

# Civ E 676

## Assignment 1

**J.F. Sykes**  
**Winter Term 2014**

**Due date: January 23, 2014**

---

The attached United States Court of Appeals decisions pertain to the case known as the “Woburn Toxic Waste Trial” that was the basis for the movie “Civil Action”. In turn, the movie was based on a book of the same title by Jonathan Harr. To understand why the Plaintiffs lost their case, one needs to neither read the book nor watch the movie. Rather, the reality of the case can be determined by reading the appeal court decision. You can download the two relevant decisions from:

<http://www.civil.uwaterloo.ca/sykesj/>

To fully comprehend these decisions, supplemental material is helpful; such additional information can be obtained from the Web using Google and appropriate keywords.

1. (a) What is the drinking water limit for TCE in i) the United States ii) Canada?  
(b) What is the impact of TCE on human health?  
(c) What are the issues that Canada is concerned with when they lower the MCL for a chemical species (it is more than medical)?
2. Beatrice Foods owned the tannery and 15 acres for only 5 months before contaminants were discovered in Wells G and H. Why would they be liable when in fact the contamination at the tannery and the 15 acres occurred well before their ownership?
3. The Plaintiffs asserted two theories of liability. What are these theories?
4. To prove their case, what did the Plaintiffs have to establish? What link of this causal chain was broken?
5. What was the role of groundwater measurement and modelling in the case? Why was this role important to the outcome of the case?
6. Develop a conceptual model for the site that you think might have been useful in proving that TCE and other dissolved solvents migrated from the 15 acres to wells G and H. The conceptual model should provide a qualitative description of the site, the boundary conditions and the parameters required for a comprehensive analysis.