

**Congress of the United States**  
**Washington, DC 20510**

February 22, 2019

The Honorable Cathy Stepp  
Region 5 Administrator  
U.S. Environmental Protection Agency  
77 West Jackson Boulevard  
Chicago, IL 60604-3590

Dear Administrator Stepp,

We are concerned that a company located on the Southeast Side of Chicago, Watco Transloading LLC (Watco), has a chronic manganese pollution problem and request that your team immediately act to protect the health of the surrounding community. Specifically, we request that you enforce the Clean Air Act (CAA) as it relates to this facility to the fullest extent of the law. In early December 2018, your agency issued a Notice of Violation against Watco concerning harmful levels of manganese dust. As part of your enforcement effort, we also request that the U.S. Environmental Protection Agency (EPA) work with an unbiased third-party engineering firm to conduct an emission audit to determine all the sources of Watco's fugitive manganese emissions and what controls are needed to prevent these emissions.

We appreciate that Region 5 required Watco to install monitors to measure the presence of heavy metals in the air surrounding the facility, and the data from these monitors indicates that further action is immediately necessary. It is critical that you direct Region 5 to determine the sources of these emissions and whether Watco can eliminate these manganese dust emissions. As you know, the latest publicly available information indicates that the average manganese level at the monitor between September and December 2018 was  $0.43 \mu\text{g}/\text{m}^3$ , a figure well above the federal health screening threshold of  $0.30 \mu\text{g}/\text{m}^3$  used by EPA as a basis for legal action. The monthly average in November even reached twice the federal health screening threshold.

These disturbing numbers are occurring despite the company's claims that it is controlling its dust.

According to EPA, air-borne manganese can lead to permanent neurological disorders. The risk is even greater for children, unborn babies and nursing infants—thousands of whom call the Southeast Side home. Exposure to high concentrations of manganese can affect brain development, including leading to changes in behavior and decreases in learning and memory capacities. There is reason to be concerned that Chicago has a manganese exposure problem, in addition to the high levels in the air. Researchers at the University of Illinois-Chicago School of Public Health even have preliminary data showing relatively high levels of manganese in the toenails of children living on the Southeast Side.

Furthermore, we are concerned that this Administration is not prioritizing enforcement and is working to make future enforcement by future Administrations more challenging. In addition to EPA being severely understaffed and underfunded, enforcement actions under the CAA declined by 40% from fiscal year 2017 to 2018. Moreover, in 2018, major enforcement actions dropped to their lowest levels in more than 10 years, while 80 criminal investigators have left EPA since January 2017.

We urge you to move forward with enforcement and work with a third-party engineering firm that can be trusted. Doing so will ensure that, despite this Administration's record on enforcement, our constituents can rest assured that a broader agenda is not impacting and influencing their health or action at this facility.

Thank you for considering these requests. We look forward to working with you to protect the health of our community from brain-damaging emissions at this facility.

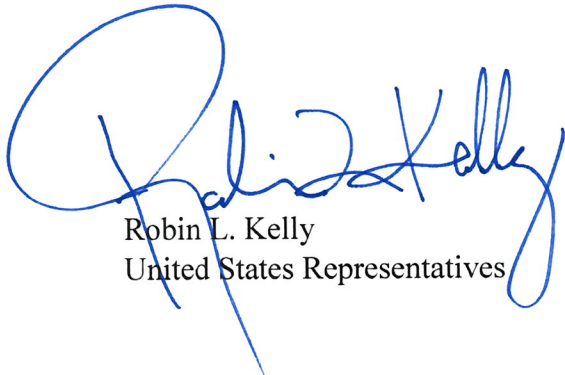
Sincerely,



Tammy Duckworth  
United States Senator



Richard J. Durbin  
United States Senator



Robin L. Kelly  
United States Representatives