

## **S. Side residents sue, say oil refinery waste blankets homes**

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Chicago Sun-Times (suntimes.com) – Tina Sfondeles

A black cloud of dust keeps blowing onto Jean Tourville's Southeast Side home.

"I can't open my windows or doors, and when I do, there's about a quarter inch of black soot that comes inside," Tourville, 77, said during a Loop news conference Thursday with other homeowners.

Tourville, along with three other nearby homeowners surrounding the Calumet River, filed a lawsuit — seeking class action status — claiming mounting piles of "petcoke" — a byproduct of the oil refinery process — is consistently blowing black dust in and around their homes.

The suit, filed in Cook County Circuit Court comes a week after the Illinois Environmental Protection Agency filed a complaint against Beemsterboer Slag Corp. for allegedly violating environmental laws, regulations and permits, including not submitting an annual emissions report last year for its facility on 106th Street.

Thursday's suit targets the owners and operators of three terminals in the 2900 block of East 106th, the 3200 block of East 100th and the 10700 block of South Burley, including KCBX, KMR, Beemsterboer, DTE, Calumet Transload and Koch Carbon.

Tourville, who lives near 109th and Mackinac, described the heaping piles of petcoke as the "Himalayas." The suit alleges the piles are up to five stories high. Tourville said she started to notice the black soot years ago on sidewalks, on cars and awnings. She power-washes her patio, home and yard every two weeks just to get rid of the dirt.

"They're not just little hills. They're like mountains of dirt," Tourville said. "When you see it in person, you're shocked."

Jane Gould, a homeowner in the 101st block of Avenue M, said she's worried about petcoke's health effects.

"It's a constant concern for the kids that are in the neighborhood. We have a lot of them," Gould, 54, said. "You see them riding up and down . . . and all I think is they're breathing this. It's an eyecore. It's a health issue. It can't be anything else than a health issue."

Alfredo Mendoza, another plaintiff, said he can no longer have family gatherings outside: "Sometimes you have a cookout and you notice on your potato salad, you see black dust over it. How can you eat this stuff? And when the wind blows, the dust becomes like a black sky."

Safety data provided to the U.S. Occupational Safety and Health Administration on petcoke's hazards warns that excessive exposure to petcoke dust can cause skin, eye or respiratory infection. Repeated inhalation of petcoke can cause impaired lung function.

“The petcoke safety data sheet for the product itself warns you’re not supposed to breathe this, and if you do, you’re supposed to get fresh air immediately,” said Thomas Zimmerman, the homeowners’ attorney. “The problem that we have is there is no fresh air to run to because the petcoke is polluting the area all throughout the neighborhood.”

Petcoke contains concentrated amounts of sulfur, as well as the heavy metals nickel and vanadium, which is classified as a possible human carcinogen by the International Agency for Research on Cancer, the suit says. The petcoke data sheet, however, states there is no evidence that the exposure causes cancer.

The four-count suit seeks that the companies enclose the piles of petcoke to stop the heap from blowing onto the surrounding neighborhoods. It also seeks monetary damages for the inconvenience homeowners endure in constantly having to clean their homes, yards and patios.

IEPA spokesman Andrew Mason said Beemsterboer contacted the agency on Wednesday and is cooperating with state authorities, which he said “will hopefully lead to a quicker resolution.” The issue now goes straight to the attorney general’s office for review, Mason said.

Beemsterboer could not be reached for comment Thursday.