

# A difficult week for plaintiffs' scientist in toxic trial

By DAN KENNEDY

BOSTON — Last week was a difficult one for Dr. George Pinder, a nationally regarded hydrogeologist who is working for the plaintiffs in the Woburn leukemia trial.

During five full days of cross examination by Jerome Facher, a lawyer for the defendant Beatrice Foods Co., Pinder defended himself against charges that he tailored his data to suit his testimony.

Nevertheless, as Facher

completed his cross examination Friday in U.S. District Court, Pinder asserted there was "no doubt in my mind whatsoever" that chemical contaminants on a Beatrice-owned property in East Woburn flowed into two municipal wells.

This week, lawyers for W.R. Grace & Co. — Beatrice's co-defendant — will cross examine Pinder concerning his testimony that contaminants also flowed into the wells from a Grace-owned manufacturing plant.

Pinder, chairman of

Princeton University's geology department, is in Washington today, so the trial will not resume until Tuesday.

The properties in question are the Riley Leather Co. tannery, 228 Salem St., and Grace's Cryovac manufacturing plant, 369 Washington St.

Beatrice Foods owned the Riley tannery between 1978 and 1983 and retains legal liability.

The lawsuit involves a claim by eight East Woburn families that the companies allowed chemicals to contaminate municipal wells G and H, which were closed in 1979 after 15 years of use.

That led, the families say, to the leukemia deaths of five children and one adult and the illnesses of two others.

The defendants contend they did not pollute the wells, and that even if they did, the chemicals named in the lawsuit do not cause leukemia.

Facher, throughout his cross examination, has stressed the role of the Aberjona River in the East Woburn aquifer.

The river, with a history of industrial pollution dating back to the early 1900s, flows between wells G and H from the Beatrice property — an undeveloped, 15-acre parcel northeast of the main tannery grounds.

On Friday, Pinder conceded to Facher that the pumping action of the wells could have pulled as much as several billion gallons of water from the river into the underground aquifer which serves the wells.

Pinder, though, repeated his earlier testimony that it would take at least 10 years of pumping before any river water appeared in the wells themselves.

With the river providing such a large quantity of water to the aquifer, Facher asked Pinder whether he still believed the wells also drew from the Beatrice property which is some 600 feet away.

"There is no doubt in my mind

whatsoever," Pinder replied.

Pinder constructed a model of the East Woburn aquifer by measuring the underground water table in numerous test wells.

During a pumping test conducted in December 1985, Pinder said he found that groundwater under the Beatrice site flows away from the wells when the wells are not in use and toward the wells when they are turned on.

Facher challenged Pinder's methodology, charging that if he had conducted his investigation properly, he would have learned that groundwater on the Beatrice site flows southeast to the Aberjona River rather than northeast to the wells.

Two private wells that serve the tannery are contaminated with the same chemicals named in the lawsuit — and those wells pulled contamination from the northern part of the Beatrice site away from wells G and H, Facher said.

But Pinder said he took into account both tannery wells after obtaining data on water use from former tannery owner John Riley Jr.

In one instance, Facher charged Friday, a computer simulation showing groundwater flowing toward wells G and H was based on data that should have yielded the opposite conclusion.

Pinder, however, continued to insist he had conducted a sound scientific inquiry and that he would stand by his results.

Pinder conceded he did not have as much data as he might have liked and that it was impossible to conduct an error-free investigation.

But he testified that none of the discrepancies raised by Facher were serious enough to alter his opinion.