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To: [Brown, Don](#)
Cc: FPettis@cleanpowerlakecounty.org
Subject: [External] Public Comment - City of Waukegan Coal Ash ILPCB Hearing
Date: Friday, March 29, 2024 2:10:43 PM

Good afternoon,

My name is Dulce Ortiz and I'm a member and one of the Co-founders of Clean Power Lake County. I also serve in the IL Environmental Justice Commission.

Clean Power Lake County is a community-driven coalition committed to local action to secure environmental, economic, and racial justice. Our mission is to ensure clean air, clean water, and healthy soil for every Lake County community member and to achieve the self-determination of those disproportionately impacted by environmental pollution.

I have been a resident of Waukegan for over 30 years and have dedicated my life to serving my community. My community has a painful history of industrial pollution and contamination. Industrial corporations made their profits for many years on our lakefront and then abruptly left our community along with a long legacy of contamination, which we are currently still spending our tax dollars trying to clean up. The state of IL has 11 superfund sites and Waukegan is home to 5 of those superfund sites, in other words we have 45% of superfund sites in the entire state of IL.

Not only is it a tremendous amount of toxic pollution that our predominantly low-income, Latino residents are exposed to but it is also devastating for our community economically. Waukegan has dreamed for years, and still dreams, of revitalizing our lakefront. We have aspirational lakefront plans that have seen little success in coming to fruition in part because of the amount of contamination that remains at many of these sites and the limited re-use options they offer due to the levels of contamination. When we allow companies to pollute our communities and not force them to clean up, we deter future investment in these sites and in our communities at large. This is devastating for economically disadvantaged communities like Waukegan who desperately need new investments and economic renewal.

Minority and economically disadvantaged communities are disproportionately burdened by pollution and the Waukegan community is no different.

We, residents of Waukegan, demand accountability, enforcement and the removal of the Coal Ash ponds and to address the coal ash legacy pond.

To be completely honest, EJ community members do not trust government agencies and we don't trust the USEPA and I can explain why.

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USEPA cited the following issues with the Waukegan site and violations of the 2015 Federal coal ash standards:

- Failure to consider individual waste streams, conduct a site-specific analysis for alternative capacity, and consider removing the coal ash in the berms. ,,
- Failure to meet the “closure by removal” standard for the West Ash Pond.
- Insufficient groundwater monitoring system, inappropriate groundwater statistics, unmonitored groundwater pathways, and inadequate screening of groundwater wells.
- Incorrect identification of alternate sources of contamination.
- Last year USEPA proposed to deny NRG’s subsidiary Midwest Generation’s application for an extension to close one of its ash ponds at Waukegan
 - Under Federal rules, unlined coal ash ponds had to cease coal ash and waste streams by April 2021 - NRG applied for extension in Nov. 2020 effectively staying that deadline

We also know that NRG began to actively undermine the Illinois’ new coal ash rules by filing multiple petitions in May of 2021 before the Illinois Pollution Control Board in an effort to obtain exemptions and more lenient standards for its coal ash at the Waukegan, Joliet and Powerton sites.

Environmental justice communities continue to bear the burden of coal ash pollution and it negatively impacts the health and well being of our residents. Especially those that are uninsured or underinsured. Last year, thousands of undocumented sisters and brothers in this state lost access to healthcare, and/or decreased healthcare accessibility, and increased healthcare costs, due to the IL Governor's emergency rules, which limited Health Benefits for Immigrant Adults and Seniors programs.

All companies must be required to thoroughly clean up its legacy ponds and other coal ash contamination at their sites, which continue to threaten our environment and public health, and must be forced to clean up. This is critical as we saw the last operator of the Waukegan coal plant go into bankruptcy. This is not required in the federal coal ash rule or in Illinois law. The existing regulations and engagement practices in place must be improved if our communities are truly going to achieve environmental justice. Communities like Waukegan deserve better and we cannot continue to be left behind.

As Waukegan residents we demand to have what other more affluent communities currently enjoy, a clean environment and good health. Can you imagine living in Waukegan and knowing your children have 14 years less in their life expectancy compared to those that live only 8 miles in a more affluent community??? These are basic human rights. And this can be done by making sure that NRG is held accountable by addressing the coal ash landfill and ensuring the removal of the coal ash ponds instead of capping in place. This has the potential of being an agent of change, it's an opportunity to provide my community and other environmental justice communities with a vision of a brighter future.

The vision I have for my family and for my community does not include thousands of tons of air, water and coal ash pollution. My vision for my family and community is a lakefront where I can take my children swimming in the waters of Lake Michigan without worrying about toxic water pollution; where we can go fishing without worrying about mercury and PCB contamination of the fish we catch. My vision for my family and community is a lakefront with open space that respects our environment, where corporate profit does not override the health needs of our families; where I can go running along the shore of Lake Michigan without worrying about my asthma. I want to see a clean energy future for Waukegan and all communities that have borne the burden of air, water and coal ash pollution for decades. And this can be done by making sure that NRG is held accountable by addressing the coal ash

landfill and ensuring the removal of the coal ash ponds instead of capping in place. This has the potential of being an agent of change, it's an opportunity to provide my community and other environmental justice communities with a vision of a brighter future.

Thank you for your consideration and I hope my comments can lead to stronger enforcement efforts and closing ALL loopholes to make my vision a reality.

Respectfully,

Dulce Ortiz