


## OCWD MTBE Expert Litigation Support

A circular inset image showing a gas station at night. The station has a red and white canopy with several gas pumps. A white pickup truck is parked at one pump, and a white service van is parked nearby. The ground is wet and reflective, suggesting it has recently rained. The sky is dark with some clouds.

Methyl tert-butyl ether (MTBE) was commonly used as an additive in oxygenated gasoline in California from 1989 to 2002. An abundance of leaking underground storage tanks (USTs) resulted in MTBE contamination of groundwater resources. Given the magnitude of this damage to water resources, the Orange County Water District (OCWD) filed a lawsuit against various companies considered responsible for the contamination of groundwater resources in Orange County, California.

Thirty-four “trial sites” were selected to be the subject of the first phase of litigation. **Aquilogic** was retained to serve as the plaintiff’s environmental expert witness to assess damages associated with the restoration of water resources contaminated by MTBE. In

addition, **aquilogic** served as the Project Management Consultant (PMC) for additional field investigations to delineate contaminant distribution and characterize hydrogeologic conditions at 10 of the trial sites.

To develop costs associated with the restoration of the groundwater resources and proffer opinions for the 34 trial sites, it was first necessary to construct a concise summary of site conditions. **Aquilogic** reviewed all available information from files provided by the Orange County Health Care Agency (OCHCA), Regional Water Quality Control Board (RWQCB), and the defendants. The data set was consolidated, summarized, and interpreted to evaluate the vertical and lateral extent of contamination at each trial site. Site conceptual models (SCMs) were developed which considered contaminant sources, pathways, and receptors. Data gaps and other deficiencies in the historical investigation and remedial activities at the trial sites were identified. Based on the site-specific information, **aquilogic** prepared a feasibility study (FS) for each site where off-site contamination was present. The FS evaluated the best remedial approach to restore water resources to their pre-impacted condition. Costs estimates were prepared using competitive bids and RSMMeans. All of this accumulated information was then used to proffer opinions and prepare a concise and thorough expert report which clearly documented those opinions and the supporting facts.