Lori Lightfoot
FOR CHICAGO

A Plan for a Cleaner Environment

Chicago's city government has an absolute responsibility to take the lead on protecting city residents from environmental harms. This starts with being a fierce advocate regarding the dangers of climate change and ensuring that residents have clean air to breathe and safe water to drink no matter where in Chicago they live. The city must resume the leadership it lost when Mayor Emanuel disbanded the Department of Environment in 2011. The ramifications of this decision are evident. Polluting industries operate without adequate oversight and increasingly locate their operations in minority communities on the west and south sides, water that we are told is safe contains elevated levels of lead, our air quality is poor and hundreds of thousands of blue cans of recyclable materials are dumped in landfills instead of being recycled. We need a Department of Environment to provide leadership in these and other areas, including on local and regional environmental issues facing Chicago, keeping the city on path to reach 100% renewable energy use, remediating and redeveloping brownfields and making sure our building codes allow us to utilize best available, innovative and sustainable practices. Working together, we will:

1. Bring back the city's Department of Environment
2. Become a local and regional leader on environmental issues
3. Promote environmental justice through inclusive decision making
4. Expand water testing in homes, schools and public facilities to ensure testing is truly representative

5. **Implement and utilize information gathering processes for air and soil quality**
6. **Create a brownfield initiative to identify, remediate and redevelop lands that are underutilized because of potential contamination**
7. **Reaffirm Chicago's commitment to reaching 100% renewable energy usage by 2025**
8. **Improve Chicago's abysmal recycling rates by holding city waste contractors accountable**
9. **Require Chicago's building code to be revisited every five years to ensure Chicago is utilizing the best available practices while not burdening development with obsolete requirements**

1. Bring back the city's Department of Environment

Under my leadership, the city will bring back the Department of Environment. When Mayor Emanuel disbanded the department in 2011 as part of a cost-savings exercise, he shifted the department's responsibilities for energy and sustainable business, permitting and enforcement, brownfield development, and water policy to various other departments.[1] As city residents have seen and experienced in the years since, these changes have not always been successful or in the public interest, and they certainly have not been worth the cost savings.

Here are just a few examples of what has happened following the disbanding of the Department of Environment. On the north side tens of thousands of residents live within a mile of General Iron, a habitual polluter that has been on a U.S. EPA watchlist of chronic polluters since the late 1990s.[2] As recently as July 2018, the U.S. EPA cited General Iron "for failing to contain lung-damaging particulate matter within the company's property," but according to the Emanuel Administration city inspectors did not find any violations at the scrap yard.[3] General Iron announced in July 2018 that it is moving in 2020 to a new facility in a largely Latino neighborhood in southeast Chicago where, if the status quo remains, it will pollute a new neighborhood.[4] The lack of city involvement and oversight is evident in McKinley Park, where MAT Asphalt was allowed to build an asphalt plant within 1,000 feet of a school, a 69-acre public park and numerous homes without adequate notice to the surrounding community.[5] In addition to the potential for increased air pollution from the asphalt plant, which local residents are paying to monitor, MAT Asphalt estimates that between 100 and 200 dump trucks drive through the neighborhood daily to receive asphalt, resulting in increased air pollution, traffic congestion and wear and tear on neighborhood roads.[6]

As discussed further below, we have seen additional failures related to the city's testing for lead in public drinking water. Responsibility for water testing shifted from the Department of Environment to the Department of Water Management, which has consistently reported that Chicago's drinking water is safe while private tests conducted throughout the city have shown elevated lead levels. These significant and repeated failures show that the "savings" achieved from disbanding the Department of Environment were not worth it, and that the department's leadership is needed now more than ever, both locally and regionally.

A newly constituted Department of Environment's key priorities will be to:

1. Protect residents from polluting businesses in part by ensuring transparency and notice regarding permitting processes
2. Engage regional partners on issues of common concern, particularly around the Great Lakes and rivers
3. Protect residents from latent harms arising from lead in water, brownfields and poor air quality

2. Becoming a local and regional leader on environmental issues

While the city works to re-establish the Department of Environment, it must simultaneously commit itself to being an active and engaged leader on local and regional environmental issues, such as protecting the Great Lakes and Chicago's rivers and addressing stormwater overflow and flooding. The city can do more regionally. For instance, the city can become an active participant in the Great Lakes and St. Lawrence Cities Initiative, which works to protect our Great Lakes and the St. Lawrence River. In addition, the city can work with local and state governments in the region and federal officials to prevent invasive species like Asian carp from reaching the Chicago River and Lake Michigan.

The city can also lead on stormwater and flooding issues that impact Chicago. The city has a combined sewer system that handles rainwater and sewage in the same pipe system.[7] The combined sewer system can be overwhelmed easily during even moderate rainfalls, resulting in the discharge of stormwater and sewage into the Chicago and Calumet Rivers and leading to standing water in our streets and neighborhoods.[8] The city can lead on this front by working transparently and collaboratively with the Metropolitan Water Reclamation District to end the use of combined sewers. The city can further lead in efforts to reduce stormwater by promoting and deploying green infrastructure like rain gardens, vegetated swales, green roofs and porous pavements, and by reducing the size of city-owned paved surfaces. There are many other areas affecting our environment where the city can and will lead, but these represent a good start.

3. Promote environmental justice through inclusive decision making

For far too long, minority and low-income communities have shouldered the bulk of hazardous industrial development. This has not only left those communities susceptible to health-affecting pollutants like manganese and other hazards such as increased industrial vehicle traffic, but has also led to lower property values and less opportunities for commercial and other attractive development.

A tension exists given that industrial development also plays an important role in creating jobs for communities that otherwise may lack opportunities. The city must develop an inclusive process that balances these interests, a process which ensures residents are informed of potential health impacts, have an opportunity to weigh in on future industrial development and are empowered to use city agencies to hold industrial actors accountable for pollution. The Department of Environment will lead on this front.

Prior to allowing development to proceed, Chicago must require industrial developments to complete an environmental justice analysis, as the U.S. EPA and Illinois EPA do. This analysis

would lay out the potential hazards of the proposed industrial activity, including the proposed activity's impact on overall pollution in the area, demographic information for the population that may be impacted by these hazards, and the steps required to minimize or mitigate these hazards. This should also include an analysis laying out the potential health impacts of a proposed development.[9] This information must be meaningfully communicated to residents and readily available, a step that has failed far too often, so residents understand and can respond to the proposed activity.[10] The city, through the Department of Environment, must also coordinate efforts with state and federal regulators to ensure that both industrial developments and regulators comply with all applicable notice provisions, rules and regulations before new industrial developments are approved. And when new industrial developments come online, the city must diligently monitor pollution levels and enforce all applicable city rules and regulations.

In addition to bringing communities into the process on the front end, Chicago must also create a process by which citizens who believe an industrial development is exceeding pollutant levels or engaging in unpermitted activity can call upon city agencies to investigate, evaluate, and hold industrial developments accountable. The burden of ensuring environmental health cannot fall solely or inequitably on residents.

4. Expand water testing in homes, schools and public facilities to ensure testing is truly representative

Chicago has abdicated its responsibility to guarantee residents have clean, safe water by failing to adequately test water quality after it leaves Chicago's Department of Water Management facilities. Chicago has failed to test residential water quality widely, choosing instead to rely largely on testing in the homes of current or former city employees. The city has hewed far too closely to the federally mandated minimum of 50 residential tests yearly, of which nearly half have been conducted in the homes of Department of Water Management and other city employees.[11] Not coincidentally, when Chicagoans had the opportunity to request their water be tested, nearly 70% of samples were found to have lead contamination, with three in every 10 homes tested showing lead levels above the maximum allowed in bottled water by the U.S. Food and Drug Administration.[12]

Chicago must expand its water testing, both in terms of total yearly tests and which homes are tested. Clean, safe water should be one of the highest priorities for the city, which means hovering at or near the federally mandated *minimum* number of tests is simply unacceptable. Additionally, Chicago should expand its testing to ensure areas which have not already been identified as high-risk, which are required to be tested by the U.S. EPA, are adequately tested so residents can be confident they have access to safe water.

Additionally, Chicago must continue and expand rigorous, regular testing at our most high risk locations, including schools, childcare centers, and parks. Proactive testing and mitigation in these areas can help ensure that Chicago's most vulnerable residents, children, can thrive without the serious and long term consequences of lead or other contamination in their drinking water. The hazards posed by lead and lead service lines, and options for replacing lead service lines, will be discussed in greater detail in my Public Health policy.

My administration will add lead pipe replacement to municipal construction projects and earmark federal-state loans from the Drinking Water State Revolving Loan Fund to replace lead service pipes. We must give homeowners a viable option to replace lead service lines and be transparent about it.

We will look to other cities that have conducted large scale lead replacement projects for funding ideas. These ideas include allowing utilities to use ratepayer money to cover the cost of replacing pipes on private property and providing financial incentives for qualifying homeowners to replace private lead water lines on their property through financial assistance, waiving or reducing applicable city fees and interest-free loans. Additionally, the city will provide access to free and low-cost filtration systems as a stop-gap for homes that need immediate relief from lead contamination, a step the Emanuel administration only abruptly decided to take in November 2018 after more than five years of denying the existence of the lead problem.

5. Implement and utilize information gathering processes for air and soil quality

As noted by the American Lung Association in its 2018 State of the Air report, in which Chicago received an “F” grade for air pollution, Chicago lacks sufficient data to evaluate short-term effects of pollution in the city.[13] This lack of data is even more troublesome given the high level of air pollution rates among similarly situated cities along the Great Lakes.[14] Without sufficient data, Chicago cannot truly evaluate the rates, effects, and possible solutions to air pollution and related ground pollution.

Chicago must create a comprehensive program for evaluating air and soil quality while making that data available to the public in a transparent and informative way. We must be able to assess the extent of Chicago’s air and soil pollution in order to begin the process of implementing meaningful mitigation strategies. The Department of Environment will be responsible for collecting and analyzing air quality data so the city can lead on addressing and improving Chicago’s air quality.

6. Create a brownfield initiative to identify, remediate and redevelop lands that are underutilized because of potential contamination

Chicago’s industrial past has left significant portions of the city with property that is underutilized because of the potential for residual soil pollution. These properties, known as brownfields, not only leave unattractive and undeveloped parcels in city neighborhoods, but also create areas that generate less in property taxes than they would if properly developed, which passes more tax burden onto Chicago residents.

Chicago must create a comprehensive plan for addressing brownfields. First, the city must identify potentially contaminated land. This includes parcels which have already been tested for contaminated soil, as well as parcels which have a high probability of contamination based on prior industrial use. This would also help identify properties which are currently developed or otherwise utilized, but potentially contaminated due to pollutant leaching or drift. Once identified, the city can classify these properties based on the level of potential hazards. Remediation of parcels depends both on the level of potential hazards and the envisioned future use. Parcels with low-level contamination may be remediated and suitable for residential or other high-usage development, while high-level contaminated parcels may be more suitable for intensive

remediation or other usage, such as solar fields.[15] By identifying and classifying brownfields the city can help lower the barriers to citizens and developers in returning these properties to productive use.

The city must also recognize that some highly contaminated brownfields are going to require long term remediation plans. By acquiring these parcels and engaging in long-term, low-cost remediation, such as phytoremediation which uses vegetation to efficiently capture contamination, the city can lay the groundwork for returning these most problematic parcels to productive use in the future.[16]

7. Reaffirm Chicago's commitment to reaching 100% renewable energy usage by 2025

Electricity production is responsible for over 28% of annual greenhouse gas emissions in the United States. Chicago must do its part in combating climate change by maximizing both energy efficiency and the use of renewable energy sources. Chicago has already made great strides to power the city's buildings with 100% renewable energy by 2025.[17] Chicago must continue on this path by aggressively utilizing solar and other renewable energy sources, installing energy efficient fixtures in public buildings, and utilizing the best emerging technologies when renovating or building new public facilities. When completed, Chicago will be the largest major city in America to use 100% renewable energy in its public buildings, which has the potential to bring new clean energy jobs to the city while signaling to the rest of the country that Chicago is committed to being a leader in confronting a warming climate.

But reaching 100% renewable energy in city buildings must be the first milestone, not the end goal. While the city continues toward meeting its goal to power city buildings with renewables by 2025, it must simultaneously commit to, and work toward, 100% renewable energy city-wide by 2035. Homeowners and businesses can begin this process by taking advantage of Property Assessed Clean Energy financing, and business can stimulate job creation through the Future Energy Jobs Act. And as Chicago transitions to 100% renewable energy, it must ensure that the communities that have been most affected by industrial pollution participate in the transition through job training and new job opportunities.

8. Improve Chicago's abysmal recycling rates by holding city waste contractors accountable

Chicago has long struggled to implement an effective recycling program, resulting in the lowest recycling rate among major metropolitan areas.[18] The city currently uses a mishmash system for recycling, where the Department of Streets and Sanitation splits recycling duties with two private contractors. Unfortunately, this has led to huge disparities in recycling rates across the city depending on which entity is responsible for recycling collection.

The argument for the semi-privatization of recycling collection is based partially on the ability to have multiple private companies compete against each other help identify the best processes to maximize the city's recycling rate. But, for such a system to work, the city must take a transparent, proactive approach to evaluating its contractors, monitoring contract compliance, auditing service providers, eliminating inherent conflicts of interest, and then reward those vendors who are succeeding. Without incentivizing recycling success among contractors,

Chicago's embarrassing low recycling rate will likely continue. Fortunately, the city will have an opportunity in 2019 to address these issues when the recycling contracts come up for renewal.

Chicago must also do more to educate and incentivize residents and businesses to recycle. For most people, their understanding of the city's recycling program is limited to the information contained on a sticker on the lid of their blue bin. The city should engage in both sustained and targeted educational efforts to help improve the city's recycling rate. Sustained efforts can include ward-by-ward education campaigns that explain how the program works and discuss the benefits of recycling in an effort to convert all households into recyclers. The city can also engage in targeted educational efforts by focusing on households whose recycling bins have been tagged on multiple occasions as contaminated.

The city must also do more to incentivize residents and business to recycle. It is both unfair and uneconomical to charge a flat-rate waste fee. Residents and businesses that are minimizing the amount of garbage they are creating should be rewarded, while those creating the most trash should pay their fair share. A system that more fairly spreads the cost of garbage collection based on the amount of garbage collected would incentivize recycling and potentially raise needed revenue for the city.[19]

9. Require Chicago's Building Code to be revisited every five years to ensure Chicago is utilizing the best available practices while not burdening development with obsolete requirements

Chicago's building code is one of the most effective ways to minimize energy waste and incentivize energy efficiency. Especially in a city like Chicago which has so much ongoing development, renovating and revitalization, it is essential that the building code mandates best practices while minimizing barriers to emerging or growing technologies such as residential solar energy installations.

In order to reach these goals, Chicago's building code cannot be static. Utilizing a standard similar to California, which revisits and revises its building code at regular intervals, would help ensure Chicago is at the forefront of building standards.

This type of process would not only help residents ensure they are maximizing their savings through the energy efficiency standards of new and renovated buildings, or addressing stormwater run-off issues through green infrastructure, but would also give developers and other stakeholders the opportunity to engage with the city to minimize barriers to new technologies and remove obsolete standards, with the potential to lessen development costs across the city while leading to a greener Chicago.

A final note: I hope that this initial plan to address improving Chicago's environment can be an important part of moving our city in the right direction. I also hope it can spark an ongoing conversation about improving our environment and creating a more sustainable Chicago. Please send your thoughts and ideas to info@lightfootforchicago.com and we will build on this plan together.

[1] Judith Nemes, Chicago shutting Environment Department, adding eco-friendly measures to new budget (October 13, 2011) available at: https://www.chicagobusiness.com/article/20111013/NEWS02/111019914/chicago-shutting-environment-department-adding-eco-friendly-measures-to-new-budget.

[2] The tale of Lincoln Park's 'misunderstood' scrap yard (September 20, 2018) available at: https://www.chicagotribune.com/news/opinion/editorials/ct-edit-scrap-yard-polluter-hopkins-20180920-story.html.

[3] *Id.*

[4] Alex Ruppenthal, 'We Don't Want Your Trash': Residents Protest General Iron's Move to Southeast Side (July 30, 2018) available at: https://news.wttw.com/2018/07/30/we-don-t-want-your-trash-residents-protest-general-iron-s-move-southeast-side.

[5] Tony Briscoe, Worried about fumes, McKinley Park residents say officials failed to notify them about asphalt plant being built nearby (June 29, 2018) available at: https://www.chicagotribune.com/news/local/breaking/ct-met-mckinley-park-asphalt-plant-20180530-story.html.

[6] *Id.*

[7] https://www.chicagoriver.org/issues/policy/stormwater-and-sewer-overflows

[8] *Id.*

[9] http://www.who.int/heli/impacts/hiabrief/en/

[10] Tony Briscoe, Illinois EPA is supposed to inform poor, minority communities about polluters, but many have been left in the dark (November 18, 2018) available at: https://www.chicagotribune.com/news/ct-met-illinois-environmental-justice-pollution-20181024-story.html.

[11] Jessica Glenza, Chicago used water department employees' homes to test for lead (February 19, 2016) available at: https://www.theguardian.com/us-news/2016/feb/19/chicago-water-department-testing-lead-flint-michigan.

[12] John Byrne and Michael Hawthorne, Despite tests showing lead contamination, Chicago continued installing water meters in homes (November 5, 2018) available at: http://www.governing.com/topics/transportation-infrastructure/tns-chicago-water-lead-tests-meters-homes.html.

[13] com/2018/04/20/chicago-gets-f-grade-2018-air-pollution-report.

[14] http://www.lung.org/assets/documents/healthy-air/state-of-the-air/sota-2018-full.pdf.

[15] http://elpc.org/b2b/.

[16] http://www.unep.or.jp/ietc/publications/freshwater/fms2/1.asp.

[17] Courtney Rios, How renewable energy will power Chicago by the year 2025 (April 10, 2017) available at: https://urbanmatter.com/chicago/chicago-renewable-energy/.

[18] Davide Greising, Is Waste Management abusing Chicago's recycling program? (October 12, 2018) available at: https://www.bettergov.org/news/greising-is-waste-management-abusing-chicagos-recycling-program.

[19] John Byrne, Alderman suggests pay-as-you-throw to cover tax rebates (March 8, 2016) available at: https://www.chicagotribune.com/news/local/politics/ct-chicago-aldermen-rahm-emanuel-garbage-fee-met-0309-20160308-story.html.