
PETCOKE

TRACING DIRTY ENERGY

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COLLEGE CHICAGO

PETCOKELANDIA

OLGA BAUTISTA

Growing up in South Chicago in the 1980s and '90s was lonely for me and for my younger siblings, Roberto, and Caty. Apart from my dad's cousin, Enrique, we didn't have any other uncles, aunts, or cousins in Chicago, as many of them stayed in Mexico and worked on their families' ranches there. The rest of our extended family had settled west, in California, Colorado, and Utah. When I was a teenager, two of my aunts moved to Illinois, but they chose Joliet, about forty miles southwest of Chicago. Because of all these distances from our relatives, our neighbors and the community of South Chicago became our family.

The pollution in our neighborhood was something that we didn't think much about when we were growing up. We got accustomed to the smell from the nearby landfill that often wafted into the neighborhood on hot summer days.

When we went to the beach at Calumet Park, there would always be a black residue on the shore as the tide was receding, and many times we saw little black pieces of coal that likely fell from the barges and freighters into Lake Michigan and washed onto the shore. The bridges and train crossings were a nuisance when we were in a hurry to get somewhere,

but I didn't think too much about what was being transported on those ships and trains, where it was coming from, or where it was going.

In May 2015, after nearly eleven years in the army, my brother Roberto finally came home. Beto (our nickname for him) was frustrated with the lack of good-paying jobs, so he joined. He's been to war on three different occasions, two deployments in Iraq and one to Afghanistan. Two summers ago my dad helped him purchase a house in the old neighborhood, and he started his civilian life again as a proud South Chicagoan.

Since Beto has been back we have talked a lot about our latest environmental struggle in South Chicago: large piles of petroleum coke growing along the Calumet River at the Beemsterboer Slag Corporation and KCBX Terminals, which are owned by the infamous industrialist brothers Charles and David Koch.

Petroleum coke, or *petcoke*—sometimes called “the dirtiest of dirty fuels”—is a waste byproduct of crude and tar-sands oil and often used as an inexpensive substitute for coal. When petcoke dust sits uncovered, even light or moderate winds can

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lift the fine powder aloft, which then wafts into our homes, our backyards, neighborhood pools, and the lungs of our children and pets.

My brother and I talked about the community's outrage that an emergency injunction hadn't been issued to stop KCBX from handling petcoke until there was enough information regarding the health hazards posed by the piles. Instead, they continued to operate there, making big bucks storing, transporting, and ultimately selling this waste product. It's another example of companies like Koch Industries and BP (formerly British Petroleum) receiving permission to operate in residential areas, protections from the government that far outweigh any efforts made to protect the health of residents.

Despite the local media attention generated by the community over petcoke piles, the progress on eliminating them was limited. The city passed restrictions on petcoke, but their regulations were rife with loopholes. And we didn't even know the harm it had already done to us, because the Chicago Department of Public Health never conducted a health analysis of the residents. Instead, the city, the Illinois Environmental Protection Agency (IEPA), and Illinois Attorney General Lisa Madigan have asked us, the residents, to report uncovered trucks, the sizes of petcoke piles, the presence of petcoke in the air on windy days, and so forth. The burden was placed on us, everyday people who never sought to have petcoke in our midst, to catch the chronic polluters in their bad acts. *But building the*

evidence and catching the culprits shouldn't be the job of people who just want to breathe clean air in their own neighborhood.

So how did Southeast Chicago's fight against petcoke get started? Let's begin with BP. The BP refinery in Whiting, Indiana, just across the Illinois border, underwent a huge \$4-5 billion upgrade in 2014. The multinational company now owns one of the biggest cokers in the world. Essentially, the coker is a huge washing machine that separates the petcoke from the petroleum at a rate of 6,000 tons of petcoke a day.

As it turns out, US refineries are beginning to process heavier, carbon-rich tar sands from Canada. Tar sands processing produces much more petcoke than regular crude, hence, all the costly upgrades at BP. Petcoke is used as an industrial fuel in things like cement manufacturing. But, because it's so "dirty," and there are some environmental restrictions on burning petcoke in the United States, it's mostly sold to companies operating in other countries, primarily China, India, and Mexico.

AUGUST 2013

One evening in August of 2013 it got really windy, which is not rare in Chicago. However, on this day petcoke piles were very high, and the wind carried the petcoke all over the neighborhood.

At a baseball field nearby, a Little League game was called because it looked like the neighborhood

was on fire. People were calling 911 and reporting a fire but couldn't say where exactly, just that the neighborhood looked like it was burning.

Rosa Barboza, a community resident, was celebrating her sixtieth birthday that day, and petcoke blew into the Hawaiian salad and the rest of the food for her outdoor party. She threw all the food away and invited her guests inside.

FALL 2013

The August storm prompted emergency neighborhood meetings. They were held at people's homes, bars, front stoops. Various nonprofit groups, environmentalists, and moms and dads started meeting, and together, we began learning about petcoke. These meetings sometimes turned into mini-petcoke support groups. Ultimately, after several meetings, area residents formed the Chicago Southeast Side Coalition to Ban Petcoke. Our mission: to strategize and implement a united community response to the petcoke issue.

In October, the *Chicago Tribune* published "BP Oil Refinery Waste Piles Up on the Southeast Side"¹ about the petcoke blight in south Chicago, which became a springboard for the first community-wide meeting held on October 24, 2013, at Wolfe Park. We asked the IEPA to attend—we had a lot of questions for them. Our relationship with the IEPA got off to a rocky start. They said they weren't sure they could make the meeting but they would provide an incident report. Many of the residents are Spanish speakers, and initially the incident report was available only in English. In the end, they did attend the meeting with the report translated—which was good. They also admitted that they had a point person to do regular inspection at the KCBX petcoke storage site—this was not so good—it further outraged the meeting attendees.

How could this be happening? The IEPA's procedures in place to protect the public's safety were flawed and put the community residents at risk of contamination. The neighborhood's alderman at the time, John Pope, was at the meeting as well. To me, he looked more outraged at the community's anger than at the companies behind the mess. He tried desperately to placate the community and assured everyone at the meeting that he was working on the problem. Soon after the meeting, Madigan and the IEPA began to investigate the petcoke piles, and some community residents filed a class action lawsuit against KCBX and BP. Then a lot happened, very quickly. Madigan filed lawsuits against KCBX. And Chicago Mayor Rahm Emanuel visited the South Side and announced his plan to propose petcoke regulations.

The IEPA held a community meeting at East Side United Methodist Church, a short distance away from the piles, attended by both a representative from Madigan's office and Pope. Fired-up residents showed up, too, armed with sophisticated questions. Word about the dangers of petcoke was spreading.

The neighborhood Facebook page was inundated with links to articles about the Koch brothers—their opposition to environmental regulations and labor laws, and their support for groups denying climate change. There were also posts about Detroit, how that community fought the Koch brothers and banned petcoke from their city.

Beemsterboer, the smaller of the two companies handling petcoke was required to immediately remove all their petcoke because they didn't have a license to handle it.

Around mid-December 2013 a delegation of governmental officials visited the Southeast Side

¹ Michael Hawthorne, "BP Oil Refinery Waste Piles Up On the Southeast Side," *Chicago Tribune*, October 8, 2013, http://articles.chicagotribune.com/2013-10-18/news/ct-met-petcoke-20131018_1_whiting-refinery-other-u-s-refineries-petcoke.

and vowed to take action: US Senator Dick Durbin, US Congressional Representative Robin Kelly, USEPA Regional Administrator Susan Herman, IEPA Director Lisa Bonnett, and Alderman Pope. They listened to our complaints about the petcoke. They all sounded very concerned and committed to making things right. Unfortunately, KCBX has been able to evade all of us. Basically, because the company is within its rights to handle the product, current commerce laws are superseding our right to breathe clean air. Money triumphs again.

Fortunately, during this time we also met with Christine Walley, a professor from MIT, originally from South Chicago, and the author of *Exit Zero—Family and Class in Postindustrial Chicago* (2013). In her book she looks at the lasting social and environmental impacts of “deindustrialization” in South Chicago, and the key role it has played in expanding class inequalities in our city and across the United States.

Walley helped us start a balloon-mapping project in South Chicago. Balloon mapping uses a huge weather balloon with a camera attached to take pictures of everything below it—one picture every couple of seconds.

These images are then stitched together to create a map. And anyone can add a Wiki and field notes to a website to help future balloon mappers find piles. Using do-it-yourself methods to obtain data has been very exciting for us. Every time we’ve gone out to do the balloon-mapping project we’ve attracted an entourage. We have showed up at city council meetings with the images, giving many council members their first, undeniable look at the piles.

WINTER 2013 - 2014

Illinois Governor Pat Quinn proposed emergency

statewide petcoke regulations but an Illinois pollution panel rejected those rules, claiming Quinn and the IEPA had not proved imminent threat to public health and safety.² Since the inauguration of Republican Governor Bruce Rauner in early 2015, however, state legislation to regulate petcoke has ground to a halt. It’s unfortunate but not surprising, given Rauner’s pro-business politics and the amount of coal in Illinois. It’s not hard to see that the coal lobby, the Koch brothers, and other pro-industry, anti-regulation forces are hard at work pressuring elected officials not to implement state-wide restrictions that will affect their bottom line. Plus public spending can’t keep pace with private money.

Despite the political leanings of Chicago’s city government, there has been no city-wide ban.

Attorneys for the city of Chicago said that an outright ban was a fight they weren’t sure they could win, given the litigious talents and legal team behind Koch industries. The mayor essentially gave in to these threats of lawsuits, leaving the community to deal with the problem on our own. Around the time we were fighting these battles for a ban on petcoke, the city installed two new speed trap cameras on two very busy thoroughfares in the neighborhood. The city uses the cameras to fine ordinary citizens \$100 a pop, in the name of safety, but where were the cameras monitoring KCBX, in the name of safety?

SPRING 2014

Frustrated with the progress, the Chicago Southeast Side Coalition to Ban Petcoke decided to protest on the streets. On April 26, 2014, more than 200 people marched through the neighborhood—an unfamiliar sight in South Chicago. Retired steelworkers, members of National Nurses United, high-school kids, moms, and dads all marched

² Tammy Webber, “From AP: Pollution Board Rejects Emergency Petrocrud Rules, Fight Continues,” Environmental Law & Policy Center website, elpc.org/tag/petcoke, January 24, 2014.

together in solidarity.

Our demands were:

Complete removal and ban of petcoke and other sources of particulate matter.

An investigation of the health risks posed by petcoke on the residents in South Chicago.

To return BP to the federal no-contract list (they were placed on the list following the accident on April 20, 2010, that killed eleven rig workers and contaminated the Gulf of Mexico). In other words, no public funds should be used to fund BP's pollution.

For the City of Chicago to become a leader in green energy by shifting our energy sources to natural and renewable resources, such as solar and wind power.

A few months later, a truck carrying petcoke flipped over while making a turn onto Indianapolis Boulevard. My daughters and I were driving to pick up my husband from work and saw the driver climbing out of his truck. The driver was not a BP employee, because BP outsources the transport of the petcoke and pays the petcoke truck drivers by the load instead of an hourly wage. This business practice leads to unwieldy loads, putting the drivers and community in danger, but it's good for BP's profit margin.

WHERE TO WE STAND TODAY?

The city gave KCBX two years to construct an enclosure over the petcoke piles, but the regulations came with "variances," which basically means companies can apply for exceptions from the regulations. KCBX was not granted additional time to construct the enclosure. They announced a plan to become a transfer site for the product, meaning that as of June 6, 2016, it became illegal

to store petcoke openly anywhere on their property or anywhere else in Chicago, and petcoke will now travel directly from trains to barges.

Old unused train tracks in the nearby Hegewisch community have recently been reactivated. The tracks are coming straight from BP through the neighborhood. They are carrying petcoke in open train cars, and there are rumors that refined petroleum—the finished product—will also be traveling through there.

When the trains are coming through on these newly upgraded tracks the whole Hegewisch community is landlocked. Sometimes the trains sit for up to an hour. This is a concern because emergency personnel can't cross the tracks to answer an emergency call, and one day it could be a matter of life or death. Also, if there are explosive materials being transported and there's a derailment—already seen in other parts of the country and in Canada—disaster could ensue.

In early 2015, my fellow activist Mari Barboza and I spoke at Chi Hack Night (formerly known as the Open Gov Hack Night)—a free, weekly event in Chicago to build, share, and learn about tools to create, support, and serve the public good. It's a group of thousands of designers, academic researchers, data journalists, activists, policy wonks, web developers, and curious citizens who want to make our city more just, equitable, transparent, and delightful to live in through data, design, and technology.

Just two days later, one of the group's programmers, Ben Wilhelm, sent us a prototype for a website we now call Petcokealerts.org. The site allows residents on the Southeast Side of Chicago to receive text message updates when windy conditions increase their exposure to petcoke. Because we know that long-term exposure to petcoke in the air, as with any fine particulate matter, is associated with cardiovascular disease and lung cancer, we wanted

to create a tool to help residents make decisions about protecting themselves when the weather conditions present a hazard. For nearly eight years the openair piles of petcoke at KCBX exposed thousands of residents, including those attending and working in nearby schools, to increased airborne particulate levels, especially in windy conditions. The project is open-sourced with the hope that other areas dealing with similar situations can benefit from it or collaborate with us.

Residents can visit petcokealerts.org and type in their cell phone number to receive notifications during high wind conditions, defined by the Chicago Department of Public Health as fifteen miles per hour. Future plans for the application include direct measurement of air quality in the vicinity of the terminals and a Spanish translation of the site.

So, in closing: there are now regulations where there weren't any, and two companies have been slammed with cease and desist orders. KCBX has settled one of two lawsuits with the state of Illinois for fugitive dust violations. I've heard that they've recently settled a class action lawsuit for \$950,000.00 for petcoke contamination. When there is pushback from the community, and we all work together, changes begin to happen.



Terry Evans,
Olga Bautista, activist
2016

But regulations don't go far enough to stop the toxic avalanche that's coming through on uncovered trains, barges, and trucks. Unless there is a complete ban of petcoke from residential areas in Chicago, South Chicagoans will continue to live in fear. We cannot allow KCBX and companies like theirs to outsmart us. It's a rigged economy that exploits people, dismisses the rights of people of color, and dumps pollution in our neighborhoods. We all deserve better.

The Chicago Southeast Side Coalition to Ban Petcoke came together to build and exert power. We continue to demand that our elected officials advocate for us so that the fossil fuel industry begins a just transition from fossil fuels that produce toxic petcoke to investments in renewable energy, energy efficiency, new jobs, and opportunities for folks in the Calumet Region. On a larger scale, it means making sure that communities like ours are not sacrificed in that transition process. Since my brother has been home, we struggle to find meaning in all of this injustice. He is just one of many veterans serving in the armed forces and hoping to return to South Chicago and start a life, perhaps a family, and achieve the American Dream. As a mother on the front lines in this battle, I remain hopeful that repairing the harm to the Calumet River region will be something we can do for future generations of South Chicagoans.

Olga Bautista is a community organizer, activist, and founding member of the Chicago Southeast Side Coalition to Ban Petcoke, an alliance of South Side residents who have joined forces to rid their neighborhood of the petcoke waste sites operated by KCBX Terminals, a Koch brothers company. The Coalition to Ban Petcoke stages demonstrations, organizes petition drives to effect political change, and develops curricula to teach students at local schools how petcoke connects to larger climate change issues. Due to the efforts of the coalition, BP announced in February of 2015 that it would no longer store petcoke in Illinois. Bautista heads up the organization and serves as secretary of the Southeast Environmental Task Force (SETF).