

BLAST

Confidential for George/Georgine Blast, President of Blast, Inc.

Blast, Inc. owns and operates a sandstone quarry just outside the limits of Anytown. Blast bought the quarry about two years ago and business has been, well, booming. There is a great demand for sandstone for industrial uses. Blast has expanded and upgraded the equipment at the quarry and has dramatically increased the number of employees. Most of the employees are from Anytown. Indeed, Blast is one of the major employers for the residents of Anytown.

Before Blast bought the quarry, it was operated by a small, family-owned business which barely limped along. It did not quarry much sandstone and had very few employees.

Anytown is very small and poor. However, it does have a couple of interesting landmarks. One of them is the Great Northern District. The District is composed of approximately two blocks of homes, a courthouse, a library and a jail. All of the buildings in the district were built in the mid-1880s to house railroad officials; they were constructed in whole or in part with the sandstone from your quarry. Until recently, the District was in a deteriorated state. However, in the last couple of years, a number of yuppies have bought several of the homes (at dirt prices) and have renovated them. You suspect that these new residents of the District hope to turn the District into a tourist trap. You know that they have gone to the State for some sort of a historical designation.

Soon after Blast took over operations, you began to receive letters from Ruth/Ray Nader, a resident of the District, who complained that the quarry's blasting activities were too loud, too powerful and too frequent. (You blast twice a day, seven days a week. Times of the blasts vary, depending on a number of factors at the quarry – workforce, difficulty in extracting stone, etc.) Nader claimed that the blasting was making life unbearable for the residents of the District and that it might be harming the buildings. In a magnanimous gesture, you agreed to meet with Nader and explained that Blast was simply doing what it had to do to be profitable. You explained that Blast was concerned about the welfare of the residents of Anytown and, therefore, was conscientiously operating within the noise limitations imposed by its permit from the Pollution Control Agency (PCA). Also, based on some informal measurements taken by your staff six months ago, you explained to Nader that you understood that the vibrations resulting from the blasting were no greater than those caused by a passing train and that the vibrations should not cause any damage to the buildings located in central Anytown.

You know that since your meeting with Nader, s/he has gotten louder and louder about his/her objections to your operation. S/he has dragged Blast's name through the mud in local and Twin Cities newspapers and other media. S/he has also formed an organization named Citizens Against Blast (CAB) which is composed primarily of the new residents of the District.

Blast owns quite a bit of land just outside the town's limits and wants to grow. In fact, Blast recently requested an amendment to its present noise permit from the PCA in order to expand its blasting activity and to quarry a newly-discovered seam of sandstone which is located nearer the town's northern border. You know that CAB has objected to your request. You want to be able to quarry that seam.

You also want to maintain good relations with the town and its residents and avoid future letters and bad press. If it will help to have a meeting with Nader and the PCA, you will do it. However, you do not intend to reduce your operations to any significant degree. Indeed, you will threaten to close if the State even suggests significantly reduced blasting activity.

It was the PCA who suggested that you all meet with a mediator to see if you could work something out. You agreed.