

'G', 'H' Well area

Leukemia jurists visit

By DAN KENNEDY

WOBURN — For 71 days, jurors in the Woburn leukemia trial watched and listened patiently as witnesses, maps, charts, photographs and even a jar of cow manure were paraded before them.

On Tuesday, the six men and five women finally had a chance to view the area that is at issue in the landmark lawsuit.

Led by U.S. District Court Judge Walter Jay Skinner and accompanied by lawyers in the case, they toured Woburn for about four hours.

They viewed municipal wells G and H in East Woburn, which were shut down in 1979 after 15 years of use following the discovery of chemical contaminants in the water.

And they viewed a factory owned by W.R. Grace & Co. and a property formerly owned by Beatrice Foods Co.

It is at those sites, according to the eight East Woburn families who brought the lawsuit, that chemicals were dumped on the ground. From there, they charge, the chemicals flowed through groundwater and into

wells G and H.

The jurors were also shown a drainage ditch along the Boston & Maine railroad tracks in North Woburn, as well as several industries in Wilmington and North Woburn that allegedly poured contaminants into the ditch.

It is Grace's contention that chemicals from those industries, as well as from the Woburn city dump, flowed into the drainage ditch, which connects with Hall's Brook, a tributary to the Aberjona River.

Grace lawyers and consultants say wells G and H, which are located on the east bank of the Aberjona River, drew contaminants from the river. The jurors viewed the Aberjona by walking into a swampy area on a series of planks leading from well H.

Although the river was little more than a trickle Tuesday, the judge informed the jurors they were viewing it under "low-water conditions" because of the dry summer weather.

Despite the serious nature of their task Tuesday, there was a festive air among the jurors,

JURORS — PAGE 6A



MID-DESTRUCTION — Woburn Mayor John Rabbitt, in sweater, supervises destruction of well G on March 12 of this year. Jurors in the Woburn leukemia trial viewed wells G and H Tuesday, and U.S. District Court Judge Walter Jay Skinner repeated his criticism of the mayor's order to bulldoze the two wellhouses.

(Bob Cournoyer photo)

● Jurors

(From Page One)

who have been cooped up in the federal courthouse in Boston for the past four months.

Judge Skinner, wearing a checked shirt, chinos and running shoes rather than his customary judicial robes, pointed out geographical features that may be of assistance to the jurors when they begin their deliberations.

The judge, jurors and lawyers took a bus from Boston to Woburn, with news reporters follow-

ing separately in a car. Skinner barred the press from the bus at the insistence of Grace attorney Michael B. Keating.

The first stop was wells G and H — or, rather, what is left of them.

During the first week of the trial, the wellhouses were bulldozed at the direction of Mayor John W. Rabbitt, who said he hoped the action would dramatize the fact that the city no longer uses contaminated drinking water.

Skinner and the lawyers have all criticized the action as being detrimental to the trial. One of their reasons could be seen Tuesday, when the jurors were viewing the Beatrice property on the west bank of the river.

Skinner has ruled that, for Beatrice to be held liable, the jury must find that it should

have been foreseen that dumping chemicals on the property could pollute the wells.

Lawyers for the plaintiffs and for Beatrice disagree whether a person could have seen the wellhouses from the Beatrice property. Because of Rabbitt's action, that question could not be answered Tuesday.

Instead, balloons were raised from the remains of the wells so the jury could see their relative positions from the Beatrice site.

The Beatrice site is a 15-acre piece of land northeast of the Riley Leather Co. tannery, 228 Salem St. Beatrice owned the tannery and the 15 acres from 1978 to 1983, and retains legal liability.

The jurors also walked the heavily wooded, 15-acre Beatrice site, where they saw rusted barrels and other debris the plaintiffs say contributed to contamination, the main tannery grounds, and W.R. Grace's Cryovac manufacturing plant, 369 Washington St.

At the Cryovac site they saw areas where employees testified they dumped chemicals and barrels — as well as employee vegetable gardens and extensive landscaping.

Although the plaintiffs' lawyers have grumbled about the landscaping, Grace officials counter that they were merely restoring the land to the condition that existed prior to extensive tests and digging in 1985.

Skinner will rule today on which of the numerous visual aids prepared by the parties — called "chalks," since such aids were originally done on blackboards — will be formally admitted into evidence.

Skinner and the lawyers will also start formulating the questions the six-member, five-alternate jury must consider during its deliberations, as well as the instructions Skinner will give the jury.

The jury will not be called back until late next week, when the lawyers give their closing arguments.