

## City of St. Louis v. Velsicol

### FREQUENTLY ASKED QUESTIONS

#### **1. Why Is There A Threat to St. Louis Water Supplies?**

For more than 40 years, the old Michigan Chemical plant, owned and operated by Velsicol and others, manufactured DDT, PBB, TCE and other dangerous chemicals. The plant was closed in 1978 and was later declared a national Superfund hazardous waste site. Velsicol subsequently agreed to seal off the area to prevent dangerous chemical residues from getting into the Pine River, underground aquifers and, ultimately St. Louis' water wells.

It didn't work. Those chemicals are now leaking from the old Velsicol site and one byproduct of DDT manufacture, p-CBSA, has been found in extremely high concentration in nearby monitoring wells. It has also been found, though in much lower concentrations, in several of the city's drinking water wells.

Since p-CBSA travels through groundwater much more quickly than other dangerous chemicals that are known to be leaking from the old Velsicol site, it is likely that those other dangerous chemicals will be following the p-CBSA. The Michigan Department of Environmental Quality (DEQ) strongly recommended that we begin looking for alternative water sources, and the city is following this advice.

#### **2. Are Existing Water Supplies Safe?**

The Environmental Protection Agency (EPA) has assured us that our water is safe to drink, and we're doing everything we can to make sure it stays that way. While only low levels of p-CBSA were found in our wells in 2005, the much higher levels found in some of the nearby monitoring wells led us to take two of our wells offline. We are continuously testing those and our other wells to make sure it isn't showing up in any greater quantities.

You can find further information about the city's water at:  
[http://www.stlouismi.com/1/stlouis/water\\_andwastewater.asp](http://www.stlouismi.com/1/stlouis/water_andwastewater.asp)

#### **3. How Can We Ensure City Residents Continue to Receive Clean Drinking Water?**

The city's number one priority is making sure there is enough clean, safe water for St. Louis area residents. Based on the State DEQ's strong recommendation, we've starting looking at a number of possible sites for new wells, and we have been evaluating possible treatment options as well. That process is ongoing and the key factors are how much solutions will cost and who will pay for them.

#### **4. Who Will Pay for the Treatment or New Water Supplies?**

Finding and developing treatment facilities or new wells for a city this size will cost millions of dollars. The EPA won't help pay for new wells until DDT, PPB or other dangerous chemicals from the Velsicol site show up, but we're not willing to wait that long. Our responsibility is to the people of St. Louis and making sure the water is safe – and stays safe.

The city has filed a lawsuit to hold Velsicol and its successors responsible for contaminating and jeopardizing our water supplies. Velsicol should be held responsible for their actions and cover the costs for either cleaning up and protecting existing water supplies or finding and developing the new wells. Those costs should not be the responsibility of St. Louis homeowners and businesses.

#### **4. Where Can I Find More Information about the City's Lawsuit?**

The city's lawsuit against Velsicol and other responsible parties was filed in the Gratiot County Circuit Court on April 11, 2007. It is based on the fact that Velsicol and others are the current and former operators and owners of contaminated sites that are leaking dangerous chemicals like DDT, PBB and TCE. One chemical, p-CBSA, has already reached the city's water system. Experts have told us that continued migration of chemicals from these sites threatens further, more dangerous contamination of the city's water. The lawsuit requests damages and other relief under the Michigan Environmental Protection Act, and the common law theories of nuisance, trespass, and negligence. The city seeks an award of damages, which will be determined at trial, to cover the costs of constructing and operating the treatment facilities required to remove p-CBSA and other harmful chemicals from its drinking water supplies or of finding an alternative water supply and constructing a new water system.

A copy of the complaint can be found on the City of St. Louis website, at

<http://www.stlouismi.com/1/stlouis/index.asp>

For further information regarding the city's lawsuit, please contact the city's attorney, Victor Sher at 415-348-8300.