

Environment & Energy

Michigan Launches PFAS Pollution Lawsuit Against Paper Company

By Zach Bright

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- **COURT:** Mich. 31st Cir. Ct.
 - **TRACK DOCKET:** Not yet docketed.
 - **JUDGE:** Not yet assigned.
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Michigan Attorney General Dana Nessel sued an international paper manufacturer for the release of “forever chemicals” near the state’s border with Canada, her office said in a Tuesday release.

The suit alleges that Domtar Industries, Inc. released paper sludges that contain high levels of per- and polyfluoroalkyl substances (PFAS) that were incorrectly deemed inert, or free of hazardous substances, at a site once operated in Port Huron, Mich.

The sludges were sent to a composting facility, Techni-Comp, also in Port Huron. There, PFAS have been detected in groundwater and surface water at levels that exceed state standards.

PFAS is a wide-ranging chemical class linked to cancer and other human health issues at certain levels and is known to break down very slowly.

“Michigan residents should not be left holding the bag for the impacts of corporate PFAS contamination, nor for the costs of cleaning it up,” Nessel (D) said. “My efforts to hold companies accountable for contaminating our communities will continue where corporations are not taking adequate remediation efforts or responsibility for their actions.”

Nessel has initiated PFAS litigation with at least 17 manufacturers, including a pending lawsuit against Asahi Kasei Plastics North America and another against FKI Hardware Inc.

Causes of Action: Liability under Michigan’s Natural Resources and Environmental Protection Act, fraud, public nuisances, negligence, trespass, and unjust enrichment.

Relief: Plaintiff seeks costs and damages from Domtar to address its PFAS releases, a ruling from the court on Domtar’s liability, and an order to fully investigate and remediate contamination from Domtar’s operations.

Response: Domtar didn't immediately respond to a request for comment.

Attorneys: Nessel is representing the state. National Registered Agents, Inc., is representing Domtar.

The case is The State of Michigan v. Domtar Indus., Inc., Mich. Cir. Ct., 12/16/22.

To contact the reporter on this story: Zach Bright at
zbright@bloombergindustry.com

To contact the editor responsible for this story: Renee Schoof at
rschoof@bloombergindustry.com

Documents

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