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MAYOR



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December 1, 2016

Hon. Michael Pence  
Governor  
Office of the Governor  
Indiana Statehouse  
Indianapolis, Indiana 46204-279

RE: Disaster Declaration for West Calumet Neighborhood and USS Lead Superfund Zone

Dear Governor Pence:

As you are aware, a disastrous situation exists in the City of East Chicago. My community has been suffering in the midst of an environmental disaster for quite some time. The residents of my city, my staff, other local officials and I have been laboring under conditions which are not of our making, but which cry out for help.

We understand the devastating effects of lead and arsenic poisoning on humans, and especially on children. It is unacceptable that even one child suffer from lead poisoning, or that well over a thousand children's futures be jeopardized by lead or arsenic poisoning, which is known to lower IQ, severely impact educational outcomes, cause behavior problems, drastically increase cancer risk, and thus ruin young lives. I am sure that as Governor, you do not find it acceptable that Hoosier children be exposed to toxins, or suffer the lifelong burdens which are known to result from such exposure. I am sure that you do not find it acceptable that these children's families suffer the long term economic devastation of blight cause by environmental problems which these hard working Hoosier families did not cause. By this letter, I am imploring you to take action.

Environmental problems in the Calumet Neighborhood of East Chicago began to be studied in 1985. In 2008, the Calumet Neighborhood was added to the National Priorities List and declared part of the USS Lead Superfund Site due to the presence of lead and arsenic which are the result of a century of industrial activity. In 2012, a Record of Decision was entered for this Superfund

site, and in 2014 a Consent Decree was entered in federal court. The State of Indiana was a party to this Consent Decree, but the City of East Chicago was not. On May 24, 2016 I first became aware of the unprecedented high levels of lead in the soil in this residential neighborhood. Upon learning that none of the governmental agencies who were party to the Consent Decree or part of the environmental response conducted blood lead to detect or prevent exposures or public health, I immediately ordered blood lead testing.

The City of East Chicago Health Department began an active blood lead testing program in June 2016, including door to door community outreach. The City ordered additional blood lead test kits from the Indiana State Department of Health in June, and began to receive historic blood lead test results from the State in July, 2016. The Indiana State Department of Health began to provide assistance and resources, including staff, in July 2016. The City Health Department, with help from the ISDH continues to offer free blood lead testing, and follow up case management services, and strongly encourages all affected residents, especially children, to be tested. Additionally, despite being in compliance with all Indiana Department of Environmental Management and EPA requirements, the City of East Chicago Utilities Operations Department began to conduct additional water quality testing in West Calumet. Our Utilities Operations Department has expanded this program to the rest of the of the USS Lead Superfund, including Zones 2 and 3, and is working with the EPA on a pilot program to proactively test water quality at homes before, during and after remediation. The goal of this pilot program is to ensure that environmental remediation activities do not adversely affect the quality of resident's drinking water, or cause additional, avoidable exposures.

The EPA has accelerated the pace of its response for the entire USS Lead Superfund area. Regarding Zone 1, HUD funded vouchers to provide for relocation of residents in the West Calumet Neighborhood on August 3, 2016, and Indiana Housing & Community Development Authority provided \$100,000 to pay moving costs for the most vulnerable residents. The East Chicago Housing Authority Capital Fund, which receives \$1.6 million annually, was depleted of \$1.1 million to pay the remaining moving expenses. The Carrie Gosch Elementary School was closed to students for the school year. As a result of the closure of this school, the School City of East Chicago faces a financial crisis, including possible default on the existing school building bond. The existing remediation plan for Zone 1 only contemplated cleaning up 40% of the area, to a depth of up to two feet, leaving at least 60% of the contaminants in the ground in this residential area. Under this inadequate environmental remediation plan, the environmental contamination which would remain afterward is projected to cost the City's Utilities Operations Department over \$12 million in environmental compliance costs, over and above normal operating costs, to provide utilities in the contaminated areas. Before the extremely high lead levels were known to the City, our Utilities Operations responded to approximately one dozen water line and or sewer failures in Zone 1 per year. In the last two weeks alone, we are aware of at least four water line failures within the Superfund site. The expense of maintaining utilities in

the presence of high levels of environmental contamination constitutes a utility failure and a devastating drain on the City's resources.

Regarding Zones 2 and 3, the EPA has begun emergency clean ups in Zone 3 for residences which tested above the 1200 ppm emergency action level. In Zone 2, for which no Consent Decree and associated funding is in place, the EPA accelerated the rate of soil sampling. Preliminary testing has revealed soil lead levels in Zone 2 up to 70,000 parts per million at a residence. This is 175 times the EPA action level, and 58 times the EPA emergency action level. I remind you that levels in Zone 1, soil lead levels were found to be up to 91,100 ppm, with every residence exceeding the EPA's action level, and fifty residences exceeding the EPA's emergency action level at the surface.

On August 20, 2016, our City Health Officer wrote to the State of Indiana requesting additional resources for Mental Health and Counseling services for residents effected by this environmental disaster, which we hoped would include training for staff on how to recognize residents suffering a mental health crisis as a result of the stress caused by this disaster. This request was subsequently denied. We were informed that without a disaster declaration, such assistance would not be forthcoming. My concern is that as a result of governmental red tape, these Indiana residents will continue to be deprived of available services.

Additionally, in early August the City and East Chicago Housing Authority was encouraged to pursue Hardest Hit Hardest Hit Blight Elimination Program Funds through the Indiana Housing & Community Development Authority for the resources necessary to demolish the West Calumet Housing Complex. The City, and East Chicago Housing Authority submitted the necessary letters of interest, and began working on the application for the demolition of this 346 unit complex, which includes two fifty six unit residential structures. We were encouraged to apply with the knowledge that the relocation of residents is an ongoing process which will not be complete before the application deadline. The City was informed yesterday that the necessary waivers and funding to make West Calumet eligible for Hardest Hit funding from IHEDA would not be forthcoming. Thus the City is again left to its own devices to meet residents' needs and resolve this disaster.

The West Calumet Housing Complex is part of the larger Calumet neighborhood, which are each important parts of our community. The Calumet neighborhood long suffered from redlining, which resulted in a Consent Decree for violations of the Fair Housing Act and Equal Credit Opportunity Act, and as a result, this neighborhood suffers from widespread blight. The uncertainty that the Calumet neighborhood has faced since being declared part of the USS Lead Superfund in 2008 has caused additional decline. The twin horrors of an environmental disaster and redlining may be compounded by the abandonment of the West Calumet Housing Complex if decisive action is not taken now. Homeowners who have persevered in the Calumet neighborhood will be faced with the additional burden of being within feet of an abandoned 346 unit government housing complex. The abandonment of the West Calumet Housing Complex

and the denial of funds for demolition will further drive down property values, drive away investment. As a result, the very blight which the Hardest Hit Blight Elimination Program was created to eliminate will spread like wildfire.

Indiana Code 10-14-3-1 defines a disaster as being an occurrence or imminent threat of widespread or severe damage, injury, loss of life or property damage from a utility failure, public health emergency, blight, or other public calamity. Above, I have outlined the utility failure, public health emergency, blight, and public calamity faced by my community. The local government response, which has included the City of East Chicago, the School City of East Chicago, and the East Chicago Housing Authority, has strained our local resources to the point of breaking. For the above listed reasons, I am asking that as Governor, you declare that a disaster emergency exists in the the USS Lead Superfund Zone, including the West Calumet Housing Complex. I ask that you exercise your powers under Indiana Code 10-14-3-12, in order to make additional state resources available to the City of East Chicago and the residents of West Calumet which are necessary to cope with the disaster, including securing housing for the residents of West Calumet. By this letter I ask you to pardon formal requirements, and make all needed State of Indiana resources available to adequately respond to this crisis which is impacting Hoosier families.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Copeland', written over a large, stylized, circular flourish.

Anthony Copeland  
Mayor

cc: Hon. Congressmen Peter Visclosky, Hon. Congressman Todd Young, Hon. Senator Joe Donnelly, Hon. Senator Dan Coates, Hon. Indiana School Superintendent Glenda Ritz; Hon. HUD Secretary Julian Castro, Hon. USEPA Administrator Gina McCarthy, Hon. US Attorney General Loretta Lynch; Hon. State Senator Lonnie Randolph, Hon. Rep Donna Harris, Hon. Councilwoman Myrna Maldonado, School Superintendent Dr. Paige McNulty, ECHA Director Tia Cauley, ECDH Officer Dr. Gerri. C. Browning,