3M Settles AFFF Personal Injury Claims: What Comes Next

By Brian D. Gross

November 11, 2026

On November 3, 2026, 3M entered into an agreement to settle thousands of personal injury claims pending against the company in the Aqueous Film Forming Foam Multidistrict Litigation (AFFF MDL) pending in the United States District Court for the District of South Carolina. Plaintiffs alleged that they developed adverse health effects as a result of exposure to per- and polyfluoroalkyl substances (PFAS) in AFFF. Pursuant to the agreement, 3M has committed to paying $7.35 billion (pre-tax) over nine years. In return, the agreement will resolve approximately 99% of current AFFF personal injury claims faced by 3M, both inside and outside the AFFF MDL (it is estimated that approximately 115,000–120,000 plaintiffs are eligible to participate in the settlement).

The agreement calls for a structured nine-year payment plan and creation of a reserve fund and, notably, no admission of liability by 3M. The deal includes a $450 million payment in 2026 for administrative costs of the settlement, no payments in 2027, and then annual payments from 2028 to 2033 totaling $6.3 billion. The settlement agreement allows 3M to record a pre-tax charge of $5.8 billion in the fourth quarter of 2026, which represents the present value of the settlement amount, and creates a reserve fund of $680 million to be set up but not fully paid until 2034. All remaining future personal-injury claims, both inside and outside the AFFF MDL, will be managed through several settlement mechanisms, including payments made contingent on plaintiffs joining the resolution, the $680 million reserve fund commitment, and an anticipated MDL court order establishing evidentiary and timing requirements for plaintiffs who may seek to litigate in the future. The settlement agreement simultaneously reduces litigation uncertainty for 3M while taking into consideration the fiscal health of the company (the upfront tax charge of the present-day valuation in 2026 is not expected to impact 3M's previously issued forecast). The nine-year payment structure provides 3M with a predictable cash flow with payments aligned to reflect the company's other obligations. The settlement agreement also lightens the load on the courts, while allowing for plaintiffs to recover for the injuries they allege.

Under the agreement, those who wish to submit a claim must prove: (1) they have one of several eligible diseases (including kidney cancer, testicular cancer, liver cancer, thyroid cancer, ulcerative colitis, or thyroid disease); (2) they lived in a community with contaminated water; and (3) demonstrate the diagnosis occurred after residing there, rather than proving PFAS caused their medical issue.

The settlement agreement presents a significant milestone, both financially and legally, and will likely impact not only the resolution of personal injury claims against the other defendants in the AFFF MDL but will likely drive a surge in PFAS-related personal injury claims against other defendants outside the AFFF MDL.

As mentioned, 3M's resolution of the personal injury claims it faced is likely to lead other defendants, particularly those defending personal injury claims in the MDL, to seek resolution of the claims they face. Previously, in 2023, 3M reached a $10.3 billion settlement with a host of US public water systems to resolve water contamination claims it faced in the AFFF MDL. Shortly thereafter, DuPont entities including Chemours and Corteva, as well as BASF, Tyco Fire, and Carrier Global reached agreements to settle similar claims they faced from public water suppliers. The same is expected to happen with personal injury claims.

Notably, however, 3M's agreement to settle comes without the requirement that plaintiffs prove their injuries were caused by its PFAS and before the MDL court rules on pending Rule 702 motions or motions for summary judgment

filed by defendants. Should the other defendants also settle the claims they face before the court decides these motions, the main issue underlying every PFAS personal injury case—namely whether plaintiffs can prove both general and specific causation, meaning whether plaintiffs can demonstrate that PFAS exposure generally causes the adverse health effects alleged and whether their injuries were actually caused by each of the defendants' products—will remain unanswered. The ability to obtain substantial settlements without even having to scale the causation hurdle will likely result in a surge of personal injury cases against other defendants, particularly those further down the supply chain, such as companies that utilized PFAS in their products.

MG+M Law Clerk Sarah-Jean Chang is a contributing author of this article.

Attorney Advertising. This material is for general informational purposes only and does not represent our advice as to any particular set of facts; nor does it represent any undertaking to keep recipients advised of all legal developments. Prior results do not guarantee a similar outcome. © 2026 MG+M The Law Firm