

TITLE 2: NATURAL RESOURCES
DIVISION 3: THE ENVIRONMENT

§ 3913. Immunity.

Notwithstanding any other provision of law, the liability of the Commonwealth, including its autonomous and non-autonomous agencies, and any employee thereof, for any personal injury, bodily injury, or property damage caused by or resulting from PFAS contamination, shall only be based upon a showing by clear and convincing evidence that the acts or omissions of the Commonwealth, including its autonomous and non-autonomous agencies, or employees were manifestly unreasonable. The acts or omissions of the Commonwealth, including its autonomous and non-autonomous agencies, or employees shall be conclusively presumed to be reasonable if they are in accord with the generally prevailing state of the art, scientific knowledge, or technology available at the time the acts or omissions were undertaken or made, or in accordance with the instructions provided by the manufacturer of the product.

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