

NEWS > ENVIRONMENT

Maryland sues W.L. Gore, citing decades of PFAS pollution from 13 Elkton-area sites



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

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Maryland officials have [filed suit](#) against W.L. Gore & Associates, the manufacturer of Gore-Tex, alleging that at least 13 of the company's 14 facilities in Cecil County have contaminated the environment, including soil, air and groundwater, with "forever chemicals" for some 50 years.

Maryland's lawsuit, filed Wednesday in the U.S. District Court of Maryland, also alleges that the Delaware-based company knew for decades of the danger posed by the chemicals, called PFAS, but "concealed that information from the State and the public."

After a [lawsuits from community members in the Elkton area in 2022 and 2023](#), Gore attracted state scrutiny. The company has mounted its own investigation into the extent of the contamination.

But in the lawsuit, MDE argues that Gore's effort thus far has been "limited."

"This investigation comes decades after Gore knew of the potential risks," reads the complaint. "Moreover, Gore has not fully delineated the scope of that contamination and has concluded that some sites do not warrant *any* PFAS sampling."

In a statement, Gore spokesperson Amy Calhoun said that the company denies the allegations in the lawsuit, and is "surprised by the Maryland Attorney General's decision to initiate legal action, particularly in light of our proactive and intensive engagement with state regulators over the past two years."



“As recently as this morning, we submitted to the state a detailed testing report for our Cherry Hill facility, which summarizes nearly two years of comprehensive groundwater investigation,” Calhoun said. “This demonstrates Gore’s continuous, proactive engagement with the Maryland regulators since learning two years ago about the presence of PFOA in groundwater near our Cherry Hill facility.”

According to a [company webpage called Gore Forward](#), Gore hired independent environmental consulting firm Arcadis to assess the contamination. Gore is “actively assessing potential impacts at 4 locations,” according to the site, including by installing and sampling groundwater wells.

The company has also compensated some residents within a particular radius, by providing bottled drinking water, paying for in-home drinking water treatment systems and connecting some homes to public drinking water.

Many residents in the vicinity rely on wells, and saw levels of hazardous PFAS above national drinking water limits, according to private testing and state testing previously [reviewed by The Sun as part of a February investigation](#).

The complaint indicates that the contamination is more widespread than initially thought, impacting Gore’s Cherry Hill, Fair Hill, Appleton, Elk Creek, Elk Mills and Lovett facilities. All of the Elkton-area facilities are within 10 miles of each other.

What are PFAS and how does W.L. Gore use them?



To make Gore-Tex and other products, Gore uses a PFAS compound called expanded PTFE. For many years, that compound was manufactured using a harmful chemical called PFOA, which is now one of the most tightly regulated PFAS because of its known links to health conditions, including cancer.

PFOA was removed from Gore-Tex in 2014. In recent years, amid scrutiny from regulators and advocates, the company has gone a step further, releasing a PFAS-free version of its famed waterproof membrane.



Amos Wampler, W.L. Gore Capabilities Center associate, shows a roll of expanded polytetrafluoroethylene (ePTFE) membrane, commonly known as Gore-Tex. Earlier this year, a class action lawsuit was filed in Maryland against W.L. Gore & Associates, manufacturer of popular GoreTex apparel, for PFAS, aka “forever chemicals,” contamination discovered in drinking water wells near one of its facilities in Cecil County. (Kenneth K. Lam/Staff photo)

Manmade compounds such as PFOA have earned the nickname



A wide variety of consumer products have been made with PFAS, from nonstick cookware to firefighting foam and carpets.

The class includes thousands of chemicals, and several have been linked to health impacts. Earlier this year, the Environmental Protection Agency established [drinking water limits](#) for several PFAS, including PFOA, which apply to public water treatment facilities.

The agency has also [listed PFOA as a hazardous substance](#) under the Comprehensive Environmental Response, Compensation, and Liability Act, commonly known as Superfund, giving the federal government increased authority to regulate the substance and clean-ups.

What does Maryland want from the W.L. Gore lawsuit?

Wednesday's suit argues that Gore, a privately held company that reports billions in annual revenue, should be held financially responsible for the cost of the investigation into its sites, as well as any PFAS remediation activity and environmental restoration.

“Most critically, PFAS contamination of groundwater and surface water is impacting the State’s drinking water sources. Gore is liable for all of the costs necessary to investigate and treat in perpetuity any and all drinking water wells and sources of drinking water adversely affected by its PFAS,” read the complaint.

Gore should also pay damages to the state, argues the litigation,

“...and the State shall be entitled to recover its costs of investigation, remediation, and restoration of the State’s drinking water sources.”



In a statement, Maryland Secretary of the Environment Serena McIlwain said, “While we appreciate Gore’s limited investigation to ascertain the extent of PFAS contamination around its facilities, much more needs to be done to protect the community and the health of residents.”

“We must remove these forever chemicals from our natural resources urgently, and we expect responsible parties to pay for this remediation,” McIlwain wrote.

The complaint was filed by the Maryland Attorney General’s Office on behalf of the Maryland Department of the Environment. Attorney General Anthony Brown said in a statement that his office “will not tolerate companies that put profits ahead of the health and safety of Maryland families.”



Cecil County resident Norma Calabro stands outside her well house at her home located near W.L. Gore’s Cherry Hill location. She is one of the plaintiffs in a class action lawsuit focusing on PFAS contamination discovered in their drinking water wells. (Jerry Jackson/Staff)

Wednesday's state action was applauded by attorneys Philip Federico and Chase Brockstedt, who represent residents in Elkton who previously filed suit over the contamination. Since their filings, the attorneys said their teams have discovered that the PFAS contamination in the community's water is "even more widespread than initial data suggested.

"As first alleged in 2022 by our clients, W.L. Gore & Associates has a long history of contaminating the environment and prioritizing profit over the health of the communities in which it operates," read the attorneys' statement. "On behalf of our clients, we will continue to cooperate with the State to end this contamination and obtain justice."

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2024 > December > 18

