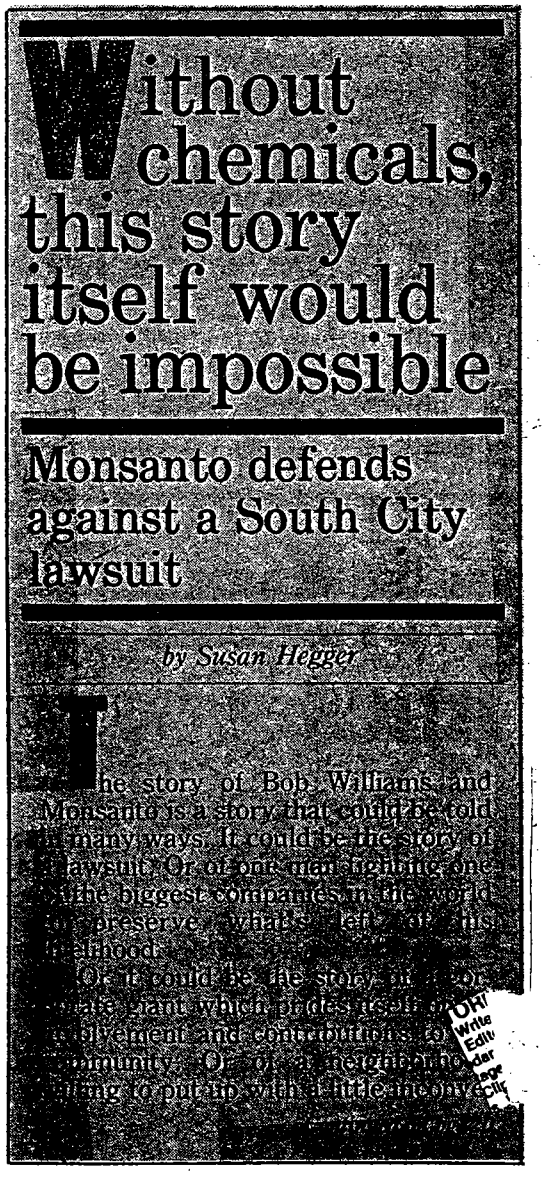
THE RIVERFRONT TIMES, October 17-23, 1984

Without chemicals, this story itself would be impossible

Monsanto defends against a South City lawsuit



Continued from cover

nience in return for the hundreds of thousands of dollars invested by Monsanto in neighborhood improvement.

But it's also just as likely to be a story about them all.

Monsanto's Carondelet plant at 8201 Idaho, a sprawling complex partially alongside River Des Peres, has has been a fixture of this deep South City neighborhood for a long time. Bob Williams has been in the auto repair business at 8025 Alabama, on a site adjacent to Monsanto, for eight short years. But despite differences in size and longevity, both are dependent on community support for their continued existence.

In the case of Monsanto, it's what they call a "good neighbor" policy which keeps the company welcome in the area. In the case of Bob Williams, it's the patronage of residents and businesses which keeps him alive.

Normally, there's been some sort of peaceful co-existence. But not any longer.

Bob Williams is closing up shop and calling it quits. The owner of B and D Auto Repair for eight years, Williams says that the "white stuff" periodically spewing out of nearby Monsanto smokestacks has ruined his business.

"Let's put it this way," says Williams. "If you brought your car in for repairs, came back for it and saw this white stuff all over it, eating into the paint, where would you take your car for repairs the next time?"

While Williams is resigned to losing his shop, that's just the first battle in a war he doesn't plan to lose. Williams is suing Monsanto for $8 million, claiming that the Carondelet plant's emissions have damaged cars and destroyed his business.

Monsanto denies all charges. Sarah Collins, manager of public information at Monsanto, says, "We've conducted extensive tests — I can't tell you the man hours involved — to determine what if anything this dust would cause. The dust from our operation does not cause paint damage to cars.

"The dust that's emitted at times from our plant is a phosphate dust," continues Collins, who adds that phosphates are used in such products as "baking powder and toothpaste." The dust, she says, can be simply washed off.

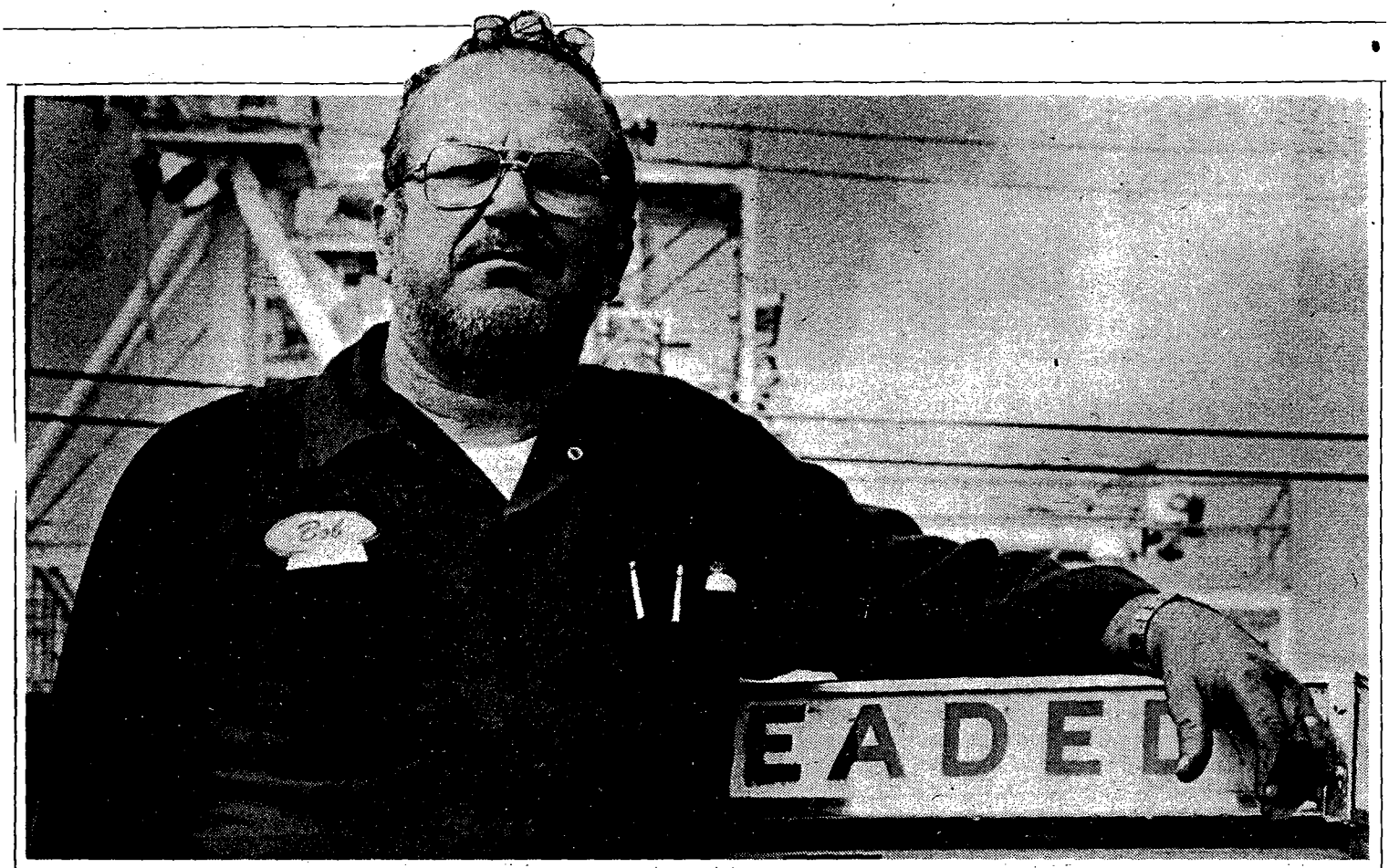
Not true, says Williams. Phosphates can and do eat through paint, a conclusion shared by other sources.

While denying claims of permanent damage, Monsanto has always responded quickly to complaints of car dustings. "It's been our policy to wash the cars of any complainants. We've done it and we'll continue to do it," says Collins.

As the lines have been drawn, Williams' son, Bob Williams Jr., has become both a vocal defender of his father's allegations as well as one of Monsanto's strongest critics. "Monsanto kept saying 'trust us,'" says Williams Jr. "But the truth of the matter is we've stopped getting cars."

DSW 136010

STLCOPCB4035979



Bob Williams says the "white stuff" from Monsanto is causing him to close down his 8-year-old business.

Williams has owned B and D Auto Repair for eight years. During most of that time, the particulate emissions were "spotty," says Williams Jr. "It happened only a couple of times a year. It was no big deal; we just had the cars washed." The problem was so minor they never contacted Monsanto.

All that changed in April of this year, says Williams Jr, "when it started coming down heavy, sometimes a couple of times a day, sometimes all day long."

And it was at that time that paint damage began to be noticed. "The stuff sat on Dad's truck for a couple of days. When we took it to the car wash, it wouldn't come off," says Williams Jr.

At this point relations were still cordial between the two current adversaries. Monsanto, says Williams Jr., had his Dad's truck sent to be cleaned. "But the stuff wouldn't come off," he says. "They used steel wool, buffed it and in places took off all the paint. The product's still on the truck."

Monsanto has been steadfast in its claims that phosphates can't do the kind of damage claimed by Williams.

John Fields, a former employee of Artistic Auto Clean Up, says that his employer had contracts from "two or three chemical companies" which regularly worked with phosphates.

"Phosphates come in two forms: white and black," says Fields, "and I've dealt with both of them. They can both mess up cars. They definitely leave pits."

The situation came to a head in May, however. At that point Williams complained to the city's Air Pollution Board of a substance "burning the eyes" of his employees. And it was also at this point that Williams' complaints to Air Pollution began to become regular occurences.

Monsanto's Collins says, "There was an instance in mid-May where some material was left on cars. They were like little 'globs,' rubberized material, not dust particles." However, she stresses that these "globs" were not from Monsanto.

"Absolutely not," says Collins. "An analysis of their physical properties shows that they couldn't be coming from us."

But something was falling, and falling with regularity.

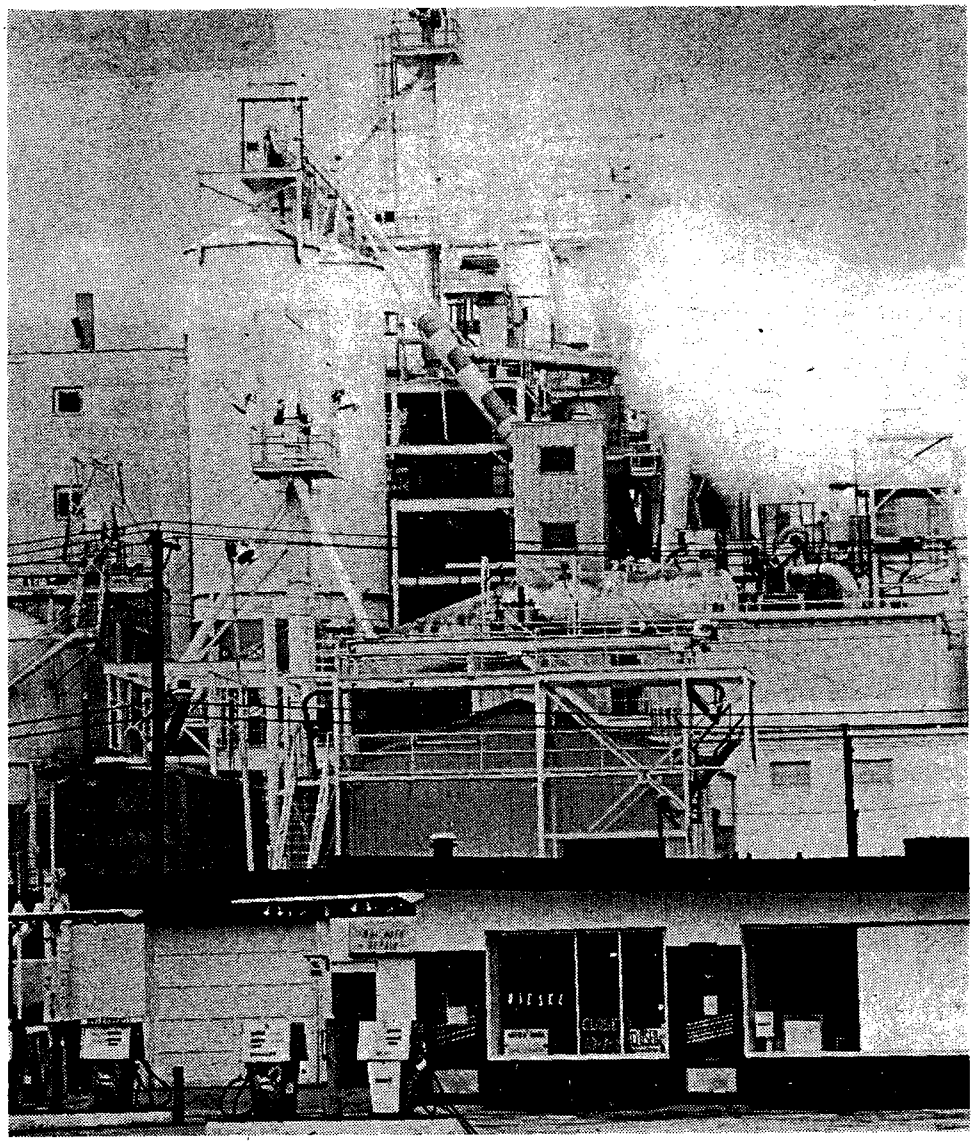
Air Pollution Control records show a steady stream of complaints beginning in May, increasing through July and August and continuing into September and October. All of the complaints on file are Williams'.

Each time a complaint was made, an inspector from Air Pollution arrived on the scene to investigate. Each time, the inspector duly noted the particulate matter, the "white stuff" on cars and pumps. And each time, the inspector called on Monsanto to check whether there had been any equipment failures.

Beginning in May, according to Air Pollution Control records, Monsanto began to "add steps to ensure control of particulate matter." These included a "special emissions test," changing the bags in four dust collectors and "revising preventive maintenance." In a July 20 letter to

DSW 136011

STLCOPCB4035980



Monsanto's Carondelet plant at 8201 Idaho produces only food-grade chemicals, says a company spokesperson.

Air Pollution Control which reviewed these measures, Monsanto concluded: "We have not found a significant single dust source that we feel is responsible for these complaints."

But Williams was losing business — an estimated $13,000 since May. One of his major accounts, Jim Dandy Express, expressed reservations about using B and D Auto Repair anymore.

Danny Shelton, one of Jim Dandy's owners, describes the condition of his own van left at B and D for repair as "messed up." He says he wouldn't leave it — or his business vehicles — there for repair anymore. "Once is enough," says Shelton.

Melvin Schnelting remembers his son bringing in one of his show trucks for repair work at B and D — after it had just been painted. The truck was covered with white particles and had to be repainted.

"He took the truck back to the guy who had just painted it," says Schnelting. "He had to have it sanded and completely lacquered. It's a show truck, so he couldn't possibly leave it be. He just hated to do it, because he'd just had it painted."

As business declined in the early summer, Williams Jr. says his father negotiated with Monsanto for a settlement. "Dad was willing to be bought out," he says. "He told Monsanto that he'd accept a price by an impartial business appraiser."

Williams Jr. says that Monsanto verbally agreed to a buy-out, stipulating that the money would be put into an annuity instead of a lump sum. That hope was dashed when Williams received a letter from Monsanto in late June. The letter called a buy-out "inappropriate given the fact that though occasional dustings occur, our investigations show that such dustings are not responsible for damage to vehicles at your business."

Collins says that the idea of a business buy-out originated solely with Williams. "Earlier this spring and summer, he was asking us about about a buy-out. It was certainly discussed. But to my knowledge, we did not approach him about this; it was not on our initiative."

Thus was born the lawsuit filed on July 9. The key elements are the charges that Monsanto "caused dust emissions" and that "Williams had been caused to suffer a loss of income," charges denied in Monsanto's response.

At the instigation of Williams' complaints, the city's Air Pollution Control board has regularly sent an inspector to investigate. While Richard Knapp of Air Pollution says he cannot comment on the case "since the matter is under litigation," the files show that the agency contacted Monsanto repeatedly through the summer.

In July Air Pollution issued a notice of violation to Monsanto for "particulate matter...found beyond plant premises in parts (larger than) 40 microns." (Collins says this violation has little relevance to the case. "The notice in July," she says, "had to do with the size of the particles, and the size of the particles has nothing to do with their physical properties."

In the beginning of August, Air Pollution contacted three of Williams' neighbors to see whether dusting had been a problem. Two of them reported dustings but nothing serious. One reported to Air Pollution that it "washes right off."

Air Pollution also conducted an investigation of the Carondelet plant and noted "no emission of any kind with the plant in operation." The inspector did report, however, that "housekeeping, namely clean up of inside spills...and outside spills...needs to be greatly improved." The inspector further speculated that "any visible particulate fallout in the plant area or on adjoining properties is probably caused by wind-blown particles from the above-mentioned spills and could probably be reduced by better clean-up procedures."

DSW 136012

STLCOPCB4035981

COVER STORY

Continued from pg. 21

reported by Williams on Oct. 1, and Air Pollution determined that the "likely cause" was an equipment breakdown at the plant the previous evening.

Monsanto has been in the area "for decades," says Collins, "and we've never received any complaints of permanent damage" to cars or any other property.

But John O'Neil, who lives on nearby Primm, says there's a reason no one complains: "People just figure it's a waste of time."

O'Neil says that Williams isn't the only one who's experienced property damage from Monsanto's chemicals. He says that he had to paint his house annually for 10 years — until he finally tired of it and installed aluminium siding.

"Well, let's put it this way," says O'Neil. "Every year I went to the major paint stores and bought the best primers and the best paints, and it would still flake off.

"When I called Monsanto and Air Pollution, I was told it was just steam," continues O'Neil. "I told Air Pollution to come down here and sweep up that so-called steam."

O'Neil says he's also had dustings on his car, but "I don't wash the car, I leave it on, because I don't want to wash the paint off."

Yet, O'Neil says he prefers to put up with it than try to get any redress from Monsanto, which he believes is responsible. "I'm just resigned to the fact that if I went over there, I'd bust somebody in the head," he says with a laugh.

Robin Robertson, who lives with her husband and 11-month-old son on Davis, says they called Air Pollution to complain in early October. She says the paint on their newly waxed car was being eaten away.

"Air Pollution told us the stuff was harmless, that it's used for toothpaste," says Robertson. "But if it's eating paint, how can it be harmless. I just don't know what to believe."

Still Monsanto says it never has had complaints of any serious nature, and that it has responded to the minor complaints it's received. "Monsanto is not the kind of company that rides roughshod over people," says Collins.

Beyond that, says Collins, Monsanto has contributed a lot to the welfare of the neighborhood. As just one example of many, since the late '70s Monsanto has contributed $250,000 to the Carondelet Community Betterment Federation. And recently the *Neighborhood News* reported that Monsanto donated $50,000 for a weatherization program for area senior citizens.

And despite Williams' problems with the company, he says the situation could be ironed out if the two sides could talk man to man:

"I'd like to sit down with Richard Mahoney (Monsanto's chief executive officer) over a cup of coffee and explain to him how I've been treated. And I think he'd resolve this." ■

(While Collins says that the plant is "trying to improve its housekeepings measures," she maintains that the "intermittent dustings do not cause the kind of damage that Williams alleges.")

In late September, following another complaint, the inspector "noted white particles on a Chevy van...which have adhered to paint surfaces on most areas of the vehicles." A walk next door indicated that a neighboring businessman "did indeed have some type of white spots all over."

Monsanto, reported the inspector, "was aware that there was a problem, but didn't know exactly what had occurred." Subsequent investigation revealed that a mill dust collector had broken down, and that that event was "probably the cause for complaint."

A "fairly heavy fallout" was

Continued on pg. 22

DSW 136013

STLCOPCB4035982