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FOR ENGINEERING AND SCIENCE

Leaking Waste Containers

Author(s)

Michael Pritchard

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Description

ABC's chemical waste is stored in a warehouse at an off-site location. While inspecting the warehouse, engineer Scott Lewis notices several leaking drums.

Abstract

This case is one of thirty-two cases which address a wide range of ethical issues that can arise in engineering practice provided by the Center For the Study of Ethics in Society, Western Michigan University.

Body

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ABC's chemical waste is stored in a warehouse at an off-site location. While inspecting the warehouse, engineer Scott Lewis notices several leaking drums. He calls Tom Treehorn, head of ABC's Division of Chemical Waste. Tom responds, "I'll be right over with a crew to bring the leaking drums over here." Scott points out that the law forbids returning chemical waste to the "home" site. Tom replies, "I know,

but I don't have any confidence in the off-site folks handling this. We know how to handle this best. It might not be the letter of the law, but our handling it captures its spirit."

Scott believes that Tom Treehorn is serious about preventing environmental problems -- especially those that might be caused by ABC. Still, he knows that the Environmental Protection Agency will be upset if it finds out about Tom's way of dealing with the problem; and if anything goes wrong, ABC could get into serious legal difficulties. After all, he thinks, ABC is not a waste disposal facility.

What should Scott do at this point?

1. Tell Tom that he will inform Tom's superior if Tom goes ahead with his plan.
2. Inform Tom that he will not interfere with Tom's plan, but he will not help him with it either.
3. Advise Tom not to go ahead with his plan, but not interfere if Tom insists on going ahead anyway.
4. Say nothing, and help Tom with his plan.
5. Other.



Although he isn't sure they are doing the right thing, Scott says nothing further to Tom and helps him load the leaking drums onto the truck for their return to ABC. The chemical waste is disposed of on the ABC site, with no apparent complications.

In further justification of his actions Tom points out to Scott that ABC also saved a lot of money by taking care of the problem themselves rather than having to pay someone else to dispose of the chemicals.

Do you agree that they chose the proper course of action?



It might well turn out that, for all practical purposes, this is the end of the matter -- that no further complications ever arise. However, there is a "worst case" possible scenario. Consider the following:

It is now several years later. Tom Treehorn has retired and moved to Florida. Scott Lewis left ABC shortly after he discovered the chemical leaks in the warehouse. He is now a senior engineer in a company in a nearby city. He is startled by a front page story in the press. ABC is being charged with contaminating the groundwater in the community surrounding ABC. The paper claims there is substantial evidence that ABC had for years violated the law by dumping waste materials on site. Tom Treehorn is mentioned as the main person who was in charge of overseeing the handling of chemical waste during the years of most flagrant violation. Those years included the short time Scott spent at ABC. A local group of citizens has started a class action suit against ABC.

Three weeks later Scott Lewis receives a letter requesting his appearance at a court hearing concerning the charges against ABC. What should Scott say in his testimony if asked if he was aware of any violations on the part of ABC?

Notes

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Prepared with James Jaksa.

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Contributor(s)

Michael Pritchard

Editor(s)

Michael Pritchard

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