

Case Closed: Verdict for City of Pomona in Water Contamination Case Upheld

After a 13-year legal battle, Pomona awarded its full past and future treatment costs: \$30.28 million



**ENVIRONMENTAL
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LOS ANGELES, CA, US, October 31, 2023 /EINPresswire.com/ -- After 13

years of hard-fought litigation, proceedings in the City of [Pomona](#)'s case against SQM North America Corporation (case number 22-55219), seeking to recover for the costs of groundwater contamination caused by SQM's defective fertilizer products have officially concluded, with SQM's payment to the City in the sum of more than \$30.62 million. This payment represents the



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*Ken Sansone, partner at SL
Environment Law Group*

City's full costs, both those already incurred and those expected to be over the next 30 years, for treating [perchlorate](#) in its drinking water supplies, together with certain costs awarded by the court, and interested. SQM made the payment after the Federal Court of Appeals for the Ninth Circuit, in a May 2023 decision, upheld a September 2021 jury verdict in favor of the City. The jury found that defective perchlorate-tainted fertilizer sold by SQM, a subsidiary of multinational mining company Sociedad Química y Minera de Chile, for use in the City's former citrus orchards had contaminated its drinking water wells with perchlorate, necessitating a specialized water treatment plant costing tens of millions of dollars to

construct and operate.

Perchlorate is a toxic chemical that can be particularly harmful to children as it disrupts hormones needed for healthy growth and development. As a result, it is banned from drinking water supplies in California except at very low levels, and is also the subject of a pending nationwide drinking water standard under consideration by the Environmental Protection Agency. In 2010, the City retained [SL Environmental Law Group](#) (SL) and filed a products liability lawsuit against SQM seeking \$30.2 million to recover past and future costs associated with investigating and remediating perchlorate contamination.

SL attorneys argued that SQM should take responsibility for the cost of the contamination

cleanup caused by its defective products, as manufacturing methods available at the time the fertilizer was made could have removed the perchlorate from the fertilizer. After fighting through multiple appeals and trials, the City convinced the Court of Appeals for the Ninth Circuit in Pasadena that the evidence supported the City's claim and \$30.2 million in damages.

Ken Sansone, partner at SL Environment Law Group who led the City's efforts at trial and on appeal said, "The City of Pomona never gave up, and neither did our team of lawyers. I commend the resilience and tenacity of everyone involved in this fight to ensure that the polluters, not the taxpayers of Pomona, are held accountable for remediating perchlorate contamination."

ABOUT SL ENVIRONMENTAL

SL Environmental Law Group focuses exclusively on water contamination litigation on behalf of city and state governments, public and private water utilities, and other well owners. SL Environmental Law Group has delivered over \$1.2 billion from corporate polluters to their clients. For more information visit www.slenvironment.com.

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