

CONTAMINANT FATE AND TRANSPORT IN THE COURTROOM

by Charles M. Denton, Esq. & Michael G. Sklash, Ph.D, P.E.

20th Annual International Conference on Contaminated Soils, Sediments & Water

October 21, 2004 Amherst, Massachusetts

I. Introduction

Environmental Media:

- Groundwater
- Soils
- Surface Water and Sediments
- Air

General Evidentiary and Procedural Principles

- FRE 702 & 703
- Daubert v Merrell Dow Pharmaceuticals
- FRCP 26(a)(2)

II. Why Model Contaminant Fate and Transport?

Prospective:

- Remediation, Pollution Control, and Permitting

Retrospective:

- Liability, Sources, and Origins/Causes

Cost-Savings:

- Interpolate, Fill Data Gaps

III. Challenges in Modeling of Contaminants Movement

- Scientific rigors of modeling
- Limitations of models
- The place of models in the scientific community
- Best use of models

IV. Expert Environmental Testimony

- Rules of Evidence and Civil Procedure
- Court Cases/Precedent

V. Case Studies

Tucson International Airport (Arizona)
Aero-Motive Manufacturing (Michigan)

VI. Conclusion/Q&A

Please send me a complimentary copy of "Contaminant Fate and Transport in the Courtroom."

Name _____

Company _____

Address _____

City _____ State _____ Zip _____