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For Release: September 9, 2020

Charleston Sues 24 Fossil Fuel Companies for Costs of Surviving Climate Change

Lawsuit Details Decades of Industry Deception About Their Products' Dangers

Charleston, S.C. – As Charleston approaches Friday's third anniversary of Hurricane Irma's extreme surge and flooding that devastated the city, officials today filed a lawsuit in South Carolina state court to hold fossil fuel companies accountable for the costs of adapting to the harmful impacts of climate change [[complaint attached](#)].

"As this lawsuit shows, these companies have known for more than 50 years that their products were going to cause the worst flooding the world has seen since Noah built the Ark," Mayor John Tecklenburg said. "And instead of warning us, they covered up the truth and turned our flooding problems into their profits. That was wrong, and this lawsuit is all about holding them accountable for that multi-decade campaign of deception."

Asserting six causes of action, including public and private nuisance, strict liability and negligent failure to warn, trespass, and violations of South Carolina's Unfair Trade Practices Act, the lawsuit declares:

The City seeks to ensure that the parties who have profited from externalizing the consequences and costs of dealing with global warming and its physical, environmental, social, and economic consequences, bear the costs of those impacts on Charleston, rather than the City, taxpayers, residents, or broader segments of the public.

Tecklenburg added, "As the founder of an industrial lubricants business here in South Carolina in the 1970s, I handled their products, and I can tell you from firsthand experience that these companies were not in any way, shape or form sharing information with us about the dangerous flooding and extreme weather their products would cause. In fact, I was hearing the same false and misleading claims from them as everyone else. And now it's time for them to pay for the damage they've caused for our residents, businesses and taxpayers."

The lawsuit details examples from defendants' decades-long campaign to deceive the public, press, and policy makers about the harm the defendants knew would occur from the use of their products. The complaint also details the resulting impacts that Charleston is currently enduring, including:

- *The frequency of flooding events has increased substantially in Charleston, from around 4 days per year around 50 years ago to nearly 89 days per year as of 2019.*
- *The City has incurred significant costs on capital projects to address sea level rise, including, but not limited to, by rebuilding its aging Low Battery Seawall to account for sea level rise projections, installing check valves to prevent tidal intrusion on the City's storm drain system, and redesigning and retrofitting its floodwater drainage system to keep up with increased flooding caused by sea level rise, including by constructing over 8,000 feet of new drainage tunnels.*
- *The City is expected to endure 30 additional days per year of temperatures higher than 95°F by 2070... Due to systemic inequities, people of color and those living in poverty tend to be particularly vulnerable to extreme heat events.*

Charleston is the first city in the American South, and the 21st community nationwide, to hold fossil fuel companies accountable for climate change deception, impacts, and costs.

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