

TITLE 2: NATURAL RESOURCES
DIVISION 3: THE ENVIRONMENT

§ 3910. Remedies

In bringing an action under § 3909 the Attorney General is hereby authorized to recover:

(a) The costs to investigate, remediate, and restore, or to issue an order requiring that the defendant(s) investigate, remediate, and restore, the Commonwealth's PFAS-contaminated natural resources to their pre-discharge conditions;

(b) The costs to treat, filter, remove, and/or properly dispose of PFAS from groundwater and public and private drinking water wells and systems in the Commonwealth, in perpetuity, that contain PFAS above the maximum concentration level or water quality criteria set in § 3908 or in subsequent regulations provided thereunder;

(c) All compensatory, incidental, and consequential damages suffered by the Commonwealth, including its autonomous and non-autonomous agencies, in connection with contamination from PFAS regulated under § 3908 or AFFF containing PFAS regulated under § 3908, including all internalized costs of compliance and regulatory oversight for future efforts to regulate and remediate PFAS in the Commonwealth;

(d) Any equitable or additional remedies the court finds may be awarded in the interest of justice; and

(e) The costs of litigation and reasonable attorneys' fees.

Source: PL 22-06, § 3 (Aug. 20, 2021), modified.

Commission Comment. In codifying PL 22-06, the Commission lowercased the word "Court" in subsection (d) pursuant to 1 CMC § 3806(g). The Commission changed "§ 3902" to "§ 3908" in subsections (b) and (c) pursuant to 1 CMC § 3806(b).