

A sailboat starts down the St. Lucie Canal after leaving Lake Okeechobee in February 2020. The entire lower east coast of Florida relies on the water deliveries from Lake Okeechobee to continually recharge the Biscayne aquifer and local wellfields. (AP photo/Robert F. Bukaty)

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South Florida cities from Fort Lauderdale to Boca Raton are in line for a mega windfall in the form of multimillion-dollar settlement payouts from manufacturers of potentially toxic “forever chemicals” that have made their way into the country’s drinking water.

Fort Lauderdale is in line for nearly \$35 million. Boca Raton has won \$32 million. And Delray Beach has been awarded \$15 million.

The cities were plaintiffs in a national class-action lawsuit that accused 3M, DuPont and dozens of other manufacturers of [polluting the water supply](#) of municipalities around the country with

perfluoroalkyl and polyfluoroalkyl substances known as PFAS — commonly referred to as “forever chemicals.”

Hollywood, Hallandale Beach, Dania Beach and Sunrise also joined the class-action suit and are collecting combined damages of \$35 million, said James Ferraro Jr., one of the lead attorneys in the class-action case who represented several cities in Florida, Georgia and Massachusetts.

The lawsuit, filed in federal court, claims the companies released PFAS chemicals into the environment for decades despite being aware of the harm they posed to people, animals and the environment.

“All public water systems in South Florida are in the same boat in terms of PFAS,” Ferraro said. “They’re pulling water from the Biscayne aquifer so there’s a similar range of PFAS contamination. These chemicals can be harmful to human health. They are toxic chemicals.”

PFAS chemicals have been used in everything from firefighting foam to non-stick frying pans, pizza boxes and candy wrappers, carpets, clothing, shampoo and cosmetics.

According to the U.S. Environmental Protection Agency, the potentially harmful compounds have been linked to a variety of health problems, including thyroid disease, liver damage, some cancers, weakened immunity, reduced fertility in women, low birth weight and developmental delays in children.

In [settling the case](#), 3M and the other defendants did not admit wrongdoing.

3M argued that some PFAS contamination resulted from the company’s production of firefighting foam under government military contracts, implying federal approval of its work. 3M also argued that the presence of PFAS at low levels doesn’t automatically equate to harm.

PFAS chemicals still linger in groundwater, rivers and lakes and take hundreds to thousands of years to break down, according to the EPA.

The chemicals can also linger for years in the bodies and bloodstreams of animals and humans.

EPA standards mandate that all U.S. cities keep PFAS levels at 70 parts per trillion gallons of water or lower. The agency plans to lower it to 4 parts per trillion by 2031.

### **Safe to drink?**

City officials have been quick to reassure the public that their water is [safe to drink](#).

Fort Lauderdale’s drinking water does contain PFAS chemicals but is safe based on current EPA requirements, Mayor Dean Trantalis told the South Florida Sun Sentinel.

But a new [\\$666 million water plant](#) expected to open at the end of 2026 will filter out a much higher level of PFAS chemicals than Fiveash, the old treatment plant it's replacing, Trantalis said.

Fort Lauderdale Commissioner Steve Glassman says he is proof the city's drinking water is safe.

"We always [test the water](#)," Glassman said. "I've been drinking it every day and I'm feeling fine. And it's only going to be better once we get the new water plant open."

Every year, approximately 100,000 tests are performed on Fort Lauderdale's drinking water in state-certified laboratories, city spokeswoman Ashley Doussard said.

"These tests include daily bacterial and chemical tests on finished water, weekly bacteriological tests of water in the distribution system, monthly and quarterly testing of water supply wells, and annual tests of all regulated drinking water contaminants and their health effects," she said. "The city of Fort Lauderdale continues to provide drinking water that meets or exceeds local, state and federal requirements."

Sites on social media, including Reddit, often share tips and suggestions about buying tap water filters specifically for removing PFAS from their drinking water at home.

"We've all heard of it," said Mark Dearman, an attorney representing Delray Beach in the PFAS lawsuit. "We hear it referred to as 'forever chemicals.'"

### **'Like gum on bottom of a shoe'**

Likened by researchers at the University of Florida to gum on the bottom of a shoe, PFAS substances do not disintegrate naturally, meaning they stay in the environment and in human bodies for decades.

More than 2,000 water samples taken by UF researchers found PFAS concentrations across all of Florida's water bodies, with some containing more than 40 parts of PFAS per trillion gallons of water.

"Most of the contaminants in the processed material are [dumped back](#) into our waterways," John Bowden, a UF professor and researcher on the project, said in a report about the study. "If our drinking water comes from these sources, it will often contain PFAS. What should be alarming for all Floridians is that in the springs, which are often destined for use as drinking water, PFAS are present."

These human-made chemicals can resist just about anything, which is what made them so useful for military and firefighting equipment. But they also made their way into many everyday items including nonstick pans, makeup, nail polish, paint and microwaveable popcorn bags.

While the settlement signals a win in the long litigation battle against the companies that manufactured PFAS chemicals, Ferraro said it still won't be enough for many municipalities.

"Boca Raton is getting about the same amount of money as Fort Lauderdale," Ferraro said. "The biggest driver of the settlements is the amount of water they treat. Dania Beach is going to get far less than Fort Lauderdale because they treat less water."

Fort Lauderdale is receiving \$28.9 million from 3M; \$2.9 million from DuPont; an estimated \$1.8 million from Tyco Fire Products; and an estimated \$1 million from BASF Corp.

Fort Lauderdale is expected to receive 65.6% of the 3M settlement this year. The remainder will be paid yearly between 2026 and 2033.

The DuPont, Tyco and BASF settlements are expected to arrive this year.

Fort Lauderdale officials have not yet decided how to spend the money, although \$4.8 million might go toward creating the city's own emergency reserve in case the Federal Emergency Management Agency goes away.

### **More money than expected**

Glassman says he played a key role in making sure his city joined the class-action case.

Ferraro's law firm contacted his office two years ago, Glassman said.

"They weren't having any luck getting appointments with anyone on the commission," he told the Sun Sentinel. "We had the meeting. And it sounded like something we should be involved in. We got it in front of the commission and we joined the class action. It's a lot more money than what I expected."

Boca Raton will get \$32 million over the next five years, with 60% to 65% of the money expected to arrive within six months.

Boca Raton plans to put the settlement money toward construction of a new \$55 million water treatment system that should be completed by 2029 or 2030.

Delray Beach will get \$15 million, with about 40% arriving in the next few months and the remainder to be distributed annually over the next five years.

Delray Beach may use some of the money for a new \$280 million water treatment plant expected to break ground this year.

Delray Beach Vice Mayor Rob Long said he'd like to use some of the settlement money to help offset the water bill rate hike expected to kick in once the plant is built.

In joining the class-action case, Boca Raton was seeking compensation for the investigation, remediation, removal, disposal, treatment and monitoring of the ongoing contamination of the city's water supply.

Delray Beach was also seeking compensation for the costs and expenses related to the past, present and future investigation, sampling, testing and assessment of the extent of PFAS contamination along with PFAS removal.

### **Hard to remove**

Destroying PFAS is "very, very, very expensive," said Boca Raton Utility Director Chris Helfrich.

Getting rid of these "forever chemicals" is possible, but one simple, streamlined and relatively cost effective solution that doesn't also have negative environmental impacts isn't available yet, Helfrich said. And because the EPA doesn't require public water systems to destroy PFAS, utility systems end up recycling it back into lakes, canals and the ocean.

Whether or not the drinking water in these municipalities is safe to drink also appears to depend on one's mindset, Helfrich said.

Four parts per trillion is roughly equal to one drop of food coloring in 5 million gallons of water, or more than 300 swimming pools, Helfrich said.

Based on the city's annual drinking water quality report for 2024, one PFAS sample came back at 5.8 parts per trillion.

The Boca Raton water treatment plant already removes some PFAS from the drinking water that serves around 130,000 people. But it isn't yet able to filter out enough to meet the federal level of 4 parts per trillion, Helfrich said.

Still, Boca Raton's water is completely safe to drink, he added. And the city is on its way to meeting the federal requirements not by the EPA's deadline, but before it.

Down the line, the federal government or the states might be called on to help fund new water plants in cities that need help filtering out PFAS chemicals, according to Ferraro.

"They have to come to the reality that settlement funds are a huge help, but for some public water systems it's not going to be the end all," Ferraro said. "They're going to need a lot more. The federal government is going to have to fill the gap to address this issue in certain places for sure, and it's going to be billions of dollars on a yearly basis."

Under President Donald Trump, [EPA guidelines](#) on PFAS chemicals have loosened. Under Trump's administration, certain PFAS chemicals no longer need to be regulated at all. And the deadline for municipalities to come into compliance has been extended from 2029 to 2031.

Whether that was a smart strategy depends on who you ask, Ferraro said.

"It cuts both ways," he said. "In the environment, is it better to have it (take effect in) 2029? Yes. For public water systems, is it? No, because their focus is in looking at how big of a lift is it going to be to actually get this in place and meet these regulations. They would like to have this at zero parts per trillion, but the reality is it's extremely expensive to get there."

For now, municipal water systems and the EPA are taking things one step at a time, said Helfrich.

"It's linear," he said. "Let's get it out of the water. Let's get the quality of the water safe to drink. And then let's remove it from the environment."

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