

ORANGE COUNTY WATER DISTRICT INITIATES LAWSUIT AGAINST GASOLINE COMPANIES AND MANUFACTURERS OF MTBE AND OTHER GASOLINE OXYGENATES

Drinking Water is Safe—This Proactive Action Required to Protect Orange County's Groundwater Basin From Further Contamination

Fountain Valley, Calif. – The Orange County Water District (OCWD) filed suit this week against oil companies, MTBE manufacturers and other responsible parties to protect the groundwater resources of OCWD's service area (north and central Orange County) from methyl tertiary-butyl ether (MTBE) and other oxygenates. The lawsuit, filed in Orange County Superior Court, seeks to recover funds needed to investigate, monitor and remove MTBE and other gasoline oxygenate contamination of the soil, groundwater and drinking water supplies of Orange County.

The groundwater basin managed by OCWD provides most of the water supply for north and central Orange County—the most populous and developed part of the county. Annually, north and central Orange County receives about 380,000 acre-feet (or 124 billion gallons) of groundwater. This water meets the needs of approximately 2.3 million residents in the cities of Anaheim, Buena Park, Cypress, Costa Mesa, Fountain Valley, Fullerton, Garden Grove, Huntington Beach, Irvine, La Palma, Los Alamitos, Newport Beach, Orange, Placentia, Santa Ana, Seal Beach, Stanton, Tustin, Villa Park, Westminster and Yorba Linda.

MTBE—a controversial gasoline additive currently being phased out of use in California—and other oxygenates have contaminated water supplies around the state and across the nation.

Faced with escalating costs of dealing with MTBE and other oxygenate contamination, public water managers are looking to hold oil companies responsible for the problems. OCWD's lawsuit complements earlier actions taken or being taken against certain companies in Orange County by the Orange County District Attorney.

"The water from the wells currently operating in Orange County is safe, but millions of dollars will need to be spent to make sure Orange County's drinking water remains safe from MTBE and other oxygenates," emphasized [Virginia Grebbien](#), Orange County Water District's General Manager. "MTBE and other oxygenates are like a big cloud of contamination looming over the groundwater basin. MTBE has significantly contaminated parts of our shallow aquifer zone. This lawsuit will assure that the costs of protecting our water supply from MTBE and other oxygenates are paid by the companies responsible for the problem, and not by OCWD or the water drinking public."

The defendants named in the action are the manufacturers, designers, promoters, marketers, formulators, refiners, distributors, suppliers and retailers of MTBE and other oxygenates that contaminate the shallow zone of OCWD's groundwater basin. The suit contends that these companies "knowingly and willfully promoted and marketed gasoline containing MTBE and other oxygenates, when they knew or reasonably should have known that these compounds would reach groundwater, pollute public water supplies, render drinking water unusable and unsafe, and threaten the public health and welfare as they have done within the District."

OCWD has retained Victor M. Sher, of Sher & Leff in San Francisco, and Duane C. Miller, of Miller & Sawyer in Sacramento, as its outside counsel. Sher and Miller have extensive experience representing public water agencies in lawsuits to recover the costs of treating contaminated drinking water. They represented the South Tahoe Public Utility District in its recent landmark lawsuit against the oil industry over MTBE contamination. In that suit, the South Tahoe Public Utility District recovered more than \$69 million for the contamination of its water supplies.

The public can call OCWD's MTBE hotline at (714) 378-8273 or their local water provider for more information.

###

Orange County Water District is a special water agency created by the California Legislature in 1933 to maintain and manage the huge groundwater basin under northern Orange County. The groundwater basin managed by OCWD supplies 75% of the water needs to more than 2 million residents in the cities of Anaheim, Buena Park, Cypress, Costa Mesa, Fountain Valley, Fullerton, Garden Grove, Huntington and Newport Beach, Irvine, La Palma, Los Alamitos, Orange, Placentia, Santa Ana, Seal Beach, Stanton, Tustin, Villa Park, Westminster and Yorba Linda.

For further information contact:
Ron Wildermuth, Communications Director
(714) 378-3351; pager (714) 387-5242