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Soquel Firm Says Pollution Not Wilful

Introduction of ammonia into Soquel Creek "certainly was not a willful act," Gil Paul, manager of Soquel Meat and Frozen Foods Company, said today.

Paul's comments came after he and Ken McMillan, operator of Mountain Refrigeration of Ben Lomond, appeared before Judge Donald May in Santa Cruz Municipal Court to answer a charge of violating the Fish and Game Code.

Both men, neither of whom had consulted with an attorney, entered pleas of guilty to the charge which was filed today after consultations Monday between fish and game authorities and the district attorney's office.

Judge May set further pro-

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ceedings in the case for Sept. 16 at 1:30 p.m. and asked for a full report on the incident from the fish and game warden.

John Fry of the district attorney's staff said that office will have a recommendation in the case after the report has been studied.

Paul explained that the incident occurred when water from the firm's storm drains flowed into the creek. An estimated 20,000 fish were killed by the ammonia, which apparently remained in the water.

According to Paul, Mountain Refrigeration began the project of converting his firm's cooling system to freon on Aug. 17. To get rid of the ammonia in the system, the refrigeration experts, whom Paul called "highly reputable," first allowed the gas to go into a large container of water during a period of two or three days.

On Thursday valves were opened and pipes were flushed, with the water emptying into a vacant field next door.

Later, Paul said, a refrigeration man tested the ammonia content of the water and determined that the pipes were free enough of ammonia that water could safely be diverted to the storm drains.

"They exercised all the precautionary care they knew," Paul said.

"I'm terribly sorry that it occurred. We had no intention of doing anything wrong, and I share the public's concern about ecology," he added.

Paul also suggested that the facts that the creek is dammed to form a lagoon in Capitola and is running at a low level at this time of year contributed to the incident.

At Monday night's meeting of the Capitola City Council, officials were instructed to confer with the district attorney's office about the possibility of joining in the complaint against the firms.

Water Pollution