

Litigation Support

Site Information

Retail Petroleum Facility

Client Information

Legal Representation
for a Major Oil Company

Project Highlights

- Expert testimony provided for a Major Oil Company following the detection of MTBE in a public water supply system.
- Two public water supply districts (plaintiff) sought compensation claiming past and future damages although the plume could not be traced back to the clients facilities.
- EnviroTrac provided expert review and opinions for over 30,000 electronic documents including analytical data, geophysical testing results, and numerical modeling simulations.
- EnviroTrac is continuing to support council with pre-trial discovery matters.

EnviroTrac was retained to provide expert testimony regarding a matter involving methyl tertiary butyl ether (MTBE), a gasoline additive, detected in a public water supply distribution system. Following this finding an expedited environmental assessment was conducted by the State environmental regulatory agency (the "Agency") to assess the magnitude of the plume and to determine origin. Numerous multi-depth monitoring wells were installed and sampled by the Agency's contractor beginning in the area of the impacted supply wells and extending in the upgradient direction with respect to regional groundwater flow. As a result of this work, the plume could not be traced directly back to any of the numerous retail gasoline stations (including several associated with EnviroTrac's client) located in the vicinity. However, possible contributors/sources of the MTBE, which included client's facilities, were subsequently identified by the Agency as liable and these identified parties were ordered to provide compensation for cleanup and removal work that had been conducted at the Agency's direction. Dozens of individual parties, including EnviroTrac's client, were subsequently named in complaints filed by two public water supply districts (plaintiffs) who claimed damages relating to MTBE and sought compensation for past and possible future impacts to their facilities.

Presently, EnviroTrac has reviewed in excess of 30,000 electronic format documents provided by council. That information included results of the expedited assessment/well installation and sampling effort, aquifer testing, well response and water level analyses, down-hole geophysical testing, 3-dimensional numerical groundwater flow and contaminant transport simulations, a two-phase interim remedial measure (IRM) groundwater extraction and cleanup effort and other work conducted by, or on behalf of, the Agency. It also included various reports and data pertaining to the client's properties and various reports and data pertaining to facilities of the other named parties, information pertaining to the activities conducted by the water supply districts (plaintiff's facilities) and hydrogeologic reports and data developed by others. This work is ongoing and EnviroTrac is continuing to support council with pre-trial discovery matters.



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