

The National Law Journal Quotes Partner Bill Beck on Expected Litigation Wave Following EPA's Proposed Rule to Cap 'Forever Chemicals' in Drinking Water at Close-to-Zero

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The National Law Journal

The National Law Journal recently quoted Lathrop GPM Partner Bill Beck on the expected wave of litigation following the U.S. Environmental Protection Agency's proposed rule to cap 'forever chemicals' in drinking water at 'close-to-zero.' These chemicals, also known as PFAS, have been used in industry as well as consumer products since the 1940s, according to the EPA's 398-page release detailing the proposed rule, which will be open for public comment.

"The overarching thesis of this is: it's a gift to plaintiffs lawyers, particularly the claim that PFOA [perfluorooctanoic acid] and PFAS likely cause kidney and liver cancer," Beck told NLJ.

As the proposed rule will require municipal and private water providers to clean up their drinking water, they will "have no choice but to incur costs for cleanup even if the contamination is at low levels," another contributor said. "They will with no doubt want to join the litigants who are already trying to shift those costs back to the manufacturers of the chemicals where it properly belongs."

Defense attorneys believe that there will be a lot more testing and water treatment in the near future, leading to "efforts of at least some of those utilities to recover the cost of that treatment, which will be substantial," Beck said. While some water providers across the United States have already filed lawsuits, the ultimate scope of cleanup and litigation costs could be exorbitant.

The regulatory community has long been awaiting this rule, particularly since EPA issued its non-enforceable lifetime health advisories (LHAs) last June that were shockingly low, which you can read more about [here](#).

There are several important differences between last June's guidance and the rule issued today, and we



have identified several immediate issues to consider. We will provide more information regarding how this affects public and private entities across various industries in the coming hours and days. We encourage you to contact your Lathrop GPM team to discuss your specific circumstances.

Read the full article here [SUBSCRIPTION REQUIRED]: Attorneys Expect Wave of Litigation Following EPA's Proposed Rule to Cap 'Forever Chemicals' in Drinking Water at Close-to-Zero.