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Gore-Tex maker polluted some Marylanders' drinking water with 'forever chemicals,' officials say. The question is how many.



Cecil County resident Norma Calabro stands outside her well house at her home, which is near W.L. Gore's Cherry Hill location. She is one of the plaintiffs in a class-action lawsuit focusing on PFAS contamination. (Jerry Jackson/Staff)



By **CHRISTINE CONDON** | chcondon@baltsun.com PUBLISHED: February 15, 2024 at 11:08 a.m. | UPDATED: February 15, 2024 at 12:24 p.m.

The maker of the renowned Gore-Tex waterproofing for outdoor gear polluted groundwater near two of its plants in Northeastern Maryland with a hazardous "forever chemical," according to the Maryland Department of the Environment.

State investigations at the manufacturing sites in the Elkton area of Cecil County indicate W.L. Gore & Associates released a harmful type of the long-lasting PFAS pollutants, formally known as per- and polyfluoroalkyl substances, at some point in its decades-long past, said Tyler Abbott, director of MDE's land and materials administration. The locations are the company's Cherry Hill and Fair Hill facilities.

Some of the homes closest to the sites, residences that mostly relied on wells, saw elevated levels of PFAS in their drinking water as a result, MDE says. Revelations that PFAS chemicals are astoundingly persistent in the environment, and that some pose a threat to human health, have thrust Gore, whose products are beloved by outdoors enthusiasts, into the center of a vexing environmental problem, compelled it to reimagine its namesake brand and left it facing lawsuits from a former employee and neighbors.

Meanwhile, MDE is trying to determine the "radius" of pollution that could be attributed to the two Elkton-area sites, Abbott said.

"The sample results that we are seeing would indicate that Gore is responsible for some — if not all — of the pollution," Abbott said. "It's just delineating that line."

Gore "continues to work voluntarily and proactively with the Maryland Department of the Environment to fully understand the situation, while providing support to our community throughout the process," company spokeswoman Deena O'Brien said in a statement.

The Newark, Delaware-based company relied on varieties of PFAS that are heat-, water- and oil-resistant to make waterproof membranes and coatings for raincoats, medical equipment and even space suits. Along the way, its Gore-Tex became a household name. But a harmful PFAS compound called PFOA was once contained within the raw materials it used.

The manufacturers of dangerous PFAS compounds, including DuPont and 3M Co., have agreed to multimillion-dollar settlements in the U.S. over environmental contamination and health impacts, which include cancer and damage to reproductive and immune systems.

Gore, which previously used the compounds but did not manufacture them — didn't face that sort of litigation until 2022. That's when a family from the Cherry Hill area sued in U.S. District Court in Baltimore. They alleged the nearby Gore plant contaminated their water supply with a harmful PFAS compound called PFOA. A class-action lawsuit followed in 2023, filed on behalf of anyone who lived, worked or went to school within a $3\frac{1}{2}$ -mile radius of that plant for at least six months.

Gore said in 2014 that it had stopped using the compound, but PFOA's enduring nature means it lingers in the environment.



Cecil County residents located near W.L. Gore's Cherry Hill location filed a class-action lawsuit last year. (Jerry Jackson/Staff)

After the cases were filed, Maryland regulators opened an investigation into Gore, and Abbott said the state now believes Gore contributed at least some PFOA to the environment.

Figuring out how that happened is complicated, he said. Gore employees handled materials containing harmful PFAS at the facilities dating back as far as the 1970s.

"We're not really sure. I'm not sure that Gore is either," Abbott said. "Just picture handling such a product and washing your hands in the sink. That leads to contamination. So it's trying to really figure out what might have got us here. Because small things like that do make a difference."

The lawsuits allege unlined storage ponds at Gore's Cherry Hill site may have held PFAS-contaminated wastewater from the manufacturing process, and it could have leached into the community's groundwater. The suits also suggest that during the drying process for Gore's materials, harmful PFAS could have left the sites in vapor.

O'Brien said the company denies the lawsuits' claims, although she declined to comment on specific allegations because the litigation is ongoing. However, she also said the suits "fail to acknowledge key facts about Gore's proactive steps" to process PFAS responsibly.

Recently, Gore has paid to connect a handful of homes next to its Cherry Hill plant to a public water system, a company spokesperson said.

Other homes are farther from the necessary infrastructure. Gore has offered water treatment systems to 134 households within a mile of both of its plants, regardless of the pollution level detected at each home, O'Brien said.

Gore also hired a firm to conduct testing on its sites. In coordination with MDE, Gore is evaluating its other Elktonarea locations, according to the agency. In Cecil County, the company has 14 facilities and 2,900 workers, making it the largest private employer.

MDE, for its part, is "satisfied" by Gore's provisions of bottled water, treatment systems and public water hookups, said agency spokesman Jay Apperson.

Abbott declined to comment on the state's next steps, but many "different legal avenues" are possible, he said.

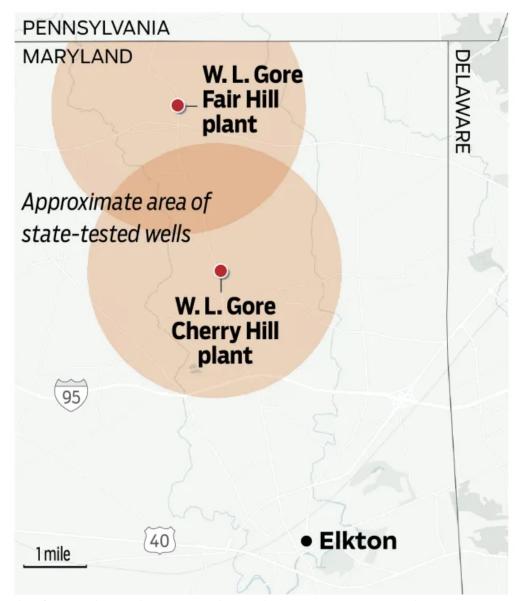
The agency feels confident that the radius of Gore's pollution includes private wells sampled within a quarter mile of the Cherry Hill and Fair Hill sites, Apperson said.

The Baltimore Sun obtained laboratory testing commissioned by the law firm that filed the suits. It found homes closest to Gore's Cherry Hill plant had levels of harmful PFOA as high as 710 parts per trillion.

The federal Environmental Protection Agency has said the compound becomes dangerous in drinking water, given a lifetime of exposure, at 0.004 parts per trillion. But considering the limitations of testing and water treatment technology, the agency has proposed that the enforceable drinking water limit for this compound be 4 parts per trillion.

Though other PFAS compounds have been detected near the Gore sites, PFOA is the main contaminant of concern. That's because it consistently has the highest readings, Apperson said.

State testing of well water more than a quarter mile from the two Gore sites was less conclusive. PFOA levels were lower, though many were still above the EPA's proposed standard, and didn't show a clear pattern in relation to the Gore sites. On average, the levels were under 10 parts per trillion, with a maximum of about 55 parts per trillion.



The "forever chemical" PFOA was detected in concentrations over the Environmental Protection Agency's 4 parts per trillion limit in most of the more than 100 samples the state tested last year from private wells within a 2-mile radius of either W.L. Gore's Cherry Hill or Fair Hill plants. The Maryland Department of the Environment has not determined how much of that pollution could be attributed to the plants. | Sources: Maryland Department of the Environment, OpenStreetMap (Staff Graphic)

"The fate and transport of PFAS is not like other, more easily discernible contaminants," Apperson said in a statement.

Because PFAS chemicals have been manufactured for such a long time, and linger so long in the environment, they can be found all over the globe at low levels, even far from a source, said Christopher Higgins, a Colorado School of Mines civil and environmental engineering professor who studies PFAS.

"If you were to collect a water sample on the surface of the planet, there's a good chance if you collected enough of the water, you could measure it pretty much anywhere," Higgins said.

There's also the chance that other local sources — such as household septic tanks — contribute to diffuse levels, Abbott said. That's because a significant portion of the population likely carries at least some PFAS in their bloodstreams. When those compounds leave the body, they can contaminate the waste that enters underground septic systems.

"Could that be something that creates background levels?" Abbott said. "There's a lot of things that we're talking about, just to get an idea of what is affecting us as a state."

As the state races to uncover the damage that PFAS have wrought, industrial sites like Gore's are just one focus. Military bases, firefighter training areas and airfields are also part of the picture.

Federal law compels testing on military sites, and PFAS levels in the thousands and millions parts per trillion have been found in bases in Maryland, mainly where firefighting foams containing PFAS were used. The scope of the state's review also includes wastewater treatment plants and landfills. In response to a recent survey by MDE, 14% of the state's industrial sites reported at least some PFAS on location.

'You just feel like you're helpless'

Robin Waddell and her husband moved into their Elkton-area home more than 50 years ago. They raised their children there. They built a life.

So they were stunned to learn their drinking water contained higher-than-acceptable levels of more than one PFAS compound — and that it could date back decades.

"You just feel like you're helpless," said Waddell, whose tap had levels of 15 parts per trillion of PFOA. "What can you do? We've already had this exposure for so many years ongoing. It's not like we just moved into this house."

Waddell said her family can't afford the kind of water treatment system that could address the PFAS contamination — a reverse osmosis system or granular activated carbon filters. The Waddell family hasn't been contacted by Gore about treatment options. Their home is about 2 miles from Gore's Cherry Hill site — beyond the radius within which Gore is offering free systems.

Waddell said she can't avoid using well water that relies on a groundwater aquifer because her home can't be connected to a public water system.

So far, four Cherry Hill households have been hooked up with Artesian Water, the water system serving the area, said Joseph DiNunzio, president of Artesian Water Maryland. The company is extending service to a fifth household, and is in discussion with six others.

"We can easily — and have — provided water service to people who have properties adjacent to our existing water lines," DiNunzio said. "It gets a little more complicated when the water main has to be extended for someone."

Artesian Water does not have infrastructure in the Fair Hill area, and doesn't have authorization to expand there, DiNunzio said.

Under Maryland law, a resident benefitting from a water main extension has to pay for it, he said. The provision was intended to prevent existing customers from being forced to fund a system's expansion, he added. Such costs can be staggering.

"We've had discussions with Gore, but we're not in a position to tell you what their intent is," DiNunzio said. "If they want that to happen, and want to participate in that, we have the water available."

Gore's O'Brien said the company evaluated connecting homes adjacent to Fair Hill to Artesian Water, but determined that water treatment systems would be "the most effective and timely alternative." About 10% of Maryland's population is served by wells. It's up to individual well owners to test for PFAS and figure out next steps. Maryland regulators recommend that owners of wells with levels higher than the EPA standard install treatment technology or switch to public water.

State officials are developing an online map showing well owners where testing for PFAS is recommended, based on known sources of contamination. Maryland regulators also are considering requiring PFAS testing before new wells can be brought online.



Cecil County resident Norma Calabro sits on the porch of her home located near W.L. Gore's Cherry Hill location. Calabro is one of the plaintiffs in a class-action lawsuit focusing on contamination discovered in their wells. (Jerry Jackson/Staff photo)

Norma Calabro, who lives in the Cherry Hill area more than a mile from Gore's plant, said she used to cherish the squat, brick springhouse nestled in the woods behind her backyard. She used to tell friends and family she had some of the purest drinking water in the world.

The news about Gore shook her faith.

Her well tested at 2 parts per trillion of PFOA, less than the EPA's proposed limit for drinking water, but more than the agency says is safe.

Calabro, 81, said she needs to learn more about whether to install a treatment system.

"If I went ahead and put in a system, I might find out later that it's not big enough, not strong enough ... and have to do it all over," Calabro said. "Whatever I have to do — I would expect — would be reimbursed by Gore. But I don't know when."



Waddell thinks of her parents-in-law, who lived next door. Each developed a type of cancer. Calabro's husband died of bladder cancer. Both women wonder if PFAS contamination played a part.

In this part of Maryland, near the Delaware headquarters of chemical companies such as Gore and DuPont Co., the community relies on them, Calabro said. Her father worked for Wilmington, Delaware-based DuPont. Her daughter works for The Chemours Co. of Wilmington, which was spun off from DuPont. Her nephew works at Gore.

"I worked for a big bank, which feeds off of these companies," she said. "We are so tied to these companies. We can't escape."

'Nothing would have changed'

It was a former Gore scientist named Stephen Sutton who started the environmental case against Gore in Cecil County.

After watching a 2018 documentary called "The Devil We Know," which focuses on PFAS contamination from a DuPont Teflon plant in West Virginia, Sutton thought back to his years with Gore, according to his lawsuit.

Sutton worked closely with PTFE, the material behind Teflon and Gore-Tex, starting in 1993 at Gore's Cherry Hill plant. Expanded into thin sheets, it became a waterproof lining for clothing. While PTFE is considered inert and its larger molecules aren't known to react with the human body, it was manufactured using PFOA, a smaller molecule that accumulates in the body and causes health problems.

The residents' suit argues Gore was aware of the potential harm well before it removed PFOA from its manufacturing in 2014.

Sutton alleges in his suit that after he was hired at Gore and looked for a home in the area, Gore supervisors tried to dissuade him without explanation from buying close to the Cherry Hill plant. Sutton's family chose a home a bit over a mile from Gore.

The suit also alleges that Gore had employees undergo testing of their cholesterol levels, and transferred pregnant employees away from working with PTFE. High cholesterol levels, decreased birth weights and a pregnancy disorder called preeclampsia are associated with PFOA exposure. Gore told employees such as Sutton the materials they worked with were safe, according to the suit.

In 2000, Gore purchased the house of a former employee who lived directly across from the Cherry Hill plant after they died of cancer complications. It razed the building. Then in 2005, Gore bought a peach orchard adjacent to the plant. At the time, The Baltimore Sun reported the purchase stopped a planned housing development on the site. The orchard was ultimately razed, too, according to the lawsuit. The suit alleges that the purchases were efforts to disguise contamination.

Gore declined to comment on the specific allegations in the suit, citing the ongoing litigation.

Sutton and his wife, Elizabeth, each battled cancer. By the time they reached out to a team of environmental lawyers asking for help, they had moved to North Carolina. After their investigation, the lawyers were confident Gore contaminated the Suttons' well and the pollution could have contributed to their cancers, said Phil Federico, a partner at the Delaware firm.

The Suttons sued Gore in federal court in June 2022. Last February, the firm <u>filed the class-action suit</u> with similar allegations. Later that month, Maryland officials notified Gore that the state investigation into potential PFAS contamination was beginning.

Before the suits, MDE had started its effort to test key locations statewide for PFAS chemicals. An area several miles downstream of Gore's Cherry Hill site made the list. A state contractor in 2019 tested the Little Elk Creek, near the Triumph Industrial Park in Elkton and about 5 miles downstream from that plant, Apperson said. The results showed no PFAS in sediment, "very low" levels in the water, and "did not reveal any obvious relationship to the W.L. Gore site," Apperson said.

Initially, Maryland planned to test groundwater downstream of the Gore plant, too. But the state didn't get adequate participation from nearby property owners, Apperson wrote.

"We only received one response and that property was on the very fringe of the potential area of concern," Apperson wrote.

Starting last February, after Federico's law firm publicized its suit against Gore and held community meetings, MDE started receiving numerous requests and was able to complete its testing.

While it's concerning that Maryland didn't catch the groundwater contamination earlier, Federico said, his bigger concern is that Gore did not report potential issues with PFAS contamination to the state agency.

"They have an obligation to report to a regulatory agency when they are generating a carcinogen, and they have an obligation to stop doing it and fix the problem," Federico said. "They can't turn a blind eye and do it for years — even decades. Which is what happened in this case."

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