

New Jersey MTBE Expert Litigation Support

Historically, reformulated gasoline containing methyl tert-butyl ether (MTBE) was used throughout New Jersey from the late 1970s through 2005. An abundance of leaking underground storage tanks (USTs) had resulted in MTBE contamination of numerous public and private water supply wells.

Given the magnitude of this damage to water resources, the State Office of the Attorney General (AG) filed a lawsuit on behalf of the people of the State against various companies considered responsible for the contamination.

Nineteen “trial sites” were selected to be the subject of the first phase of litigation in this matter. **Aquilologic** was retained to serve as the plaintiff’s environmental expert witness to assess damages associated with programs to restore water resources contaminated by MTBE.

In addition, **aquilologic** served as the Project Management Consultant (PMC) for additional field investigations to clarify the contaminant distribution and hydrogeologic conditions at three of the trial sites.

In order to develop costs associated with the restoration of the groundwater resources and proffer opinions for the 19 trial sites, it was first necessary to construct a concise summary of the site conditions. **Aquilologic** reviewed all available information from files provided by the State and the defendants. Analytical data for public and private water supply wells in the vicinity of the trial sites was located and assessed. This data set was consolidated, summarized, and interpreted to evaluate the nature, magnitude, and extent of contamination at each trial site. Site conceptual models (SCMs) were developed that considered contaminant sources, pathways, and receptors. Data gaps and other deficiencies in the historical investigations and remedial activities were identified.

Based on the site-specific information, **aquilologic** evaluated and developed the best remedial approach to restore water resources to their pre-impacted condition at each trial site. Costs were developed and calculated in associated with these restoration programs. All of this accumulated information was then used to proffer opinions and prepare a 9000-page expert report which clearly documented those opinions and the supporting facts.