

Southeast Side Coalition to Ban Petcoke

banpetcoke@gmail.com

Via email to: EnvComments@cityofchicago.org.

February 2, 2015

Department of Public Health
Attn: Environmental Permitting and Inspections
333 South State Street, Room 200
Chicago, IL 60604

Re: Comments on KCBX Terminals Company's Petition for Variance from Sections 6.0(5) and 6.0(6)

To whom it may concern,

These comments are submitted on behalf of the Southeast Side Coalition to Ban PetCoke ("the Coalition"), a community organization made up of residents of Chicago's Southeast Side. The Coalition was formed to provide concerned residents with a forum to organize and respond to the storage of bulk materials along the Calumet River in Southeast Chicago. Consistent with that goal, the Coalition submits the following comments in response to the request for variance submitted by KCBX requesting an extension to comply with the City of Chicago Rules and Regulations Pertaining to the Handling and Storage of Bulk Material Piles.

By even asking for a variance, KCBX is proving that they are not the good neighbor they claim to be. The Coalition wants this company gone. But, if the community must live with KCBX for the time being, the company must at least do the right thing and comply with these regulations.

Good neighbors are a source of support. They are your friends, and are a part of your community. They offer to watch over your house when you leave town. And, if on rare occasion they do something that disturbs you, they feel distraught, and fix it right away.

A good neighbor, one that truly cared, would never think to say "I know I am doing something that causes you pain, but I am kind of busy—can I have a few extra years to fix it?"

By asking for a variance, KCBX is showing the Southeast Side the kind of neighbors they are. Their facilities provide money to the Koch brothers, not jobs for Southeast Side residents. Any jobs provided are temporary, not a stable future for residents. Rather than taking care of their neighbors, they allow black clouds to wash over children's swimming pools, parks, and lives. And, knowing the harm being caused, KCBX is asking for more time—rather than using their resources to make things right by the deadline.

Good neighbors don't make excuses, they make things right. In almost a year, KCBX has crafted excuses instead of solutions. They want us to believe that because their air monitors are on their

property, they do not show violations in the community. This may be true if the air monitoring were done from within buildings enclosing the piles. But precisely because KCBX has refused to enclose their piles, polluted air from their property *is* blowing into the community.

The coalition simply does not accept that the second largest privately held company in the United States¹ cannot find a way to enclose piles of petroleum coke. If the Koch brothers could find \$900 million for the coming 2016 election cycle², they can find a way to protect the residents on the Southeast Side. This is an issue of priorities, not capability.

These regulations set a base standard for what it means to be a neighbor in our city. If KCBX truly cannot meet the regulations, then they should be precluded from operating—not given a variance that will undermine the regulations themselves. Granting this request would eviscerate these regulations by exempting one of the largest polluters.

The residents of the Southeast Side deserve a break, not KCBX. While the coalition wants KCBX out of the Southeast Side, the least KCBX can do is follow the regulations.

By denying this variance request, the City will send a powerful message that we do not tolerate negligent neighbors and we do not tolerate excuses: Chicago demands better. For the sake of the Southeast Side, and for all of Chicago, please deny KCBX's request.

Sincerely,

On Behalf of the Southeast Side Coalition to Ban Petcoke:

Bruce Ratain

b-ratain2016@nlaw.northwestern.edu

Environmental Advocacy Center, Bluhm Legal Clinic

Northwestern University Law School

¹ <http://www.forbes.com/largest-private-companies/>

² <http://www.cnn.com/2015/01/28/politics/democrats-2016-kochs/>