Message

From: Kaiser, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=10BF2440EDD749D2845015C7AB59FF4B-SKAISE02]
Sent: 11/8/2016 3:13:10 PM
To: Carla Morgan [cmorgan@eastchicago.com]; McCoy, Lisa [LMcCoy@idem.IN.gov]; Snemis, Donald (IDEM) [DSnemis@idem.IN.gov]
CC: Garypie, Catherine [garypie.catherine@epa.gov]; Toney, Marcy [toney.marcy@epa.gov]; Kyte, Larry [kyte.larry@epa.gov]; Leverett Nelson [Nelson.Leverett@epa.gov]
Subject: USS Lead - Press

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US EPA Region 5 – prepared by the Office of Public Affairs

November 8, 2016

NWI Times - Residents ask judge for say in Superfund cleanup deal

WFYI - Gubernatorial Candidates Talk Energy, Environment Plans

http://www.nwitimes.com/news/local/lake/residents-ask-judge-for-say-in-superfund-cleanup-deal/article_308c3ee2-dce7-5ae1-9f3b-21a8ce696671.html

Residents ask judge for say in Superfund cleanup deal

- Sarah Reese sarah.reese@nwi.com, (219) 933-3351
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- Residents in East Chicago's Calumet neighborhood have asked a federal judge to give them a say regarding an agreement reached in 2014 for an environmental cleanup of the Superfund site encompassing their homes.

The Department of Justice and the Indiana attorney general's office in fall 2014 announced they had reached a $26 million settlement with Atlantic Richfield and DuPont — and companies or successors to companies responsible for the pollution — for a cleanup in zones 1 and 3 of the Superfund site.

The U.S. Environmental Protection Agency chose a cleanup plan for zones 1, 2 and 3 in its record of decision in 2012, but zone 2 — the middle part of the neighborhood — was left out of the consent decree.

The neighborhood and the former USS Lead facility at 5300 Kennedy Ave. were first proposed for the EPA's Superfund list in 1992 and finally added in April 2009, but residents said they didn't realize the severity of the lead and arsenic contamination in their soil until last summer.

That's when the city and the East Chicago Housing Authority ordered residents at the West Calumet Housing Complex, which is part of zone 1, to relocate and announced plans to demolish the complex. The EPA subsequently shelved its cleanup plan for zone 1 and recently agreed to conduct a new feasibility study in that area.

'Formal role in the process'

"The residents have waited for an incredibly long time for this contamination to be addressed. They deserve a formal role in the process so that they can advocate for their health and property interests, so there is a court, a body, that is supervising the actions that are taken to remediate this site," said Debbie Chizewer, one of the attorneys at Northwestern University Pritzker Law School's Environmental Law Clinic working on behalf of residents.

In addition to Northwestern's Environmental Law Clinic, attorneys at Goldberg Kohn and the University of Chicago Law School's Abrams Environmental Law Clinic are representing Calumet residents.

In the motion, attorneys accused the EPA of minimizing and ignoring public health concerns at the site and cleaning up only a limited number of properties. They argue the EPA did this, despite knowing for years about severe and widespread contamination, using flawed analysis methods to develop cleanup plans and improperly changing cleanup plans.

News about the contamination has left several residents seeking to intervene unable to sell their homes, the motion said.

"In the wake of years of inaction followed by this latest abrupt and emergency demolition plan, residents fear for their health and safety, and they are left to wonder whether the high incidents of respiratory issues, kidney disorders, cancer, asthma and learning disabilities that occur frequently in their community were caused by lead and arsenic poisoning or other contaminants endemic to the site," the motion said. "That uncertainty alone inflicts a special form of trauma."

The Department of Justice, which represents the EPA, is aware of the motion and will file a response, spokesman Wyn Hornbuckle said. An EPA spokesman referred questions about the motion to the DOJ.

The Indiana attorney general's office and the Indiana Department of Environmental Management also are reviewing the motion, attorney general's office spokesman Corey Elliot said. Unless an extension is requested, the parties have until Nov. 15 to file their response, he said. The attorney general's office represents IDEM.

Concerns informally addressed

The EPA has said it will conduct a number of pilot programs to address some of the concerns outlined in the residents' motion, including testing basements for contamination carried in by water seepage and flooding, and testing indoor dust and drinking water at properties undergoing excavation work.

But residents said there's more the EPA should do, and they want a court to hold the agency accountable if it doesn't keep its promises.

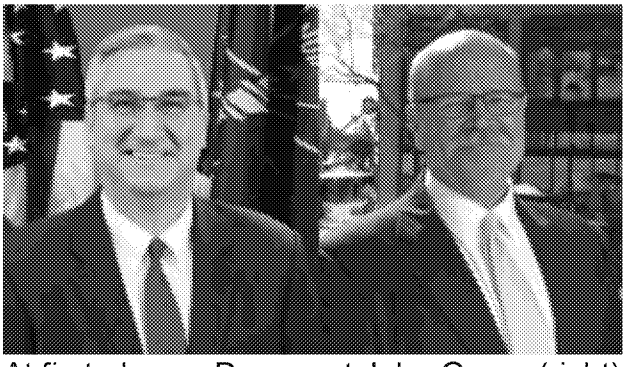
The agency hasn't yet committed to testing for interior and exterior lead-based paint, which it has done at other Superfund sites, attorneys said.

Residents recently formed a Community Advisory Group called East Chicago Undivided under the EPA's guidelines. A CAG is part of the Superfund process, but such groups normally are formed much earlier, Northwestern's Chizewer said.

http://www.wfyi.org/news/articles/gubernatorial-candidates-talk-energy-environment-plans

Gubernatorial Candidates Talk Energy, Environment Plans

Nick Janzen
Article origination IPBS-RJC



At first glance, Democrat John Gregg (right) and Republican Eric Holcomb (left) have similar views on energy issues.
IPBS-RJC

Energy and environment issues are not playing a big role in this year's gubernatorial campaign.

At first glance, Democratic candidate John Gregg and Republican candidate Eric Holcomb have similar views on those issues. Both would pursue an "all of the above" energy strategy—the state should use natural gas, renewable energy, and coal.

"I'm a realist that we've seen the high water mark of the coal industry," says Gregg. "With that said, we're still, as we're still burning coal, we're going to be burning coal for a long time in Indiana and the United States, we've got to burn it as clean as we possibly can."

Earlier in his career, Gregg worked for two coal companies, including as a lobbyist. Holcomb does not have former experience with the industry. The Pence administration sued the federal government over clean air regulations that would impact coal production, but that was before Holcomb became lieutenant governor.

Holcomb is a strong supporter of coal, though.

"I want to make sure that we're encouraging clean coal technology and innovation so that we can continue to keep clean coal in our mix of that all of the above, not at the expense of, but in the mix of," says Holcomb.

And, at first glance, when it comes to environmental protection, both candidates agree that the state needs to work closely with the federal government. They agree this is especially true when it comes to cleaning up the lead contamination in East Chicago, Indiana.

Holcomb says cleaning up these Superfund sites is a big issue.

"There are sites all over, it's not just a state issue, it's a national issue for sure," says Holcomb. "And then you end up working with, you just roll up your sleeves and work with the locals and you work with the federal, with the EPA to clean up these sites."

Expressing similar views, Gregg says he'd like to appoint someone solely to search for federal grant opportunities — not just for environmental protection, but in all areas.

"We need to actively pursue federal dollars, these are not evil dollars, these come out of our paycheck," says Gregg.

Both Holcomb and Gregg agree that agricultural regulations should primarily be made at the local level. They also agree that the state's Division of Forestry should continue to use science based management practices, although Gregg did express concern over the five-fold increase in the amount of timber harvested on public lands over the past decade.

The bigger differences are evident when they talk about their priorities.

"Number one, I want us to come up with an energy policy," says Gregg.

His other priorities include better funding for the Department of Natural Resources and Indiana's state parks.

"Those should be crown jewels for the state of Indiana," Gregg says.

For Holcomb's part, he addresses energy and environmental policies by looking at the economy first. He says for Indiana to accomplish any of its goals, including environmental ones, the state needs a strong workforce.

"If I could get one thing done, it would be, it would center all around people, people, people," Holcomb says.

While Gregg's answers to these energy and environment questions didn't focus explicitly on the economy or workforce development, Gregg does say good environmental policy improves quality of life and the economy.

Sincerely,

Steven P. Kaiser
Office of Regional Counsel
United States Environmental Protection Agency
77 West Jackson Boulevard
Chicago, Illinois 60604
(312) 353 - 3804