



Indiana State Conference, NAACP

Twin City Ministerial Alliance

East Chicago Toxic Crisis Stakeholder Roundtable and Listening Session **REPORT**

On April 5th, the Twin City Ministerial Alliance and the Indiana NAACP hosted a Stakeholder Roundtable and a Community Listening Session on the Toxic Crisis in East Chicago, Indiana.

At the roundtable, 20 residents who identified as mothers, fathers, sons, daughters, clergy, renters, homeowners, veterans, public officials, and more, as well as other guests with technical expertise, gathered to discuss the current plight and the future of East Chicago, IN. To start the roundtable, participants were asked to share one word to describe their feelings, expectations, and/or observations as we entered into the discussion. Feelings shared included—frustrated, agitated, determined, committed concerned, uncertain, hopeful, and open. While the observations shared included— critical, urgent, eco-genocide, and, poignantly, “late” and simply, “when”. While one expectation/hope for an outcome for this meeting was, “unity”.

At the Community Listening Session, 70+ residents gathered from across the city representing Zones 1, 2, and 3 to share their frustrations and their demands, while a panel of representatives from the City of Flint, HUD, EPA, the Twin Cities Ministerial Alliance, and the Indiana NAACP responded to questions. Emotions in the room ran high and exchanges were characterized by anger and angst, tears and fears, analysis and strategizing, as well as fire, passion, and determination to exact justice for this travesty.

The day concluded with a set of demands that will comprise a plan of action going forward. Already, local and state level groups, including the Community Advisory Group, the Twin Cities Ministerial Alliance, the Shriver National Center on Poverty Law, the Federation, Calumet Lives Matter, Black Lives Matter, the Coalition of Pastors, the Community Strategy Group, the Natural Resources Defense Council, and the Indiana NAACP, have been working on many of these goals. As such, we fully acknowledge the consultative and agenda setting work that has already transpired, and is continuing. The aim is that, as a result of the events held on April 5th as well as the follow up, the findings will provide a snapshot of where we are at this point in time and will also lead to greater coordination, consolidation of efforts, and power building to achieve the outcomes that the community demands.

BACKGROUND-TIMELINE

East Chicago, Indiana is a city of roughly 29,000 people, approximately 90 percent of whom are people of color and over a third of whom live below the federal poverty line. In East Chicago, a larger percentage of households with young children – who are most susceptible to the worst impacts of lead exposure – fall below the federal poverty line. Residents surrounding the site of the former lead smelter plant, compared to the city at large, have an even greater concentration of persons of color and people living below the poverty line.ⁱ

According to EPA’s structure, for the impacted area, Zone 1 represents the area of highest impact and that’s where the West Calumet Public Housing Complex is located. Zone 2 and 3 are the other impacted areas and those areas are comprised of homeowners, renters, businesses, and other institutions, etc.

To set the context, a brief review of the timeline of this unfolding toxic crisis in East Chicago, with a sampling of milestones along the way, is as follows: ⁱⁱⁱⁱ

- **Circa 1906** — Delamar Copper Refinery Co. begins construction on majority of buildings that later would come to be known as USS Lead at 5300 Kennedy Ave.
- **From 1910 to 1949** — DuPont East Chicago facility at 5215 Kennedy Ave., which is east of USS Lead and south of 149th Place, manufactures lead arsenate insecticide.
- **In 1920** — The USS Lead facility is purchased by U.S. Smelting Refinery and Mining and later by USS Lead.
- **Prior to 1939** — Much of the backfilling of the residential area north of USS Lead, including West Calumet, Calumet and East Calumet, has been completed. Except in “a few” locations, backfill extends down about 24 inches before native sand is found, according to EPA documents.
- **By 1939** — Most of the residences in zone 2 have been completed. About 50 percent of the residences in zone 3 have been built.
- **In 1959** — Anaconda Lead Products facility still exists in the area of the present-day West Calumet Housing Complex, about six blocks south of Carrie Gosch Elementary School; it is unknown exactly when the facility was demolished. Most of the homes in zone 3 have been completed.
- **On Nov. 8, 1959** — The original Carrie Gosch School is dedicated. The School City of East Chicago later constructed a new school building next to the site of the old building.
- **From 1970-1973** — West Calumet Housing Complex is constructed
- **By 1972-** The USS Lead plant consisted of a copper smelter, lead refinery and secondary lead smelter.
- **During the '80s-** The EPA found that USS Lead plant exceeded allowable limits of soil and water contamination by the plant, with toxins including zinc, arsenic, copper, cadmium, and lead included list of permit violations. The plant also dumped slag water into the wetlands.
- **In 1985--**The plant left the community and residents became concerned about the legacy of the pollution it left behind as testing found contamination of the soil with lead and other metals.
- **In 1991--**The Health Department began testing children for lead.
- **In 1997--** High levels of lead were found in soil testing in 3 areas of property of the Carrie Gosch School.
- **In 2003 and 2006--**EPA found high levels of lead contamination on residential properties north of the site where the USS Plant was located.
- **In 2006--**The EPA excavated 13 properties considered to be “time critical”.
- **In 2008--**The site of the former smelter plant and its environs were declared a superfund site.
- **In 2014--**The EPA established a consent decree between Atlantic Richfield and E.I. Dupont de Nours and Co. to hold them accountable for contamination in EPA Zones 1 and 3 which lead to a \$26m clean-up fund which was then supplemented by an additional \$16m.
- **In June 2016--**The City Health Department and the Centers for Disease Control Agency for Toxic Substances started health assessments, including blood lead level testing.
- **In August 2016--**Parental concern resulted in the moving of students from Carrie Gosch School, which was on the Superfund Site, to a former middle school located a mile and a half away.
- **In August 2016--**The 1100 households in the West Calumet Complex were told they had 60-90 days to vacate their homes. Subsequently, due to the difficulties in finding and securing alternative housing the Shriver National Center on Poverty Law and West Calumet Residents filed suits to demand extensions required relocation dates as well as to secure additional resources for relocation.
- **In December 2016--**Governor Pence denied a disaster declaration request.
- **On February 9, 2017—**Governor Holcomb granted the disaster declaration and extended it for 30 days in March.
- **Over this past year--**Soil testing has found, in places, lead contamination at 91,000 ppm, which is 90,600ppm above (or 227 times) the legal limit of 400ppm.
- **On March 1st 2017--**HUD approved an involuntary relocation plan which goes into effect on April 1st.
- **On March 21st,** 80 remaining families in the West Calumet Housing Project received involuntary relocation orders.
- **From 2005 to 2015--**Preliminary tests showed more than 20 percent of children tested in the census tract that includes the West Calumet Housing Complex had elevated blood lead levels, according to data provided by the Indiana State Department of Health. Approximately 10 percent of children in the census tract encompassing two cleanup zones to the east of the complex had elevated blood lead levels during the same time period.^{iv}
- **As of April 5th --**There were approximately 58 households remaining in the West Calumet Housing Project.

COMMUNITY ACCOUNTS OF THE CURRENT STATE OF AFFAIRS

- I. *Environment/Exposure***—Residents are concerned that, as the remaining families at West Calumet in Zone 1 as well as the households in Zones 2 and 3, they are still being exposed to environmental toxins and they are unsure of the measures to take to best protect themselves. Many don't trust that those in power are doing all that they can to protect them. Comments were as follows:
- a. This is the very epitome of Environmental Racism. It's very clear that this situation has a disproportionate impact on black folks.
 - b. Even as they remove the soil from this community, they are just driving around the corner and dumping the contaminated soil at 151st and Kennedy, an area that is 99% African American.
 - c. We were told by the housing authority that when they remove the soil, they dump it and do their best to try to stop the stuff from seeping into the soil. There is videotape of how they are disposing of waste.
 - a. Do we cut the grass? They say that if you cut the grass you are just stirring up the toxic stuff and increasing exposure. Yet, if we don't cut the grass, we'll be fined!
 - b. In some places, they used mulch, while in other places, they just put mats down on the ground. There is no community center so there is no alternative place for the children to play where they won't risk further exposure.
 - c. In one section of town, the concrete foundations of homes are rising up and contamination is seeping into basements.
 - d. I found out that there's an underground storage tank in my backyard full of kerosene. So now they are refusing to excavate the contaminated soil because they don't want to deal with the tank.
 - e. EPA has known all about this. They clean up, but then residents go and track stuff back in. Most people have cloth upholstery that absorbs and holds the contamination. When they tested my home, they found 32k parts per million in lead.
 - f. Even when they move, if people are taking contaminated items with them, that means more exposure.
 - g. We are still drinking and bathing in water that is contaminated. They talked about bringing in bottled water until our homes are retrofitted. All the water we've gotten so far has been from volunteers or donations.
 - h. My neighbor remediated his property 5 years ago. Five years later, same problem. I don't believe what EPA is doing. They are just putting a band-aid on it.
- II. *Housing***—In the short term, residents felt that they were not given adequate time or support to get their affairs in order to implement an effective move of this magnitude. Residents also observed that they were being treated disrespectfully by those charged to help them. Others were concerned that the choices were few and for some, they were moving from one toxic situation to another. Many were concerned that there is no pathway for them to return to the only home they've ever known and felt that it was unfair that they had so few choices in this situation. Specific comments were as follows:
- a. How will people be made whole? Since 1999 I've been a home owner. I paid \$79K for my house and it is now worth \$45K. I'm 70 years old. They didn't disclose anything to me when I bought the house. I'm speaking about all of us. A lot of people want to leave the place. I'm trying my best to get out. I get emotional. I get really angry. My home is very close to US Steel, which is why I bought the house. We are all in a very, very tough situation. We the owners. Them in Zone. 1. We need help!
 - b. I've been looking since August. Our credit is being ran every time we look. The Housing Authority isn't doing anything. People are left by the wayside. There are a lot of other women out there in the same boat. It's not that we don't want to leave. The question is, where do we go? I have 19-year-old and 13-year-old sons. It's dangerous out there for them especially.

- c. Now some of us are being told we would be moved temporarily and then moved again. It's not fair. We shouldn't have to live like this.
- d. From the Housing Authority, there has been no disclosure. No responsiveness. No respect. And then, in my file, I get labeled as "irate" which makes it even harder for me to get a place. It's not fair. Who wouldn't be irate in this situation?
- e. Even at this point, residents are not being treated with respect. Yesterday one resident was waiting from 10am-2:30pm for her grievance hearing for housing.
- f. If the land is so contaminated and you have just as much contamination in Zone 2 and 3, why are we the only ones who have to move? If it's bad for us, is it not bad for them? In Zone 2 there are properties they can't even get access to.
- g. Is it going to come back? Will we ever be lead free?
- h. I didn't choose to move and I didn't choose to be in this situation. When it comes to housing it's as if it's my fault that I'm here. There is no empathy, sympathy, or anything else around it.
- i. I tried to be understanding and sit back and assess the situation--how active they are and whether they are holding up processes. I said, 'Let's give them a chance.' But now I'm not. Because you say we get these vouchers and we can move anywhere. I have to try to go out of state to look for my place. I'm not getting assistance. For any properties at distances over 50 miles, we are on our own. I have been moved to Chicago. It's not safe. And I don't want to take my children there. They said between the 3rd and 7th we have to move out. They have opened the list 2 times during our crisis. There is a limited amount of homes we have access to. I've had people hang up on me. It's not just the end product. It's the process we have to go through. What we have to endure. With our voucher, we had to wait a month before we get our briefing. We may lose the home as the landlord isn't obligated to hold it while we go through this process. People miss out as they wait a month for their inspection.
- j. I have a home now in Hobart. I'm waiting for the inspection. If approved, I have to buy a stove and refrigerator. I don't have money for this. Now we have central air. For the new home, I have to buy air conditioning. In East Chicago, we don't pay for trash. Now we have to pay for trash and sewage.
- k. One parent moved to South Holland and, because she didn't have the money, she has not been able to get utilities turned on until now, after living there for 2 months. Resources that people are given to make them move is not adequate to have suitable accommodations.
- l. Have forcible evictions been approved? In terms of housing choices there are way too many people out there looking at the same time for the same thing. We all want good housing for our families. I have looked at so many places in so many areas. I'm not moving into a raggedy place near abandoned buildings or abandoned schools. Before I did that, I would go out on my own to rent a place without a voucher. The question is, would HUD subsidize? I've been stressed. I find myself stuttering. I find myself crying in the car. I come home and I'm crying in the closet because I don't want my kids to see me crying. I don't want them to see me break down. They want me to move from a 5-bdrm place to a 3bdrm which would mean that my 21-year-old would have to share a bedroom with my 10-year-old. Yet, because he's 21, they are making him contribute to the rent and then they are forcing him to share a room. I toss and turn every day. My kids come to me and say, "Ma, have you found us a place to live yet? Ma, all my friends are leaving. When are we moving?"
- m. How is that you can put all those people out of their homes and then say that you can clean it to a certain extent to rebuild for more people to come? Why can't the same people stay where they are?

II. **Health**—The mental and physical impacts have been considerable and residents report significant health struggles from chronic illness, to depression and other mental health challenges, to patterns of death. Some residents wonder about justice for their former neighbors who have undoubtedly felt the effects but haven't had access to the resources to which they should be entitled. Resident comments are as follows:

- a. I've been here for 13 years. I've battled with health effects since I moved in. My son's medical records were 536 pages long with all the problems he's had.
- b. There should be no fault to anyone who lives here because none of us knew that East Chicago or West Calumet is a Superfund Site. But I'm living testament to the effects. My heart stops. I suffer seizures. I started losing my teeth by the time I was 18, with pieces of jawbone coming out. By the age of 34 I had hemorrhaged out of my left breast. By the age of 36, I had an emergency hysterectomy. I was fully disabled by the age of 38. I lost my older sister by the time she was 43. She was fully blind. My mom went through cancer twice. She never drank but they found cirrhosis in her liver. But she loved drinking tap water. She used to say how it was sweet and cold. I lost my baby brother by the time he was 44. I have Hep C and I'm severely anemic. I have neuropathy. I did a set of heavy metals tests. The found lead and cadmium coming out of my urine, as well as arsenic, which means I'm surrounded by it. I also have chronic pancreatitis. I have three children and they are all 4 legged. Two are service dogs. I've slept in a hospital bed for years. No caregiver. No family. But I give glory and honor to God every day. At the Community Advisory Group meeting, we hear the same stories. Same illnesses.
- c. I was raised on Vernon Street. I was at a fair and saw a notice on a board that said there were issues with West Calumet. I went to my aunt and she said "Yes, I got a letter that the house no longer stands there but it was lead effected". So I started taking a body count. Line of first cousins. Dead. Another line of cousins. Cancer. Next door neighbor. Dead. Cousin down the street. Dead. People around the block. Dead. What can we do for people who were here for years but aren't here anymore?
- d. I was raised behind Carrie Gosch. I've suffered from breast cancer, blood disease, and mental illness. Then I got a letter saying the land is contaminated. What are the long-term health effects on people?
- e. How are we going to resolve the impact of this issue that has been going on for decades? Many have moved to other communities. Now that we're having the conversation about what to do now, what is going to happen with people who no longer live here but are still suffering from the effects of this? How they are going to be addressed?

III. Education—Top of mind for most parents was the concern about moving mid-school year and what impact it might have on educational attainment. Related to this, for those who have moved, they are struggling with transportation options as they endeavor to keep their kids in school in East Chicago until the school year ends. Residents shared the following commentary:

- a. The order to move has us relocating in the midst of the school year. This means that for our kids, their residency is being disrupted. And for some, their scholarships are being disrupted.
- b. For their new school, I had to pay \$50 per child to get my children registered in school. Yet, if I hadn't been able to pay it, I would have faced legal issues.
- c. My kids' education is what's most important to me. Testing is about to start.
- d. How much sense does it make to be transporting kids down Bishop Ford every day?
- e. One woman is paying \$80 to take her kids by Uber from where she has been relocated in Illinois to East Chicago to go to school every day so they don't have their education disrupted.
- f. I asked the superintendent, 'Why haven't you said anything about relocation and advised that families should not be relocating in the Fall? What's your plan?'
- g. Carrie Gosch School was a \$36M piece of real estate that is now not worth more than \$10M. The school system lost hundreds of students and they are slated to lose more.
- h. We requested an extension until June because we were worried about the impacts on IEPs. My daughter has to be at school at 7am. State exams are happening next week.
- i. Children and parents have been through enough. At this point, what we're saying is that after decades of exposure for some of us, what is the risk of staying for another 60 days? Give us until then and we

are out. We understand that this is a conundrum for public officials. But as parents, we have said that this is what we want.

IV. Economic—Economic impacts range from diminished property values, to job loss, to threatened businesses to lack of affordability of new expenses such as utilities, registration fees, furniture, and more. Residents detailed challenges as follows:

- a. While there has been a lot of emphasis on Zone 1, there has been no viable plan to address the plunging property values in Zones 2 and 3. Our building was worth \$1.4 m. What is it worth now? How do homeowners get the value they want to pass on to their children?
- b. The banks are saying that houses are not worth what they were before. Can homeowners be compensated for the depreciated value of their houses?
- c. Grievances have been filed around people being separated from their places of employment and the impact on their ability to earn a livelihood.
- d. Economic opportunities in the City of East Chicago are challenging. There are no job opportunities. Veterans opportunities haven't been addressed. Veterans now have to go to the Salvation Army to eat every day, which is tragic.
- e. The parameters of impact of the superfund site far extends those boundaries. How do you re-capitalize? Businesses on the perimeter are being impacted. The steel manufacturer had been contemplating reinvesting \$2m or moving operations and they are most certainly going to make the decision to move now.
- f. When you are displacing people, there are ripple effects. If any retailer lost even 30% of the people who shop in their stores, they would close. This situation is much worse. Schools, churches, businesses are all losing people to the stigma of being located on a superfund site. People don't want to buy property on a superfund site. People don't want to bring their children to a church in a superfund site. Yet, they want to raise people's taxes. We must vote 'no' on the tax referendum.
- g. Folks are struggling to pay taxes as it is. How can you ask us to pay more for property taxes when our property values can't be maintained?

V. Democracy—Residents expressed concerns regarding disenfranchisement as current and future voters and questioned the extent to which current and past leadership at the state level has represented their interests as they have felt neglected and disregarded by some elected officials and policymaking. Specific remarks were as follows:

- a. As a tax payer and voter, why is our VP and former governor ignoring what's going on in East Chicago? We want to know why and where is he?
- b. There has been an incredible drop in voter registration and participation. District 3 used to be the largest district and now it's the smallest district. There are ripple effects. Legislatively, if we don't get help by the 29th in April, all bets are off for 2 years.

VI. Church—Faith leaders lamented the loss in their congregants and their diminished capacity to anchor support systems for their troubled community. They predicted that more challenges are ahead as things will likely worsen before they improve. Community members shared the following comments:

- a. Churches serve as cultural birthing places across the city, socially, culturally, and economically.
- b. There are 7 churches in all in East Chicago. Most of these churches are 100+ years old. These churches have historically and presently served as a safety net for the community. They have had clothing giveaways, meal provision and have done all kinds of things needed to sustain the community. Because of the contamination, congregations that have been the bedrock of the community have been

threatened. First Baptist Church, located in Zone 2, has experienced a 30% drop in congregants. One church, St. Johns, had already ceased operations in recent years. Others are now in dire straits.

- c. It is the same patterns and similarities as other places faced with contamination. What's unique in this circumstance is the central role of the Church. All of the churches in East Chicago, that are the heart and soul of this city, have come out and said that they are withering on the vine.

VII. Public Safety—An oft-repeated refrain was with regard to the fears community members felt in moving to areas that are known for crime. People having to relocate with sons held a heightened level of concern as young men/boys are often required to affiliate with a gang if they move into certain areas. Concerns expressed were as follows:

- a. I have been moved to Chicago. It's not safe and I don't want to take my children there. What makes you think we want our children there? It's crazy.
- b. I'm moving from West Calumet to Altgeld Gardens which is overrun with street gangs. For our kids, the choice is to go to Percy Julian or take 3 buses and go somewhere else. My son is 19 years old. That means he can't walk down the street without declaring what his affiliation is. You can't live out there unless you are at least affiliated.
- c. Why would you put residents in harm's way in a hotel that is a known hunting ground for a serial killer? Why would you put children and single mothers where truck drivers and prostitutes are, from Hammond into Whiting?
- d. Families get caught in the middle. We are forced to move with no regard for public safety.

VIII. Culture/Community—For all of the residents of West Calumet Housing Complex, life and community are irreversibly altered. For many, the only home they've ever known is gone. For too many, the future is uncertain. For all, there was no choice and few desirable options. Community comments were as follows:

- a. The situation is viral. There is an adverse atmosphere across the city. There is no model for treatment or prevention. The average age is around 45+for residents who can't move now. They are stuck.
- b. I'm 68 years old. I've lived in this community for my whole life, in the same house, across the street from the EaglePicher.
- c. My grandmother has been in the same house for 63 years. I may have family in Chicago, but I don't know them. I was born and raised in East Chicago and that's where I want to stay.
- d. Everything we do is in East Chicago—school, work, play, church....
- e. I'm a resident of West Calumet. This community didn't have a name when we moved here. Eventually someone came up with the name West Calumet. Who owns the land? What will they do with the land once it's released? Will we be able to come home?
- f. Who is thinking about the changing demographics of the city of East Chicago? What is the comprehensive plan? Will there housing there for people? Will it be affordable housing? Or will it be more industry and more environmental contamination?
- g. We are concerned about maintaining the pathway to come back home.

IX. Action at this Point in Time—Community members had the following to say about the current state of the response to this crisis:

- a. Though it's the residents who find ourselves caught in cross-hairs of this crisis, there has been no inclusion of community input on how the system should work. There has been little involvement of the key community institutions. For example, there has been no meeting where St. Catherine's has been at the table. Yet, this is our one and only hospital with a Trauma 3 Center. They should be a part of the conversation.

- b. I'm a native of East Chicago and I was born and raised here. This has been a discussion for over 40 years. It didn't just happen 5 years ago.
- c. I could have sworn we were here last year. We have been talking since last year. I see the people. You have HUD here. HUD knows everything already. We started on the issue of the environment in 1986. Mounds of what you see as green is not just dirt. Underneath is batteries and other stuff that has been dumped from tearing down facilities.
- d. The Mayor did assign an emergency manager to work with the Community Advisory Group. Now the Mayor is waiting to see how governor responded to \$56m proposal.
- e. I'm glad that the legal aspect is here. I'm glad to see Indiana NAACP lending its voice and leverage and bringing in expertise.
- f. Overall, throughout this crisis, there has been a lack of coordination and inclusiveness in planning.
- g. Groups that surfaced during the course of the discussions that have been working with the community in response to this crisis include:
 - i. Black Lives Matter
 - ii. Calumet Lives Matter
 - iii. Coalition of Pastors
 - iv. Community Advisory Group
 - v. Community Strategy Group
 - vi. Indiana NAACP
 - vii. Natural Resources Defense Council
 - viii. Northwest Indiana Interfaith Federation
 - ix. Shriver National Center on Poverty Law
 - x. Racism and Human Rights Law Center
 - xi. Twin Cities Ministerial Alliance

X. Accountability—Community members brainstormed the following list of responsible parties, both in terms of who bears responsibility for what has taken place and who must be held to account in developing systems for resourcing and meeting short and long term goals to address the effects of this crisis and prevent similar incidents from taking place in the future.

- a. Agency for Toxic Substance and Disease Registry(ATSDR)
- b. Anaconda
- c. BP
- d. Centers for Disease Control
- e. City of East Chicago
- f. Dupont
- g. EaglePicher
- h. Environmental Protection Agency
- i. Housing and Urban Development
- j. Housing Authority
- k. School Superintendent
- l. USS Lead
- m. US Steel

Community Change Agenda: Short and Long Term Goals--During the course of the discussions, the communities laid out the following recommendations of what needs to happen going forward to address the concerns expressed above, and otherwise:

1) Short Term Actions

a. Cross-Cutting

- i. There must be increased cooperation and coordination between agencies responding to this crisis and seeking to address current and dispersed resident needs.
- ii. The coordinated agencies must develop and share a clear set of transparent plans which are rooted in community engagement and input in decision making.
- iii. The coordinated agencies, individually and collectively, must host regular public hearings to keep residents apprised of any and all developments and to actively and constantly seek resident feedback and input.
- iv. There should be transparency and people should continue to have a way to ask questions online to ensure that those who have dispersed can continue to both get information and give input and feedback as the situation and remedies continue to unfold.
- v. Processes for accessing resources that are available through HUD's Family Self Sufficiency Fund must be identified. One resident reported signing up in 2006, yet when she inquired about accessing the benefits, she has received no answers.
- vi. The Housing Authority must take responsibility for tracking West Calumet Housing Complex residents as they disperse and provide information to HUD, DHHS, CDC, EPA, and any other entity responsible for ensuring that ongoing services and support be provided.
- vii. Residents must have legal support to address the many circumstances that have resulted from this crisis.

b. Environment

- i. Given the insufficiency of prior remediation efforts, the EPA must go deeper than 2 feet in subsequent remediation measures.
- ii. Local and state environmental protection authorities must prevent the dumping of PCBs, a historic challenge in East Chicago that continues to this day.
- iii. Advisories must be issued by environmental protection authorities regarding lead impacted appliances being resold to residents and others. Measures must be in place to identify these appliances and ensure that disclosures are included in advance and on the bill of sale for these products.

c. Housing

- i. The Housing Authority must provide an extension for remaining residents, affording them the opportunity to remain at West Calumet Housing Complex until June so that students can finish the school year.
- ii. The Housing Authority should advocate to ensure that West Calumet Housing Complex residents be given priority consideration in competition for limited Section 8 housing.
- iii. HUD and/or the Housing Authority must provide support to residents in replacing household items as they set up new homes.
- iv. Entities administering public housing must ensure that their operations are staffed by people with credentials to serve people with respect and dignity.

d. Health

- i. Ongoing testing for lead and other toxins must continue to be offered for all current and dispersing residents from Zones 1, 2, and 3.
- ii. Effective immediately, treatment for all health impacts (physical and mental) must be provided free of charge for all existing and dispersing residents, with efforts made to

identify residents who have left in the intervening years since this contamination first began to occur. Culturally competent mental health services must be provided to address challenges related to separation and other arising socio-emotional needs in both children and adults.

- iii. Nutritional support must be provided to existing and dispersing residents to ensure that all possible mitigation measures against the absorption of lead are available and accessible.

e. Education

- i. Children must be educated on what lead is and what the long-term impacts are, as well as how they can mitigate the effects of lead in their systems.
- ii. School based emotional support must be provided to assist children in adjusting to their new environments.
- iii. Assistance must be provided for families that have moved away so that they can still get their children back to East Chicago for continuity in completing the school year. To the extent that assistance is already available, sharing of this information should be improved and resources for transportation assistance must also be supplemented as it hasn't been sufficient to meet the need.
- iv. School systems must, for current and dispersed residents, provide supplemental support for children who face cognitive, attention, and other challenges so that all efforts are made to help students to achieve to the greatest extent possible.

f. Economics

- i. Dispersing residents should have resources provided to pay for utilities as they struggle with extensive financial burden in the transition.
- ii. HUD must support the implementation of resident owned businesses to provide economic opportunities as a pathway out of poverty and on to self-sufficiency.
- iii. Property values should be frozen where they are, or go back to pre-appraisal when values were highest.

2) Long Term Actions

a. Cross-Cutting

- i. Those responsible for this crisis must be held financially accountable.
- ii. In order to secure much needed financial support, residents, current and dispersed, must file a class action law suit against the corporations responsible for the pollution.
- iii. Livelihood and a good education remain critical foundational bricks on the best path out of poverty. As such, these should be pillars of future community development efforts so that communities do not find themselves in circumstances of such extreme vulnerability and powerlessness.
- iv. The Housing Authority must maintain an updated database with contact information for all dispersing residents for long term tracking and ensuring a continuum of supportive services.

b. Environment

- i. Forty years of unsuccessful attempted remediation by the EPA have proven that no clean-up is 100% effective. As such, there should be no residential/housing built on this land.

c. Housing

- i. Eminent Domain, as a policy/practice, should be eliminated.
- ii. If redevelopment occurs in this area, affordable housing must be a part of the redevelopment plans, including rental properties.
- iii. Residents should have first priority to return to East Chicago if new housing opportunities arise. Returning residents should be given the right of first refusal.

- iv. Buying and selling of all housing properties must include full disclosure of any potentially harmful circumstances, like the siting of a home on a Superfund site.
 - v. Legislation must be enacted to prohibit denying prospective renters because they have section 8 vouchers. Legislation should stipulate that a landlord cannot discriminate based on section 8 status.
- d. Health*
- i. All East Chicago residents (present and past) should be entitled to Medicare coverage (and the full range of physical and mental health care services) for life to ensure that they have the necessary care and treatment going forward to deal with any consequences of chronic toxic exposure.
- e. Education*
- i. Supplemental support for remaining and dispersed resident children who face cognitive, attention, and other challenges must be provided for the duration of their time in the educational system.
- f. Economics*
- i. Economic opportunities must be afforded to all remaining and dispersing residents. The Local Hire Ordinance must be upheld to provide maximum job opportunities. Furthermore, apprenticeship and other job training programs must be priorities. Disadvantaged Business Enterprise provisions should be instituted. An active effort to develop economic development opportunities for the community must be identified.

Lessons from East Chicago Toxic Crisis--Implications for Broader Systems Change

Supplementing the long-term solutions for East Chicago designed by community residents, the below analysis and recommendations by the National NAACP are drawn from hearing the experiences and wisdom of the East Chicago residents and reflecting on this context as well as what we've seen in Flint, MI, Mossville, LA, and so many other places that are enduring similar crises. Too many communities find themselves caught in a vice and stuck in a powder keg with pressures coming from all sides and too little in the way of choices. Communities find themselves only focused on surviving with little notion of a vision of thriving because imagination of a bright future is eclipsed by grinding poverty, blight, and disenfranchisement. Comprehensive, multi-sector systems change is necessary to address the root causes of this pattern of conditions that disproportionately impact communities of color and low income communities and to affect a just transition to a sustainable, resilient society that uplifts human and civil rights for all.

1) Research/Documentation--Longitudinal Study

Allocation of funding must be available through the Environmental Protection Agency, National Institutes for Health, Centers for Disease Control, Agency for Toxic Substances Disease Registry, Department of Health and Human Services and/or, Department of Housing and Urban Development to conduct longitudinal studies of long term impacts of the impacts of situations like East Chicago, Flint, Mossville, and beyond, to better inform the types of long term support that will be needed for impacted communities until root causes can be eliminated. Categories of study should include, but not be limited to, the below areas:

- a. Health Impact Surveillance
- b. Educational Outcomes
- c. Economic Impact
- d. Socio-Cultural Effects
- e. Democracy & Governance Challenges

2) Housing/Land

- a. *Real Estate Disclosure*—The Federal Housing Administration must ensure that there are policies, protocols, and practices in place to institutionalize a required disclosure in large print and through verbal notification/explanation, of brownfield/superfund sites/other hazardous conditions associated with the rental and/or sale of all properties, ideally through a required stand-alone document, as opposed to a clause within another longer document.
- b. *Quality and Safety of Public Housing*—HUD should work with EPA to ensure that all public housing be certified free of indoor and outdoor pollution/contaminants with minimally quarterly safety recertification.
- c. *Right to Return/Right of First Refusal*—HUD should ensure that when households are displaced by an incident such as what occurred in East Chicago, every effort with extreme diligence should be made to guarantee right of return and/or right of first refusal when the site is eventually made inhabitable again.
- d. *Rights Under Eminent Domain*—The Department of Interior should ensure that eminent domain only be invoked for the public good under the strictest of definitions and with an emphasis on self-determination and fair compensation. Advocacy should ensure that states tighten statutes and eliminate eminent domain abuse through strengthened monitoring and enforcement. Property holders should be fully apprised of their rights under eminent domain.
- e. *Homeownership*—The Federal Housing Authority must ensure that policies and practices facilitate the most optimal conditions for homeownership so that residents, such as most of the people in East Chicago, do not find themselves in such a vulnerable position with little power over their circumstances and no right to home and place.

3) Education/Training/Leadership Development

- a. *Education Financing*—The Department of Education must put measures in place to ensure that school quality not be linked to property values/taxes. This perpetuates the cycle of poverty and is a regressive structure. Alternative financing and standardized quality standards, across the public school system, must be explored.
- b. *Education Reform*—The Department of Education must ensure that issues such as school discipline, class ratios, teacher quality, high stakes testing, culturally competent curricula, etc. be addressed to optimize learning, educational attainment, and success so that school choices are more optimal and there is parity in terms of outcomes.
- c. *Black Green Pipeline*—From elementary school through high school, and beyond, it is critical that our educational system teaches the Science, Technology, Engineering, and Mathematics (STEM) studies in a way that is accessible and compelling for children of color and low income children to ensure that there is a pipeline for future leadership from non-profit organizations, philanthropy, and the business community, to zoning boards, public service/utilities commissions, rural electric co-op boards, water boards and school boards, to the Army Corps of Engineers, city councils, mayoral and governor’s offices, lower courts to Supreme Court, the Halls of Congress and the Presidency. It is critical that we build pathways so that programming, governance and decision making are informed and represent the contexts, realities, and interests of communities of color and low income communities.

4) Economics

- a. *Infrastructure Financing*—Whether it is roads, sound barriers, or water infrastructure, and beyond, public finance should ensure that all are afforded equal access to quality and safety. Tying infrastructure to property taxes overall means that people living in poverty will be more likely to have poor water quality, more likely to have substandard schools, more likely to have damaged roads that are less likely to have snow clearance, and so much more, which negatively impacts all aspects of life and further impedes the pathway out of poverty. Furthermore, privatization of public goods and services has deepened threats to equitable financing as profit driven motivations tend to usurp human rights and wellbeing in the vast majority of privatization schemes. As such, various governing agencies corresponding with each type of infrastructure must rethink financing with a lens towards equity and fairness.
- b. *Economic Development*—Projects like ReGenesis in Spartansburg, SC demonstrate that communities can be revitalized in ways that create opportunity, build wealth, increase stability, and foster wellness and resilience through a model that ensures that community members can provide for themselves and for each other. Policies and programming must draw on the best practices found in this model and others.
- c. *Workforce Development*—Unions, Civic Works orgs, Black Workers Centers, and others must be supported in serving critical roles in job training in the new energy economy and in other up and coming trades, so that anyone who wants to be employed has a clear pathway to gain the skills to be placed in viable employment opportunities.

5) Community

- a. *Social Cohesion*—The greater the social cohesion, the greater the resilience of communities. The genius of the East Chicago Action Plan and the Flint 20 Point Priority list is that they are born out of the asset of a cohesive community that knows what it takes to build upon strengths and address threats. When communities are allowed to lead for themselves on their own solutions, the results are vibrant communities like Spartansburg where communities thrive.
- b. *Anti-Violence*—Gang activity from Chicago to Los Angeles, has taken too many lives and has instilled a pervasive sense of fear and lack of safety and security in streets that should part of the commons, shared and enjoyed by all. An example can be drawn from Denver’s Ceasefire which is based on an

approach cited for slashing Boston’s homicides by nearly 70 percent in the mid-1990s. Community leaders, clergy and law enforcement officials gathered known gang members in closed-door meetings, where they demanded that the violence end and promised steep and swift punishment if it doesn’t. Social-service providers then offered a path toward reform through job-placement programs, rehab and other counseling.^v Certainly one size doesn’t fit all, but lessons between cities should be shared and cities can determine for themselves what’s most effective for their constituencies. The Department of Justice must support community led solutions to violence.

- c. *Food Security*—Too often the communities that are most likely to suffer from lead poisoning or other environmental challenges are the same communities that tend to be food insecure, which results in greater absorption of lead in children’s systems as well as resulting in myriad other challenges from obesity to malnutrition to chronic illnesses such as diabetes and hypertension. East Chicago is a prime example. In the US as the land of plenty, our children shouldn’t be starving. Healthy Food Financing Legislation and other policies need to bridge the gap and provide support for grocery stores, farmers markets, etc.
- d. *Anti-Displacement*—The USDA, HUD, Department of Interior, and others must have equity and justice based plans in place to support removing threats so that residents can stay in place, exact measures such as rent control, local ordinances, etc. to prevent gentrification driven displacement, and optimize self-determination in Planned Retreat where this becomes necessary in cases such as sea level rise or other places where communities have determined that they would rather move out of a cancer cluster than remain in harm’s way.

6) Environment

a. Legislation, Regulations—Monitoring and Enforcement

- i. *Environmental Protection Agency Environmental Justice Department*—All attempts to defund EPA’s EJ program should not only be stopped, but support for this long-underfunded program must be exponentially increased. It is because this program continues without adequate support that circumstances like Flint, East Chicago, Mossville, Eight Mile, AL, and more persist putting untold thousands of communities of color and low income communities in harm’s way.
- ii. *Remediation and Redress Policies and Programs*—The Resource Conservation and Recovery Act (Liability Trust Fund), Comprehensive Environmental Response, Compensation, and Liability Act (Liability Trust Fund) Brownfields, Superfund National Priorities List, are all policies and programs which establish standards and practices around toxic site clean-up/remediation, as well as liability and compensation measures to address injustices. The fact that situations like toxic conditions in East Chicago, IN Mossville, LA, 8-Mile, Alabama all exist and persist is testament to the under resourcing and resulting lack of stringency in these policies and programs. The rigor of the standards of each of these policies and programs must be strengthened and resources for monitoring and enforcement must be exponentially increased.
- iii. *Safe Drinking Water Act*—There should be a Liability Trust Fund established that is attached to the Safe Drinking Water Act so that there is a funding pool available to address circumstances that result in the contamination of drinking water and the aftermath.
- iv. *Toxic Substance Control Act Reform (TSCA)*—Recent reforms of TSCA must be maintained and strengthened to broaden the number of chemicals that are monitored and regulated in products, processes, and facilities, as too many of these toxic chemicals find their way into the homes, schools, and bodies of low income communities and communities of color through Dollar Stores, where 81% of products are toxic or through the industries that are disproportionately sited in these communities.
- v. *Community Science* (a.k.a. “citizen science”)—Until the EPA is resources to fulfill its mission, the communities must take action for themselves through partnerships with universities or

independently, in monitoring the quality of air, water, and soil and taking appropriate measures to address findings of contamination, from engaging with state or local authorities to engaging in litigation targeting the polluters.

vi. *Siting of Communities on Brownfields*

1. No school property should be sited on a brownfield/superfund site/other hazardous land.
2. No playground should be sited on a brownfield/superfund site/hazardous land.
3. No community center should be sited on a brownfield/superfund site/other hazardous land.
4. No public housing should be sited on a brownfield/superfund site, or other hazardous land.

vii. *School Environment*— The Department of Education and EPA must collaborate to ensure that all schools should be certified free of indoor or outdoor pollution/contaminants with minimally quarterly safety recertification.

viii. *Healthcare for All*—Healthcare must be a human right that is provided for all.

ix. *Environmental Justice InterAgency Working Group*—As this list of recommendations reflects, the intersectionality of issues and challenges that threaten the health and wellbeing of communities requires an integrated approach by the myriad agencies listed here and beyond. There is already a body that arose out of recognition of this intersectionality, which is the Environmental Justice InterAgency Working Group. This group should be enlisted in addressing the multitude of intersecting reforms required to advance effective strategies for supporting community leadership towards wholeness and wellness.

7) *Democracy and Governance*

- a. *Campaign Finance Reform*—Given the pivotal role that many corporations have played in pushing back on environmental protections and multiple other policies, which have disproportionately disadvantaged communities of color and low income communities, getting money out of politics is a critical priority in ensuring that the interests of these communities are upheld.
- b. *Redistricting/Gerrymandering*—Shifting populations, whether it's after a disaster, resulting from sea level rise, or due to a toxic crisis, all tends to disproportionately affect communities of color and low income communities. This means that these communities are more vulnerable to shuffling of district lines. Extreme vigilance with a strict equity lens, is needed to guard against disenfranchising impacts of these shifts.
- c. *Civic Engagement/Voting Rights*—The disenfranchisement of communities of color and low income communities means that the all the issues detailed above are compromised by the fact that the interests of these communities are not upheld by those in power because they don't see themselves as representing these communities. Many of the same entities that are pushing back against environmental protection are the financiers of groups like ALEC that write and advance legislation to suppress voters' rights. As such voting rights must be strengthened, as should the engagement of communities as voters, to ensure that policies and policy makers represent their interests.

Researched, Compiled, and Written By Jacqueline Patterson on behalf of NAACP Indiana State Conference.

ⁱ Timeline: Lead Contamination and Response in East Chicago, Lakeshore Times. <http://lakeshorepublicmedia.org/timeline-lead-east-chicago/>

ⁱⁱ Ex. 6, United States Census, QuickFacts: East Chicago city, Indiana, available at <http://www.census.gov/quickfacts/table/RHI805210/1819486>

ⁱⁱⁱ Northwest Indiana Times, Timeline History of USS Lead Superfund Site in East Chicago. September 14, 2016. http://www.nwitimes.com/history-of-the-uss-lead-superfund-site-in-e-c/article_eb369585-9e14-5a88-98c0-74c0fbaba5ea.html

^{iv} Officials Renew Push for Lead Testing in East Chicago, Northwest Indiana Times. November 4, 2016.

http://www.nwitimes.com/news/local/lake/officials-renew-push-for-lead-testing-in-east-chicago/article_faefdcb-a7c-519f-a2a5-6c1952f8ff3f.html

^v Denver Anti-Gang Violence Plan Successful. <http://www.denverpost.com/2012/12/22/denver-anti-gang-violence-plan-successful-challenging-in-other-cities/>