

**RESOLUTION V2023-25**  
VILLAGE OF HARRISON  
Calumet and Outagamie Counties

**RESOLUTION OPTING OUT OF THE PFAS SETTLEMENT WITH  
3M AND DU PONT**

**WHEREAS**, most Wisconsin water utilities, including Harrison Utilities, have received class action settlement notices related to PFAS settlements with 3M and Du Pont; and

**WHEREAS**, since Harrison Utilities purchases water from Appleton and due to the Appleton's primary water source being surface water, PFAS levels currently have not been an issue; and

**WHEREAS**, what is unknown at this time is whether the PFAS limits would change resulting in Appleton Water and/or Harrison Utilities needing to comply with stricter limits and at what cost; and

**WHEREAS**, the Village Board has two options. Either stay in the class action lawsuit and restrict future settlements or opt-out out of the lawsuit by December 4, 2023 for Du Pont and December 11, 2023 for 3M; and

**WHEREAS**, should Harrison Utilities accept the settlement now this would prevent Harrison Utilities from seeking future remedies against these companies based on the terms of the respective releases; and

**WHEREAS**, should regulations change in future decades requiring more extensive remediation or, should PFAS have a greater negative local impact in the future, the Village's recourse would be limited if it stays in the settlement classes and releases these companies; and


**WHEREAS**, the Village Attorney is recommending that Harrison Utilities opt out of the class action suit to preserve the right to potential future claims similar to the City of Appleton's recent decision to opt out.

**NOW, THEREFORE, BE IT RESOLVED**, that Village Staff, the Village President, and the Village Attorney be authorized, on behalf of the Village of Harrison, to immediately execute and file a Request for Exclusion with the appropriate courts and parties in the 3M and Du Pont class action lawsuits so that the Village is opted out of these respective lawsuits.

Adopted by the Board of Trustees of the Village of Harrison this 28<sup>th</sup> day of November, 2023.

VILLAGE OF HARRISON

By:   
Allison Blackmer, Village President

Attest:   
Vicki Tessen, Village Clerk-Treasurer