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Public Statement for PCB Hearing

My name is Julieta Alcántar-Garcia, and I am here on behalf of one of the participants, People Opposing DuPage Environmental Racism or PODER. PODER is a committee of a larger organization called Immigrant Solidarity DuPage, which is dedicated to advocating for the local Latino community. PODER focuses on ensuring that our community has a healthy and safe environment.

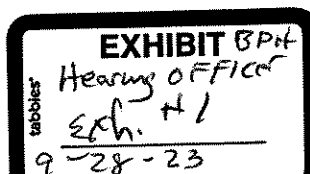
I am also here today in a personal capacity: as a resident of West Chicago for over fifty years, as a mother to two sons growing up in the community, and as a citizen trying to get involved in this process.

I am giving my statement in Spanish today because I want my entire community to be able to understand what I am saying, not just those community members that speak English. Spanish was the first language that I learned growing up, and it is still the language that I use to speak with many of my West Chicago neighbors.

I am thankful that there is translation available at this hearing so that I have this opportunity. It was an opportunity that I did not have during the city hearing.

When I first learned that LRS wanted to expand their waste transfer station here, I was skeptical. West Chicago already deals with a lot of pollution. There are many industrial and commercial facilities already in our town— including a waste transfer station. These facilities bring in dozens of diesel trucks per day, spewing exhaust into our air. There is also radioactive contamination scattered throughout our town from the Kerr McGee Superfund sites. And over the years it seems like more and more of the open spaces and prairie in our town have been turned into gas stations and truck stops.

All of this pollution takes a toll on people's health. I often talk with the other parents at my children's school about how we worry about our kids being diagnosed with asthmas or



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PRIVILEGED & CONFIDENTIAL – ATTORNEY-CLIENT COMMUNICATION

respiratory issues. Others in our town are dealing with chronic illnesses that might have been caused by pollution. When I hear their concerns, I am motivated to advocate for them. West Chicago does not need another facility bringing more diesel trucks and air pollution to our community.

Both I and other community members tried to get involved in this siting process for LRS, but we have consistently run into obstacles put up by the city and its representatives. From the very start, LRS and the City set this up to be as difficult as possible for our Latino community to participate.

LRS began by filing its application on Mexican Independence Day. It was insulting to have them take a day that was supposed to be saved for celebration and use it to propose another waste transfer station in our town. As far as I know, they filed that application without consulting with our Latino community. When LRS did finally invite us to their facility, they patronized us with a presentation full of propaganda and didn't actually listen to our real concerns. Somehow, they thought serving us bad tacos was all they needed to do to win us over.

Then, it appeared that the city would schedule the hearings in the days right before Christmas. This is a time when many residents have family or religious obligations that would conflict with attending a hearing. This would have especially been a burden on the Latino community because many of us began holiday celebrations early in the month on December 12<sup>th</sup> for the Feast of Our Lady of Guadalupe. Again, this is a holiday when many residents have family obligations are either travelling to see their relatives or busy hosting them. After people from PODER attended multiple city council meetings to demand the hearing be held after the holidays, the city agreed to move the hearings to January, but the burden was on us to convince them. We, as regular citizens, should not have to convince the city government to make the hearing accessible.

## PRIVILEGED & CONFIDENTIAL – ATTORNEY-CLIENT COMMUNICATION

The next obstacle was translation. The city provided a translation feature on their website, but they did not translate LRS's actual application materials. Over half of our town speaks a language other than English as their primary or only language. How were Spanish-speaking residents supposed to learn about the waste transfer station without access to LRS's own application? Later at the hearing, there was again no translation provided. I saw some of my Spanish-speaking friends and neighbors at the first few days of the hearings and they left in the middle of the meetings. I asked them why and they told me that they were leaving because they could not understand what was going on.

In the past the city has provided translation at city council meetings and other events – why not here? When I speak to city officials about various public matters, we often speak in Spanish. It felt to me like the city did not want the Latino community to have the opportunity to raise our voices on this issue specifically. It felt like we were silenced. Despite, and, in fact, because of all of these obstacles, I was determined to have my voice heard and to get involved.

I am concerned about the health of my community, so when I learned about the hearing, I decided to collect data on the pollution that the existing facilities in the city were already causing. For three months, October through December of last year, I stood outside the Groot waste transfer station and the existing LRS facility measured the air quality with a sensor that I had been given and trained to use. In December I also counted the number of diesel trucks. It was hard, dirty work. I had to wear a mask for fear of being exposed to the air pollution caused by the trucks. The smell outside of the facilities was awful from all of the diesel exhaust and garbage being shipped in. By December, the temperatures were dropping, and it was cold. But I did this work because I wanted to know whether the waste transfer stations were harming our community's health. I wanted to know what might happen if LRS is allowed to add even more diesel truck pollution to the air pollution we already deal with.

PRIVILEGED & CONFIDENTIAL – ATTORNEY-CLIENT COMMUNICATION

When the time came for me to testify at the city hearing, I was nervous. I had to speak in front of all of these people in English, rather than the language that I am most comfortable in. And I had never done anything like that before in either language. But I was determined to speak because the data that I had collected was concerning. I had counted dozens of trucks coming in and out of the waste transfer stations every hour that I was there. I had seen the levels of air pollutants spike on my monitor. I later learned those levels were above the air quality standards that the EPA sets to protect public health.

I didn't know what to expect from the hearing, but, at the very least, I thought I would be respected and listened to. That was not how I felt after my testimony.

The hearing officer tried to appear impartial at first, but it felt like he did all he could to prevent me from speaking up. His words and actions sent a clear message that he would not consider what I was saying. The hearing officer towered over me as I tried to give my testimony. His tone was hostile and dismissive. You may notice in the transcript that at one point my lawyer asked if anyone had a tissue. This is because by the end of my testimony, the hearing officer had made me begin to cry.

While I testified, he was searching on his phone for reasons to exclude the data that I had provided; he admitted as much during the hearing. He would not let me share my concerns about the air pollution that the trucks were causing. The hearing officer said that I am not a scientist, that I couldn't "render an opinion about ... science," that that was "not my value." It is true that I am not a scientist. But I am a concerned citizen. I used an app and a sensor to try to understand how this waste transfer station might affect my community. I was trained to use it. But the hearing officer would not allow me to speak on that because he thought that I was "not qualified."

PRIVILEGED & CONFIDENTIAL – ATTORNEY-CLIENT COMMUNICATION

The transcript shows that the hearing officer admitted that he couldn't stop my air pollution data from coming in as testimony. The message that I received from his tone was that he wanted to exclude everything that I was saying.

He would not even let me share my reaction to the fact that the air pollution levels that I collected were above the levels that another expert had spoken to earlier in the hearing. It doesn't take a scientist to understand that is dangerous. It doesn't take a scientist to realize that level of air pollution might harm the community. He said that I was "not qualified" to speak. My qualifications are the fact that my family and I live with the air pollution from these facilities and their trucks every day.

I felt bullied and belittled by the hearing officer, but I was still glad that I had been able to speak. I thought that despite how the hearing officer treated me, he and the city would at least be forced to consider the concerns that I raised in my testimony. But when I looked at the hearing officer's report to the city council, there was no mention of the air pollution concerns that I had raised. Again, when the city passed the ordinance to allow LRS to site their waste transfer station in West Chicago, there was no mention of air pollution. There wasn't even a chance to hear directly from the city council about why they had not considered my concerns because they conducted all of their deliberations related to the ordinance in a closed meeting. I had been completely ignored by those making the decisions. They acted as if my testimony did not even happen.

I know that this hearing today is focused on whether the city's process was fundamentally fair. I can tell you that, from my perspective as a citizen trying to advocate for the Latino community, it was not. Fairness requires a real chance for the community to participate in the city's hearing, and then for the city to actually consider the what the community has said. The decision doesn't have to make everyone happy, but everyone should be heard. I, and many others

PRIVILEGED & CONFIDENTIAL – ATTORNEY-CLIENT COMMUNICATION

in the Latino community did not receive that opportunity. The scheduling, the lack of translation, the conduct of the hearing officer – all of these obstacles made it difficult to engage during the application process and the city hearing. And then when I finally found a way to speak up, my concerns were completely ignored.

I hope that the Pollution Control Board will recognize that neither I nor my community had a real chance to be fully heard by the city. The city council tried to site a dangerous facility in our city without giving us a fair chance to participate in the hearing. They have tried to push through this facility without listening to us.

I hope that the board will take this opportunity to correct the city's mistakes and actually listen to our community. I hope that they will see that we are legitimately worried about what this facility will do to the health and welfare of our community. And finally, I hope that the board will overturn the city's decision and disallow LRS from siting their facility here because of the concerns that we have.

Thank you for your time and for your consideration.