

July 3, 2014

Whirlpool Statement on Fort Smith Class Action Resolution

Whirlpool is pleased to have reached a resolution with property owners in a class action lawsuit related to contaminated groundwater near the former Whirlpool manufacturing facility in Fort Smith, Arkansas. As part of Whirlpool's ongoing commitment to the residents of Fort Smith, this agreement will fairly compensate property owners, and enable both the residents and the company to focus on meeting the goals of the current remediation effort.

This resolution represents another significant step forward in Whirlpool's ongoing work with Fort Smith residents and Arkansas state regulators to fairly and effectively address this issue. With the engagement and support of the Fort Smith City Directors and the oversight of the Arkansas Department of Environmental Quality, we continue to push ahead with the remediation activities and redevelopment of the Whirlpool property. Important developments and updates will continue to be shared with the community on our website at WhirlpoolFortSmith.com.

Resolution Details:

- The agreement covers current owners of property devalued in 2013 by the County Tax Assessor for tax assessment purposes as a result of groundwater contamination from trichlorethylene (TCE) released at the former Whirlpool manufacturing facility in Fort Smith, as well as some properties near the facility whose tax value assessment did not change.
- Property owners inside the area bounded by Ingersoll Ave, Brazil Ave., Jenny Lind Rd., and Ferguson St. will receive either an amount equal to the devaluation estimated by the County assessor or the devaluation as determined by an independent property appraiser.
- Class members outside this area will receive \$5,000, and possibly more in the future, if TCE is detected above threshold levels in groundwater beneath their property.
- Property owners agree to allow access to their property for testing and remediation activities, record a deed restriction prohibiting new wells on their property, and release Whirlpool from property damage claims.
- Each class member will receive formal notice of the resolution, as well as an opportunity to opt out of the agreement.
- A federal Court will be required to approve the agreement.
- Whirlpool has agreed to pay court approved fees and costs incurred by the class members.