

State to Pursue Legal Action Against PFAS Contaminators

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State will seek outside legal counsel to investigate and prepare for litigation against corporate actors responsible.

MADISON — Gov. Tony Evers announced today that his administration is preparing to take legal action against companies responsible for PFAS contamination in Wisconsin. Gov. Evers, in consultation with Wisconsin Attorney General Josh Kaul, asked the Department of the Administration (DOA) to begin the selection process for an outside law firm to help the state evaluate and pursue litigation against companies responsible. The decision comes following recommendations from the [Wisconsin PFAS Action Council's PFAS Action Plan](#) released in December 2020.



“PFAS can have devastating effects not only on our state’s ecosystem and vital natural resources, but on the health of our families and communities across the state,” said Gov. Evers. “It is unacceptable and those companies responsible for the contamination of our land and water should be held accountable so we can move forward in cleaning up this pollution for the health and safety of our communities.”

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The Wisconsin PFAS Action Council, which was created by [Executive Order #40](#), aims to help address the issue of PFAS in our state. The Action Council's

[PFAS Action Plan](#)

includes 25 action items to address PFAS contamination, centered around environmental justice, health equity, and pollution prevention. One of the action items recommended from the plan is pursuing appropriate legal action against corporate actors responsible for the harmful discharges.

"PFAS cause severe harms to people's health and result in long-term environmental contamination," said Attorney General Kaul. "As this announcement reflects, Governor Evers' administration and the Wisconsin Department of Justice take this issue very seriously and are working together to get contaminated sites cleaned up, support for those who have been exposed to dangerous levels of PFAS, and accountability from those responsible for the harms that PFAS have caused in Wisconsin."

Other states, such as Michigan, Ohio, New Hampshire, and Vermont, have already pursued litigation against corporate actors responsible for PFAS contamination and have leveraged the funds derived from the litigation to support the communities most impacted. Currently, Wisconsin monitors nearly 50 sites across the state for PFAS contamination.

Looking ahead, DOA will solicit bids from qualified law firms that are willing to adhere to the statutory limits of Wis. Stat. § 20.9305(2). Following the procurement process, Gov. Evers will make a final determination of the appropriate counsel.

[PFAS](#), per- and polyfluoroalkyl substances, are a group of human-made chemicals used for decades in numerous products including non-stick cookware, fast food wrappers, stain-resistant sprays and certain types of firefighting foam. These contaminants have made their way into the environment through spills of PFAS-containing materials, discharges of PFAS-containing wastewater to treatment plants and certain types of firefighting foams.

PFAS do not break down in the environment and have been discovered at concentrations of concern in groundwater, surface water and drinking water. They are also known to bioaccumulate in fish and wildlife tissues and accumulate in the human body, posing several risks to human health.