THREE FIRE SERVICE MULTIDISTRICT LITIGATIONS

NWS | Northwest Worksite Solutions

AFFF MDL 2873 · Turnout Gear MDL 3191 · Fire Apparatus MDL 3179

EDUCATIONAL BRIEFING · MUNICIPALITIES AND FIRE DEPARTMENTS · CONTENT AS OF NOVEMBER 3, 2026

For decades, fire departments have used Aqueous Film-Forming Foam (AFFF) and turnout gear containing PFAS (per- and polyfluoroalkyl substances), chemicals that do not break down in the environment. A municipality, fire district, or fire department may be connected to three separate federal multidistrict litigations (MDLs) through the same operations and purchasing history. Each MDL has different facts, defendants, and courts.

PFAS in the Fire Service

- **Turnout gear:** Until the 2025 NFPA standard changes, the layers of bunker gear generally relied on PFAS to pass UV degradation testing. U.S. Fire Administration summary of NIST studies
- **AFFF foam:** Used on liquid-fuel fires; linked to contamination of groundwater, training sites, and stations.
- **Health research:** PFAS exposure has been associated with kidney, testicular, liver, and thyroid cancers and other conditions. IAFF PFAS resources
- **NFPA 1970 (2025)** added restricted-substance rules and revised UV testing, opening the way for non-PFAS gear.

MDL	Court	What it concerns
2873 AFFF Environmental	D. South Carolina, Judge Richard M. Gergel	PFAS released from AFFF use, training, storage, spills, or leaking equipment, contaminating soil, groundwater, drinking water, or municipal property
3191 Firefighter Turnout Gear	D. Minnesota, Judge Jeffrey M. Bryan	PFAS-containing coats, pants, hoods, helmets, gloves, boots, reflective tape, and SCBAs, and the cost to test, dispose of, and replace them. JPML order creating MDL 3191
3179 Fire Apparatus Antitrust	E.D. Wisconsin, Judge William C. Griesbach	Alleged coordination since at least 2016 to raise U.S. fire-truck prices (engines, pumpers, aerials, quints, rescue and wildland apparatus). Allegations not yet proven.

MDL 2873: AFFF Environmental Contamination

In re Aqueous Film-Forming Foams Products Liability Litigation. Relevant locations can include fire academies, training grounds, drill sites, stations, airports and ARFF facilities, foam tanks, and storage areas. Repeated discharge at one site may create a PFAS plume even when the department is not a water system. **Helpful records:** AFFF brands and purchase dates, inventories, training and incident logs, storage and disposal records, site maps, and environmental testing.

MDL 3191: Firefighter Turnout Gear

Purchasers allege turnout gear contained PFAS and was sold without adequate disclosure or warnings. Claims include negligence, strict products liability, misrepresentation, and state consumer-protection theories; liability and damages remain to be decided. This is a purchaser economic-loss track, separate from foam litigation and individual cancer claims. **Helpful records:** manufacturer, brand and model; invoices and bids; number of sets; current and retired inventory; replacement cycle and costs.

MDL 3179: Fire Apparatus Antitrust

In re Fire Apparatus Antitrust Litigation. Whether a department bought directly from a manufacturer or through a dealer may affect its position. **Helpful records:** RFPs, bids, purchase orders, contracts, invoices, model, chassis, delivery dates, change orders, and cooperative-purchasing records.

Where the Cases Stand

MDL 3179: plaintiffs filed oppositions to the motions to dismiss in October 2026; defendants' replies are due November 25, 2026. MDL 3191: the stay was lifted and a conditional transfer order issued October 6, 2026; no case schedule or leadership order has been entered yet. Departments with foam exposure and PFAS gear may connect to both MDL 2873 and MDL 3191; apparatus purchases since 2016 may also relate to MDL 3179.

NEXT STEPS

To learn more about these three MDLs and how they may apply to your department, please contact Northwest Worksite Solutions at **(888) 808-3008**.