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Toxic legacy: Maryland lawsuit alleges WL Gore took no action amid awareness of PFAS violations

WL Gore denies allegations, cites cooperation with MDE to investigate, address potential environmental impacts

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Tolly Taylor 🖂

Reporter

BALTIMORE (Part 3) — Maryland Attorney General Anthony Brown recently sued the maker of Gore-Tex, accusing the company of harming the state's environment by releasing toxic forever chemicals.

Brown told 11 News Investigates that W.L. Gore and Associates sold billions of dollars' worth of products for decades. The attorney general also accused the company of releasing **perfluoroalkyl and polyfluoroalkyl substances** (PFAS) into the air, soil and groundwater while being aware of and concealing their danger.

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"A complete disregard for the harmful effects of PFAS, and the fear is that, for decades to come, you're going to see the injuries caused by their conduct," Brown told 11 News Investigates.

So, Brown filed a lawsuit in December against W.L. Gore and Associates on accusations it contaminated the areas around 13 of its Cecil County facilities with PFAS.

DOCUMENT: Read Maryland's lawsuit (PDF)

"We've undergone an investigation, which is not complete because that's part of litigation. We see violations of the law by W.L. Gore," Brown told 11 News Investigates. "It's pretty striking, the extent to which W.L. Gore has contaminated the soil, the groundwater in Maryland."

Last week, 11 News Investigates revealed a **first-of-its-kind study** that tested the blood of Maryland residents from across the state for PFAS and found contamination in all 41 volunteers. Researchers told 11 News that the vast majority of the volunteers are at risk for serious health problems.

'TOXIC LEGACY' PART 1: *A first-of-its-kind PFAS study finds "potentially harmful" levels of forever chemicals in some Marylanders' blood tests. Here's why researchers have concerns.*

The attorney general's lawsuit focuses on PFOA, one of the almost indestructible toxins manufactured by W.L. Gore for decades. Research has linked PFOA to kidney and testicular cancer, pregnancy complications and more.

"There are a number of claims that we're alleging against W.L. Gore for their misconduct. So, we believe it's a strong case both on legal grounds and the facts," Brown told 11 News Investigates.

One of the claims cited in the lawsuit alleges that W.L. Gore knew about the dangers of PFOA by 1990 — at the latest — when one of DuPont's scientists "took his years of knowledge and experience working with PFOA issues at DuPont to Gore." W.L. Gore didn't stop using the toxin in its manufacturing process until the end of 2013.

"I'm not going to go much beyond the complaint because we are in the middle of litigation. It's our belief, and we've got strong information to show it, that they knew of the violations and they didn't do anything about it," Brown told 11 News Investigates.

'TOXIC LEGACY' PART 2: A new bill before the Maryland General Assembly would ban more than 1,000 pesticides containing so-called forever chemicals that are currently used on crops, in schools and at hospitals. Lawmakers explain why they say it matters.

Another theme of the complaint seems to be that while W.L. Gore would go as far as looking into a problem, the Maryland Department of the Environment had to come in and pick up the tab to really check everything that it wanted checked.

"That's an accurate assessment," Brown told 11 News Investigates. "It's not just about the money. Certainly, (we) don't want taxpayers to pick up the tab for investigations, for remediation, for abatement, for the sampling. But perhaps even more important, we want to address the damages that were done to Maryland."

This isn't the first time Maryland's attorney general has sued companies over forever chemicals. In May 2023, Brown filed two lawsuits, **suing 3M, DuPont and more than a dozen other companies** for "environmental contamination and public health harm" as a result of their use of PFAS.

"We want to address the damages that were done to Maryland."

"It was the first affirmative litigation that I authorized as attorney general," Brown told 11 News Investigates.

Part of the complaint alleges that water testing found 200 to 250 times the legal limit of PFAS in the drinking water at Cherry Hill, Fair Hill and Appleton South, which comprise part of W.L. Gore's 13 Elkton-area facilities.

"It's certainly astonishing. It's not seen, it's not smelled, and it's so often just unknown to your typical Marylander, right? You don't know when and where you'll be exposed," Brown told 11 News Investigates. "It's striking and alarming that you have a company that knew the dangers of PFAS."

Statement: Gore denies allegations, surprised by lawsuit

In a company statement sent to 11 News Investigates, W.L. Gore cited actions that it said have reflected the emerging science of PFAS.

The statement reads, in part, "W.L. Gore and Associates (Gore) denies the allegations in the complaint 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."

W.L. Gore's website provides data about the company's work, showing maps of where it has tested the soil and where it has offered to sample residential wells, as well as listing data about how many residents have been offered bottled water or were paid to connect to the water utility.

The statement reads, in part, "This demonstrates Gore's continuous, proactive engagement with the Maryland regulators since learning two years ago about the presence of PFOA in ground water near our Cherry Hill facility."

After providing an initial statement last week in response to questions from 11 News Investigates, W.L. Gore then sent an additional statement shortly before this report was published. The full statement follows.

"For more than two years, Gore has been actively cooperating with the Maryland Department of the Environment to investigate and address potential environmental impacts in Cecil County, where Gore is a longstanding and integral member of the community.

"In addition, Gore has been working with Maryland regulators for decades and we remain committed to continuing those efforts, guided by the facts, data and science that are central to sound environmental stewardship practices.

"Gore has been and will remain committed to the health and safety of our associates, our community and the environment. We will defend ourselves against the attorney general's meritless allegations through the legal process with facts and science, not politics and sensation."

Brown: 'There's certainly more that needs to be done'

In response, Brown told 11 News Investigates: "For W.L. Gore to say that they're surprised when you're not doing everything you're supposed to do, then I guess you're caught by surprise. But there's certainly more that needs to be done, and that's what we're doing." Last month, Brown joined 17 other state attorneys general in filing an **amicus brief** in federal court to urge the Trump administration not to throw out recent limits that were established for PFAS contamination in drinking water. Brown argued that keeping the rule would significantly improve public health.



Toxic legacy: Bill would ban forever chemicals in Maryland amid study showing prevalence of PFAS



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NEXT STORY



Are you a hot sleeper? This is what to look for when shopping for mattresses and more

Updated: 12:42 PM EST Feb 27, 2025



Sleep is essential. It helps our bodies recover and can also keep us strong in the event we get sick. But preference of sleep differs for many. One of the ways is temperature, and if you're a "hot sleeper," you might be wondering how you can stay cool in order to get the best sleep possible.

Our friends over at Good Housekeeping has outlined steps you can take to maximize your rest when you're a hot sleeper.

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You need the right mattress

<u>Good Housekeeping editors say</u> the industry has noticed that sleepers are looking for mattresses that offer cooling technology.

Experts say to look for the following when shopping for cooling mattresses:

- Cool-to-the-touch materials: Look for fabrics like rayon or nylon that help draw heat away.
- Built-in cooling features: Gel, metal particles or Phase-Change technology in the foam materials help pull heat away,
- Breathable construction: The more breathable the mattress, the more heat prevention it can provide.

Some of Good Housekeeping top picks for cooling mattresses are the following:

- **<u>Purple Mattress</u>** Rated as the best overall cooling mattress
- **<u>Casper Snow Mattress</u>** Rated as the best cooling mattress for side sleepers
- Saatva Classic Mattress Rated as the most breathable cooling mattress

A cooling pillow might be able to help

<u>Good Housekeeping editors say</u> a cooling pillow can help you sleep more comfortably and soundly. Many feature technology that absorbs heat to prevent night sweats in the first place.

Experts say to look for the following when shopping for cooling pillows:

- Washable: If you sweat at night, you need a pillow that can be cleaned. Look for machine washable pillows or have a cover that is washable.
- Sleep position: Make sure to choose a pillow that's suitable for your sleeping position.

• Material: Look to avoid memory foam pillows because it tends to hold onto heat. Look for styles with added cooling gels or perforations.

Some of Good Housekeeping's top picks for cooling pillows are the following:

- **<u>Coop Home Goods Eden Cool+ adjustable pillow</u>** Rated as the best pillow overall.
- <u>SlumberCloud UltraCool pillow</u> Rated as the best value pillow
- <u>Sleep Number True Temp pillow</u> Rated as the best pillow for neck pain

Think about sleep accessories

One last tip from our friends at Good Housekeeping, look into accessories that can help you keep cool while sleeping.

One product they recommend is the <u>Manta COOL mask</u>, an eye mask that has removable pads that you can place in the fridge. Place the mask on your face before bed to beat the heat. Experts say the mask is also designed to help relieve sinus pressure, so it's also great for allergy sufferers.



Manta Cool Mask Manta Sleep amazon.com \$45.00 SHOP NOW

Another accessory is the **NatraCure cold therapy socks**. Just pop the gel packs in the freezer, take them out when chilled and put them on before bed. It cools your feet and brings down your body temperature in the process.



NatraCure Cold Therapy Socks

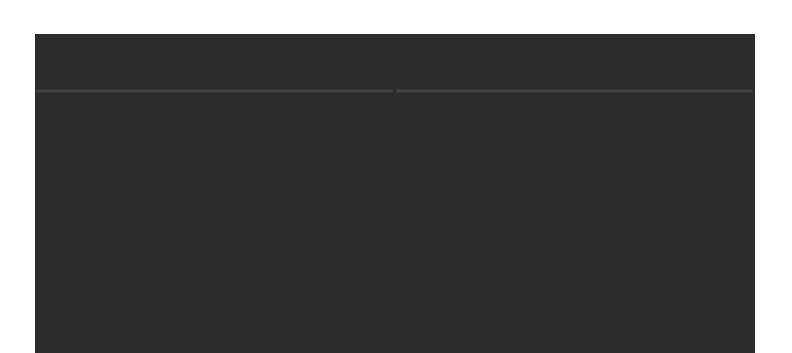
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