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## Family Sues Former Refinery Contractor Over Fatal Exposure to Toxic Dusts

**Relatives of Denisson Stewart, who died days after being diagnosed with lung cancer and mesothelioma, accuse former refinery contractor IMC of negligence, alleging failure to provide proper protection from asbestos, silica, and other toxic dust exposures.**

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**The refinery and oil terminal on the south shore of St. Croix. By. V.I. CONSORTIUM.**

Surviving relatives of a man who died of lung cancer and mesothelioma are suing a former refinery contractor for allegedly causing its employee to be exposed to various toxic substances.

The deceased is Denisson Stewart, who passed away on September 26, 2024 just days after being diagnosed with metastatic lung cancer and mesothelioma. Mr. Stewart worked as a carpenter and

laborer at the oil refinery on St. Croix from 1988 to 1997, when it was owned by HOVIC – the Hess Oil Virgin Islands Corporation. During that time, “Plaintiff worked for various contractors, but primarily IMC, where his exposure to toxic dusts primarily occurred in the last [sic] 1980s and early 1990s,” the lawsuit alleges.

These “toxic dusts” included those from materials containing asbestos and silica, the civil claim, filed April 11, argues. On the job, “plaintiff used substandard respiratory protection during his employment at the Oil Refinery, which was wholly inadequate to guard against the inhalation of toxic substances like asbestos, silica, and catalyst,” the lawsuit contends. “As a premises contracting company, IMC had a duty to warn, train and keep-safe from exposure to dangerous dusts such as asbestos-, silica-, and/or catalyst-containing products which can cause lung scarring, lung tumors, lung cancers, and cancers of the body,” it continues.

IMC failed in its duty, the lawsuit argues, as “during the course of his employment at the Oil Refinery, Plaintiff came into contact with and inhaled asbestos-, silica-, and/or catalyst-laden dusts well in excess of the government limits as well [as] the scientific consensus standards.”

Compounding the matter, the lawsuit says, was that the refinery “was not equipped with the appropriate equipment to measure particulate concentration. The limited testing that was conducted was substandard, and the tests failed to accord with industry and scientific best practices.” The companies involved with the ownership, management, and operation of the refinery – namely Hess, HOVIC, and IMC – allegedly knew what the government-set exposure limits should be, and also knew about the importance of those limits to the health of industrial workers. However IMC, the contractor, “lacked the expertise to anticipate, identify, evaluate, and train various refinery workers to encounter these toxic substances safely,” the lawsuit alleges.

The lawsuit blames “IMC's failure to implement proper toxic substance protocols and safety measures” for Mr. Stewart's exposure to toxic substances, which it contends caused scarring to his lungs. It accuses VIIMC of four counts of negligence, as well as wrongful death, and asks the court to assess the maximum monetary damages allowable by law, including punitive damages, plus pre-trial interests and costs.

Virgin Islands Industrial Maintenance Corporation, which was reportedly administratively dissolved earlier this year, has not yet filed a response to the complaint as of press time.