



WHAT PUBLIC WATER SYSTEMS NEED TO KNOW ABOUT UPCOMING DEADLINES TO PARTICIPATE IN SETTLEMENTS WITH PFAS MANUFACTURERS

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Public water suppliers (“PWS”) throughout the United States may be eligible to receive money for PFAS monitoring and remediation.

If your water system has detected PFAS since June 2023—or needs to test for PFAS in the future—you may be eligible. There are important claims submissions deadlines coming up.

What Are the Settlements?

In recent years, large nation-wide class action cases against manufacturers of Aqueous Film-Forming Foam (known as “AFFF”) have resulted in settlements totaling over \$10 billion for testing and remediation of impacted public water systems. Settlement funds from 3M Company (“3M Settlement”) and Chemours Company FC, LLC, DuPont de Nemours, Inc., Corteva, Inc., and E.I. DuPont de Nemours and Company (now known as EIDP, Inc.) (“DuPont Settlement”) are still available for certain PWS.

Which PWS Are Covered?

The settlements are defined to cover all PWS that met the definition of a class member for that settlement. While there are some differences between the two settlements, generally, they include all active PWS in the United States that detected PFAS contamination in their water sources as of June 2023, are required to test for PFAS under EPA’s [unregulated contaminant monitoring rule](#), or serve more than 3,300 people. Any PWS that meets the definition of a class member and did not opt out of the settlement is automatically included.

Phase II: Who Can Participate Now?

Phase II applies to any PWS that is required to test for PFAS or serves more than 3,300 people, but did not detect PFAS in its water supply sources before June 2023.

3M Settlement

PWS may receive settlement funds from the 3M Settlement if:

- The PWS had not detected PFAS in its water sources as of June 22, 2023; and
- The PWS is required to test for certain PFAS constituents under EPA’s unregulated contaminant monitoring rule or serves more than 3,300 people; and

- The PWS has tested each of its water sources for PFAS, requested all analytical results (including numeric values) from the laboratory.

DuPont Settlement

PWS may receive settlement funds from the DuPont Settlement if:

- The PWS had not detected PFAS in its water sources as of June 30, 2023; and
- The PWS is required to test for PFAS under EPA's unregulated contaminant monitoring rule, federal law, or state law.

When Must Claims Be Submitted?

The deadlines for submitting Phase II claims are fast approaching:

March 31, 2026: Deadline to submit claims for past PFAS testing costs.

July 1, 2026: Deadline to complete EPA-required testing for PFAS.

July 31, 2026: Deadline to submit Phase II claims.

August 1, 2026: Deadline for Special Claims (e.g. for costs to respond to PFAS contamination, such as filtration, new wells, or other response measures).

Missing these deadlines may mean losing access to settlement funds.

What Should Water Systems Do Now?

PWS should:

- Determine eligibility to participate in Phase II;
- Confirm whether your system is required to test for PFAS and, if so, ensure testing satisfies settlement claim requirements;
- Prepare to submit claims on time in 2026.

For More Information

Van Ness Feldman's litigators closely monitor and advise clients on PFAS-related issues. For more information, please contact [Anne Lynch](#), [Michael Goodstein](#), or any member of VNF's litigation team.

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