

DEPARTMENTAL ENVIRONMENTAL JUSTICE ACTION PLAN

CITY OF CHICAGO'S GOAL: *Take a whole-government approach to improve and protect the environment, health, and quality of life in environmental justice (EJ) communities through changes to internal policies, processes, practices and/or budgets.*

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Department Name: Chicago Department of Public Health
Department Scope and Authorities: Chapter 11-4 of the Municipal Code, the Chicago Environmental Protection and Control Ordinance, is “enforced by the commissioner of the department of health,” with “[a]ll duties and powers granted” under that ordinance to be exercised by her. MCC § 11-4-020. The Commissioner is empowered to adopt rules “necessary or proper” to administer the City’s environmental ordinances, MCC §§ 2-112-070; 2-112-110(b)(6). The Commissioner is also empowered to “issue all permits, certificates, notices or other documents required under the provisions of Chapter 11-4” and “to impose conditions necessary to achieve the purposes of [Article II, Air Pollution Control] upon any permit issued pursuant to this section,” and “upon any certificate of operation issued pursuant to this section.” MCC § 2-112-110(b)(9), 11-4-630(b), 11-4-670(b). The Commissioner is further is granted wide authority to “do any and all other acts which may be necessary for the implementation of other powers conferred on the Commissioner under [the Municipal Code].” MCC § 2-112-110(c).
Environmental Justice Strategy: Develop standard and special conditions to attach to air quality pollution control permits (AQPCP) and certificates of operation (COO), beginning with Consequential Facilities which may impact EJ Neighborhoods. Through input at community meetings and a review of public comments, and as reflected in the Cumulative Impact Assessment “Community Input Summary,” CDPH has heard a call for us to make changes to existing ordinances, codes and processes to ensure adequate protection for EJ Neighborhoods. A recently published analysis on environmental citations, fines and settlements conducted by local EJ advocacy organizations specifically recommended the City utilize special conditions as part of its permitting process. In order to address these recommendations, CDPH will develop: <ul style="list-style-type: none">• Standard conditions that are applicable to all AQPCP and COO issued by CDPH;• Special conditions that are applicable to specific emission sources and facility site; and• A matrix correlating the applicability of the special conditions developed to a facility’s Standard Industrial Classification (SIC) code, equipment, air pollution control devices and IEPA permit type and COO classification. Standard conditions may include, but are not limited to, compliance with all local, state and federal rules, permit does not release them from liability in relation to facility, CDPH has entry access to facility at reasonable times for inspection to monitor compliance with permit and rules, changes or modifications to plan must be submitted to CDPH for approval, etc. Special conditions may include, but are not limited to, required usage of specific types of pollution control technologies, visible emissions opacity limits, handling of potentially airborne substances, hours of operation, traffic volume limits, etc. Collectively, these changes will further protect vulnerable communities from potential exposure to pollutants.
Supporting Department(s): Department of Law, Chicago Department of Transportation (if traffic conditions are being considered)

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Impact Measures:

- Number of AQPCPs with standard and special conditions
- Number of COOs with standard and special conditions
- Percent of air control permits in EJ Neighborhoods with standard and special conditions
- Percent of certificates of operations in EJ Neighborhoods with standard and special conditions
- Emission inventories (e.g., tons of pollutants released) by regulated facilities in Chicago (stratified by EJ Neighborhood status and year)
- Air quality measures (e.g., PM 2.5, PM10, NOX, ozone, etc.) from current federal monitors and once air sensor network is established over time
- Percent of Chicago adults who trust the City of Chicago to make the right decision on issues related to pollution in their neighborhood (Healthy Chicago Survey)
- Percent of Chicago adults who rate the outdoor air quality in their neighborhood as “excellent” or “good” (Healthy Chicago Survey)
- Percent of Chicago adults who are concerned about air pollution from industrial sources and other businesses in their neighborhood (Healthy Chicago Survey)
- Percent of Chicago adults who are concerned about dumping of dangerous chemicals in their neighborhood (Healthy Chicago Survey)
- Percent of Chicago adults who are concerned about water quality in their neighborhood lakes or rivers in which they swim, fish or do other activities (Healthy Chicago Survey)
- Percent of Chicago adults who are concerned about soil pollution (e.g., gas stations, hazardous sites, etc.) in their neighborhood (Healthy Chicago Survey)

Related Department Investments & Prior Commitments:

Complementary to strategy for the creation of new and updated industry-specific operational rules, building on prior recent regulations for large recyclers, rock crushers, and bulk material facilities, which include strong provisions for public participation. Permit conditions and rules both contain technical requirements to protect the environment and minimize impacts on surrounding communities. Whereas rules apply more broadly to an entire category of facilities, permit conditions can be tailored to the unique circumstances of individual facilities. CDPH is currently working with Tetra Tech on internal process improvements.

Action Steps	Timeline	Status
Draft standard and special conditions based on Illinois Administrative Code and Chicago Municipal Code	2023 Q2 – Q4	Tetra Tech is currently drafting these and waiting for CIA report to finalize
Draft matrix correlating the applicability of the special conditions developed to a facility’s Standard Industrial Classification (SIC) code, equipment, air pollution control devices and IEPA permit type and COO classification.	2023 Q2 – Q4	Tetra Tech is currently drafting these and waiting for CIA report to finalize

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Publish standard and special conditions, and matrix for public review and comment.	2024 Q1	
Finalize standard and special conditions and matrix.	2024 Q2	
Community Input & Response		
<p>Community Input: To Be Effective and Enforceable, Policy Changes Need:</p> <ul style="list-style-type: none"> • Minimum standards for pollution, safety, and contamination exposure. • Random, routine testing of air, water, soil. • Stronger language. <p>Overall themes from the community input included improved community engagement and involvement in decision-making, and stronger regulations and enforcement.</p>		
<p>Response to Community Input: The strategy proposal was not updated in response to community input as the suggestions provided are/would be specific to standard and special conditions. Thus, the input collected during the CIA will be recorded and taken into consideration during the drafting of standard and special conditions. Moreover, this strategy already included an opportunity for community feedback.</p>		