

Summary
Sunoco Service Station Air Emission Complaint
Carondelet Plant
10/4/84

Situation:

The Sunoco Service Station is located on Alabama Street, joining the Carondelet Plant property on the east adjacent to the maintenance shop. Fred Weber Inc., a construction company, has owned the property for about a year and also owns other commercial property across the street and Northeast of the plant site. Bob Williams, operator of the service station, leases the site. He has operated the repair shop for the last eight years, but has been owner of the total business for about one year. On July 23, 1984, Mr. Williams filed a petition in the Circuit Court of the City of St. Louis seeking damages for personal injuries, property damage and loss of services as a result of claimed emissions from the Carondelet plant that occurred from May 1984 to the date of filing. The suit seeks \$2.65M for the allegations cited.

Background:

The Carondelet plant operates under an air permit from the City of St. Louis. While the operation is normally well within permitted emission levels, excursions do occur, caused mainly by inadvertent problems in the dust collection systems. In the past Monsanto has taken the responsibility for washing dust from vehicles when such dusting has occurred, and Monsanto continues to take this responsibility. Relations with Mr. Williams were good until around May 1 of this year. Since that date he has complained numerous times and has taken the position that Monsanto's operation has caused his business to fail. Servicing of Mr. William's complaints received priority attention. Personal contacts and visits by both the plant manager and the INA claims adjustor, Phil Boland, were not successful in resolving the issue.

During most of the month of June 1984, Mr. Williams telephoned and spoke to various people within Monsanto, (Jim Senger, Pat Hyland, Bill Papageorge, Charlie Thurman, Vince Matteucci and Lloyd Boesch). He frequently called Mr. Mahoney's office. These calls were referred to and handled by MIC Manufacturing. We suggested to Mr. Williams several times that his legal counsel and our insurance adjustor meet to study the issue and evaluate further his complaint. Mr. Williams was difficult to deal with and highly emotional; he consistently emphasized his heart condition. We advised him that our products do not cause paint damage, and we asked him to substantiate his business loss claim which he refused to do. His position was that Monsanto had caused his business to fail and we should pay him for it. He mentioned a \$500k figure in several conversations but refused to substantiate such losses to our claims adjustor. On 6/28/84 Mr. Williams retained legal counsel. MIC and Corporate Law as well as Environmental Law provided counsel to MIC Management and plant people.

Throughout the time Mr. Williams was submitting his complaints, particular attention was directed toward monitoring of the many dust collectors and spillage. On July 6, 1984 the Division of Air Pollution Control for the City