PUBLIC HEARING

CITY OF CHICAGO
DEPARTMENT OF PUBLIC HEALTH

PROPOSED REGULATIONS AND
SOLICITATION OF COMMENTS FOR THE
HANDLING AND STORAGE OF BULK MATERIAL PILES

The Zone
11731 South Avenue O
Chicago, Illinois

Wednesday, June 6, 2018
6:06 p.m.

PANEL:

MR. MORT AMES
MR. DAVID GRAHAM
MS. JENNIFER HESSE
DR. CORTLAND LOHFF
MR. OTIS OMENAZU

FACILITATOR:

MS. IVONNE SAMBOLIN

Reported by: Nick D. Bowen
CSR No. 84-001661
MS. SAMBOLIN: Good evening, everyone. Can you hear me? Great.

Welcome to the bulk material rules public hearing. My name is Ivonne Sambolin. I'm with the Chicago Department of Public Health. And we'd like to thank you for taking time to join us tonight.

If someone needs Spanish, a Spanish interpreter, Ms. Victoria Rabena, who is right over there, is here to assist. Please sit next to her in order to hear what is being said this evening.

I'm going to walk you through what this evening will be like.

Alderman Garza is running a little bit late, but she would have normally given us our welcome. When she comes in, she'll have a moment to say a few words to everyone.

After I'm done, Dave Graham, who is our Assistant Commissioner for Environmental Health at the Chicago Department of Public Health, will share a few words on the purpose of tonight's public hearing.

Last, we will have Jennifer Hesse, our attorney from permitting and inspections, who
will speak on the bulk material rules in more
detail. Once Jennifer has concluded her
presentation, we will open up the floor for
comment. I'll explain more about the comment
process after Jennifer's presentation.

Dave.

MR. GRAHAM: Good afternoon. Or good
evening.

My name is Dave Graham. I'm
Assistant Commissioner, so I oversee environmental
permitting and inspections. So our group handles
air permits and other permits for industry within
the city.

So for tonight we're here to listen
to any comments that you may have on the bulk
material rules and the changes that we're
proposing. And so we're here to listen.

So if -- and Ivonne will talk a
little more about it. But our role here tonight is
to listen to anything that you have with regards to
changes we're contemplating on the bulk material
rules.

So some of the other folks up here
are Mort Ames. He is an attorney with Department
of Law. He helps us navigate the legal landscape.

Cortland Lohff, he's the medical director. I actually report to him. So he has background that can -- and can answer any questions that you may have.

Otis Omenazu, he is the supervisor for the air inspectors. He also handles the permitting process that happens within the city.

And Jennifer Hesse is our staff attorney who actually has been writing -- has written the bulk material regulations and is also writing the changes that we're contemplating.

So right now Jennifer is going to go through briefly what we are proposing.

MS. HESSE: Thank you.

Thank you, everyone, for coming.

Again, I'm Jennifer Hesse, an attorney in the Department of Public Health's Environmental Permitting and Inspections Unit.

This is going to be a very brief presentation because, like Dave said, we're here to listen to you.

But in general, in case you don't know, I want to explain what rules and regulations
First of all, the terms are interchangeable. Sometimes we say "rules." Sometimes we say "regulations." They're the exact same thing. They are issued by City departments. So City Council issues ordinances. They write and pass the municipal code. The ordinances give authority for departments to issue rules. The rules basically fill in the gaps. They provide more details, more specific requirements. But they are enforceable requirements. So the City inspectors enforce the rules; we can write tickets, assess fines.

The environmental ordinance that gives authority for these rules is the Air Pollution Control Ordinance, and it provides fines of a minimum of $1,000, maximum of $5,000 for every violation.

So that's what rules and regulations are.

Now, the bulk material rules are specific rules that exist currently. The department issued bulk material rules in March of 2014, and that was largely in response to concerns
about pet coke storage. You probably -- if you
live in this neighborhood, you're probably familiar
with the concern about pet coke a few years ago.

So the City did a very similar
process. We drafted some proposed rules, and we
had a public hearing. We took in comments. We
took in lots of written comments. Ultimately
issued the final rules. Rules become final when
the Commissioner signs them. Again, there's no
City Council process with the rules.

So these rules, what we're here
tonight to talk about, are amending the original
rules. We are -- so back when we first issued
the bulk material rules in 2014, we had an air
pollution control ordinance. We have various
nuisance ordinances, but nothing specific for these
bulk material facilities. So these were brand new,
and we believe they're the strongest in the nation
because they have a whole host of requirements for
facilities that handle bulk materials.

Bulk materials are -- solid bulk
materials include pet coke, other kinds of coke,
coal, iron ore, pig iron, that kind of material.

So the rules currently require full
The facilities that are under these rules have to prepare various detailed fugitive dust plans. Fugitive dust is dust that's not going through a filter; so dust that blows off of a pile, for example. But under these rules, the businesses are responsible for controlling that dust. And the rules prohibit the dust, visible dust from leaving their sites.

There are a lot of other requirements for air monitoring to ensure that their dust control measures are working; street sweeping, a variety of things.

I want to mention manganese because it's been in the news a lot lately regarding health concerns around breathing manganese. There was a community meeting here that CDPH participated in last month that talked about manganese. We're not here to talk specifically about the sampling that's happening and issues with manganese, but we do have some fact sheets, and we're happy to answer questions at the end. There's even more to come. I think, as Ivonne will mention, the U.S. EPA is having a
But what I wanted to mention is that currently facilities that handle manganese-bearing materials are subject to the current rules. So they are required to control their dust. However, these proposed amendments are going to have even stricter requirements for manganese.

So basically the proposed rules are updating and strengthening, clarifying things under the existing rules. Before two years ago, we were basically starting from scratch. This time we have an existing set of rules that we're just making a few updates to.

This is the starting place. So there are not a whole lot of changes. We are, with regard to manganese, proposing to require that the companies that handle this material install what are called filter-based monitors. The current monitoring requirement applies to fugitive dust or PM 10, which is particulate matter. And the idea is that the monitors will tell you if there's any dust going through the monitor leaving the site.

A filter-based monitor is when --
collects a sample of the dust, it's tested, and you can find out what's actually in it. So with regard to facilities, manganese -- the proposed rules would require them to install this extra type of monitor or fully enclose all the material.

And then the proposal would also give the CDPH the authority to require these monitors for other facilities, not just the manganese-handling facilities, if there seems to be a need.

So the next step is that we're going to review and consider all the comments that we receive just like we did a few years ago. We are listening to you today. We have a court reporter who is documenting everything that's being said. We'll get a printout of that and review them all. We're going to summarize the comments that we receive.

And we're going to prepare a responsiveness document, which we did last time around. And all comments and the responsiveness document will be posted on our website.

We extended the comment period so you can submit written comments through June 13th,
which is a week from today. We have an email address where you can send the comments. So if you don't want to speak tonight, you can still write your comments and send them to us.

Now Ivonne.

MS. SAMBOLIN: Okay. So we're going to open up the floor to comments on bulk material rules. I ask that those who have signed up and received a number to prepare to speak in order. I have a listing. If anyone else has signed up recently, please let me know. But we're going to go in order starting with number two because number one was an accidental sign-in.

We ask that you state your name and that you state your comment clearly. Keep in mind again there's a court reporter sitting in front, and he'd like to be able to capture all of the information correctly.

This is an opportunity to state comments, not ask questions. If you have questions, Dave Graham and his entire team will be -- at the end of this event will be in the back of the room to answer any questions you may have in addition to the comments that you've made today.
So -- I'm sorry that you stood up so quickly. I have a couple of things I want to say, if you don't mind sitting down.

So Gina is holding the microphone. You'll have -- originally it was two minutes. We don't have a lot of people on the list, so I'm going to allow for five minutes. Yaa Simpson, who is sitting right there just waving, she's going to hold up when it's close to one minute, when it's 30 seconds, and when you're down to the final five seconds. So we are going to allow five minutes for comments. When you are speaking, pay close attention to Yaa.

And, again, if your five minutes have passed and you still need to add more comment or would like more of a statement, please wait until everybody has had an opportunity to speak who has actually signed up, and we'd be more than happy to hear more of what you would like to say.

Again, as Jennifer stated, if you do not want to come to the microphone and speak, you can write your comments on the card. I'd be more than happy to speak on your behalf, to read the card on your behalf. Our staff are walking around,
and they have note cards. Please write them clearly, and I will read them on your behalf.

Does anybody have any questions?

(No response.)

Great. Then we will go ahead and start.

Gina.

MS. RAMIREZ: Hi. My name is Gina Ramirez. I'm a lifelong resident of the Southeast Side. And I have a four-year-old son. Throughout my son's short lifetime, I've had to attend various meetings like this about particulate matter. And what most concerns me is the latest meetings that I've been attending to, which is about manganese, which is a very harmful, dangerous neurotoxin.

And as a mother, that's very alarming, and I'm very concerned for his health and safety and for all the children of the 10th Ward.

And as I was reading that sign about the dust rules, I feel like that the current dust rules allow a company to enclose the operations or install monitors, and I don't like that "or" part. They should be required to do both to ensure the health and safety of families living in this...
neighborhood. Our community should not have to continue living in this health crisis. We need critical interventions like a moratorium now.

   My son and all the children in the 10th Ward only have one childhood. And I will not continue to let S.H. Bell harm his future. We have carried this burden for far too long, and the legacy of pollution needs to stop now.

   MS. SAMBOLIN: Thank you, Ms. Ramirez.

   The next person is Peggy Salazar.

   MS. SALAZAR: Hello. My name is Peggy Salazar. I'm with the Southeastern Environmental Task Force. And for those of you who know me and for those of you who don't know me, I've been working for many years with the pollution impacts on the community from the local industries in the industrial corridor.

   I'm here today to say that ordinances are not enough. We need a moratorium on the placing or allowing the businesses to move here that are harmful. We need a moratorium on the manganese because it is harmful. Dust ordinances don't really do enough.

   I want to know how many of you
sitting up there have gone to evaluate the
effectiveness of the pet coke ordinance on the
community that was impacted by the pet coke.
How many? Anyone?

A VOICE: Has there been follow-up on that
from any of you up there?

MS. SALAZAR: Does anyone go to see the
effectiveness of the ordinances of the pet coke?
No. And I can tell you it did not solve the
problem.

Today I got the information that
General Iron is moving here. General Iron, for
those of you who don't know, is a facility that
shreds and handles scrap iron. It is being moved
from the North Branch, the North Side, and being
placed in our community. Why? If ordinances
worked, they could stay where they are, and the
ordinances would take care of the problem. They do
not work. They do not work.

So strengthening and improving does
not help our community. A thousand dollar fine.
How many inhalers does that buy? How many doctor's
visits does that pay for? How many power washes on
people's homes does that pay for? It's not enough.
And we're here to say that's not enough.

MS. SAMBOLIN: Thank you, Ms. Salazar.

Jim Kinney.

MR. KINNEY: Yeah, right here.

My name is Jim Kinney, and I would like to see all bulk material enclosed and air monitors in place. That's it.

MS. SAMBOLIN: Thank you, sir.

Julie -- I'm not sure. Is it Cisco-Sykes?

MS. CISCO-SYKES: Cisco-Sykes.

MS. SAMBOLIN: Thank you.

MS. CISCO-SYKES: Hi. I'm Julie Cisco-Sykes, a long-time East Side resident.

Last month was the first meeting I ever attended regarding issues about pollution on the East Side. And a very long-time resident brought up the fact that he lived across the street from the manganese pile, that they were covering it, they were covering monitors.

So my concern is even if you put all these regulations in place, companies always sidestep it, find a way around it to go past those monitors.
So my concern, is there a way to actually an alarm to go off if you're covering those monitors? And how closely are they being watched? Because they're bypassing obviously all these safety regulations already in place. And obviously being here and being a long-time resident, I remember as a kid all this stuff flying in our house.

So after all this time, the regulations don't seem to be effective. So that's my concern with all these monitors. I think they should all be enclosed and covered and not be floating around because the monitors, I feel, really do nothing for us.

MS. SAMBOLIN: Thank you, Ms. Sykes.

Carol Granados.

MS. GRANADOS: Hello. My name is Carol Granados. And my son is a fifth generation of my family to live in this community.

And I just want to say that when all the mills closed and our air started clearing up, everything was doing fine. And then all of a sudden what happened? Why are all these companies allowed to come back when we were just getting our
natural resources back and our air was getting
clean and now they're all back again?
    And I don't think that the 1,000, $5,000 fine per instance is enough. These
companies make billions of dollars. We can't even
afford our health care. So I think maybe, you
know, $5,000 beginning for each violation would be
great.
    And we're talking about keeping it
covered. That's all fine. But what about the
trucks? I live just two blocks from the S.H. Bell
Company and the rock salt storage. I see trucks
coming in and out of there every morning. They're
lined up at 4:00 a.m. Those trucks are coming out
uncovered. The tarps that they have are rolled up.
They're not covered.
    U.S. Steel used to -- they wouldn't
let a truck leave their plant without it being
rolled up because -- being covered because they
could get a fine.
    How do we -- and when we talk about
it at a meeting, they say, Oh, it's up to you guys
to monitor it. You have to monitor it. You have
to call and you have to let us know. I mean, how
much do you want us to do? We have jobs. We have kids. We can't keep monitoring ourselves. If we're letting people know that this is happening, why do the residents have to keep monitoring this, keep taking pictures, keep putting it out on Facebook, keep putting it everywhere?

And then also you're talking about air -- you know, the dust blowing in the air. What about the transport from barge to ground and ground back to barge? It's going in the water supply also.

And those are my main concerns.

MS. SAMBOLIN: Thank you.

Next is Liliana Flores.

MS. FLORES: Hi. I'm a mom of a two-year-old little girl, and I've lived here for my entire life almost.

I just wanted to say that the rules and regulations won't do a thing. You need to be -- do something big. Shut S.H. Bell down. You know, it's potent. You know, it's toxic. Children are more vulnerable to all of these like toxins. So I don't understand how you think that rules and regulations are going to do something. It's not
okay for my daughter, for other kids to be exposed, and you just come up with a rule. That's it. Like just do a moratorium on them. Why is it so hard?

That's it.

MS. SAMBOLIN: Thank you, Ms. Flores.

Kate Karal.

MS. KOVAL: Koval. Thank you. Hi.

MS. SAMBOLIN: I'm sorry.

MS. KOVAL: That's okay.

I have a three-year-old son, and also, you know, his systems are developing and is absolutely vulnerable.

I find it interesting that the Department of Planning and Development is not sitting at this table because, let's be honest, that's really what's happening here. That's who we really need to be talking to.

Because what's really happening here is that they're putting the interest of corporations and businesses above our public health, and that's the bottom line.

So, I mean, Department of Public Health, thanks. But what about the Department of Planning and Development?
My question for you all right now is what's your relationship with the Department of Planning and Development? And what was your relationship when you rezoned the north branch of the Chicago River now that that is not industrial anymore? What was that process? What was your role in that process? How did that happen? Hello.

MS. SAMBOLIN: We're just here to listen to comments.

MS. KOVAL: Oh, no one can answer my questions?

MS. SAMBOLIN: No, ma'am. You can talk to them at the end.

MS. KOVAL: Can you write that down? Because I'm about to follow up with you all.

MS. SAMBOLIN: We have.

MS. KOVAL: Okay. Thank you.

Because, you know, this is not happening in zip 60614. This is absolutely happening and it has been happening in zip 60617. I don't need a Ph.D. to understand that it is not healthy to live along all of this. We don't need advanced degrees for that. We know -- it is not 1920. The Industrial Revolution is long over.
Technology has advanced. The Internet exists. We can Google something. I can Google, Is manganese bad? You know what comes up? Yes. Steelworkers were suing their businesses about this.

This is not in anyone's best interest. The jobs are not here anymore with the industry. The social contract is broken. And we're being broken too in the process.

I want to move. I want to move. And I can't because my entire support system is down here, and this is where I'm from. So I'm not moving.

I'm worked up. I want to cry right now. Okay.

The rates of asthma in our neighborhood are very high. The rates of asthma in zip code 60614 are very low. That's racism. That's classism. Okay?

Why is that north branch of the Chicago River now open for public use? They're redeveloping it and working on conservation right now. We live in one of the most bio diverse areas. We have like marshes and prairies. It's beautiful.

All right next to this industry.
We know it's not good for us. You know it's not good for us. You all know better, especially you, Dr. Lohff. You're a doctor. You took an oath.

I'm going to school to work with disabled children, and I feel like this -- you know, it will come full circle being in here in this neighborhood. It's ridiculous.

Okay. Where are -- I also need to know where are you getting your data from? Is it ambient air quality? Okay. So I know that ambient air quality -- this would be for you, Mr. Otis -- that the thing on -- the air monitor on George Washington High School is for ambient air quality, right? Okay. So we don't want chronic high levels of PM 2.5 and PM 10 for ambient air quality. Well, what about chronic acute exposure? What if there's a high-wind day and that happens five times every month for your entire life? Your entire life. So five times every month for a year, okay. But your entire life? How does that impact the respiratory system? And why are these monitors not for 2.5? What are they just for PM 10? I'm sick of asking this question for years. 2.5 gets through our
systems.

Okay. Thank you.

MS. SAMBOLIN: Eugenia Camacho. Is Eugenia here?

MS. CAMACHO: Good evening. My name is Eugenia Camacho. And I didn't plan on speaking today, but I felt that you should see the face of someone who has been affected by the environment.

For over a year I had a problem breathing and coughing, and the doctors couldn't find anything. Finally they told me that I have interstitial lung disease that was brought on by the environment that I'm in.

I don't smoke. I don't drink. I don't use recreational drugs. Yet I came up with this.

According to one doctor, I was told my lungs are going to harden eventually. They don't know how much time I have. And I will not be able to breathe, and I will die. It may be too late for me, and that's okay. But please, please do this for the children of the 10th Ward. Give them a chance to live in a healthy environment.

Please.
MS. SAMBOLIN: Thank you, Ms. Camacho.

Next will be Olga Bautista.

MS. BAUTISTA: Thank you for being here. I just -- where are you? The woman that just spoke right now. I'm so sick of having to do these dog and pony shows. They already know. We were here a few weeks ago, and they already heard our situation. And the burden is always on us to fix these problems.

And I have no idea what it's like what you're going through, but just know that we're here organizing and trying to build awareness so that people don't have to go through what you're going through.

We need to rezone this area. We need to enclose all of these businesses that have fugitive dust leaving their property. And we need to install air monitors everywhere, at all of these businesses, at our schools.

A VOICE: Parks.

MS. BAUTISTA: By our parks. And we need you to do the right thing. We need you to go back to the City, to the Mayor and tell him that we have a crisis here.
And, Otis, I'm just so deeply disappointed that the inspectors have never caught any of these players in their bad acts. It has always been on the people of this community to report them to you, to report them to the City. I think it is extremely important for you to let us know what is your protocol, how are the inspectors doing their job, and then we need to help you. We need to let you know how we have been able to catch these players in their bad acts.

And you have to admit that there has been fault on the City and in your department for not calling -- catching these guys. And we need to -- we just -- we need to stand up for this, for the community here. We already -- we could see that the priorities of the City have been up on the North Branch, and that is so unfair.

When you had pet coke and manganese and a history of pollutants leaving the premises, for you, for the Department of Public Health, not to advocate for this whole community and all the children in this community and say that this is where we need to rezone, this is where we need to fix the rivers first. But we keep seeing that you
keep putting these polluters first before our health. It is so unfair. And we're tired of it.

In order for us to be involved civically in our community, that means we have to get baby-sitters to go to meetings, to learn how to be an urban planner, to learn how to be an inspector. We have to do all of these things because the City is not doing them. We have to go and beg and grovel to the City to do your job. And it hurts us because we're paying all of your salaries.

A VOICE: Right.

MS. BAUTISTA: My husband has a good job. He works for the railroad. And he just -- his union just lost a huge fight with Norfolk Southern, and our insurance is now double. Our deductible went from 4,000 to $7,000.

Who pays -- who pays for your mistakes? It's poor people and people of color and people who live in these communities, and it is completely unfair.

MS. SAMBOLIN: Thank you, Ms. Bautista.

Pilar Rodriguez.

MS. RODRIGUEZ: I'm ten years old and a
fifth-grader at John L. Marsh Elementary School.

Obviously, I don't really want to be here. Public speaking is hard for anyone, for most people, let alone for a little kid.

These meetings are not very kid friendly. And after being at school since 7:45 this morning, I just want to hang out with my friends. I'm pretty sure I'm missing an epic Nerf gunfight as we speak.

Four years ago when I was six years old, after going to meetings with my mom, I started to feel afraid to play outside. I was also afraid to go to my baby-sitter's house because she lived right across from KCBX.

Then one day when my mom was tucking me in, I asked her if I was going to die from breathing in the air in the neighborhood. She quickly realized that I needed to be focused on solutions to these problems and to stay hopeful.

I'm a founding member of the Rebel Bells, a social justice group for girls in the Calumet region that has been primarily focused on environmental justice. I'm here today representing the Rebel Bells and to be a voice for more than
5,000 little kids that live within a mile of S.H. Bell.

To me, justice means equality, peacefulness, safety, and love.

This past April I was lucky enough to go to Memphis, Tennessee for the 50th commemoration of the assassination of Dr. Martin Luther King, Jr. I heard many speakers that worked with Martin Luther King, Jr. It was pretty amazing. M.L. King was fighting to change the laws that were hurting people.

I think the current laws governing the polluters in my community are also hurting people. It's very important to me that the new laws stop the pollution from putting kids like me in danger. Also, the new laws must bring justice to our community. You must repair the harm that the City of Chicago's weak laws have caused me and my beloved community for many years.

Thank you for your time.

And by the way, Flint doesn't have clean water.

MS. SAMBOLIN: Thank you.

Bobby Loncar.
MR. LONCAR: Good evening. My name is Bobby Loncar. I'm a local attorney. I'm also the president of East Side Chamber of Commerce.

My wife and I are both long --
lifelong residents of the Southeast Side. Like many of you here, we are raising our children within one mile of these facilities that are handling manganese.

Needless to say, this is an issue that concerns me, this is an issue that concerns us as a family, and it's an issue that concerns all of us here as a community.

I've been monitoring this issue as it's been progressing over the last couple of years, and I've been keeping myself informed. I did take a look at the proposed regulations -- or the proposed amendments to the regulations, and a couple of things came to mind, and I wanted to address some of my concerns here with you guys.

First, I do see that the proposed section 5.0 in part D does require that the manganese-bearing bulk materials be enclosed, which is a good thing. This is a toxic substance, and it should, at the very least, be enclosed.
However, my primary concern is the broad exception for facilities that are willing to install air monitors. The exception is too broad and renders the enclosure requirement essentially worthless, useless, and unenforceable.

A VOICE: Especially since the air monitors aren't really being enforced. Like no one's going and following up.

MR. LONCAR: I agree.

Now, I don't know about you, but if I have a carbon monoxide leak in my apartment and I call an HVAC repairman to come check it out, he gives me two options. He says, Bob, I can fix this carbon monoxide leak, or, alternatively, we'll just go ahead and monitor the emissions to see how much carbon monoxide is leaking into your home.

Now, I don't know about you, but I'm going to fire that HVAC guy, and I'm going to have somebody come in who's going to fix the leak.

Manganese is a toxic substance. It's poisoning our ground, and it's poisoning our children. Merely monitoring its levels in the air isn't sufficient and unacceptable. This substance must, at the very least, be enclosed.
I think that we as a community need to demand that the exception contained in proposed section 6.0 that air monitoring is sufficient, I think that we as a community need to demand that that be stricken in its entirety. Manganese, at the very least, should be required to be enclosed with no exceptions.

Thank you. That's all I have to say.

MS. SAMBOLIN: Thank you.

Benito Herrera.

MR. HERRERA: Good evening, everyone. My name is Benito Herrera. I live on 107th and Avenue O. S.H. Bell is about five blocks north of where I live.

When I heard that there was manganese coming -- that they were using manganese at S.H. Bell, I was shocked. That's a heavy metal. That's a very dangerous metal.

And I was reading the -- I guess the demands that people want. What I would like, just knowing about what manganese can do, I would -- I'm hoping that one day S.H. Bell just closes down completely. And that's why everyone is here,
right? We want S.H. Bell out of here. I mean, it's just ridiculous. And it seems to happen -- I mean, they consider -- and I've heard on the radio, and I was kind of shocked too, and I really don't believe it, but they describe the Southeast Side as a low-income area. And it seems oftentimes that these things happen in low-income areas. And people that have money or live in more affluent neighborhoods, they don't have these problems. And, you know, we're human beings just like everybody else whether we have a lot of money or not. This is like extremely important.

I was sitting at home. My girlfriend, she's been involved in this, and she pretty much encouraged me, and I started thinking more about it. I'm like, okay, I might think about it and not like it. Well, you know, it's better that I come up here and speak about it and speak my mind.

And also I know that the former U.S. South Works is in the 7th Ward, I believe, but still they were going to build 20,000 houses, they were going to have this whole plan. But guess what? The people pulled out because the ground is
still contaminated. Heavy metals take a long time
to decay, take a long time to break down.

And as I said, I'm here because I
really care about the health of this area, the
clean air -- I hope we can have clean air. And I'm
hoping that they close the place down. That's what
I would do. If I had the power, I would certainly
do that. Right?

Okay. Well, that's all I have to
say, and hopefully there won't be any more meetings
like this. Hopefully it'll be said and done with.
Thank you.

MS. SAMBOLIN: Thank you.

Meleah Geertsma.

MS. GEERTSMA: Good evening. My name is
Meleah Geertsma, and I'm an attorney with the
Natural Resources Defense Council. I'm here
speaking tonight on behalf of NRDC's 190 supporters
who live in zip code 60617 and 60633.

I'm also here as a partner and
collaborator with both the Southeast Environmental
Task Force and a coalition to ban pet coke.

We've been working together for
about five years now to try to address some of the
pollution issues in this community.

First of all, I want to say that I know that people sitting up at the front of the room do care a lot about these issues, I think. They put in long hours. I think they are troubled by the same things that we are hearing. Maybe not on the same level as the residents do. But I just want to recognize them for the work they're doing.

But what I also want to highlight is how the steps that have been taken so far and the directions that they have been given and the approval that they've been given to move forward are not enough.

I get to do the wonky side of the work. I get to look at the law. I get to look at the public health science. And I get to look at places like East Liverpool, Ohio where S.H. Bell has a facility that's been under active enforcement actions for the past decade. And I think there are a couple things I want to share about S.H. Bell in Ohio both for the community members here and for the folks at the Department of Public Health.

I'll also note that we're going to be helping submit much more extensive written
comments on this proposed rule.

In Ohio, S.H. Bell owned several
different sites. The site that was located in the
most densely populated part of this relatively
small town was shut down. It was moved out of that
area by the company, and they consolidated their
operations further out of town where they would
impact fewer people. I just want to make that very
clear.

It might have already been in their
business plan like it was already in KCBX's
business plan to close down the north site. But
they did, in fact, move their facility out of that
location.

The other thing I want to emphasize
is that there has been a study of children's IQ in
East Liverpool, Ohio from the period 2013 to 2014
when the facility had already been under a lot of
requirements to further control its manganese. And
that study that was released at the end of last
year found negative associations between the
manganese and children's hair, which is a measure
for their exposure and their IQ.

One thing that we should note about
this study was that the levels in the air during the study period were on average lower than what we have seen in the past year at the Chicago monitor here.

Another thing to note about the East Liverpool site is that just the next year from 2015 to 2016, again, while the company was under pretty stringent requirements to control their dust and monitor it, the pollution from the facility doubled. And it went above the federal threshold that we use to gauge whether or not manganese levels are acceptable.

So here we have an example again of a facility under a lot of requirements being monitored, supposedly controlling its dust, and the level has doubled. This is from the levels that were also found to be associated with IQ impact.

So I think one of the things I want to try to bring home tonight is there can be many, many good intention efforts to control these facilities. There can be companies that, you know, supposedly want to comply. We won't comment on the ones who claim they're complying and then are found to be blowing dust all over the place just a week
after they submit an application claiming they're controlling everything. But there are those as well. And we can still have a major problem with a neurotoxin.

I also want to say to whoever is making the big decisions that are guiding the public health department's efforts and the zoning department's efforts, the science is starting to accumulate on manganese. We don't have a lot of data on community level exposures, but that data is starting to be collected. And I think the question is, Do you want to find out five years from now that you should have taken a much more aggressive action now, or do you want to take that aggressive action now when you have the chance to stop these exposures from happening for the next five years?

Thank you.

MS. SAMBOLIN: Thank you.

Alex Alvarez.

MR. ALVAREZ: Hello, everybody. So my name is Alex. I also grew up in this area since I was a little kid. I moved out for college and school and that stuff. My family still lives here and everybody -- good friends and everybody is still in
the area.

But -- so my only -- my reason for coming up here today is essentially to read off results on a handful of research studies that I found on the National Center for Biotechnology Information, which is part of the United States National Library of Medicine and the National Institutes of Health. So this is a federally run website essentially and has a lot of medical journal information.

So some of this might be a little bit boring, but the main idea is to really kind of get some of these things that manganese can do. And so this is all related to just inhalation, not ingestion. There is another section for ingestion as well. But I found 73 studies from a variety of animals, including rhesus monkeys, which are closely related to humans. And not only animals. Guess what? There's lot of human studies as well.

So I'm going to start. Here's a monkey research study that they were exposed to 1.5 milligrams per -- and so in this particular study, there is an increased incidence of subacute bronchitis and alveolar exhaust inflammation. The
next study, it's a rat study. They were exposed to .3 and 10 percent decreased body weight was noted in this study.

Another rhesus monkey study. In this particular study also exposed to 1.5 milligrams of inhalation overt -- each of these studies, I'd like to point out, they had different parameters, and some of them are a little bit different than others. But this one in particular also showed decreased brain, GLT-1, GLAST, and mRNA decreased MTM.

A lot of this is medical neurobiology information that I have no idea what it means. Maybe Dr. Lohff knows what it means.

So, however, there's other studies that are very obvious with the results. So bear with me a second here.

So there's another human study, respiratory; this one's a little bit more, .97 exposure; however, this one resulted in decreased lung function. And these studies date back to -- this one's in 1987. 1970. As early -- but as soon as 2007 and the 2006, some of these studies have been conducted.
There's another -- a human neurological study here with manganese. Longitudinal analysis showed impaired ability to perform fast pronation/supination of the hands and fast finger tapping compared to controls. And, you know, so this is all information that we already know. And manganese causes terrible effects to our bodies. And there are research studies out here.

And this is -- this was a quick Google search onto a website run by the National Institutes of Health. I didn't even go to PubMed or other journal resources for medical studies. And there's 73 studies that popped up with significant information, significant negative information towards the human body, but also rhesus monkeys, which are also closely related.

So my -- I guess what I want to say is kind of what other people have said as well. If you cover these bulks, there's still going to be dust, fugitive dust, going into the community. There's -- it's not going to be a zero percent dust factor if the company is still there. So close the company down. It's awful for the kids. It's awful for everybody here. It's awful for everybody who
grew up here. And it's going to awful for future
generations if it keeps going on.

Like I said in the last meeting last
month, the restaurants are able to get shut down if
somebody has the stomach flu from eating at that
restaurant. City of Chicago, Department of Public
Health is responsible probably for shutting down
those restaurants. So why is it that companies
like this aren't able to be shut down just as
restaurants are shut down?

MS. SAMBOLIN: I have three note cards. Does
anyone else have anything written on note cards?

A VOICE: I want to say something.

MS. SAMBOLIN: Okay. If you wouldn't mind,
let me read the three that I have up here, and then
you can come up, sir.

First one is: So far it seems that
I have been coming to these meetings with the same
people controlling the meeting. What concrete
actions are going to come about from all of this
talk? A moratorium is needed now and not talk.
Elections are coming. If you want to take this as
a threat, go ahead. Wayne Garritano, lifelong
resident of the 10th Ward.
Next one is a question: When will the new proposal be introduced in committee for the City?

And the third one is: What will it take and what can the public do for toxic materials brought here by our former alderman?

Those are my three note cards.

Yes, sir.

MR. GARRITANO: Hello. My name is Wayne Garritano. I'm a lifelong resident like all of you.

People, we have the power to change this. You know what a vote is? We got elections coming up. Vote. Vote. If you don't like Rahm Emanuel, you got about ten other candidates that are going to be running that probably control these people's jobs. If you're not satisfied with what these people are doing or what the Mayor's doing, get out and vote. There is no excuse not to. This community is under attack. It's been under attack. Wake up and get out and vote and quit begging these people to do something because they haven't done anything yet and they probably ain't going to do anything until this election is decided.
So you got the power if you want to use it. So get out and vote and quit begging these people.

A VOICE: I'm really interested in talking more about public health, a comprehensive public health study in this neighborhood. With the industrial history of this neighborhood, how is it -- how does it currently impact, but then the generations before us? And I don't know how you play into that or how the alderwoman's office plays into that or if we need an external entity like a university or what or -- and also how do we loop in all of these community clinics, Trinity Hospital in particular, and then all of the Advocate clinics and the Chicago Family Health Center?

You know, how are we -- because I go right here at Trinity, and my doctor is like, Yeah, what's going on? I am not from this neighborhood, and when I started working here, I definitely see a correlation between the environment and how I'm treating people and what is going on.

So I don't know how we push for that or what needs to happen, but some kind of comprehensive -- and not just for manganese, not
just for pet coke, but for everything, everything
that's going on along this industrial corridor.

Thank you.

MS. SAMBOLIN: I don't have anyone else on my
list. Is there anyone else who would like to make
a comment?

ALDERMAN GARZA: I do.

MS. SAMBOLIN: Okay. Alderman Garza. I
apologize.

ALDERMAN GARZA: No. That's okay. I
apologize for being late.

First off, you're right. Elections
are coming up. But I want everyone to realize that
CDPH is in -- like Meleah said, they've been
working with us. But we still have to keep putting
our voice forward. We still have to keep pushing
and pushing and pushing till we get the results
that we need to see, that we need to see because we
have to live here, right?

Our voices had the ban on pet coke.
Our voices put the bulk handling materials. We did
that. Our voices made sure that they can't bring
any new more facilities.

We have to keep talking. We have to
keep pushing until we get the results that we need
to see because this is our home. This is where we
live.

Everyone has a voice. And I would
like to say thank you, everybody, for coming out
and voicing your concerns today. But today is not
the end. Today's only the beginning.

And, Katie, I know you weren't here
last time, but that's one of the things that I've
asked for, is not just to do a study across from
S.H. Bell. If you look at U.S. Steel, there was a
steel mill there for a hundred years. Manganese
was outside in the yard for years and years. And
people that live on Mackinaw lived right across the
street from that stuff.

THE WITNESS: I'm gardening right there.

What am I doing?

ALDERMAN GARZA: Don't eat it.

THE WITNESS: I know, right. Well, they
supposedly capped it. But they have a community
garden. There's a farm right there.

ALDERMAN GARZA: Right. Exactly.

So those are things that are really
scary especially when you have young kids such as
yourself. And those are things that we have to be aware. We do need a comprehensive study, and we need to make sure that our doctors are trained on what to look for, what to test for, how to test for it, because I know a lot of people have come to my office and said, Well, I went to the doctor, but they don't know what I'm talking about. They have no idea.

So our clinicians are not trained on these issues.

I know, Olga, we've been working together and University of Cincinnati, right? University of Cincinnati is going to conduct a comprehensive health study. They got a grant to do that. So that is coming. Maybe somebody else can speak to that. I apologize if I missed the info. But that's something that -- I don't know what that looks like yet. But it's something that's coming. So that's good news.

And I agree with Meleah. We have to make sure that we put -- implement, you know, rules and regulations now so that we don't look back five year later and say, Oh, my God, we should have. You know, there's the adage that says "better safe
than sorry." I think this very well applies.

So I just want to thank everybody for coming out. Thank you, CDPH, for working with us and making sure that we have a voice. I hope that you guys continue to keep on listening. And I hope that you guys keep using your voice to make sure that they know what we need here.

Our next meeting for this, our next meeting is going to be June 14th at Gallistel Language Academy. Okay? So 6:00 o'clock. There's going to be the U.S. EPA. It's an open house.

And if you haven't signed up for the soil sampling, please do that. 4:00 to 7:00 at Gallistel Language Academy on June 16th. We'll make sure we post that and make sure we get the word out as well. But please come. Because we have to make sure that our voices are heard and continue to make comments and everything where we need to make comments.

So thank you.

A VOICE: Alderwoman, can I ask you a question?

ALDERMAN GARZA: Sure.

A VOICE: You said that with our -- all of us
who fought for the pet coke matter, we stopped the companies from coming. Is there a moratorium on any new --

ALDERMAN GARZA: Yes.

A VOICE: -- bulk handling?

ALDERMAN GARZA: Yes.

A VOICE: What about the waste dump? This is a toxic waste dump, the CDF.

ALDERMAN GARZA: Oh, that's -- we have a meeting. That's going to be coming up, the Army Corps. We don't have a set date on that yet, but we do -- there is a meeting coming up. We'll make sure that we post that. We have a lot of things happening right now, don't we?

A VOICE: So you get rid of one --

ALDERMAN GARZA: No. We're pushing back on the CDF. The confined disposal facility is this: Number one, why can't you put it -- they want to put it here. We don't want it here at all. First of all, there's a moratorium on landfills in Cook County.

A VOICE: Right.

ALDERMAN GARZA: I think it's a landfill. They're arguing that it's not a landfill. You dig
a hole, you put stuff in it, you're filling up the
land. That's a landfill. That's a whole nother
issue that we can talk about later. But I agree
with you. There is a moratorium on landfills, and
I think that legally we can maybe use that. So
that's one thing.

A VOICE: But it is connected because then
all of this stuff flows into the Calumet River. It
all settles. Then they dredge that sediment and
dump it right back into the neighborhood.

A VOICE: Yes.

A VOICE: So it is -- it's all connected.

A VOICE: You're right. They're dumping it
right back into the sewers.

ALDERMAN GARZA: We need to make sure that,
you know, that the companies that come here put
profits before people. Right?

A VOICE: That's impossible.

A VOICE: Wait. You mean people before
profits.

ALDERMAN GARZA: I'm sorry. I mean people
before profits. I'm sorry. People before profits.
You're absolutely right. It's been one of those
days. People before profits. You're absolutely
correct.

And a lot of times the businesses that come here don't keep that in mind.

A VOICE: Do industrial companies do that? Is that even possible? I mean, could we get, I mean, like maybe a Methods plant? Like in Pullman, these green industries --

ALDERMAN GARZA: So that was supposed to come to the South Works site. Did you know that?

A VOICE: No.

ALDERMAN GARZA: Their first choice was the South Works site, and the developer didn't want it there because it didn't meet his vision.

So we've got to keep pushing. That's what we -- got to keep pushing. You have my word that I'm in your corner. I always have been. We would have never had a seat at the table if I didn't have the coalition and the people that are behind me to make sure that they steer me in the right direction too because I'm not a scientist. And there are some really smart people in here that really know this stuff.

So I look forward to moving forward and making sure that we need a neighborhood that we
need to -- that we want. And we can't keep getting all these dirty industries. It's not fair to us. We've done it long enough.

MS. SAMBOLIN: Thank you, Alderman Garza.

So just as a reminder, if you did not want to make a public comment here, there is still an opportunity to make a comment on our website. And I've put up our website for you to be able to jot down.

Thank you again for this evening and for your time, and we will keep you abreast. Everyone who signed in we will put your information on emails on our server, and we will forward you information. We will forward you information on the fact that this ends on the 13th is when the last comments are accepted. And then the event that is happening on the 14th, you'll receive that via email as well.

Thank you so much.

(The proceedings were adjourned at 7:08 p.m.)
REPORTER'S CERTIFICATE

I, Nick D. Bowen, do hereby certify that the foregoing Report of Proceedings was recorded stenographically by me and was reduced to computerized transcript under my direction, and that the said transcript constitutes a true record of the proceedings.

I further certify that I am not a relative or employee or attorney or counsel of any of the parties, or a relative or employee of such attorney or counsel, or financially interested directly or indirectly in this action.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Chicago, Illinois, this 13th day of July 2018.

[Signature]

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