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Family gets \$2 million

The parents of a teen-ager who died two years ago when he was accidentally sprayed with phenol at a Baytown petrochemical company have accepted a \$2 million out-of-court settlement that is considered the largest of its kind.

"The award is unusual in both the size, and the fact that the young man was not married and had no children," said Richard Warren Mithoff, attorney for Dale and Inta Shaffer of Houston.

On Aug. 17, 1984, Peter Edward Shaffer, 19, a sophomore at Sam Houston State University, was working for the summer at Advanced Aromatics Inc., a subsidiary of Chemical Exchange Industries Inc., when the valve of a tank opened, spraying him with phenol.

Although much of the chemical used in the manufacture of plastics was washed off Shaffer, it is so toxic and dangerous, he immediately went into convulsions and died a few hours later of inhalation.

The \$2.5 million lawsuit filed by his parents alleged the company failed to take reasonable precautions against the accidental release of the phenol, failed to post warnings about how dangerous it was and failed to tell employees what to do if it spilled on them.

"The company officially maintained they were not to blame," said Mithoff. "There was no confession, but I think the size of the settlement speaks more loudly than their words."

According to the settlement approved by state District Judge Davie Wilson Wednesday, the companies will pay the Shaffers \$1.25 million immediately, while investing an additional \$750,000 in an annuity to be paid over the next 10 years.

Mithoff said the parents planned to set aside some of the money for the education of their remaining child — a 16-year-old son — and use some of it to try to prevent such accidents from happening to others.

James Wise, attorney for Advanced Aromatics and Chemical Exchange Industries, declined comment.