

Illinois Environmental Justice Advisory Group Meeting
Illinois EPA

Minutes

December 16, 2014 10:00AM-12:00PM
Video Conference and Teleconference

I. Welcome
Ken Page, Environmental Justice Officer

II. Introductions (Attendees)
Chicago-
Jackie Nwia (USEPA), Melody Moore (Friends of the Parks), Alan Walts (USEPA),
Mark Messersmith (USEPA)

Teleconference:

Lisa Frede (Chemistry Industry Council), Victoria Thurmond (Perro), Grey Michaud
Keith Harley (Chicago Legal Clinic), Cheryl Johnson (People for Community
Recovery), Brian Urbaszewski (Illinois Respiratory Association), Elmo Dowd (IEPA)

Illinois EPA Headquarters:

Ken Page (EJ Officer), Jim Ross (BOA), John Cross (Legislative Office), Heather
Nifong (BOL), Darin LeCrone (BOW), Stephon Bishop (OCR), Kevin Greene
(IEPA-P2), Brenda Carter (IERG), Peter Wenz (Citizen Community Member-
Professor Emeritus UIS) Diane Lopez Hughes (Community Member-NAACP EJ
Coordinator), Brad Frost (OCR)

III. Minutes from last meeting
(Electronic copy)

IV. Presentations

1) Legislative Updates

John Cross gave a brief overview of the recently concluded 2014 fall veto session. He discussed the override by both houses of HB 4606 which exempts general construction and demolition debris disposal facilities from local siting in the 96 downstate counties. (Such facilities in Cook and the 5 collar counties were already exempt from local siting.) The Governor had amendatorily vetoed the bill this past summer to add a requirement that any such facility file public notice in a newspaper of general circulation in the county in which the facility is to be located at least 15 days prior to applying for a permit from the Illinois EPA, and to give county residents 30 days after the facility applies for the permit to submit written comments to the Agency. The Governor did this to assure that residents in counties with little or no local zoning be made aware of and be given the

opportunity to comment on such facilities before they are approved for operation. The sponsors of the bill, Rep. Hoffman and Sen. Manar, objected to the veto and overrode the Governor, meaning the bill is now law as Public Act 98-1130, and will take effect January 1, 2015. Once the law takes effect, local sifting will no longer be required for these types of facilities anywhere in the State.

- A second bill John discussed with the group was HB 4042 (McAsey) which would double from 50% to 100% the percentage of electronic waste components (old computer screens, monitors, cell phones, television sets, etc.) required to be collected and recycled by electronic component manufacturers, this to assure that collection programs would continue throughout the year. Because the required percentage of waste is based upon the weight of such components and because more and more components are made lighter each year, these manufacturers were hitting their 50% quota much earlier in the calendar year after which they would discontinue collecting them, thereby leaving consumers with no place to take their used e-waste components. The Illinois EPA's greatest fear is that such waste will end up fly-dumped along roadsides given the current landfill ban on e-waste.
 - The amendment that would become HB 4042 doubling the quota was given a subject matter only hearing during the veto session but was not voted on due to opposition from the consumer electronics product industry which argued that it could not meet the higher quota on such short notice (calendar year 2015). All sides agreed to continue discussions into the New Year to address this issue, and new legislation is expected to be introduced this spring.
 - The final bill John discussed was SB 2221 (Raoul/Nekritz) which would exempt from the current 10-year statute of limitations on civil lawsuits those lawsuits arising out of injury or harm caused by exposure to asbestos. John explained that the Agency simply monitored this bill as it did not have any impact on the Agency. SB 2221 is currently awaiting final action by the Governor who is expected to sign it.
 - Lastly, John notified the group that new General Assembly would be sworn in and begins its work on January 14, 2015.
- * E-Waste Recycling –
1. Question: Peter Wenz: up to 50% should be recycled
 2. Question: Peter Wenz: alternative to illegal dumping with landfill ban
 3. Question: Peter Wenz: any thought of establishing a landfill for e-waste
 4. Question: Melody Moore: pre-paid package to dispose of cell phones

2) USEPA

Alan Walts

- a. Plan EJ 2014- Finished most of the work under the plan. Now making sure all of the policy documents and tools are put into place.
- b. Rolling out EJ Screen publicly (screening tool) concerns about data in the tool, now evaluating
- c. Early January rolling out EJ SCREEN to the state.

Jackie Nwia

- a. Administrative priority is making (being) visible is communities
- b. New communities program is the air program
 1. Enforcement and voluntary programs together
 2. Enhanced permit review
 3. Grant opportunities for communities
 4. Asthma and radon in homes and schools
 5. Hold a number of public information sessions. (Ex. SE Chicago)
 6. Small sources are literally neighbors with residentsQuestion: Cheryl Johnson: any community participation in the Scrap Yard Forum- Peggy Salazar and Tom Shepherd 130th Street Scrap yard

Mark Messersmith on EJSCREEN

- a. EJ SCREEN fact sheet
- b. EJ SCREEN public Q and A } Highlighted areas
- c. EJ view is the existing screening tool
- d. Rollout with EJ SCREEN...ASK for clarification on comment

Question: Cheryl Johnson: Will there be a tutorial for using EJ SCREEN?

Answer: There will be tutorials and USEPA will work with community groups.

Question: Cheryl Johnson: Will USEPA come to the communities?

Answer: That is being worked out.

3) Clean Power Plan Updates:

- a. Meeting USEPA's goals on greenhouse gas reductions
- b. Meeting with EJ groups, power plants
- c. Comments due on the proposal December 1, 2014. Over 3 Million comments were received.
- d. Illinois Commerce Commission, DCEO, IEPA- Illinois Power Agency
 - 1). Letter from governor
 - 2). Letter from Keith Harley
 - 3). Best state plan options for Illinois
 - Regional Cap-N-Trade program

V. Old Business

VI. Open Discussion/Questions

Melody Moore: Friends of the Parks

Brian Urbaszewski: Any agency pushed legislation

Elmo Dowd: The agency is not pushing any legislation

Brian Urbaszewski: Acknowledged the great work that the agency had done on outreach for the Clean Power Plan.

VII. Next Meeting Date/Location

1st Quarter in January 2015- at least by the end of March

Agenda Items for the Next meeting

1. Keith Harley

- a. Meyer Steel Drum
- b. Universal Cement
- c. Geneva Energy Civil Rights Settlement
- d. Clean Power Plan comments

2. Brian Urbaszewski

Requested to get an update on and a firm date by when the Title V permits for the coal power plants will be done. Despite years of effort, going back well over a decade, and many discussions and communications between the state EPA, the Federal EPA and health and environmental groups with a vested interested in seeing final enforceable permits, they STILL don't have up to date Title V permits for most of the largest sources of air pollution in the state, many of which are locate in or near EJ communities. To his knowledge only two semi-updated coal plant permits – Coffeen and Springfield CWLP coal power plants – have come out in the last two years and neither has been reopened to include federal Clean Air Act requirements that have gone into effect over the past decade.

As these coal power plants are huge pollution sources that put out many thousands of tons of pollution a year that worsen lung health and minority EJ communities have a higher burden from lung disease, it is critical we get an explanation of why permits have not been forthcoming, why they do not include applicable requirements, and when permits will be completed and issued.

Meeting adjourned at 11:20AM