



# 3M Natural Resource Damage Settlement

July 31, 2018

# Brief history of PFAS in the east metro area

- **2002:** 3M informs MPCA of PFAS in production wells at Cottage Grove facility
- **2007:** MPCA and 3M agree to consent order outlining 3M is responsible for:
  - Providing safe drinking water to affected residents
  - Cleaning up PFAS waste disposal sites
  - Monitoring groundwater
- **2010:** Attorney General files Natural Resource Damage lawsuit on behalf of State, with MPCA and DNR as trustees

# What's been done recently

- By 2016, MPCA had installed 100 carbon treatment systems at residences
  - Keeping an eye on more than 200 additional residential wells
- Since EPA and MDH lowered drinking water health values in 2016 and 2017:
  - Over 1,400 additional residential wells sampled (over 2,300 in total)
  - Nearly 775 additional wells tested over MDH health values, issued drinking water well advisories (875 in total)
    - All of these residents were offered bottled water, many have agreed to carbon treatment systems

# What is Natural Resource Damage?

- Natural resource damage is compensation for impacts to natural resources such as:
  - Groundwater
  - Surface waters (lakes, streams, and wetlands)
  - Fisheries
  - Wildlife
  - Natural habitats
- Natural resource damage is not addressed under the 2007 consent order.
- **2010:** Attorney General files Natural Resource Damage lawsuit on behalf of State, with MPCA and DNR as trustees

# 2018 Settlement: major components

- \$850 million grant to the State
- \$720 million immediately available to provide long-term solutions in the east metro area for:
  - Clean and sustainable drinking water
  - Restoration and enhancement of natural resources
- Restrictions about how the grant can be used
- Expectations for community participation
- Preserves 3M's obligations under the 2007 consent order

# Priority one — safe drinking water

- Ensure clean drinking water to meet current and future needs
- Including, but not limited to Afton, Cottage Grove, Lake Elmo, Maplewood, Newport, Oakdale, St. Paul Park, Woodbury and townships of Denmark, Grey Cloud Island, West Lakeland
  - Alternative sources of drinking water for cities and private well owners
  - Treat existing contaminated drinking water wells
  - Potentially connect homes with private wells to municipal drinking water systems
  - Promote water conservation
  - Preserve open spaces that recharge drinking water sources

# Priority two — enhance natural resources

- Restore and enhance natural resources in the east metro area and downstream on the Mississippi and St. Croix Rivers
  - Restore and protect fish and wildlife habitat
  - Restore access to outdoor recreation
  - MPCA and DNR have immediate access to \$20 million in grant funds

# Other expenses

- \$125 million from settlement for outside counsel
- \$4.5 million reimbursement for Cottage Grove's and MPCA's 2017 costs under the 2007 consent order



# Financial framework

- Settlement requires grant to be deposited in Remediation Fund, Legislature established in law the Water Quality and Sustainability Account
- Funds statutorily appropriated to MPCA & DNR
- Use of dollars governed by agreement and overseen by District Court
- Financial framework established by M.S. 116.155, 115B.17, 115B.20, and 115B.22

# Local participation

- MPCA and DNR will work collaboratively to develop and prioritize drinking water and natural resources projects
  - Government and 3M Working Group & Citizen-Business Group created to identify and recommend projects -- first meeting was July 13<sup>th</sup>
    - Aided by technical subgroups
  - Three goals:
    - Broad participation
    - Transparency
    - Balance

# Groups structure

- **Government and 3M Working Group** and **Citizen and Business Work Group** that will provide recommendations on projects and priorities to the MPCA and DNR.
  - Final decisions made by MPCA and DNR
- A **Drinking Water Supply** subgroup that will analyze options and deliver recommendations to the Working Group for long-term solutions for alternative drinking water sources and/or treatment of existing water supplies for affected communities.
- A **Groundwater Protection, Sustainability, Conservation and Recharge** subgroup that will analyze options and deliver recommendations to the Working Group for long-term solutions for groundwater protection, recharge, conservation, sustainability, and for groundwater studies and modeling needs in the East Metropolitan Area.

# Public input, communication, and reporting

- Open houses/listening sessions held in April
- Variety of tools to communicate progress:
  - Webpage: [3MSettlement.state.mn.us](http://3MSettlement.state.mn.us)
  - Email list: progress and upcoming events
- Regular fiscal and progress reports
- Regular legislative updates





Settlement website:

- **[3MSettlement.state.mn.us](http://3MSettlement.state.mn.us)**

Email for questions, comments:

- **[pfcinfo.pca@state.mn.us](mailto:pfcinfo.pca@state.mn.us)**

Questions?