

Northwest Indiana residents, upset over refinery pollution, take complaints to public meeting

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Credit: Kevin B from Pexels

Bearing signs with slogans like "East Chicago demands clear air" and "IDEM, let us breathe," nearly 100 Northwest Indiana residents and environmental advocates gathered to voice anger and frustration at BP Whiting refinery at a public meeting held by the Indiana Department of Environmental Management.

Held on the campus of Calumet College of St. Joseph in Whiting, Indiana, the event was an opportunity for members of the public to weigh in on a pending air permit renewal application submitted by BP for its [refinery](#). Though the meeting was part of the routine re-permitting process that IDEM undertakes every five years, interest in the event was high due to a series of publicized environmental incidents.

In January, equipment failures at the refinery caused two separate tank leaks that resulted in a release of benzene and [hydrogen sulfide](#) into the atmosphere and spread a strong chemical odor across Northwest Indiana and into the South suburbs of Illinois. On Feb. 2, the facility was evacuated and temporarily shut down following a [power failure](#) that led to unplanned gas flaring and the precautionary closure of nearby roads by local law enforcement.

In the wake of the incidents, region residents have taken to social media in droves to complain of headaches, nausea and other negative symptoms that they have attributed to airborne pollutants from the refinery.

"Maybe if you had to wake up each day with your with a [sore throat](#) or a headache, you'd understand the deep sadness we have," East Chicago resident Elizabeth Palacio told representatives of IDEM's Office of Air Quality. "That we see completely that you ignore us in the region."

During more than two and a half hours of testimony, [community members](#) urged IDEM to use the permitting process to impose more stringent safety and emissions requirements on BP.

Carolyn Marsh, a Whiting resident and longtime environmental advocate, asked that BP's permit be amended to include a requirement that the company give public notice of future emergencies and emissions incidents.

"What we need is a community benefits agreement. In that agreement, we have to have a warning system," Marsh said. "We need to know immediately when that plant is in trouble ... to be ready and prepared to stay indoors or to be prepared to leave your house."

Throughout the meeting, IDEM staff repeatedly stressed the limited scope of its permitting process, which curbs the power of the agency to set rules for polluters.

BP is legally required to report any excess emissions or irregular operations at the refinery to IDEM, which is responsible for investigating incidents and taking appropriate enforcement actions. Permitting, however, is largely separate from the agency's enforcement role, and past permit violations are typically not taken into account during the re-permitting process.

IDEM's obligation under state and federal law is to issue a permit that, if followed, will ensure that a business is in compliance with environmental regulations, explained Matt Stuckey, assistant commissioner of IDEM's Office of Air Quality.

"There seems to be the sense that IDEM, the state of Indiana has this unlimited amount of authority and power to do more than what we're allowed to do under our federal and state laws," he told the crowd.

Not all of the meeting's participants came to criticize IDEM or BP. Paul Myers, a lifelong resident of East Chicago's Marktown Historic District, told the crowd that though he grew up around industrial sites and their

pollution, he sees no cause to complain.

"I have no problems with it," Myers said. "None whatsoever."

In a statement, a BP spokesperson wrote that the company "is committed to safe and compliant operations at the Whiting Refinery."

"We recognize that the IDEM hearing is not a venue for broader concerns related to recent operational incidents at the refinery," the spokesperson wrote, "but we are committed to hearing from the community, sincerely listening and working closely with IDEM and the community to address questions."

In a 2023 settlement with the U.S. Department of Justice and Environmental Protection Agency, stemming from alleged violations of the Clean Air Act, the company agreed to pay \$40 million in fines and to install \$197 million in pollution-prevention measures at the refinery. BP also agreed to install a total of 14 new air quality monitors at and near the refinery site and plans to develop a publicly available website that will display data from the monitors.

Thursday's meeting was originally slated to be held on Feb. 8 at East Chicago Central High School, but it had to be rescheduled at the last minute when a dispute arose between IDEM and East Chicago school officials. IDEM attributed the cancellation to East Chicago interim school superintendent Marlon Mitchell's unwillingness to allow news media into the school, while the School City of East Chicago blamed IDEM for failing to provide adequate security for the event.

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