



## Expert Opinion Case Histories

- **2014**

A case of **underground storage tank installation**, four single-wall fiberglass tanks and piping releasing gasoline and MTBE into soils and groundwater and contaminating drinking water supplies. AA&A was retained to provide expertise in the area of structural and system failures of fiberglass tanks and piping as causes of releases of petroleum fuels and **fleeting vapors of MTBE**.

- **2014**

A case of a **major spill from a crude oil pipe line**, where over 10,000 gallons of oil erupted mid-night from faulty equipment and sprayed over and flooded adjacent property and streets. AA&A was retained to design and carry out a plan of assessment, and evaluate and opine on the impact on subsurface soils at the flooded property.

- **2014**

A case of **commingled plumes of chlorinated solvents** (mainly PCE), where a plume from a major contributor has encroached onto the property of a down-gradient, *de minimis* contributor. The owner of the down-stream impacted property retained AA&A to demonstrate to the regulatory agency the insignificance of contribution on the side of his property and get a case closure so as to enable financial transactions with the property.

- **2014**

A case involving an **offer to purchase a commercial property**, an offer later rescinded because of concerns on encroachment of subterranean toxic vapor emanating from a neighboring property previously used as dry cleaners.

- **2009–2010**

Case involved **failure of a system of underground storage tanks storing gasoline**. The failed tanks had to be removed and replaced with new tanks. AA&A was retained to analyze and opine on the possible causes of the failure.

- **2009–2010**

Case involved a **plume of contamination in groundwater** that migrated from one gasoline station to another across the street. AA&A was retained to research the history of cleanup in both sites and opine on the adequacy of the corrective actions.

- **2009–2010**

Case involved **failure of a new installation of underground gasoline/diesel piping system**. AA&A was retained to analyze and opine on the possible causes of the failure.

- **2005**

Case involved a **cleanup of soil and groundwater contaminated with gasoline**, and the degree of efficiency in which the cleanup was executed. AA&A was retained to inspect the case file and provide an opinion to the court.

- **2005**

The case involved a contractor that installed an **underground shoring system** around fuel storage tanks at an ARCO station. In the process, the installer caused the driven piles to **impact and break an underground fiberglass-constructed tank** and caused a spill of thousands of gallons of gasoline. AA&A was retained to opine on the degree of responsibility exercised by the contractor in accordance with the prevailing practices of the trade.

- **2003**

The case involved a **spill of 7,500 gallons of gasoline** from an underground storage tank into the subsurface soil, fractured bedrock, and groundwater. AA&A was retained to analyze and opine on the compliance of the installation with codes, regulations, and standards of practice.

- **2003**

The case involved **negligent workmanship in retrofitting a gasoline station** with a new canopy where a contractor failed to follow industry standards and state regulations. This resulted in settlement of the canopy foundation on the underground piping system. The judge ordered retrial of aspects pertaining to the impact of settlement of the canopy foundations on the underground piping systems in the area. AA&A assisted the client in obtaining a canopy expert and complementing the canopy expert's testimony with opinion on the impact on the underground piping systems.

- **2002**

The case involved **negligent workmanship in retrofitting a gasoline station with new tanks and piping** where a contractor failed to follow industry standards and state regulations. This resulted in various failures in the system, such as settlement of the tank cover slab, blockages in the vapor return piping, and others. AA&A was retained to opine on the correct procedures that should had been employed in the work.

- **2001/2002**

The case involved a **commercial transaction between a major oil company and a franchisee** where the franchisor sought to sell the gasoline station to the franchisee. The franchisor presented the franchisee with environmental and other reports documenting the compliance of the station with

environmental laws. AA&A was retained to review the reports and submit an opinion on the state of compliance of the underground tank systems with current codes and regulations.

- **2000**

The case involved **contamination in seepage pits** and the selected remedial action implemented. The pits were discovered after demolition of site structures and in the process of regrading the site. The developer moved to remediate the problem and afterwards claimed damages from the seller, Phase I/II consultant, and previous tenant. AA&A was retained to review all pertaining reports and assist in clarifying the technical details of the actions taken by the developer.

- **1999**

The case involved **Phase I & II environmental site assessments** on a property and the reduction in the value of the property as a result of the findings. AA&A was retained to review the pertaining documents and provide an opinion on the adequacy of the investigations.

- **1997**

The case involved: a) Evaluation of the extent to which **a service station failed to comply with all applicable laws**, rules, regulations or codes of governmental entities, including the United States government, the State of California, the County of San Bernardino and the City of Big Bear Lake, including the set-back requirements applicable to underground storage tanks and gasoline service pumps. b) Estimate and opinion upon the extent to which any such noncompliance was caused by or created as a result of the State's project for widening the highway adjoining the property. c) Developing the most cost-effective method of bringing the service station into full compliance with all applicable laws, rules and regulations. d) Developing a detailed and comprehensive estimate of the costs anticipated to be incurred in performing the work required to bring the service station into full compliance with all applicable laws, rules and regulations. e) Estimate of the time required for the above construction or action. f) Determination of the most cost effective method of restoring the service station to the same number of usable gasoline pumps, which it had prior to the construction of the highway widening project. g) Preparation and submittal to the court and to counsel for the State of California Department of Transportation and to counsel for the property owner a full report detailing such expert's investigation, analysis, findings and conclusions.

Mr. Adini was appointed by the Superior Court of the State of California, County of San Bernardino, Desert District to perform the above duties.

- **1996**

The case involved an **automotive battery recycling operation** that caused massive lead contamination on its property and a city block of residential properties surrounding it. AA&A was hired to review regulatory records and site assessment reports, and provide an opinion on the extent of residual contamination.

- **1995**

The case involved **drilling into a fiberglass-constructed underground gasoline storage tank**. An environmental consultant hired a drilling contractor to drill and install a water extraction well in the proximity of the tank. The well was accidentally drilled into the tank with an ensuing \$300,000 total damage. AA&A was hired to provide expertise on industry norms and practices in such works.

- **1994**

The case involved a dispute between an employer and two employees, which had been terminated. The employer had an ambulance service business employing an underground gasoline storage tank. The **terminated employees alleged that contaminated soil had been illegally dumped into the removed tank excavation** and they had been fired because the employer was afraid they would "blow the whistle." AA&A provided expert services in clarifying the technical aspects of the project and the degree of its compliance with existing laws and regulations.

- **1992–1994:**

A dispute between the landlord of a gasoline station and the tenant/operator: **Leaking pipe fitting caused subsurface contamination at a dispenser**. Overfilling of the tanks caused subsurface contamination in the vicinity of the underground tank system. The landlord sued the tenant for negligence. AA&A's expert witness work involved estimation of the subsurface contamination in terms of physical extent and potential remedial cost.

- **1992–1994:**

**A dispute between a contractor and a gasoline station owner:** The owner alleged substandard installation, withheld \$40,000, and claimed additional damages of \$120,000. The contractor submitted that the installation was safe, according to code, and operational, and demanded payment of the withheld amount. AA&A provided expert opinion and testimony on behalf of the contractor.

- **1992–1994:**

A dispute between a buyer (current owner) of a gasoline station and the seller (previous owner) of same: The case involved **an alleged violation of real estate disclosure laws** where the buyer asserts that the seller did not disclose all that the seller knew or should have known about subsurface gasoline contamination at the site. There is also a possibility of malpractice or fraud on the part of a previous environmental consultant that failed to discover the contamination on site. AA&A provided expert services in clarifying the technical aspects of the project and the degree of its compliance with existing laws and regulations.

- **1992–1993:**  
The case involved a dispute between a landlord of a gasoline station and a fuel supplier. The **fuel supplier attempted to drop a 10,000-gallon gasoline load into a 5,000-gallon storage tank** and caused a spill. The fuel was intended for another station across the street. The driver mistook the plaintiff's station for the other destination, broke the locks on the tanks and dropped the fuel. AA&A provided expert witness opinion on behalf of the plaintiff which included evaluation of the potential damage to the underlying soil.
- **1992:**  
The case involved **acquisition/condemnation of a light-industrial property** for the Burbank-Glendale-Pasadena Airport Authority (BGPAA). The landlord refused to allow the BGPAA consultant to investigate the subsurface on the property. AA&A provided expert opinion on behalf of the BGPAA.
- **1992:**  
The case involved **chlorinated hydrocarbons contamination** in the subsurface soils under a machine shop.
- **1991:**  
The case involved **contamination of soil with petroleum products**.
- **1991:**  
Case involved closure of an industrial plant. Case two involved **polychlorinated biphenyls contamination in a manufacturing plant**. AA&A provided technical expertise
- **1988–1989:**  
The case involved a **1-acre site contaminated with lead and petroleum products**. The City of Arcadia took the case on itself to remediate the site and sued the previous owner for the damages, approximately \$800,000. Mr. Adini did the remedial work on behalf of the City of Arcadia and later provided technical testimony in the deposition process. The case was settled out of court.