

## **Ald. Burke pushes petcoke ban on Southeast Side**

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Chicago Sun-Times (suntimes.com) – Fran Spielman

Petcoke — an ugly byproduct of the oil refinery process coating Chicago’s Southeast Side — would either be contained or banned outright, under a pair of ordinances proposed Wednesday in response to a public outcry. With anger mounting on a Southeast Side that’s been Chicago’s dumping ground for decades, local Ald. John Pope (10th) joined forces with Finance Committee Chairman Edward Burke (14th) on alternative measures to address the environmental hazard.

The legislation favored and championed by Burke would slam the door on petcoke. It states: “No person shall operate or maintain . . . any building, structure, premises, open area, right-of-way or enterprise which stores, handles, transports, contains or uses petroleum coke” in Chicago.

Pope favors the regulatory route.

His ordinance empowers Chicago’s health commissioner to mandate “site specific measures” to prevent materials from becoming airborne that would depend on their proximity to homes, schools, hospitals and restaurants.

Those measure would include: “wetting, encapsulating the source, enclosing the materials within a building or structure and temporary covers not susceptible to becoming airborne” themselves.

Pope would prohibit petcoke that “may become airborne or scattered by the wind” and suspend work with “material piles” during winds over 15 m.p.h. unless “measures are implemented to effectively control dust.”

“I’d like to see them comply one way or another and, if they can’t play nice, an outright ban is what we have to pursue,” Pope said.

“We definitely want business. We understand the community is ripe for development and lends itself to industry. But not the industry of 50 years ago. Not when peoples’ personal lives are disregarded. Not when basic human rights and environmental issues are not being considered at all.”

Pope said he has attended two community meetings in recent weeks where hundreds of Southeast Side residents have justifiably vented their anger.

“We live in an industrial area. We’re used . . . to some of the truck traffic and the occasional emissions. But this is ridiculous when people can’t even open their doors and go outside and enjoy themselves on a summer day because their food is being layered with this material,” he said.

Burke said he favors an outright ban because, “I don’t know that it could quickly and reliably be contained.”

The City Council's most powerful alderman was asked whether City Hall was slow to respond because of Mayor Rahm Emanuel's decision to abolish the city's Department of Environment shortly after taking office.

"I don't necessarily think that's the case. One would hope that the federal or the state regulators would be better able to deal with this than the city," Burke said.

"One would hope that federal and state law would be comprehensive so that you wouldn't have an instance where, right over the city line, there could be a storage site that would affect people living in the city. But apparently that's not the case. . . .This has fallen through a crack in the regulatory system."

On Nov. 4, Attorney General Lisa Madigan filed a lawsuit against KCBX for alleged air pollution caused by petcoke and coal at its location along the Calumet River. The suit alleges the growing mounds are sending clouds of black dust into nearby neighborhoods.

That followed a class-action lawsuit filed by area residents that targeted owners and operators of three storage sites for coal and petcoke in the 2900 block of East 106th, the 3200 block of East 100th Street and the 10700 block of South Burley Avenue, including KCBX, KMR, Beemsterboer, DTE, Calumet Transload and Koch Carbon. **NOTE:** The homeowners in the class-action lawsuit are being represented by attorney Tom Zimmerman of the Zimmerman Law Offices, in Chicago.

Earlier this week, Emanuel ordered his Department of Public Health to develop regulations to crack down on the "harmful emissions" plaguing South Deering residents.

The mayor said he asked his staff last week what the city could do about a problem he called, both a "public health hazard as well as an environmental degradation" to the Southeast Side and was stunned to learn there was "nothing on the books" regulating petcoke.

"We issue all types of public health notices at restaurants. Yet, you have a byproduct at BP Whiting that is economically and environmentally degrading a community and the public health of our children and there's nothing on the books that allows Chicago to protect its own citizens. So, we're going to put something on the books," the mayor said.