

US Steel and Indiana authorities covered up chemical dumping near Lake Michigan

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US Steel is being sued by the University of Chicago Abrams Environmental Law Clinic for dumping 56.7 pounds of chromium into a waterway that led directly into Lake Michigan. The discharge occurred after a wastewater treatment facility malfunctioned at the steelmaker's Midwest Plant in Portage, Indiana on October 25.

The lawsuit is being filed on behalf of the Chicago chapter of the Surfrider Foundation, a US non-profit organization that works for the preservation of beaches and oceans around the world for recreational use. As part of research into environmental violations by factories near the southwest shore of Lake Michigan, the Law Clinic discovered a letter written by US Steel's environmental control director, Joseph Hanning, to the Indiana Department of Environmental Management on October 31 referring to the spill. Hanning stated in the letter that "U.S. Steel requests that this submittal be afforded confidential treatment under all applicable statutes[.]"

Although the letter stated that the company reported the incident to the IDEM on October 27—two days after it occurred—information about the spill was hidden from the public until November 13, when news of the lawsuit was announced to the press by the Law Clinic. Neither the company nor the state of Indiana issued a warning to the public.

The lawsuit asserts US Steel is in violation of the Clean Water Act and dumping permits issued by the National Pollutant Discharge Elimination System (NPDES) in 2011 and 2016. The permits both allow for a maximum 30 pounds per day and an average of 10 pounds per month of the chemical to be dumped into waterways.

The suit cited a total of 32 violations of Quantitative Limits of pollution imposed by the NPDES from

2012-2017, and 22 violations of Reporting and Monitoring over the same period.

In an evident attempt at damage control, Chicago Mayor Rahm Emanuel now says he plans to sue US Steel over the October 25 chemical spill. In his remarks he made reference to the Trump administration's rollback of EPA rules, saying, "To the EPA under Donald Trump, this is a wake-up call: Don't be sending your flimflam stuff and a slap on the wrist to them back here, it's unacceptable, everyone will be watching you."

This is merely political posturing aimed at making a show of "putting pressure" on the Trump administration while covering up the role of the Democratic Party, at the state and local level, and the trade unions in abetting the flaunting of environmental and health protections.

The recent spill came just six months after an incident in April, when the company dumped 350 pounds of chromium into the waterway, which contained over 300 pounds of the toxic compound hexavalent chromium—hundreds of times above the permitted limit for the compound, which is 0.51 pounds per day, and a monthly average of 0.17 pounds per day.

It is unknown at this time approximately how much of the compound was present in the October 25 spill. Hexavalent chromium is used in the steelmaking process to provide a protective coating to the finished product.

In contrast to the way that the October incident was handled, US Steel reported the April spill to the National Response Center, an agency operated by the US Coast Guard to alert local authorities of oil and chemical spills, but only after fishermen reportedly called local television stations after seeing a large spill in the waterway. In the aftermath of the spill, the EPA

set requirements for the company to take part in long-term water monitoring, but did not punish the company, despite multiple previous violations.

US Steel gave the initial excuse of not reporting the April spill because it “did not pose any danger to water supply or human health.”

In fact, hexavalent chromium causes a multitude of serious health effects. When it comes in contact with human skin, it can cause skin ulcers, and when ingested it can cause ulcers in the stomach and intestines, as well as tumors in the stomach that can lead to cancer. Workers in steel mills who breathe in hexavalent chromium are at an increased risk for lung cancer.

It should be clear that the state and local environmental authorities and the company are not seriously interested in stopping the environmental violations that pose a serious risk to the ecosystem and human health. After multiple violations of EPA limits, US Steel continues to violate the limits without any serious attempt at enforcement.

The lawsuit aims to “[secure] long-term compliance with applicable law”, but does not suggest any dollar amount for damages inflicted, or examine the causes of the repeated violations. Nor does the lawsuit indict the IDEM and state department of Indiana for hiding news of the spill from the public.

In 2015, US Steel laid off over 6,000 workers nationwide, including several hundred in the Northwest Indiana region alone, where the recent spill occurred. Since 1970, the company and the United Steelworkers union have worked hand in hand to carry out devastating attacks against the workers. US Steel cut its workforce from 30,000 during the 1970s to just 5,000 in 2015, in an effort to continue churning out profits in the face of growing competition from both overseas and domestic producers, such as ArcelorMittal that has a major presence in the same region.

In recent years, maintenance workers have been hard hit by job cuts. The company laid off 323 workers at the Gary Works alone in 2015 in an effort to cut back on maintenance and operations costs. In 2016, 38 maintenance staff were laid off at the same facility, a factor in the death of an electrician in late September of that year, Jon Arizzola, who complained of severe overwork.

Significantly, United Steelworkers Local 6103, the union at the Portage plant, makes no mention of the

recent spill anywhere on its home page, although it is directly related to the layoff of union members and poses a health risk to workers and their families.

State and local authorities cannot be relied upon to stop the poisoning of the waterways by US Steel. The \$5.9 billion Pittsburgh-based company is a main supplier of revenue in the Northwest Indiana region, and a generous source of campaign donations and funding to Democratic and Republican politicians, who will do its bidding in working to cover up and reduce penalties against the company when it is found in violation of its permits and the law.

It is important to note that the two recent spills have occurred against the backdrop of the Trump administration’s threats to curtail even further the inadequate rules on water pollution, threats which have faced no real opposition on the part of the Democratic Party.

The lawsuit will likely have little impact on US Steel or lead to the curtailment of its use of toxic compounds such as hexavalent chromium. To seriously address the environmental threat requires the re-hiring of thousands of workers who have been laid off from the facilities in the area over the years, and investment in research aimed at producing steel without the use of toxic carcinogens. These basic and necessary measures are incompatible with the profit drive of the steel bosses and point to the need for the reorganization of the industry as a public utility on the basis of production for human need, not private profit.



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