

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 47 - 2026

JUNE 3, 2026

AN ORDINANCE

Amending the 2026 Capital Fund Budget to provide for a supplemental appropriation of Six Hundred Forty-Nine Thousand One Hundred Thirty-Nine Dollars and Fifteen Cents (\$649,139.15) from the Aqueous Film-Forming Foams (AFFF) class action awards to offset the cost of any PFAS remediation systems the City is required to install under federal and state regulations. The 3M settlement payment will be made in eight more installments through 2033. The first settlement payment from BASF is in the amount of \$190,684.62. Additionally, there was a settlement payment from TYCO in the amount of \$458,454.53. The total of these sources thus far is \$649,139.15 and represents 95% of Tyco and BASF settle claims. The total amount of settle funds the City has received thus far through its participation in PFAS affirmative litigation is \$3,774,965.12.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That the City Council authorizes a supplemental appropriation of Six Hundred Forty-Nine Thousand One Hundred Thirty-Nine Dollars and Fifteen Cents (\$649,139.15) as follows:

PFAS Settlement

001-00-0000-0000-40416

SECTION TWO: That City Council Authorizes a supplemental appropriation of Six Hundred Forty-Nine Thousand One Hundred Thirty-Nine Dollars and Fifteen Cents (\$649,139.15) to the following accounts:

WFP PFAS Treatment

001-03-2056-1226-50046

Contract/Services Fee

\$649,139.15

SECTION THREE: That this Ordinance takes effect ten (10) days after final passage.

SECTION FOUR: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

Legislative Template

- What department or bureau is this bill originating from?

Department of Public Works – Office of Compliance

- Summary and facts of the bill.

This Ordinance is for the allocation of Aqueous Film-Forming Foams (AFFF) class action awards. Through the class action settlement, the City received two awards, one from BASF in the amount of \$190,684.62 and another from TYCO in the amount of \$458,454.53. The total from these two awards is \$649,139.15.

- Purpose – Please include the following in your explanation:
 - a. What are the specific goals or tasks the bill seeks to accomplish?

This bill will allocate the AFFF awards to fund the WFP PFAS Treatment project, relieving the rate payers from this additional expense.

- b. What are the benefits of doing this?

These funds will be used to offset the cost of any PFAS remediation systems the City is required to install under federal and state regulations.

- Funding Sources – Please include the following in your explanation:
 - a. If transferring funds, please make sure to give specific account names and numbers. If appropriating funds from a grant, please list the agency awarding the grant.

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|------------------------|-----------------------|--------------|
| WFP PFAS Treatment | | |
| 001-03-2056-1226-50046 | Contract/Services Fee | \$649,139.15 |

- Priority status – Are there any deadlines to be aware of?

n/a

- Why should Council unanimously support this bill?

The U.S. EPA has established strict limits for PFAS in drinking water, setting the maximum contaminant level at four parts per trillion (ppt). One of the City's four water sources, Crystal Spring, sampling results exceed the threshold, necessitating remediation. The current compliance deadline to implement solutions and achieve acceptable PFAS levels is April 2029. Under the Concession Lease Agreement, costs incurred due to Changes in Law are passed onto to ratepayers. The City pursued litigation to reduce or eliminate the financial burden on ratepayers by using settlement funds for remediation.