

# A Civil Action

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# Objectives/Layout

Objective: To give an overview of the issues presented in *A Civil Action* and to present the moral/ethical/social decisions that were made and why.

- 1.) Plot
- 2.) Background
- 3.) The Big Case
- 4.) Significance
- 5.) Engineering Features
- 6.) Moral/Ethical/Social issues

# Movie Plot

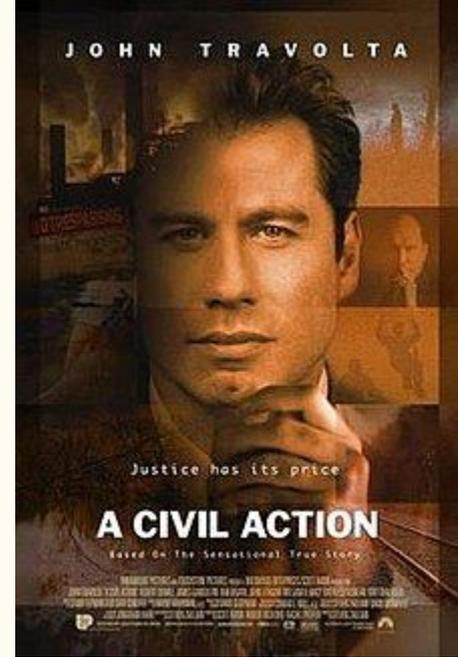
Jan Schlichtmann is addressed by a group of families have lost their children to leukemia, and they are looking for someone to blame.

When investigating the seemingly non-profit case, he finds a major environmental issue.

A leather production company could be responsible for several deadly cases of leukemia, but also is the main employer for the area.

Schlichtmann and his three colleagues set out to have the company forced to decontaminate the affected areas, and of course to sue for a major sum of compensation.

But the lawyers of the leather company's mother company are not easy to get to, and soon Schlichtmann and his friends find themselves in a battle of mere survival.



# Important Information

- Environmental pollution took place in Woburn, Massachusetts, in the 1980s by the Cryovac Plant owned by W.R. Grace & Co.
- During trial discovery, trichloroethylene (TCE) was found, levels exceeded 8 mg/L.
- Highest concentrations of TCE, exceed 400 mg/L.
- As of 2011 water was still contaminated despite 21 million dollars spent in clean-up effort.



# The Court Case

- The plaintiffs were a group of eight families that lived in a part of town served by the two municipal wells.
- The defendants were W.R. Grace & Co., owner of the Cryovac Plant, UniFirst Corporation, owner of Interstate Uniform Services, and Beatrice Foods, Inc., owner of the John Riley Tannery.



# Court Case

- Testimony presented during depositions of retired and current employees indicated about one quart of TCE, which was used to clean equipment and in the paint shop, was dumped on to the ground surface behind the plant each evening.
- During trial discovery dozens of decaying 55-gallon barrels of waste were found on the 15-acre property. Historic aerial photographs of the site showed drums of waste present on the site as early as 1968.



# Court Case Conclusion

- The jury deliberated for nine days
  - Found W.R. Grace liable and Beatrice Foods not liable of contaminating groundwater wells.
- Afterward, W.R. Grace filed a motion for a mistrial, which Judge Skinner claimed he would accept.
- The plaintiffs and W.R. Grace reached an \$8 million settlement before Judge Skinner's official ruling was made.
- The settlement included monies for five other families that had filed a separate lawsuit against W.R. Grace and Beatrice for health effects other than leukemia.

# Court Case Fallout

- The period after the trial included numerous appeals by Schlichtmann, Conway & Crowley, a perjury ruling against John Riley,
- A misconduct ruling was also found against one of the defense attorneys, and the U.S. Appellate Court upheld Judge Skinner's ruling to divide the trial into phases.
- Jan Schlichtmann and his firm disbanded due to the reputation and financial impact of the lengthy case.

# Engineering Features

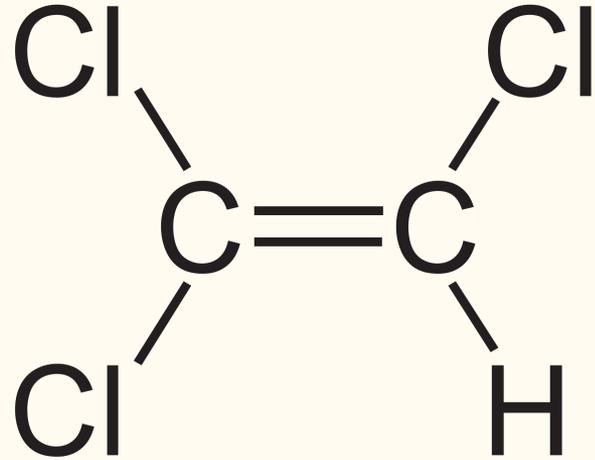
Environmental Engineering: Toxic Effluent was discharged into the local environment which involves environmental engineers to rebuild the natural environment in Woburn.

Water Resource Engineering: The Toxic effluent contaminated groundwater which is the source of drinking water through wells in the town of Woburn. Water Resource Engineers need to evaluate how contaminated the water is and how the flow of contaminated water can affect surrounding areas throughout the town.

Chemical Engineering: Must analyze the chemical content of the effluent to identify which contaminants are creating these health risks and how they can be contained and disposed of properly.

# Trichloroethylene (TCE)

- Volatile Organic compound
- Clear, colorless liquid
- Sweet odor, evaporates quickly
- Uses
- Toxic to humans



# Significance

- The Epa is currently attempting to ban TCE from use in commercial vapor
- Groundwater was contaminated throughout Woburn, Massachusetts
- Causing Disease and in some cases promoted the development of Cancer
- Wildlife Habitats were destroyed surrounding the Plant



# Moral/Social Issues

- Moral issues are personal principles regarding right and wrong
- Social issues are problems that influence a considerable amount of people in a community
- Moral and social issues addressed are:
- Value of money over human life
- Valuing some lives higher than others
- The concept of settlements being used so a case can be closed

# Ethical

- Ethics refer to rules provided by an external source in terms of codes of conduct and regulations
- Ethical issues addressed are:
- Disregard for health regulations
- Concealing justice by hiding unethical conduct
- Judge Skinner's controversial rulings

# References

[https://serc.carleton.edu/woburn/Case\\_summary.html](https://serc.carleton.edu/woburn/Case_summary.html)

<https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-management-trichloroethylene-tce>

Any Questions?