

Western Environmental Law Center in Eugene to being a partner at a toxic torts law firm in Sacramento.

"One of the things I'm learning is there is evil in the world," Axline says. But there are also some industry people who, at the end of their life, repent and testify against their former employers. Axline says one such person told of how Dow chemical stopped discharging PERC to sewers 60 years ago because of environmental damage but continued to tell dry cleaners that it was fine to flush the toxic chemical down the drain. Now, Axline says he's representing cities and drinking water managers suing because "wells are being shut down right and left in California" due to PERC contamination.

Suing for the well managers and not the actual water drinkers has been easier because it's avoided the difficulty of needing to scientifically prove people got sick from PERC, Axline says.

In another case, Axline sued oil companies for MTBE pollution to groundwater. In the 1980s, the oil companies found they could make billions of dollars by using MTBE as a cheap additive to gasoline. Axline says the corporations knew MTBE was dangerous to groundwater, but went to Congress and pushed legislation to require MTBE in gas as a way to reduce air pollution. Axline says the oil companies settled the resulting lawsuit after spending \$70 million in a 10-month trial.

Recently, oil industry efforts to attach a liability waiver for MTBE to a large energy bill in Congress resulted in the entire bill failing, according to Axline.

Siegel marvels at the big bucks corporations have to defend themselves from toxic torts. If the pharmaceutical industry ever sued the petrochemical industry, he jokes, "it will be the perfect storm for defense attorneys." **EW**

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