PFAS/Common Law Action: City of Savannah, Georgia Files Judicial Action Against Various Companies in Superior Court of Chatham County Alleging Damage to Source Water Supply

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03/10/2025

The City of Savannah, Georgia on February 5th filed a Complaint in the Superior Court of Chatham County, Georgia against a number of companies alleging damages related to per- and poly-fluoroalkyl substances ("PFAS"). See No.: SPCV25-00167-MI.

A list of the companies can be found on the first page of the attached Complaint.

The Complaint states that the case arises out of the:

…manufacture, sale, use, and discharge of per- and polyfluoroalkyl substances ("PFAS") in commercial applications.

The case, however, is stated to not arise out of the use or discharge of Aqueous Film-Forming Foam or any products used by, supplied to, or manufactured to the specifications of the federal government.

The companies are alleged to have caused or contributed PFAS which is stated to have invaded Savannah's source water supply that is used to produce drinking water. As a result, Savannah is allegedly having to remove PFAS from drinking water in order to:

- Meet its obligations as a public water provider.
- Comply with federal regulations and guidelines.
- Protect human health and the environment.

The referenced PFAS is stated to have allegedly affected the Savannah River and Abercorn Creek, which are described as an ongoing source of drinking water for the residents of Chatham County and surrounding areas.

The Complaint alleges the following causes of actions:

- Negligence.
- Public Nuisance.
- Private Nuisance.
- Abatement of Nuisance.
- Trespass.
- Georgia Water Quality Control Act.

- Failure to Warn (PFAS Manufacturers).
- Punitive Damages.

Relief demanded includes damages (including punitive) and an order requiring that the companies abate the alleged nuisance and/or otherwise remove the chemicals from Savannah's source water supply and prevent such chemicals from continuing to allegedly contaminated Savannah's source water supply pursuant to O.C.G.A. § 41-2-1 et seq.

A copy of the Complaint can be downloaded here.