

Environmental Justice Group Meeting
Illinois EPA/ Springfield
April 26, 2011 10:00am-12:00pm
Video Conference and Teleconference

Attendees:

EPA:

Elmo Dowd (Associate Director), Ken Page (EJ), Brad Frost (OCR), Timothy Murphy (BOL), Kurt Neibergall (OCR), Ed Bakowski (BOA), Rick Cobb (BOW), Joyce Munie (RPMS), Scott Phillips (BOL), DiAnne Schuerman (Dir Off) and Chris Romaine (BOA).

Others:

Jim Monk (IL Energy Assn), Brenda Carter (IERG), Jennifer Walling (IL Environmental Council), Mark Biel (Chemical Industry)
Telephone: Greg Michaud (ACEC), Dorian Breuer (PERRO), Professor DT Ratnapradipa (SIU-C) Cheryl Johnson (People for Community Recovery)
Chicago: Jerry Mead-Lucero (PERRO), Lara Lasky (USEPA/Reg 5), Maria Chavez (PERRO), Brian Urbaszewski (Lung Assoc/Respiratory) and Elmo Dowd (Associate Director)

- I. Introductions: Springfield, Chicago, Telephone
- II. Welcome: Elmo Dowd/ Thank you for attending on behalf of Lisa Bonnett and Agency which is committed to environmental justice.
- III. Pilsen Neighborhood : Brad Frost (Office of Community Relations) / Lead Monitoring at H. Kramer- Lead Standards established in Jan. 2009, Lead Monitors established in 2010 which indicated elevated lead 25% at H. Kramer. Second monitor established in Jan 2011. Results as of March 2011 indicate that H. Kramer is the source of the elevated lead. In April 2011 a Referral/Violation Notice was sent to Attorney General. A fact sheet was distributed to the Chicago Health Department, to the Schools, to the State Representative and State Senators and Alderman last week. A Spanish version of the fact sheet will be available today or tomorrow. It may be accessed on our website.
Question: Is further testing being done?
Answer: Yes, additional testing has been done and monitoring is ongoing. Investigation is continuing for samplings; data is gathered and recorded.
Question: Are there ongoing negotiations?
Answer: Yes, data is being reviewed and the case is proceeding to the Attorney General's Office, Matt Dunn is handling the review at AG. We (EPA) are advisory. (Jerry Mead-Lucero wishes to receive contact info at AG's Office.)
Question: Are Public Meetings Scheduled?
Answer: Yes, possibly scheduled for May 3rd. Juarez School declined to hold meeting and Perez School also declined to host a meeting. Location is being sought.
Question: Is EPA working with the USEPA jointly?
Answer: Yes, they are interfacing on this issue.
- IV. Remediation Plan H. Kramer: Tim Murphy (BOL) Project Manager/ Lead Soil Contamination found in 2005. In 2008, Objectives were approved for remediation. Notice was sent to H. Kramer in Feb. 2011 which stated that we are allowed to terminate the plan since no remediation has proceeded to date. In March, H. Kramer contacted EPA to state that they still wished to remain in the Site Remediation Program. Their delay involves the City of Chicago Stormwater Retention Plan which must pass the City of Chicago first. After that,

Remediation Plan can proceed. The timeframe is to complete Remediation Plan by Fall 2011. EPA has requested monthly reports on the cleanup process and has received the first monthly report. H. Kramer will apply Calcium Chloride to the area by April 30th.

Question: Is there no repercussion to H. Kramer for non-compliance?

Answer: An Interim Consent Order and a Final Consent Order if they are not working with us and providing the monthly status reports.

Question: It has been six years with no positive result from H. Kramer; what is the date that EPA expects for cleanup?

Answer: End of 2011, if not completed by then, it will be turned over to the AG Office for enforcement.

Question: What is the plan that EPA will accept?

Answer: We (EPA) do not approve any plans which are not within the environmental boundaries. We need and requested the current status on the City of Chicago Stormwater Plan by the next monthly report from H. Kramer.

Question: When, how and what can we ask for in a FOIA request? "We don't know what we don't know". Can we meet with EPA to find out info from BOL?

Answer: Yes, BOL will provide everything in their file to Ken Page and you may request FOIA documents in writing. The monthly reports from H. Kramer will be provided to Ken. Ken will provide PERRO with an inventory of the contents of the BOL file.

Question: Can we ask for 12 months of reports in advance?

Answer: You cannot request reports that have not been created.

V. Environmental Justice Plan 2014/ Lara Lasky (USEPA, Reg 5)/ 9 Draft Implementation Plans for EJ 2014 on website which is a roadmap to environmental justice. There are 3 strategies for each plan.

1. Protect health of communities over-burdened by pollution.

2. Empower Communities

3. Establish partnerships with local, state, federal agencies.

Action Plans include: Rulemaking, Permitting, Compliance and Enforcement, Legal Tool Development (National Screening Tools by Dec 2011), Action Programs, Science Tools

Question: Does this address the cumulative pollution impact on neighborhoods?

Answer: Yes, in the Science Development action plan.

Question: Why after so many years is Title 5 Permitting not in place?

Answer: In the Best Practices on Permitting, 14 priorities are named and Title 5 is one of them.

Question: Does Rulemaking address EJ concerns?

Answer: Yes, it explains: How to Identify Hazards, Population, Decision making by the public, and critical thinking

New Business:

1. Amendment to Senate Bill 2193 (Environmental Justice Act)/ Jennifer Walling (Illinois Environmental Council, Exec Director) This amended bill would create an Environmental Justice Commission from the Governor's Office to cross-over other Agencies besides

EPA. There will be reporting requirements from this formal commission. This commission would bring multiple agencies into the topic of Environmental Justice issues and insure that programs are aligned.

Question: Who will be on the commission?

Answer: Groups can submit names for consideration. This is still in legislative mode and is not yet adopted into statute; anticipating an online application process.

Question: Will there be Environmental Notices of Impropriety?

Answer: Possibly, but this commission is not in place at this time.

Future Meeting Planned: June 2, 2011

Field Museum Forum from Illinois Environmental Council

2. Formation of Subcommittee to plan EJ Conference for Illinois

Cheryl Johnson states that EJ Conference needed in the Midwest for Illinois. Formation of a network is needed beginning with IEPA resources for EJ. Ken will meet with her to discuss this further.

3. Open Discussion

Jerry Mead-Lucero (PERRO)...is requesting a May 3rd meeting concerning H. Kramer with Ken.

Scott Phillips... explains that the H. Kramer file will be copied to Ken.

Maria Chavez (PERRO)... requests for monthly reports from H. Kramer from BOL.

She is told to receive BOA info she needs to contact BOA/Vicki Von Lanken.

Brian Urbaszewski (Respiratory/Lung Assoc.)...What are comments on RULES from EPA.

Where does Agency stand on power plants? Will coal plants be examined. Yes, they are listed for inspection.

Meeting adjourned at 11:55am