

Minutes
Environmental Advisory Board
18 September 2019
Ogden Dunes Town Hall

The Environmental Board met on 18 September 2019 at 5:30 pm at the Ogden Dunes Town Hall. Attendees were, Susan MiHalo, Sue Adams, Jim Biancotti, Vicky Albritton, and John Morris. Anne Muntean was present.

Susan read some changes to the minutes for the last meeting of the Environmental Board, 21 August 2019. Sue moved to accept these minutes after revision. Jim seconded. The motion carried.

Concerning the recent exceedances at the nearby mills, the first business was notifications. The person to be notified right now is Eric Kurtz, the fire chief. Jim suggested a backup, possibly the town marshall. As Jim Reeder is injured, an alternative would be Mike Teeling, as he works at the water company. By consensus, it was decided to ask that both be notified. Scott Lehmann consented to apply for the National Response Center to receive spill notifications for Lake and Porter Counties. Five can be placed on a contact list, which could include Scott, Eric, Doug Cannon, Mike Teeling, and Jim Reeder. Susan said that Natalie Johnson said that there is nothing new on the response until the IDEM report comes out in 30 days. We were unsure when the 30 days started. Natalie also mentioned that some group may start legal action.

There are new exceedances, including one just yesterday, of an oil sheen from US Steel Midwest. While contained with a boom, what was originally reported to be hydraulic fluid turned out to be pickle liquor mixed with sulfuric acid. These are violations of the narrative water quality standards in the permit. The narrative water quality standard stated that anything that fouls the water, even if from a substance not explicitly listed in the permit, not be permitted in a public waterway.

The *Northwest Indiana Times* article from 15 September 2019 was discussed. I started with stating that US Steel Midwest violated those narrative standards with oily sheens four times this year. The company has defied IDEM regarding notification of downstream users, as they feel the boom in place to contain the sheen is sufficient, and no health hazard is present. Bruno Pigott of IDEM says they have to notify. As the part about the consent decree not being finalized was read, Jim noted that he heard that there were 2000 comments on the consent decree, and that it cannot be finalized until all comments are answered.

A concern was the infrequent sampling required in the permits for USS and Arcelor Mittal. Apparently, a permit modification has been approved by IDEM allowing for reduced monitoring. We need to check the Virtual File Cabinet to find this permit modification. Rob Weinstock of the University of Chicago Law

School finds a pattern developing. When a violation occurs, accelerated sampling should be performed to verify extent of the exceedance. This has mostly not been happening at either facility, or if it has, not initiated soon enough to capture the true extent of the event.

There is an issue with USS not reporting until it knows the full story, saying they don't want to have to amend a report. This creates a lag time in the notice of such an event. Notice should be given as soon as possible.

If these issues create a need to amend the consent decree, there was concern whether we would see any amendments. Such amendments could not be up for comment.

Calls or letters could be made to IDEM to modify the permits to require more frequent monitoring. Hala Kuss of the Northwest Indiana office of IDEM is a possible recipient of such contacts. Susan will draft a letter for the Town Council, which Sue will review. Jim will review the operation and maintenance plan for US Steel Midwest to see if it addresses the issues.

There was concern expressed about the lack of Town Council member participation in our meetings. We need better contact.

There has been a request for an interview about the situation from an NPR station. Scott has consented to do this.

The beach cleanup this Saturday, 21 September, will proceed, even though there is little beach. If there is not enough for volunteers, they can clean West Beach. John reported cinder blocks and plastic fencing he found this past week. Susan said the fencing is a failed attempt to stabilize the bluffs and cleaners can dig and search for the pins to mount the fencing. All should be removed.

The workshop for 29 September will be cancelled. There is too much else.

Regarding the Septic Workgroup, Ann can attend so Jim does not need to. She has lawn signs for septic awareness week if anyone is interested.

The beach monitoring is all wrapped up for the year.

There is nothing to report on lighting or MS4 exemption.

We may not need a meeting next month unless there is more on these spills.

Sue moved to adjourn and Jim seconded. The motion carried. The meeting adjourned at 7:00 pm.

Submitted by John Morris.