

November 10, 2021

ATTORNEY GENERAL RAOUL ANNOUNCES INITIATIVE TO ENHANCE ENVIRONMENTAL JUSTICE EFFORTS THROUGHOUT ILLINOIS

Raoul Encourages Residents to Attend Virtual Town Hall, Provide Input on Environmental Concerns

Chicago — Attorney General Kwame Raoul today announced the Attorney General’s office is launching an initiative aimed at enhancing its focus on environmental justice issues throughout Illinois. As part of that work, Attorney General Raoul is encouraging Illinois residents to attend a free town hall discussion of environmental justice issues facing communities around the state.

To kick off the initiative, the Attorney General’s Environmental Enforcement Division is hosting a virtual town hall discussion Wednesday, Nov. 17, from 10 a.m. until 11:30 a.m. The discussion will feature presentations by attorneys in the Attorney General’s office, environmental advocates and stakeholders. Participants will learn how to provide feedback and raise concerns that will allow the Attorney General’s office to enhance its enforcement efforts in areas, frequently communities of color, that have been disproportionately impacted by pollution.

“In order to effectively address environmental justice issues throughout Illinois, our efforts must be informed by the residents of those communities,” Raoul said. “I encourage people to attend this free town hall, and contact my office to provide input and raise environmental concerns, which will help ensure that our enforcement actions hold polluters accountable and benefit the areas most impacted by sustained exposure to contamination.”

In addition to presentations by career attorneys in the Attorney General’s office, the town hall will include presentations by community organizers, grassroots environmental advocates and faith leaders from around Illinois. Representatives from the Attorney General’s office also will detail the office’s efforts to gather information from Illinois residents who live in environmental justice communities. To that end, Attorney General Raoul is encouraging individuals throughout the state to highlight local environmental concerns and provide input by emailing the Attorney General’s office at EJ@ilag.gov.

The Attorney General’s office enforces Illinois’ environmental protection laws. Raoul’s Environmental Enforcement Division, which enforces civil environmental laws, has recovered millions of dollars from polluters and required companies to undertake environmental improvement projects in communities impacted by contamination.

The Attorney General’s initiative will build upon previous legal action the office has taken to hold companies accountable for pollution in environmental justice communities. In 2019, Raoul’s office filed a lawsuit against [Aqua Illinois](#) alleging the supplier failed to provide residents of University Park in Will County with access to safe drinking water. The Attorney General’s office has since entered into an agreed [interim order](#) that requires Aqua to provide residents with bottled water and filter devices, and to conduct monthly compliance sampling. In 2020, Attorney General Raoul announced a settlement with [Hilco Redevelopment LLC](#) to resolve a lawsuit his office filed when the company demolished a smokestack at the former Crawford Electric Generating Station in Chicago. The demolition resulted in a cloud of contaminants being released into the surrounding neighborhood. Raoul’s settlement required the company to provide funding for a community health and wellness program addressing leading health concerns faced by Little Village residents. Most recently, Raoul’s office filed a lawsuit against [Sims Metal Management](#) alleging the company failed to

appropriately control its emissions of volatile organic material from its metal shredding and recycling facility in the Little Village neighborhood of Chicago. Raoul's office recently entered an agreed interim order that requires Sims to take significant actions to reduce uncontrolled emissions and conduct emissions testing.

Individuals can participate in Attorney General Raoul's town hall on environmental justice by registering [here](#). To request reasonable accommodations email special.events@ilag.gov.



August 16, 2019

ATTORNEY GENERAL RAOUL AND WILL COUNTY STATE'S ATTORNEY JAMES GLASGOW FILE LAWSUIT AGAINST AQUA ILLINOIS

Raoul & Glasgow Allege Lead Water Contamination of University Park Public Water Supply

Chicago — Attorney General Kwame Raoul and Will County State's Attorney James Glasgow today filed a lawsuit against Aqua Illinois (Aqua), alleging the supplier failed to provide a safe public water supply to the residents of University Park. Aqua owns and operates the public water system that provides drinking water to the village of University Park.

Raoul and Glasgow filed the complaint in Will County Circuit Court against Aqua alleging that changes the company made to the public water supply caused lead to be released from some piping and plumbing in homes and businesses, which contaminated drinking water. Additionally, the complaint alleges Aqua violated state construction and operating permit requirements, failed to comply with the monitoring and sampling requirements for customers and created a public nuisance.

University Park is located in an area that has been designated by the Illinois Environmental Protection Agency (IEPA) as an area of environmental justice concern because it is a community with a percentage of low income and/or minority residents that is greater than twice the statewide average. The case is being prosecuted by the Attorney General's office in cooperation with the Will County State's Attorney's office, based on a referral from the IEPA.

"We have seen the damage that has been done in environmental justice communities in other states when contaminated drinking water is not addressed immediately," Raoul said. "My office, along with the Will County State's Attorney's office and the Illinois EPA, are filing this lawsuit to ensure the residents of University Park have access to safe drinking water as soon as possible and that they are provided alternative drinking water until the problem is permanently fixed. All Illinois residents, regardless of their ZIP code, deserve clean, safe drinking water."

"Vulnerable communities often bear a disproportionate burden of environmental impacts like the lead-contaminated drinking water at issue here," Glasgow said. "In addition to the burdensome inconvenience caused by the interruption in the water supply, there is a pallor of uncertainty that hangs over these consumers as to the extent of the harm this lead contamination has already caused and what might lie ahead. This lawsuit seeks to make sure that the residents of University Park immediately receive the safe drinking water to which they are entitled and to hold Aqua responsible as a supplier of drinking water to people here in Will County."

"Illinois EPA is committed to ensuring safe drinking water for the residents of University Park," Illinois EPA Director John J. Kim said. "We appreciate the work of the Attorney General's Office and Will County State's Attorney in seeking an injunction to protect the residents and bring resolution to this ordeal."

In 2017, Aqua switched the source of the village's water from groundwater wells to the Kankakee River. Because of the switch, Aqua is required to conduct testing every six months. In May, Aqua reported elevated lead levels to the IEPA and later issued a notice to residents warning them not to drink the water. Additional testing in July continued to show elevated lead levels. In the most recent sampling done in August, 27 out of 60 samples collected from customers contained lead levels above the regulatory action level. The company is currently providing bottled water, pitchers with filters, and faucet filters to the impacted residents.

In response to residents' complaints about the water's taste following the switch to water from the Kankakee River, Aqua began adding a blended phosphate mix to the public water system. Raoul's and Glasgow's complaint alleges the change of the water chemistry combined with the phosphate blend caused a chemical reaction that removed a protective layer in residential plumbing. As a result, lead leached out of plumbing materials and into the water flowing into some homes and businesses.

According to the Centers for Disease Control and Prevention, there is no safe level of lead in drinking water. Children are particularly vulnerable to lead exposure, which can lead to irreversible brain damage and lifelong intellectual, emotional and behavioral consequences.

Raoul and Glasgow also allege Aqua proceeded with construction and operations without having secured the required permits from the IEPA. Aqua began providing Kankakee River water to University Park's approximately 7,000 residents before it had secured an operating permit to do so. The complaint also alleges that Aqua introduced a blended phosphate into the public water system before it had received the requisite permit from the IEPA.

In the lawsuit, Raoul and Glasgow are seeking a preliminary injunction that requires Aqua to act immediately to correct the situation. The lawsuit also seeks to ensure Aqua provides residents with permanent, safe drinking water, as well as civil penalties, the maximums of which are defined in state statute.

Since receipt of the May 2019 drinking water sample results, Aqua has been cooperating and working closely with the regulatory agencies to address the problem. In particular, Aqua is communicating with the public through various media in order to provide information on alternative water supplies and safe use of the tap water, providing bottled water and/or filters, and working diligently to identify and fix the problem. Aqua has also held public meetings and is in regular communication with the regulators. Aqua is expected to continue to put all resources necessary on this issue until all the people of University Park again have safe drinking water.

Senior Assistant Attorneys General Evan McGinley and Kathryn Pamerter are handling the case for Raoul's Environmental Enforcement Division. Assistant State's Attorneys Phil Mock and Mary Tatroe are handling the case for the Will County State's Attorney's office.

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November 1, 2019

ATTORNEY GENERAL RAOUL, WILL COUNTY STATE'S ATTORNEY GLASGOW ANNOUNCE INTERIM ORDER IN AQUA ILLINOIS LAWSUIT

Order Ensures University Park Residents Continue Receiving Safe Water and Water Testing

Chicago — Attorney General Kwame Raoul and Will County State's Attorney James Glasgow today announced that a Will County judge entered an agreed interim order with Aqua Illinois (Aqua) that ensures University Park residents will continue to receive safe water while litigation filed by Raoul and Glasgow is pending. Aqua owns and operates the public water system that provides drinking water to the village of University Park.

Under the order entered today by Will County Circuit Court Judge John C. Anderson, Aqua is required to continue providing impacted residents with free bottled water, faucet filters or pitcher filters, and replacement cartridges. The order also requires Aqua to continue to provide free blood lead level testing until Dec. 31, to provide tap water sampling at residents' request and to submit recommendations for corrosion control to the Illinois Environmental Protection Agency (IEPA) by Nov. 30. Additionally, Aqua must receive written authorization from the IEPA before removing any residential or business customer from its lead advisory.

"As a result of this order, residents of University Park can be assured that they will continue to have access to safe water and testing while my office continues to fight for a resolution to this lawsuit," Raoul said. "I am committed to continuing to work with the Will County State's Attorney to ensure that families and businesses in University Park receive safe water that is free of lead."

"I am committed to devoting whatever resources are necessary, along with Attorney General Raoul, to guarantee that the citizens in University Park will have a safe public water system," Glasgow said. "In this day and age, there is no excuse for our residents to be exposed to contaminated drinking water! This is completely unacceptable and will not be tolerated. Safeguarding the health, safety, and welfare of those affected by the lead tainted water is our number one priority. We will not rest until Aqua Illinois has permanently fixed this problem!"

"Illinois EPA is pleased the interim order will not only ensure a continued barrier of protection from lead in the drinking water, but also established guidelines moving forward as efforts are made to ensure a safe source of drinking water for University Park customers," said Illinois EPA Director John J. Kim. "The Agency is committed to finding a long-term resolution for this community and will continue to work with the water system, federal officials and national experts to address this issue."

Raoul and Glasgow sued Aqua in August alleging changes Aqua made to the public water supply caused lead to be released from some piping and plumbing in homes and businesses and resulted in contaminated drinking water. The lawsuit also alleges Aqua proceeded with construction and operations without having secured the required permits from the IEPA.

In 2017, Aqua switched the village's water source from groundwater wells to the Kankakee River. In response to residents' complaints about the taste of the river water, Aqua began adding a blended phosphate mix to the public water system. The lawsuit alleges the phosphate blend combined with the river water's chemistry caused a chemical reaction that removed a protective layer in residential plumbing. As a result, lead leached out of plumbing materials and into the water flowing into some homes and businesses.

Because of the switch to river water, Aqua is required to conduct testing every six months. In May, Aqua reported elevated lead levels to the IEPA and later issued a notice to residents warning them not to drink the water. Additional testing in July continued to show elevated lead levels, and sampling done in August showed that 29 out of 66 samples collected from customers contained lead levels above the regulatory action level. The most recent sampling from October showed that 15 out of 60 samples collected from customers contained lead levels above the regulatory action level.

According to the Centers for Disease Control and Prevention, there is no safe level of lead in drinking water. Children are particularly vulnerable to lead exposure, which can lead to irreversible brain damage and lifelong intellectual, emotional and behavioral consequences.

University Park is located in an area that has been designated by the IEPA as an area of environmental justice concern because it is a community with a percentage of low income and/or minority residents that is greater than twice the statewide average. Since receiving the May sampling results, Aqua has been working with the regulatory agencies to address the problem. Today's order requires Aqua to continue providing alternative sources of water to residents, communicating with the public through various media, and working to permanently fix the problem, as well as to submit plans and monthly reports on its progress.

Senior Assistant Attorneys General Evan McGinley and Kathryn Pamerter are handling the case for Raoul's Environmental Enforcement Division. Assistant State's Attorneys Mary Tatroe and Phil Mock are handling the case for the Will County State's Attorney's office.

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November 19, 2020

ATTORNEY GENERAL RAOUL ANNOUNCES SETTLEMENT WITH HILCO OVER SMOKESTACK DEMOLITION
Settlement Includes Funding to Improve Health Outcomes in Little Village Community

Chicago — Attorney General Kwame Raoul today [announced a settlement](#) that resolves his lawsuit against Hilco Redevelopment, LLC, doing business as Hilco Redevelopment Partners (Hilco); HRP Exchange 55, LLC; MCM Management Corp. (MCM); and Controlled Demolition Inc. (CDI). Raoul filed a lawsuit following the release of contaminants during the demolition of the smokestack at the former Crawford Electric Generating Station in Chicago.

Raoul's office filed a consent order in Cook County Circuit Court that requires the companies to comply with dust mitigation plans for the remainder of the demolition project and provide funding that will support the Little Village community's long-term health and wellness. Attorney General Raoul filed a lawsuit in May alleging the defendants failed to take adequate steps to protect the community from a cloud of particulate matter that resulted from demolition of the facility's 378-foot smokestack.

"The settlement today holds the companies accountable for their failure to adequately protect residents from air pollution during demolition at the site. It also represents a step toward environmental justice for residents of the Little Village community," Raoul said. "In addition to requiring the companies to prevent this from happening again during remaining demolition activities, they will provide funding to improve health outcomes in a community that has experienced decades of pollution during the Crawford Electric Generating Station's lifetime."

Raoul's lawsuit was based on a referral from the Illinois Environmental Protection Agency.

"Illinois EPA referred this incident to the Attorney General's office to ensure the responsible parties were held accountable, and the impacts of their actions were addressed appropriately," said Illinois EPA Director John J. Kim. "The consent order will serve as a deterrent to this unacceptable practice and seeks to recognize the impact upon nearby citizens."

Like many other coal-fired power plants, the Crawford Power Generating Station emitted mercury, sulfur dioxide, nitrogen oxides, particulate matter and other pollutants through its smokestack over the course of its decades in operation. As a result of the April 11 demolition, the smokestack crashed to the ground, creating a massive dust cloud of particulate matter that was relatively unaffected by water mitigation efforts. Raoul has alleged the enormous dust cloud blanketed an area of the Little Village neighborhood at a time when Chicago residents were ordered to stay at home due to the COVID-19 pandemic, a severe respiratory illness.

Particulate matter is comprised of dust, dirt, soot or smoke mixed with liquid droplets found in the air. If inhaled, particulate matter can cause serious health problems, including aggravated asthma, decreased lung function and increased respiratory symptoms. Residents near the site reported experiencing respiratory distress and pain while breathing, as well as heightened fear and anxiety after the smokestack fell. In addition to requiring the companies to comply with dust mitigation plans during remaining demolition activities at the site, Raoul's settlement also requires the companies to provide grant funding to ACCESS Community Health Network (ACCESS) to go toward improving health outcomes in the Little Village community.

The Crawford Power Generating Station is located in an area designated by the Illinois Environmental Protection Agency as an area of environmental justice concern. Communities in Illinois with a percentage of low-income and/or minority residents that is greater than twice the statewide average can be designated as areas of environmental justice concern by the IEPA. Raoul's settlement requires the defendants to pay \$370,000 to help fund ACCESS' Little Village Community Health and Wellness Program. The program will focus on addressing some of the leading health concerns facing Little Village residents, including asthma, diabetes and hypertension, by educating and empowering people to manage their physical and mental health.

In the days and weeks following the smokestack demolition, the companies hired contractors to perform cleanup of the surrounding neighborhood. The settlement requires the companies to comply with environmental laws when carrying out any remaining demolition at the site.

Supervising Attorney Gerald Karr and Assistant Attorney General Daniel Rottenberg handled the case for Raoul's Environmental Enforcement Division.

This [press release is available in Spanish here](#).

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October 22, 2021

ATTORNEY GENERAL RAOUL FILES LAWSUIT AND INTERIM ORDER AGAINST SIMS METAL MANAGEMENT

Chicago — Attorney General Kwame Raoul today announced a lawsuit against Metal Management Midwest Inc. d/b/a Sims Metal Management (Sims) for failing to demonstrate a minimum threshold reduction in uncontrolled emissions from the company’s metal shredding and recycling facility. Raoul also announced that the court entered an agreed interim order that requires Sims to develop and implement a control system designed to achieve an immediate overall reduction in uncontrolled emissions.

“Sims’ actions created a public health risk by exposing the community to uncontrolled emissions from its facility,” Raoul said. “We have seen the damage these actions can cause in environmental justice communities, and I am committed to holding Sims accountable for endangering public health and will work to ensure they comply with emissions reductions requirements.”

[Raoul’s lawsuit](#) is based on a referral from the Illinois Environmental Protection Agency (IEPA).

“Based upon results from testing called for by the Illinois EPA, this matter was referred to the Attorney General’s office to ensure that protections be put into place to address emissions concerns,” said Illinois EPA Director John Kim. “The location of this facility in an environmental justice community reinforces the need for careful oversight of pollution sources such as this.”

Sims owns and operates a metal shredding and recycling facility located in the Little Village neighborhood in Chicago. Sims receives, stores, recycles and ships ferrous and non-ferrous recyclable metallic materials at its facility, including end-of-life vehicles, major appliances and other post-consumer sheet metal and metal clips. These materials are processed through a hammermill shredder that emits volatile organic material (VOM) into the environment. On Jan. 22, 2019, Sims submitted an application for a Federally Enforceable State Operating Permit (FESOP) to the IEPA, as required by a previously entered administrative consent order with the United States Environmental Protection Agency. As part of its review of the application, the IEPA requested a copy of emissions testing results also required by the previously entered federal order. Based on a review of those results, the IEPA requested Sims initiate additional testing, with proof-of-concept emissions capture test on the shredder on May 13 to 14, 2021.

In the lawsuit, filed in Cook County Circuit Court, Raoul alleges that the results of the May 2021 emissions capture test revealed the shredder was achieving less than 50% estimated capture efficiency, which was below mandated emissions control requirements of at least 81%. Raoul argues that by failing to demonstrate an overall reduction in VOM emissions, Sims violated the Illinois Environmental Protection Act and Illinois Pollution Control Board Air Pollution Regulations, and jeopardized public health and the environment. Sims’ facility is located in an area designated by the IEPA as an area of environmental justice concern because it is a community with a percentage of low income and/or minority residents that is greater than twice the statewide average.

[The agreed interim](#) order, entered today, requires Sims to develop and implement a control system designed to achieve an overall reduction in uncontrolled VOM emissions of at least 81% from the shredder at the facility. Sims also will be required to construct a control system to achieve emissions reduction compliance, as approved by the IEPA and continue to conduct emissions testing following construction to ensure uncontrolled emissions are reduced by at least 81%.

Assistant Attorneys General Arlene Haas and Daniel Robertson are handling the case for Raoul’s Environmental Enforcement Division.

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