

# Closing the Cloud Factories

Lessons from the fight to shut down Chicago's coal plants

By Kari Lydersen

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- Kari Lydersen, Chicago, June 2014

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## Introduction: 'Suddenly it all made sense'



**As a teenager,** Kim Wasserman and her friends would hang out on a vacant swath of land the kids dubbed Hobo Hill in Little Village, a working class immigrant neighborhood on Chicago's southwest side. It was weedy and trash-strewn, out of sight of parents and police officers.

“There were burned out cars and wild animals, you could take your bike back there, make out with your boyfriend,” remembers Wasserman, who two decades later—a nationally-known environmental leader and mother of three—still retains the air of a mischievous teen.

The backdrop to this urban hideaway included the twin smokestacks of the Crawford coal-fired power plant. But as Wasserman and other youth whiled away idle hours at Hobo Hill and other local haunts, they never gave a second thought to the smokestacks looming above them. They could see the towering piles of jet-black coal beside the red brick structure, on a sprawling lot where bright yellow late summer sunflowers grew defiantly among the windblown garbage and twisted industrial debris. They noticed the barges lugging coal along the Sanitary & Ship Canal, the wide, slow-moving and foul-smelling waterway slicing through Little Village. But most didn't know that the plant burned coal to produce electricity, that it had been doing so since before the Great Depression, and that the billowing plumes coming out of the stacks were causing asthma attacks and contributing to heart disease and premature death among the close-knit Mexican families who lived in cozy bungalows and weather-worn clapboard houses on the tree-lined streets.

Little Village was and still is a hard-scrabble neighborhood, where parents often work two jobs, siblings take care of each other and extended families cram into homes together to make ends meet. Where people grow beautiful flowers and vegetables in their small front yards and sweep their sidewalks immaculate every morning, though grit and grime permeates the atmosphere from freight trains, sooty semi-trucks and nearby factories. Where elderly grandparents in cowboy hats and shawls and tiny children in diapers all congregate on sidewalks late into hot summer nights, even as gang members traverse the streets calling out threats and firing gunshots.

Since as long as anyone can remember, daily life has posed challenges in Little Village: making a living without legal documents, a fear of deportation always in the back of your mind. Pulling together enough money to send back to family in Mexico, while the cost of living in Chicago rises. Digging cars out of deep snow in the frigid pre-dawn darkness to drive to low-wage jobs that leave hands raw and backs aching. Holding your nose against the stench of rotting garbage from the alleys and sewage from the canal on stifling summer days, windows open because there is no air

conditioning. Waiting for hours at the county hospital that takes patients without insurance. And rushing home nervously from the bus stop at night, afraid of who might lurk in the darkness of broken streetlights.

With so many ever-pressing economic and social difficulties, during Wasserman's childhood most residents did not have time or energy to worry about the impacts of invisible toxins in the air and soil or the black dust on their windowsills. They called the coal plant "the cloud factory" and viewed it as a whimsical and even comfortingly familiar presence, no more threatening than the countless other factories and industrial structures throughout the neighborhood.

But one day that all began to change.

It started with a renovation of the roof at the local elementary school. It was being re-tarred, and the strong fumes were making kids feel nauseous. Windows surrounded by material that likely contained asbestos were also being removed, with few safety precautions.

**Wasserman's parents** were rabble-rousers. Dr. Howard Ehrman, a family practitioner, and Lidia Nieto de Ehrman, who worked for a refugee services alliance, had rallied against U.S. intervention in Central America and worked to elect Harold Washington, the first black mayor of Chicago, fighting the city's notorious Democratic Machine.

Wasserman's parents and a few others got together to demand that the school clean up their rehabbing operation, and they were happy with the changes made. But they didn't stop there. Building on the effort, in 1994 they founded the Little Village Environmental Justice Organization (LVEJO) with the goal of empowering community members to take action on the environmental threats compromising their health and quality of life. They defined "environment" broadly—encompassing issues of pollution and contamination but also a lack of parks, after-school opportunities, and safe streets.

Even as her parents researched environmental issues in the neighborhood, including the Crawford coal plant, Wasserman—then in her late teens—and her friends remained fairly oblivious. Later she was working as a computer teacher at a Boys and Girls Club that was slated to close, and LVEJO jumped in the fight to keep it open. Through that tussle Wasserman got to know the LVEJO members, and she liked what she saw. "That's when I realized, 'Oh this is what my parents are doing!'" she said.

In 1998 Wasserman got a job as a community organizer at LVEJO, shortly after the group was officially incorporated. Her first two years were spent going door-to-door talking to her neighbors about their community—what they liked, what they didn't like, what they hoped for and what they feared. Health problems were a recurring theme, and one of the most common complaints was "breathing problems."

Every other house seemed to have kids and grandparents and even working-age adults seized with coughing fits or struggling to get a full breath of air. Those who had sought medical care had inhalers they carried to school and work, others suffered in silence. The word “asthma” was rarely mentioned, but it was clearly a scourge in the community. Wasserman had her own terrifying experience around this time: her two-month-old son Anthony suffered a severe asthma attack, his ribs protruding as he desperately tried to suck in air. They ended up at the hospital for 12 hours, a nebulizer pressed to his face. “It was the scariest thing ever, I had no idea what it was,” she said.

**Then environmental scientists** at the Harvard School of Public Health released a study extrapolating the health impacts of emissions from the Crawford coal-fired plant and the Fisk plant, its even older sibling about five miles away in Pilsen, another working class immigrant neighborhood along the canal. The study said that the coal plants could be considered responsible for 2,800 asthma attacks, 550 emergency room visits and 41 premature deaths among Chicagoans each year, with the impacts heavily concentrated among the surrounding neighborhoods.<sup>1</sup>

“Suddenly it all made sense,” Wasserman remembered.

More than a decade later, in November 2012, Wasserman was about to start a staff meeting in LVEJO’s colorful basement-level office when a phone call came in. The caller said it was important.

Crawford and Fisk had closed two months earlier, prompting celebrations throughout the city and on the streets of Little Village, where, thanks in part to Wasserman’s work, residents had indeed come to understand the impact of the coal plants on their lives.

The caller that morning told Wasserman she had been chosen as North America’s recipient of the global Goldman Environmental Prize, and then waited for Wasserman to react in shock and joy. Wasserman, however, had never heard of the prestigious award and saw the call as an inconvenience as she tried to get the meeting underway.

“I’m like, ‘Can you send the certificate in the mail,’ I was just trying to get off the phone,” she remembered. “She was like, ‘I don’t think you understand—Google us.’ So one of our young people did it and started nudging me, ‘This is huge!’”

Wasserman may not have seen what happened in those years as an especially big deal. For her, it was all in a day’s work, though LVEJO members’ campaign had taken them across the U.S. and even to Bolivia.

## Chapter 1: A city built on coal

**There was** an 11-ton block of cheese and a 1,500-pound chocolate Venus de Milo. There were citizens of exotic tropical countries put on display like zoo animals, replicas of a Cairo street and a Turkish village, the world's first Ferris Wheel and a 70-foot-high tower of electric lights—all among the curiosities and marvels on display in a sparkling new city that arose along the lake on the South Side of Chicago.<sup>1</sup>

The year was 1893 and this was the Chicago World's Fair, also known as the Columbian World Exposition, the extravaganza celebrating (one year late) the 400<sup>th</sup> anniversary of Christopher Columbus's landing in the New World. The majestic new limestone buildings decorating Chicago's south lakeshore and the promenade that would later become the Midway Plaisance on the University of Chicago's campus were dubbed the White City and the City of Lights.

Along with being an homage to the world's cultures and Chicago's prominence on the world stage, the exposition was also a celebration of the Industrial Revolution.

Chicago was then known as “hog butcher to the world,” and the reeking, bloody stockyards were just a few miles from the exposition. The area was also a crucible of the nation's steel production, with mills rising just to the south of the exposition that would produce steel for skyscrapers, military equipment and automobiles. And Chicago of course was a hub of transportation, where railroad lines from all directions intersected and steamships plied the waterways. An elevated train and scores of cable cars moved people through the bustling metropolis.

All of this took a lot of energy, and the World's Fair was a stage for the innovations in energy generation and distribution that made it all possible. Electricity was not just a means to drive the marvels of the exposition, but the exposition was also meant specifically to showcase the technology, including not only scores of electric lights but also an electric train carrying people around the fair, a moving sidewalk, electrified buoys and fountains and other novelties.<sup>2</sup>

Since its founding six decades earlier, Chicago, like other major cities, had been powered largely by coal—from heating and cooking to transportation to the sallow yellow glow of lamps fueled by “manufactured gas” derived from coal.

And from the earliest days of the electrical grid, coal was king.

**On September 4, 1882,** Thomas Alva Edison activated what is often described as the first central power plant, providing electricity to a square-mile area of New York City including the stock exchange, major newspapers and the offices of financier J.P. Morgan, a major funder of

Edison's work. It was just two years earlier that Edison had captivated the public by bathing Menlo Park, New Jersey in electric lights, replacing gas lamps for the first time.<sup>3</sup>

The plant, located in lower Manhattan and known as the "Pearl Street dynamo," burned coal to produce steam that would turn turbines to generate electricity—the same basic idea that would be employed by coal plants for many decades to come.<sup>4</sup>

The critical developments that would make electricity truly available to the broader public, however, took place in Chicago.

The World's Fair saw a decisive battle in the "Current Wars" between Edison's low-voltage direct current (DC) power and the high-voltage alternating current (AC) system championed by George Westinghouse.

The Eastern European electrical engineer Nikola Tesla developed the technology that made AC electricity distribution possible. Driven by a long-time dream of harnessing the power of Niagara Falls, Tesla left Europe for the U.S. in 1884 to work with Edison. Tesla worked in Edison's lab in New Jersey, but became highly critical of Edison's reliance on direct current at voltage levels with which electricity could not travel more than a few miles between electric stations.

Tesla invented an induction motor and related technologies that would run on alternating current, harnessing what he saw as the inherent cyclical nature of energy.<sup>5</sup>

Edison resisted the technology. But Westinghouse, a Pittsburgh industrialist known for inventing railroad brakes, bought Tesla's patents for \$60,000—\$5,000 in cash and stock in Westinghouse's company.<sup>6</sup>

The Westinghouse Corporation beat out Edison's General Electric to win the contract for illuminating the Chicago World's Fair, as Westinghouse's proposed AC system was significantly cheaper and more efficient than the copper wire-heavy DC setup proposed by General Electric.<sup>7</sup>

On May 1, 1893 President Grover Cleveland flipped the switch to bathe the Fair's "white city" in electric light, and the Great Hall of Electricity put the AC system and all it promised on display for the fair's 27 million visitors.<sup>8</sup>

## Chapter 2: Samuel Insull comes to town

**While Edison's inventions** were central to the spread of electric illumination and power in Chicago, his pale, thin, diminutive one-time personal secretary Samuel Insull was the one who essentially delivered electricity for the masses to Chicago and by extension to the country.<sup>1</sup>

Biographer John Wasik called Insull “the Bill Gates, Warren Buffett and P.T. Barnum of his time—who brought electricity into nearly every home, office, commercial building and factory.”<sup>2</sup>

Insull got a job with one of Edison’s agents in his native London at age 20, immediately impressing people with his intellect and drive, and in 1881 at age 22 he went to New York to work for Edison. By 1889 he was vice president of Edison General Electric Company.

In 1892, financier JP Morgan bought out General Electric. Soon afterwards, Insull moved to Chicago to take over Edison’s venture there called Chicago Edison, one of as many as 45 electric companies serving the quickly growing, famously corrupt city.<sup>3</sup> According to Wasik, Insull chose to move to Chicago partly at the urging of his mother, who closely followed his career and saw it as his chance to advance outside the shadow of New York power brokers and General Electric colleagues.

Chicago Edison at the time was a small outfit—“an office building, a power plant and a coal bin” all in one spot and a “puny also-ran in a competitive market” as Wasik put it—serving just the downtown area. But Insull would change that. He accepted a salary of \$12,000 a year, just half what he had been making at General Electric, and set out to transform Chicago Edison and the city as a whole.<sup>4</sup> Soon Insull had bought up nearly all the competing power companies and constructed a central power plant along the Chicago River at Harrison Street downtown.<sup>5</sup>

Insull arrived in Chicago as the World’s Fair preparations were well underway, and observing the spectacle—powered by alternating current—reportedly inspired and informed his future endeavors.<sup>6</sup>

From early on Insull took a keen interest in the messy and highly politicized system of private street railways and elevated trains that served Chicago. He convinced these operators that it made more sense to buy power from his centralized stations rather than generate it themselves on-site.

With financing secured largely through the contracts with electric streetcar and passenger rail companies, Insull built the Fisk electric generating station, which went online on October 2, 1903. The stolid brick structure with a stack reaching skyward was built at the confluence of the Chicago River’s south branch and the I&M canal. It was on the same grounds as a manufactured gas plant owned by the People’s Gas Light and Coke Company, which would become People’s Gas, the utility still delivering natural gas to Chicagoans more than a century later.

The Fisk plant was a big gamble and ultimately a groundbreaking development.

It employed four 5-megawatt (MW) “Curtis turbogenerator” steam turbines and was laid out in a model inspired by British factories—novel for the U.S. and for power plants. A 1910 technical book noted that Fisk was

lauded as the first of its kind and had become “frequently copied in recent practice.”<sup>7</sup> The treatise described the concessions made for the comfort and well-being of employees, including on-site bedrooms for those with special duties and a restaurant where “substantial meals may be had at small cost” and of course “all cooking, etc. is done with electricity.”<sup>8</sup>

The turbogenerators that Insull convinced General Electric to build for the Fisk station were uncharted territory.<sup>9</sup> He and his colleagues feared the station might explode when it was turned on. “If it blows up, I will blow up with it,” Insull reportedly said.<sup>10</sup>

But it worked.

The Fisk station was in a heavily industrial, bustling part of the city. It was located in Pilsen, a port-of-entry neighborhood a few miles southwest of downtown and a few miles north of the stockyards, a place where new immigrants from Eastern Europe and specifically Bohemia settled upon arriving. While the plant itself was some blocks removed from residential and commercial strips, it was not far from some of the city’s most significant social landmarks.

The famous Maxwell Street market was just to the north—a chaotic, colorful free-wheeling street market where recent immigrants would make their first dollars in the new city, selling all manner of goods including stolen and illicit offerings. Meanwhile in the residential streets closest to the plant the Bohemian settlers of Pilsen industriously set out to replicate pieces of their homeland. They built intricately designed social and sporting clubs and meeting houses. In 1892 they constructed Thalia Hall, an ambitious replica of the Prague Opera House.<sup>11</sup> Then there were the boarding houses, more modest affairs where single working men lived in cramped rooms off slanting hallways.

More than a century later the Fisk plant still stood, and so did many of these other structures.

**The streetcars** and elevated trains powered by the Fisk plant and Insull’s other generators needed copious amounts of electricity at rush hour, but much less at other times of day and very little at night. So Insull created a new rate-payment system wherein customers would pay more for electricity during peak times and much less during low-demand periods. He aggressively marketed electricity as a commodity, offering deals based on this rate structure. He convinced ice makers to make their ice at night with cut-rate electricity prices. He hawked irons and other appliances to housewives. Most people saw their electricity bills decrease, convincing them to use more and more power.<sup>12</sup>

As Insull’s customer base mushroomed, he also expanded his business empire by selling hundreds of thousands of shares of his operations to regular people. He created a maze of highly leveraged holding companies—

a pyramid structure representing dollar amounts much higher than the equity he actually had on hand.

In a common practice at the time, a group of Chicago politicians formed a competing electric company called Commonwealth Electric Company and tried to get Insull to pay them off handsomely to remove the competition. But Insull proved too savvy for such maneuvers: he had made sure no one could buy equipment for power generation in Chicago without going through him, so the political operatives behind Commonwealth ultimately sold the company to Insull for \$50,000. Thus was born Commonwealth Edison, the utility that still provides electricity to much of Chicago today.<sup>13</sup>

As the Chicago area continued to quickly grow, Insull oversaw the building of two more major coal-fired plants: in 1924, the Crawford station southwest of Fisk in Little Village, and in 1929 the State Line generating station just across the Indiana border, about 12 miles southeast of Fisk.

By this time the Chicago Sanitary & Ship Canal had been built as a central component of the reversal of the Chicago River, connecting it to the Mississippi River system so that the growing city's sewage and waste could be sent down-river rather than polluting Lake Michigan and the drinking water drawn from it. Barges carried coal up the canal to both the Crawford and Fisk plants.

State Line, meanwhile, was built right on the shore of Lake Michigan. It was Renaissance revival style, with intricate tile-work decorating its brick façade and two smokestacks towering 250 feet over the lakefront. State Line's Unit 1 was comprised of three steam turbines like Fisk's, built by General Electric in Schenectady, New York. At more than 200 MW, it was the largest single generation unit in existence at the time. Insull built the station with room to install more units as demand increased, with the goal of making it the world's first gigawatt (GW) power station.

A booklet produced by Commonwealth Edison at the time trumpeted the station's inauguration, saying "The electric industry, only 50 years old this month (October 1929), stands today on the threshold of still greater expansion, facing greater duties, ready for greater accomplishment in its public service."<sup>14</sup>

By 1929, the utility founded by Insull was serving more than a million customers, and Insull's network of holding companies reportedly controlled an eighth of all the electricity generated nationwide.<sup>15</sup>

The Fisk plant continued to be a linchpin of the empire. Queen Mary and King George V of England visited the plant, as did Edison himself in 1912.<sup>16</sup>

The coal-fired power plants and Insull himself were also crucial to the expansion and very survival of the city's and the region's mass transit systems. Not only did Insull provide power to streetcars and elevated trains;

he was also a driving force behind the consolidation of various transit systems into one unified operation, which would eventually become the Chicago Transit Authority.

Insull also acquired and expanded the South Shore Line, an electric train that still runs between Chicago and South Bend, Indiana.<sup>17</sup> That line was credited with helping populate the cities of Northwest Indiana, home to steel mills and other heavy industry surrounding the State Line power plant.

While electricity contracts with the transit companies had been key to financing his electric empire, Insull then used the profits from his electric utility to buy transit companies, merge them and expand and develop inter-urban train lines and stations. By the mid-1920s Insull was chairman of the Chicago Rapid Transit Company, and Commonwealth Edison owned a majority of the company's shares.<sup>18</sup>

Insull was, in a sense, many decades ahead of his time on the transit front: he worked to develop electric delivery trucks and electric taxi cabs<sup>19</sup> nearly a century ahead of a similar campaign by Chicago civic leaders.

While Insull and his ventures were flying high during the 1920s, the Great Depression brought them crashing down. As people lost their jobs en masse, they no longer had the need or funds to ride the trains and streetcars. The Depression likewise caused Insull's utility empire to crumble financially. And since it had been built in large part on modest investments from working-class people, many lost their life savings.

Insull became a widely despised man, accused of exploiting customers and shareholders for his own profit. President Franklin Delano Roosevelt criticized him as a greedy enemy of the people, and some placed blame for the entire Great Depression on his shoulders.<sup>20</sup>

With his wife—a Broadway actress he'd married in 1899—Insull decamped to France and then Greece, where he lived when the U.S. government charged him with mail fraud and embezzlement. As his visa was expiring, Insull tried to flee to Romania and Turkey; Turkish officials extradited him back to the U.S. where he was eventually acquitted on the federal charges.

Insull died on a subway platform in Paris in 1938.<sup>21</sup>

Today fans of Insull say he has gotten short shrift in the public consciousness and the history books, and has been unfairly made a scapegoat because of the Depression-era debacles.

But decades after his name had become either reviled or unknown among most regular Chicagoans, the coal plants Insull built would again make national headlines.

## Chapter 3: Winds of change

**Chicago eventually recovered** from the Great Depression, and as the economy picked up after World War II, so did demand for energy.

In 1942 scientists at the University of Chicago carried out the first controlled self-sustaining atomic chain reaction in a squash court below an athletic field. The effort was initially aimed at weapons production but also set the stage for the development of nuclear power.<sup>1</sup>

In 1943 Chicago's first subway opened, and like the elevated trains it was powered by electricity from the coal plants.<sup>2</sup> In 1955 Richard J. Daley was elected mayor, launching the father-son dynasty that would become nearly synonymous with the city's name.

Racial strife tore the city, as African Americans faced discrimination and violence and whites fled to the suburbs rather than live near black neighbors.

Meanwhile, increasing numbers of Latino residents moved into Chicago, specifically into the Pilsen and Little Village neighborhoods, which were home to the Fisk and Crawford coal plants, and also into Southeast Chicago, near the State Line coal plant. In the 1950s and 1960s many of them were Mexican Americans arriving from Texas. Soon increasing numbers of immigrants also came directly from Mexico, seeking better opportunities. Many came illegally without documents.

In the 1970s Pilsen and Little Village were largely ignored by city officials more concerned with the white ethnic neighborhoods that formed the base of the Democratic Machine, and residents found they had to fight for seemingly basic public services like garbage pickup and street repair. As the population of the neighborhoods mushroomed, they launched a community campaign demanding a new high school. Despite resistance from city leaders, their efforts were ultimately successful with the construction of Benito Juarez High School in Pilsen— just a few blocks from the Fisk plant.

In 1962 Rachel Carson published her book *Silent Spring*. It chronicled the insidious effects of the pesticide DDT, and envisioned a world where nearly all life was “silenced” by the poison.<sup>3</sup> The book sold more than 50,000 copies in 24 countries and marked a watershed in public consciousness. Concern about air and water pollution grew nationwide, especially amid crises like smog levels in Los Angeles that made it hard to see at midday, and a devastating 1969 oil spill off the coast of Santa Barbara.

The birthday of the modern environmental movement is often pegged as April 22, 1970, the first Earth Day. That's when 20 million people rallied in parks, streets and auditoriums around the country, calling for increased

federal regulations and personal actions to curb pollution and protect ecosystems and wild lands.<sup>4</sup>

The year 1970 also marked the passage of the Clean Air Act and Clean Water Act<sup>5</sup>. The pollutants targeted by the laws included particulate matter emitted by coal plants, diesel motors and other sources. Particulate matter lodges in the lungs and enters the blood stream, increasing the risk of respiratory and cardiac disease and exacerbating or potentially causing other health problems.<sup>6</sup> Coal plants also emit sulfur dioxide and nitrogen oxides, known as “SO<sub>x</sub> and NO<sub>x</sub>,” which contribute to the formation of ozone and particulate pollution, damage plants and turn waters acidic.<sup>7</sup>

Acid rain caused by sulfur dioxide emissions from coal plants was destroying forests and wildlife and eroding stone buildings and even gravestones.<sup>8</sup> Coal plants were also identified as the primary source of mercury that settles into lakes and rivers and converts to a form known as methylmercury, which is then consumed by fish, bio-accumulating up the food chain. Humans who eat fish can end up with dangerous levels of mercury, a neurotoxin that is of particular concern to children and pregnant women who pass it on to fetuses in utero.

**Carbon dioxide**, another product of burning coal, does not directly cause health problems or localized impacts on the environment. But during the 1980s and 1990s, experts became increasingly aware of the escalating and wide-ranging effects of rising carbon dioxide concentrations in the atmosphere. Scientists realized that carbon dioxide was creating a “greenhouse effect” trapping radiation from the sun, heating up the planet and changing the climate in unpredictable and frightening ways.

The world was hotter in 1980, 1981 and 1983 than any years in recorded history.<sup>9</sup> NASA scientist James Hansen started sounding the alarm about global warming, and in 1981 the issue made the front page of *The New York Times*.<sup>10</sup>

In 1983 the EPA issued a report saying rising carbon dioxide levels would lead to catastrophic sea level rise and declining food production. The year 1988 was a particularly big one for news coverage and discussion about climate change. Then in 1990, the Intergovernmental Panel on Climate Change, a body of experts convened by the United Nations, issued its first major report.

Meanwhile the fossil fuel industry and their political backers circled their wagons, offering their own studies, advertisements and editorials claiming that rising carbon dioxide levels were not a serious problem, that global warming was in keeping with historic trends and was not caused by human activity, or other arguments against government regulation of carbon dioxide emissions.<sup>11</sup>

Despite the growing awareness of the climate and health impacts of coal-fired power, coal enjoyed political support during the administrations

of both President Jimmy Carter and President Ronald Reagan. Carter's administration pushed increased coal use as an alternative to oil amid the 1970s energy crisis. They called for coal to be burned instead of oil to generate electricity and for development of synthetic liquid fuels from coal. In 1980 then-EPA Administrator Barbara Blum proposed increasing coal use three-fold by 1995.<sup>12</sup>

## Chapter 4: A questionable acquisition

**While Thomas Edison** was introducing electric power in New York and Samuel Insull was building out Chicago's electric infrastructure in the late 1800s, electric power generation and distribution was also going strong in southern California. That's where the company that would become parent company of Chicago's coal plants got its start. In 1884 the Los Angeles Edison Electric Company was formed through the merger of outfits that generated electricity from small hydropower and coal-burning plants.

Los Angeles Edison built the world's first high-voltage power line, a 75 kV line stretching 118 miles supported by free-standing steel towers. In 1963 the company changed its name to Southern California Edison, and later it would change its name to Edison International.<sup>1</sup>

Throughout the early and mid-20<sup>th</sup> century, companies like Edison operated as utilities, both generating and distributing electricity to customers in a vertical monopoly. Typically state utility commissions oversaw the process, regulating what rates the utilities were allowed to charge customers and how the companies could calculate rate increases needed to cover the cost of new infrastructure.

The 1990s saw major shifts in the electric scene, with deregulation and the rise of competition from companies that built power plants that sold electricity on an open market.<sup>2</sup>

Essentially deregulation meant separating the generation of power from the distribution of power, breaking up vertical monopolies where the same company produced and sold power to a captive customer base. The idea was to give customers a better deal by forcing generators and utilities to compete to provide power most cheaply and efficiently.

Illinois deregulated its two largest utilities, Commonwealth Edison (better known as ComEd) and Ameren Illinois Utilities, through state legislation passed in 1997. ComEd served Chicago-area customers, while Ameren served most of the rest of the state.

Because of deregulation, ComEd could no longer directly own the Chicago coal plants.

In 1999 a subsidiary of Edison International called Edison Mission Energy formed a new limited liability subsidiary called Midwest Generation, incorporated in Delaware. In late 1999, Midwest Generation

purchased Fisk, Crawford and four other Illinois coal plants from ComEd for almost \$5 billion. Along with the Chicago plants, Midwest Generation got a plant in Waukegan north of Chicago, two in the southwest Chicago suburbs of Joliet and Romeoville and one in Powerton in central Illinois.

The plants totaled more than 4 GW of power. Fisk was the smallest, with one 326 MW unit built in 1959. Crawford had two units totaling 542 MW, built in 1958 and 1961.<sup>3</sup>

The Waukegan, Romeoville and Joliet plants were built in the 1950s and 1960s, while Powerton, the largest at 1,500 MW, was built in the 1970s.<sup>4</sup> Midwest Generation also bought a coal plant in Homer City, Pennsylvania.

The newly acquired fleet was now “merchant power plants,” selling their power on an open market known as the PJM Interconnection. (The State Line coal plant across the Indiana border also would become a merchant plant, bought by Virginia-based Dominion Resources in 2002.)

The PJM Interconnection covers parts of 13 states and Washington DC. Participants in the market can buy electricity on both short- and long-term contracts including a spot market, from any plants in the interconnection.<sup>5</sup>

The electric grid connects all the PJM consumers and generators, so it is not clear exactly from where any given customer gets their electricity. And the electricity is sold through a complicated auction system, where companies offer their electricity into the market at a given price and it is bought up until demand is met. Despite the different prices offered, each seller is ultimately paid the most expensive price for electricity that was contracted that day. This meant the coal plants stood to profit handsomely if energy demand and prices stayed high, but they also stood to lose money if energy prices and demand dipped.

In a regulated market utilities can charge customers for upgrades or building new plants, but in deregulated markets merchant plants are responsible for covering any costs through the revenue from electricity they sell. If they invest in pollution controls, expansions or other improvements, there is no guarantee they will recoup the money.<sup>6</sup>

**In the decade before** Midwest Generation bought them, the Chicago coal plants had their share of controversy and problems.

Once the backbone of the city’s energy system, the aging plants became a bottleneck on the grid, often impeding rather than facilitating the smooth flow of energy, as experts and an engineering study submitted by ComEd itself described it.<sup>7</sup> Problems at the plants could block power from getting to big parts of the city, as demonstrated by a July 1990 fire at a Crawford plant substation that cut power to 40,000 customers.<sup>8</sup> At that time Mayor Richard M. Daley was renegotiating ComEd’s contract with the city, and threatened to take over the coal plants given ComEd’s questionable maintenance and reliability record.

Critics said the pact Daley ultimately signed with ComEd was a “sweetheart deal” that favored the company over ratepayers.<sup>9</sup>

During the summer of 1998, internal ComEd documents were revealed outlining the company’s plan for massive rolling blackouts if energy use on hot days became too much for the system. Daley called the plan “a man-made disaster” and a public safety crisis that would leave nursing homes without power and traffic lights dark.<sup>10</sup> The following summer, shortly before Midwest Generation bought the plants, the system did indeed collapse under heavy demand. On August 12, 1999, a massive power outage forced evacuation of the central business district, stranding commuters and costing businesses about \$100 million.<sup>11</sup>

It was not a question of electricity availability—with interconnected transmission lines crossing wide swaths of the country, there was plenty of electricity out there. The problem was that Chicago’s transmission system could not handle the huge influx of electricity at times of high demand.

As the city’s first environment commissioner, Henry Henderson was among those dealing with the outages and other debacles of the 1990s. He would later become Midwest Program Director for the Natural Resources Defense Council (NRDC), a leader in the fight to clean up or shut down the coal plants.

“For a very long time the antiquated nature of the plants was well recognized and the threat they pose to the energy system understood,” wrote Henderson in a blog. Before selling the plants, ComEd “submitted an engineering study demonstrating the plants were an unreliable choke point for energy flowing into the City.”

“Since then,” Henderson wrote, “Midwest Generation has clung to the illusion that the clunkers they bought were essential to a system that had, in fact, cut them loose.”<sup>12</sup>

In the Pilsen and Little Village neighborhoods, there were plenty of other people ready to cut the plants loose, too.

## Chapter 5: Sparks of resistance



**Dorian Breuer. Photo by Lloyd DeGrane.**

**Chicago's long, dark,** frigid winter evenings can be grim even in the most beautiful parts of the city. The southeastern corner of Pilsen at such times can feel like a sci-fi dystopia. Hulking vacant brick warehouses, weedy rubble-strewn lots caked with filthy snow, fierce wind tumbling metal debris down broken sidewalks, the coal plant emitting its gray plume.

The late fall and winter of 2002 featured many such evenings. As people huddled inside their apartments, crowded around blazing gas heaters or even open ovens, Dorian Breuer and Jerry Mead were trudging through the neighborhood, clipboards and folders clutched in gloved hands, coats pulled tight against the wind, snow and sleet.

The two were knocking on doors asking residents to sign petitions demanding that a referendum be placed on Chicago's municipal ballot asking voters whether the coal plants should be forced to reduce their emissions. Convincing people to sign off on such a question might not sound like a formidable task—who would not want cleaner air?

But even in a neighborhood as dense as Pilsen, just reaching residents was not an easy task, especially not in weather like this. Pilsen is made up of many apartment buildings, from large dilapidated complexes to three flats and various configurations in between. Few have doorbells, almost none have intercoms, most are protected by fences, locked doors or other obstacles. Visitors commonly notify friends of their arrival by blasting a car horn or throwing pebbles at a window.

Like many Pilsen residents, Breuer's family was originally from much warmer climes; he was born in Mexico City to a Uruguayan father and British mother. They raised Breuer in a relatively well-to-do Chicago suburb, and he studied political science in college in London. In 2000 Breuer moved to a third-floor apartment in Pilsen. It was spacious but sported the tilted floors and musty sagging stairways typical of the neighborhood's old apartment buildings. His bay windows looked out on a corner with constant gang activity, just a few blocks from the Fisk coal plant.

Jerry Mead was a native Chicagoan who worked as a teacher and had a passion for labor organizing and labor history from early on. He moved to Pilsen and led tours highlighting Pilsen's rich labor history and its famous murals.

Breuer had focused on the study of war and peace in London, and he was a fan of George Orwell's Spanish Civil War classic *Homage to Catalonia*.

Canvassing the neighborhood those cold dark evenings reminded him of the classic Orwell tale, of "being trapped on the front lines," he laughed, acknowledging the hyperbole but shuddering at the recollections

nonetheless. “Jerry and I will share that memory forever. The only reason we were able to keep going is that we were both suffering.”

When the two actually connected with residents, the results were often rewarding. Families invited them in for hot cocoa. “Once they realized we weren’t trying to swindle them, they were interested,” Breuer said.

They found that most people had given the coal plant little thought, but when asked if it should be forced to reduce emissions, everyone was in favor...even if they were bemused at the men’s seemingly quixotic referendum crusade.

**At the turn** of the 21st century, Pilsen and Little Village were markedly different neighborhoods than they had been three decades earlier, when the Clean Air Act was passed.

Though still low-income, plagued by gangs and somewhat ramshackle, the neighborhoods now had local leaders with significant political clout. Pilsen—which is closer to downtown—had become known as a trendy, hip place to live, with visitors streaming in on weekends to sample the restaurants and visit art galleries.

The immigrants who, in decades past, had tried to lay low had now gained a sense of empowerment and confidence, meanwhile they had raised a new generation who saw the neighborhoods as their own and felt entitled to fight for a better quality of life.

New residents were also moving in, many of them college students and 20-something idealists eager to create a better world—people like Dorian Breuer and Jerry Mead.

Breuer and Mead were enthusiastic supporters of Ralph Nader’s 2000 presidential campaign on the Green Party ticket, and shortly after moving to the neighborhood they co-founded the Pilsen Greens with the goal of marshaling local support for Nader.

Another co-founder was Jack Ailey, who actually lived in Little Village but focused his activism in Pilsen. Ailey had moved to Chicago in 1974 and settled in Little Village in 1980. He worked in a south side steel mill until it closed in 2001, and then found work as a union electrician for the Chicago Transit Authority. He traveled internationally to study other political movements and dreamed of seeing a more socialist, humanitarian regime in the U.S.

So, he figured, why not start in his hometown?

The Pilsen Greens spent long hours knocking on doors and standing on corners trying to convince residents to vote for Nader—though many Pilsen residents were not U.S. citizens and couldn’t vote in a federal election.

Come November 2000, Nader got just over two percent of the popular vote in Illinois. With that race over, the Pilsen Greens decided to turn their attention to new campaigns. They advocated for universal health care, joined the Teamsters labor union in picketing a local Mexican cheese

factory and helped another union try to organize workers at the local grocery store.<sup>1</sup>

Though Breuer, Mead and Ailey were aware of environmental issues, the environment was not their main focus: they were much more interested in labor issues.

During the summer of 2001, a labor conflict at the Fisk plant caught their attention. On June 28, about 11,000 union workers at Midwest Generation plants went on strike, after contract negotiations stalled between the company and the International Brotherhood of Electrical Workers (IBEW) Local 15.

Workers and supporters picketed outside the Fisk and Crawford plants. The company wouldn't budge in the contract fight, as they kept the plants running with non-union supervisors, contractors and temporary employees.

Workers tired of going without a paycheck eventually told the company they wanted to return to the job, but Midwest Generation locked them out. The union argued that the company was illegally punishing the workers for going on strike.<sup>2</sup>

The National Labor Relations Board ruled in the company's favor,<sup>3</sup> and in October 2001 everyone went back to work on the company's terms. Nevertheless a federal appeals court ordered the labor board to reconsider and eventually—in 2008—Midwest Generation was forced to pay \$16.1 million to the locked out workers.<sup>4</sup> The case became important legal precedent in defining the concept of a “partial lockout.” Meanwhile in Pilsen, it turned local sentiment against ComEd and made residents more aware that there was a coal plant in their midst.

Henry Henderson and other city insiders say the lockout was a defining moment in Midwest Generation's relationship with the community. People who had never especially taken notice of the Fisk and Crawford plants became quite aware of them as workers picketed outside. And people sympathized with the workers, who were asking to be let back in to do their jobs and refused.<sup>5</sup>

## Chapter 6: Playing politics

**As labor unions** and community supporters like the Pilsen Greens were furious at Midwest Generation for how it was treating workers, professional environmental and public health advocates were taking aim at Midwest Generation for its emissions.

In January 2001, the Harvard School of Public Health released a peer-reviewed study extrapolating the public health impact of nine Illinois coal plants more than 25 years old, including Fisk and Crawford.

Based on known impacts of air pollution on the cardiac and respiratory system, they estimated that the Chicago coal plants would likely be

responsible for 2,800 asthma attacks, 550 emergency room visits and 41 premature deaths each year, with the impact concentrated on the closest residents.<sup>1</sup> Statewide, the coal plants were linked to an estimated “annual extra risk of 300 premature deaths, 14,000 asthma attacks, and over 400,000 daily incidents of upper respiratory symptoms among the 33 million people living within 250 miles of the geographic center of the plants.”<sup>2</sup>

“The numbers in the Harvard report were astronomical,” said Kim Wasserman. “It was enough for people to say, ‘This is an injustice, and how do we stop this from happening?’”

In general, researchers were increasingly understanding the severity of the impacts of coal plant emissions on public health, especially the effect of “fine particulates” less than 2.5 micrometers in diameter, known as PM2.5. In 1997 the EPA instituted ambient air limits for PM2.5, now considered much more damaging than the larger PM10 particles that were already subject to federal limits.<sup>3</sup>

In 1999-2000, Chicago logged 18 micrograms of fine particulate per cubic meter, significantly above the EPA limit of 15. That put Chicago ahead of New York, which had 16, and just behind Los Angeles, which had 20.<sup>4</sup>

Brian Urbaszewski started working for the Chicago chapter of the American Lung Association in 1988, after working on air pollution issues for the Illinois Environmental Protection Agency.<sup>5</sup> By the turn of the millennium he was pleased about tougher pollution rules, but he also knew it would take more than regulations to clean up Chicago’s air.

“We had a whole new world of tighter standards, but no one met them,” said Urbaszewski. “The question was, what are we going to do about it? It was pretty clear Chicago was not going to meet the standards, and we needed big cuts in pollution. When people looked around we saw the biggest sources, and the cheapest to clean up were the power plants.”

Urbaszewski was among a group of leaders who took the issue to the City Council. They found an ally in Ed Burke, the council’s most powerful member, who joined the body in 1969.<sup>6</sup> Burke represented the 14<sup>th</sup> ward, farther southwest from Pilsen and Little Village, which was once a heavily Irish American area that by 2000 was largely Latino.

Burke had a personal interest in respiratory health, as his father had died from lung cancer.<sup>7</sup> He was also pushing a ban on smoking in restaurants and had pushed ordinances limiting cigarette advertising and cigarette vending machine sales.<sup>8</sup>

On February 27, 2002, Burke introduced the Chicago Clean Power Ordinance.

The proposed ordinance would impose annual limits on the Chicago coal plants’ combined emissions of four key pollutants: sulfur dioxide, nitrogen oxides, carbon dioxide and mercury. The ordinance said that by

2006 the plants could annually emit no more than 500 tons of sulfur dioxide, 1,000 tons of nitrogen oxides, 3.4 million tons of carbon dioxide and four pounds of mercury. Plants would be fined \$1,000 for each ton of sulfur dioxide or nitrogen oxides, each ten tons of carbon dioxide and each pound of mercury for violating the ordinance.<sup>9</sup>

The ordinance noted that coal plants built prior to 1977 were grandfathered in under the Clean Air Act, exempt from meeting the same limits imposed on new plants unless they undertook major upgrades.

“These ‘grandfather’ provisions were included in federal law on the assumption that coal plants that did not upgrade pollution controls would soon close,” the ordinance said. But a quarter century after the Clean Air Act, the plants were still open.

**Before going to a vote** before the full council, proposed ordinances need to be passed by a committee. Burke’s ordinance was assigned to the Committee on Energy, Environmental Protection & Public Utilities. To have a chance of passing it would need to be called for a vote in the committee by chair Alderman Virginia Rugai, a loyal supporter of Mayor Richard M. Daley. In fact it was common knowledge that for years, nearly all the aldermen would faithfully do whatever Mayor Daley wished nearly all the time.

Dick Simpson, a former alderman and respected political scientist, authored periodic “Rubber Stamp Council” reports quantifying how often aldermen voted against the mayor’s wishes. Between 2007 and 2011, aldermen voted with Daley 82 percent of the time, and only seven out of the 50 aldermen voted with him less than 70 percent of the time.<sup>10</sup>

Daley had a reputation nationally and even internationally as a “green mayor” who had installed rooftop gardens on City Hall, planted trees and flowers throughout the city and sometimes rode a bike to work. But critics were quick to point out that when it came to the city’s biggest polluters, he was conspicuously silent. He never made a definitive public statement on the coal plants, and insiders surmised that Daley did not want the clean power ordinance to pass—even though it was proposed by Burke, a council power broker.

Meanwhile, aldermen also traditionally defer on an issue specific to one of the city’s wards to their colleague who represents it. In the case of the coal plants, that would be Danny Solis in Pilsen and Ricardo Muñoz in Little Village, and neither was on board with Burke’s ordinance.

Solis was a close ally of Daley, so given Daley’s recalcitrance on the issue, Solis’ inaction was not surprising. Muñoz was known as one of the “independents” in the City Council, voting against and criticizing the mayor’s plans more often than his colleagues, so the Pilsen and Little Village activists hoped he could be won over. But, Ailey pointed out,

Muñoz was often at loggerheads with Burke—adding another political wrinkle.

Knowing that the ordinance would have a tough road in the City Council, the community activists tried to give it a boost. Chicagoans can place non-binding initiatives on the ballot by collecting signatures from 10 percent of the registered voters in a given precinct—the smaller districts that each of the city’s 50 wards are divided up into. So they drafted a ballot initiative supporting passage of Burke’s ordinance, to be placed on the ballot for the February 2003 municipal elections, where aldermen and also Mayor Daley himself would be up for re-election.

And they started organizing. That’s why Mead and Breuer spent so many hours going from home to home asking people to sign their petitions and explaining the effects of the coal plants. Ailey was doing the same thing in Little Village, where, unlike Pilsen, at least most homes had easily accessible front doors.

Ultimately the Greens got the initiative on the ballot in one precinct in Pilsen and one in Little Village. As the election approached, they had to hit the streets again to remind people to get out to vote. The weather in February was even harsher than the fall, and now they had to convince people not to sign a petition in the comfort of their own home but to get out on election day and mark their ballot.

Voter turnout for municipal elections is typically low in Chicago, with many residents assuming that the mayor and incumbent aldermen will retain their seats. Turnout in immigrant neighborhoods like Pilsen and Little Village is historically even lower.

When election day came, Mayor Daley was re-elected in a landslide as expected, beating U.S. Congressman Bobby Rush with 69 percent of the vote. The ballot initiatives were a smashing success: more than 86 percent of voters in the Little Village precinct and almost 90 percent in the Pilsen precinct marked their support for passing the Clean Power Ordinance.<sup>11</sup>

That spring Burke reintroduced the ordinance, which would have expired otherwise. But without the support of the mayor or Aldermen Solis and Muñoz, or action from environment committee chair Virginia Rugai, passage was still highly unlikely. Even after the ballot initiatives Solis still failed to return PERRO members’ calls. Activists said Muñoz was more accessible and expressed sympathy in private, but was reluctant to take a public stand.

Rugai’s staffers, meanwhile, said she was trying to work out an emissions reduction deal with Midwest Generation, since company officials had threatened a lawsuit if the ordinance were to pass. Since the federal government regulates coal plant emissions under the Clean Air Act, and delegates enforcement to the state, the company could have argued that a city does not have the authority to set its own emissions limits.<sup>12</sup>

Perhaps for this reason, by the summer of 2003 activists were feeling that Burke himself did not really want the ordinance to pass. “In my opinion Burke did this for some kind of publicity reason, but he wasn’t interested in actually pushing it,” said Ailey.

The local activists were getting frustrated.

## Chapter 7: The legal track

**In 2001**, Illinois passed a law ordering the state EPA to do a “comprehensive review” of the impact of coal-fired power plants on public health. It was supposed to “address the potential need for the control or reduction of emissions” of sulfur dioxide, nitrogen oxides and mercury, while also exploring incentives for renewable energy development.<sup>1</sup>

The legislators who drafted the bill also made sure to note that “Illinois coal is an abundant resource and an important component of Illinois’ economy whose use should be encouraged to the greatest extent possible consistent with protecting the public health and the environment.”<sup>2</sup> Lawyers and public health advocates were encouraged by the study: it offered a chance for public input and could theoretically result in significant emissions reduction requirements for coal plants and incentives for renewable energy.

At the same time, they were also working on another regulatory avenue. Amendments to the Clean Air Act in 1990 created a new permit requirement for all major sources of pollution, known as a Title V permit. In 2002 and 2003 Midwest Generation, like other polluters, was going through the lengthy process of getting this permit. As Environmental Law & Policy Center (ELPC) attorney Faith Bugel explained it, the permit “does not have new emissions limits, but is a way of consolidating all the requirements from the state and federal level in one operating permit.”

Bugel and other environmental attorneys were especially pleased with the avenues that Title V permits opened, because the program required ongoing monitoring and reporting to ensure compliance.

“You can’t just get the permit and say you’re done,” Bugel noted. “You need to show you’re complying.” That means companies have to monitor emissions and keep detailed track of the results, then submit them to the government. Anyone can file under the Freedom of Information Act for access to the records.

Environmental groups and lawyers went through Midwest Generation’s proposed Title V permits “with a fine-toothed comb,” as Bugel described it, and went to the Illinois EPA with their comments, detailing specific ways they thought the permits needed to be more stringent or thorough. They also took their concerns to the U.S. EPA, which can tell the state EPA to make changes in the permit.

The federal agency did demand that the state agency beef up the permits. But the environmental policy groups were still upset that the permits did not address the company's own self-reported violations of standards on opacity, or the extent to which emissions block light, which is a measure of the amount of particulate or fine dust. So the lawyers brought their complaints to a federal appeals court.

Like most legal avenues, it was a long and complicated process that played out on a different track than the community members' rallies and protests; the undertaking was grueling and involved long hours of painstaking document examination and waiting for the wheels of bureaucracy to slowly turn.

The environmental lawyers would finally get their answer from the federal appeals court when it ruled against them in 2007. Then, in 2008, they would appeal it and get another denial.

This is the kind of thing that frustrated members of LVEJO, who saw it as a secretive and inscrutable process accessible only to people with years of legal education and experience. But in the battle around the Chicago coal plants, as in so many other environmental struggles, it is a crucial front where real change—though slow—can sometimes be achieved.

**In September 2004**, the Illinois EPA released its report on fossil fuel-fired power plants—the one mandated by legislation three years earlier. Environmentalists had hoped and expected that the report would specifically call for state emissions limits stricter than federal limits.

A week before the report's release, *Crain's Chicago Business* noted that the report was "expected to clear the way for stricter caps on mercury and other toxic emissions in Illinois—beyond what the federal government proposed last year."<sup>3</sup>

But that was not to be. The report acknowledged that coal plants cause serious public health impacts, but it said setting new state emissions limits wouldn't be worth the economic and other risks.

"It is clear that power plants are a considerable source of air pollution and that reducing emissions will benefit public health," the report said. "However, moving forward with a state-specific regulatory or legislation strategy without fully understanding all of the critical impacts on jobs and Illinois' economy overall as well as consumer utility rates and reliability of the power grid would be irresponsible."

"This is just garbage," is how *Bloomberg BNA* quoted Brian Urbaszewski, Environmental Health Director for the Respiratory Health Association of Metropolitan Chicago.

Urbaszewski grew up in Bucktown, a Chicago neighborhood about four miles directly north of Pilsen. When he started spending a lot of time in Pilsen—a working-class, friendly neighborhood full of extended families—to talk with neighborhood activists about the coal plant, it reminded him of

his childhood. At the time he was growing up, the families in Bucktown had been Polish, in Pilsen they were Mexican, but the tight-knit, cooperative vibe was the same.

“Everyone knew each other, the youngsters couldn’t cause any trouble because of all the eyes on the street, someone’s aunt would be watching you,” Urbaszewski said.

He had hoped the Illinois EPA report would lay the groundwork for meaningful state legislation mandating emissions reductions, in part to add fuel to the ongoing push for federal legislation targeting coal plant emissions.

Urbaszewski noted that state legislation would have health and environmental benefits and also drive federal legislation, helping “push forward a national effort to slash coal power plant pollution.”

“The hope was you get a number of states to pass something, the federal government will say, ‘Okay this is a problem, let’s solve it,’” he explained.

Instead, the Illinois EPA report “was mealy-mouthed,” in Urbaszewski’s words. “It didn’t really say anything, no recommendations to go forward, nothing.” He figured the Illinois EPA and legislators who influenced them had essentially caved to the state’s strong coal lobby, the forces of “money, inertia, power.”

The Illinois EPA said in its report that strict state limits would put Illinois power producers at a disadvantage in the still-emerging interstate energy markets, and worried that the cost of pollution controls were exorbitant or still unknown. It questioned the health and air quality benefits of statewide limits, since neighboring states could still pollute. And it predicted that smaller power plants would close rather than investing in expensive scrubbers for sulfur dioxide or other pollution controls, putting the grid’s reliability at risk.<sup>4</sup>

Like Urbaszewski, ELPC attorney Faith Bugel saw the Illinois EPA study as a big disappointment.

She blamed then-Governor Rod Blagojevich. Though there’s no way to prove it, she thinks his staff laid a “heavy hand” on the report to shift the focus from protecting public health and reducing emissions to protecting the coal industry and jobs. Between 2002 and 2004, Midwest Generation donated at least \$51,500 to Blagojevich’s campaign fund.<sup>5</sup>

“We felt like the administration had sold us up the river on doing something on coal plants,” she said.

**Bugel and other** environmental leaders were especially frustrated with Blagojevich because during his 2002 gubernatorial campaign, he had called specifically for state emissions limits on power plants.

“Rod Blagojevich will work with both the environmental groups and industry to set new, long-term emissions standards for the state on a

graduated schedule,” went his campaign promise. “Rod would bring all parties to the table to work out a plan of emissions reductions.”<sup>6</sup>

So the environmentalists figured they’d push Blagojevich to redeem himself.

They proposed he do so with a state rule limiting mercury emissions. Blagojevich—a self-styled populist who would later go to federal prison and down in history for brazen acts of corruption—had made children’s health one of his priorities. A state program guaranteeing health insurance to all kids was a legacy that would remain long after Blagojevich’s name had faded from the headlines. So environmental leaders pushed Blagojevich to understand how mercury emissions from coal plants impacted children’s health.

Young children and infants exposed to high levels of mercury in utero or by eating fish can develop mental retardation, cerebral palsy, deafness, blindness or other disorders, and are prone to have lower IQs and slower motor skills. Adults can also suffer nervous system disorders and organ damage from mercury poisoning. Children under 15 and pregnant women are warned not to eat more than one fish a month from Illinois’ mercury-contaminated water bodies; other adults are warned not to eat more than one fish per week.<sup>7</sup>

Coal plants are among the major manmade sources of mercury contamination worldwide, responsible for 43 percent of manmade mercury contamination in the U.S. (Volcanoes, forest fires and other natural events also release mercury into the atmosphere). In Illinois in 2006, coal plants were emitting 3.5 tons of mercury each year.<sup>8</sup>

“Mercury was unique in that it really was linked more to children’s health than health of the population across the board, and this governor cared most about children’s health,” noted Bugel. “And mercury is unique because the cost to retrofit a coal plant was not prohibitive—most or all the plants could install mercury controls and it wouldn’t be putting any of them out of business.”

In March 2005, President George W. Bush’s administration issued a federal rule on power plant mercury emissions, which some experts saw as a move to undercut stronger legislation that was being considered by Congress at the time.<sup>9</sup> The Bush administration said their rule would reduce power plants’ mercury emissions by nearly 70 percent by 2018, from 48 tons to 15 tons emitted per year.<sup>10</sup> The first round of reductions were actually supposed to come as a side effect from NOx and SOx pollution controls mandated by the Clean Air Interstate Rule, also being developed that spring.<sup>11</sup>

Critics said the federal mercury rule was far too lenient. They said the timetable was too long, and they doubted the rule would even achieve the advertised reductions by 2018, a likelihood the EPA acknowledged. The

rule allowed trading and purchase of emissions allowances, meaning some power plants could continue emitting mercury at current or even increased levels—creating mercury “hot spots”—as companies simply acquired allowances to meet reduction requirements.

Such a cap-and-trade program for sulfur dioxide was widely considered successful in reducing acid rain, but many figured cap and trade would mean continued mercury pollution for areas like Illinois with many coal plants.<sup>12</sup> Mercury emissions nationwide declined between 2003 and 2004, a *Chicago Tribune* analysis noted, but mercury emissions from coal plants increased with Illinois among the states most responsible.<sup>13</sup>

Governor Blagojevich made a scathing denunciation of the Bush rule, charging it didn’t protect public health and also saying it was unfair to the Illinois coal industry. That’s because the weak standards favored higher-mercury Western coal, which Illinois coal plants like Fisk and Crawford were already switching to because of its lower sulfur content. Blagojevich said Bush’s mercury rule was “putting us at an economic disadvantage,” and “the people of Illinois are not going to stand for that.”<sup>14</sup>

Throughout 2005 the ELPC and their partners met with the Blagojevich administration about the importance and feasibility of a state mercury limit much stricter than the federal requirement. They told him he could make history and protect children’s health.

Over the holidays at the end of 2005 they got word that the governor’s office was ready to pull the trigger. Working remotely from their visits with family, environmental attorneys helped the governor’s office put the final touches on the rule that would be announced with fanfare just after the New Year in 2006.

The rule required companies to reduce their coal fleet’s total mercury emissions by 90 percent by June 30, 2009, and mandated that each individual power plant reduce its mercury emissions 75 percent by 2009 and 90 percent by the end of 2012.<sup>15</sup> And plants could not meet the reduction requirements by purchasing or trading allowances or credits.

Six other states had stricter mercury rules than the federal limits, but Illinois’s fleet of coal plants was the largest. A release from the Illinois EPA said the new rule “will achieve the largest overall amount of mercury reduction of any state in the country.”<sup>16</sup>

As executive director of the ELPC, Howard Learner has been involved in countless environmental campaigns and played a key role in numerous high-level negotiations. But he counts the ultimately successful push for a stringent state mercury limit as his “proudest accomplishment.” On his office wall is a large framed copy of a letter from the mercury campaign. It lists the numerous health and advocacy groups involved, including the American Academy of Pediatrics, the Alliance for the Great Lakes and the Alivio Medical Center, a clinic for the uninsured in Pilsen.

“The mercury issue resonated with suburban voters and swing voters,” Brian Urbaszewski noted. “If you scare moms, that gets people’s attention. And this was a way for the governor to raise his national profile because President Bush was doing such a lousy job on the environment.”

**The Bush administration’s** 2005 Clean Air Mercury Rule (CAMR) and the federal Clean Air Interstate Rule (CAIR), which required sulfur and nitrogen emissions reductions from power plants, both required states to come up with their own implementation plans.

Illinois’s mercury rule went far beyond what the federal government required.<sup>17</sup> But it remained to be seen how Illinois would deal with the CAIR requirements regarding emissions of sulfur dioxide and nitrogen oxides (SO<sub>x</sub> and NO<sub>x</sub>). Once emitted into the atmosphere, both compounds form fine particulate matter, while sulfur dioxide also causes acid rain and nitrogen oxides cause ozone.<sup>18</sup>

Riding high on the mercury rule, the city’s lead attorneys and policy analysts kept pushing. They noted that, dire as the impacts of mercury are, NO<sub>x</sub> and SO<sub>x</sub> were actually greater threats to Chicago public health. While mercury primarily affects children and disperses over a wide area, SO<sub>x</sub> and NO<sub>x</sub> cause serious and more localized health impacts for people of all ages.

Advocates knew Blagojevich took a special interest in mercury because of the impact on children’s health, but they were never as confident about getting strong state action on NO<sub>x</sub> and SO<sub>x</sub>.

They would be pleasantly surprised.

The Blagojevich administration ended up developing a standard addressing mercury along with SO<sub>x</sub> and NO<sub>x</sub>, requiring stricter reductions than the federal requirement for all three pollutants.

The governor’s office negotiated individually with each of the state’s three power companies to define timelines and how the reductions would be carried out. In August 2006, the governor’s office signed agreements with Ameren and Dynegy, which operated coal plants in central and southern Illinois. The deals gave the companies more time and flexibility than originally planned to achieve the mercury reductions in the state rule. They promised the mercury reduction controls in most of their plants would still be installed by 2009, with the last few installed by 2012.

In exchange for the extra time on mercury, the companies agreed to greater reductions in NO<sub>x</sub> and SO<sub>x</sub>. They also agreed not to achieve NO<sub>x</sub> and SO<sub>x</sub> reductions by trading emissions credits out of state, ensuring that all reductions would actually happen in Illinois.<sup>19</sup>

State officials and environmental advocates hoped the Dynegy and Ameren deals would increase pressure on Midwest Generation—described as a “holdout”—to sign its own deal with the state. Midwest Generation officials said they were testing mercury controls on their Chicago plants, but couldn’t promise they would meet the deadline in the state mercury rule.

Finally in December 2006, Midwest Generation made a deal with the state. It would have until the end of 2012 to install NOx controls and until the end of 2018 to install sulfur dioxide controls at its six Illinois plants. Mercury controls would be installed by 2009 fleet-wide, and by 2008 at its Chicago plants and one in Waukegan, sooner because of their proximity to Lake Michigan. The agreement called for Midwest Generation to reduce NOx by about 68 percent and sulfur dioxide by about 80 percent, on top of the 50 percent and 30 percent reductions, respectively, that Midwest Generation said it had achieved since buying the power plants.

Urbaszewski noted that those reductions were not voluntary investments in controls but rather the result of federal regulations and also the company's shift to cheaper, lower-sulfur Western coal.

The most expensive controls, for sulfur dioxide, would have to be installed by the end of 2014 at the Waukegan plant, 2015 at Fisk and 2018 at Crawford. Company officials indicated that they might shut down the plants by those deadlines rather than installing the sulfur dioxide controls. And by 2010 they promised they would shut down three individual generation units: one at the Waukegan plant and two at the Will County plant in the southwest Chicago suburb of Romeoville.<sup>20</sup>

The agreement also called for Midwest Generation's parent company to work with the state government in developing up to 400 MW of wind power. The company already had a major wind farm, called the Big Sky project, in the works. The agreement additionally called for exploring a "clean coal" plant, specifically a coal gasification plant that would turn coal into gas, use the gas to generate electricity and then capture and store the carbon dioxide emissions.<sup>21</sup> Both requirements were subject to market conditions, and carbon dioxide capture and sequestration had not yet been done on a commercial scale, so the "clean energy" components of the agreement came off as less than concrete.

Illinois EPA director Doug Scott called the agreement "an environmental milestone for Illinois." Howard Learner and other environmental leaders offered praise.

Even Mayor Daley chimed in, saying, "Air pollution can have a harmful impact on our residents, our environment and our economy and we need to do all we can to minimize it."

## Chapter 8: A house divided



**Little Village** and Pilsen locals were glad for any emissions reduction requirements, and they were not sorry to hear that the Chicago plants might close. But they didn't like the timelines in the agreement. By 2018, a whole new generation of children would be approaching their teens. That's too long for residents to keep breathing dirty air, they argued.

Pilsen and Little Village leaders also were upset that they had not been part of the negotiations around the state agreement. After attending press conferences related to the mercury rule and working with the major environmental and health groups on the Clean Power Ordinance, they felt like they had been rudely shut out from the drafting of the state agreements. Some felt that the professional policy analysts and lawyers didn't really respect them or want their input, and only wanted them to show up for the media, to put a sheen of community participation on deals that had been drafted behind closed doors.

"That phase was taken out of our hands," said Jerry Mead-Lucero.<sup>1</sup> "The big green groups were eclipsing the environmental justice groups, PERRO and LVEJO were left out of it."

People who had spent long hours knocking on doors and camping out at City Hall, mostly without pay, were resentful that when the real deals were cut the professional advocates did not invite them in the room or even keep them in the loop.

The Sierra Club is typically considered a "big green" group, but Sierra Club Beyond Coal campaign leader Becki Clayborn said that she and her colleagues also felt bitter about being cut out of the negotiations around the state agreement and the mercury rule. The state agreement essentially ended up weakening the mercury rule, resulting in mercury reduction requirements much more lenient than what the Sierra Club and other groups had pushed for, Clayborn said.

And as she described it, the Sierra Club was excluded from the final negotiations.

"We all were working toward a common goal, then backroom deals happen and you lose control over the campaign and you can't say, 'No don't do that'—because it's already been done," she said. "There was a lot of trust lost between organizations...For me that was my eye-opening moment that, 'Oh we lost control of the decision.' And it was because some groups were speaking on behalf of other groups or felt empowered enough to speak on behalf of everyone."

The state agreement with Midwest Generation may have been a victory in terms of clean air policy, but it was a low point for internal relations among Chicago's clean air advocates.

“We were left out,” said Wasserman. “So we had our guard up, we had the feeling that, ‘No, we don’t want to play with you.’”

“The neighborhood folks weren’t exactly happy,” Urbaszewski acknowledged. “(The state agreement) wasn’t done in a very transparent way or a very deliberate and long-term way. It was a seat-of-the-pants thing where the Illinois EPA was trying to work out a deal quickly, and we were trying to help them to get as much as we could. It wasn’t a long deliberative process—I don’t know if it ever could have been.”

**While the major** environmental groups were pleased with the state agreement, things at the city level were a different story. Burke’s ordinance was clearly dead, and the aldermen representing Pilsen and Little Village had continued to keep their distance from efforts to clean up the coal plants.

So the advocates took a different tactic, going to the county government.

Chicago is in Cook County, which has a large and powerful government of its own, responsible for one of the nation’s largest public health systems, a massive jail and a large system of forest preserves.

Brian Urbaszewski took the lead in shaping a proposal for a county tax on sulfur dioxide emissions. Noting that sulfur dioxide causes acid rain, acidifies lakes and streams, damages soil and erodes buildings and monuments, the measure would mandate polluters who emit more than 2,500 tons of sulfur dioxide per year pay a \$400 per ton tax to the county. Failing to pay the tax or reporting inaccurate emissions would result in higher fees.

The original version of the proposal would have directed the tax payments directly to the county health system, to help compensate for the health impacts of the pollutant. Later revisions put the tax money into the county’s general coffers and lowered the threshold to any industry that emits more than 100 tons a year. The tax was expected to bring in about \$3 million a year to the cash-strapped county.

It was modeled in part on the county’s cigarette tax, which like tobacco taxes nationwide was meant to both discourage smoking and compensate the government for tobacco’s collective societal costs.<sup>2</sup> The idea was that along with repaying taxpayers for health effects, the sulfur dioxide tax would encourage the coal plants to install scrubbers or otherwise reduce their emissions.

The county ordinance noted that Cook County, like the city of Chicago, is a government body with “home rule” powers as outlined in the state constitution—giving it leeway to make laws to protect its residents even on issues like pollution that are generally regulated by the federal and state government.

The sulfur dioxide tax ordinance was introduced on February 6, 2007 by County Commissioner Roberto Maldonado. Industry groups including

the Chemical Industry Council of Illinois were vehemently opposed—“infuriated,” as the chemical council’s website said. The tax was crafted to target the coal plants, but it would also apply to a number of other industries.

The county board passed the tax by a vote of 10-6. But the measure would not make it past county board president Todd Stroger.

Stroger was the son of John H. Stroger Jr., a well-liked longtime Chicago power broker. Todd, a former alderman, had just taken the board president seat in December, after his father had a stroke. He was a more controversial and divisive character, referred to by many as “the Toddler.”

Stroger used his first veto as county board president to kill the sulfur dioxide tax. He called it bad public policy and the wrong way to deal with pollution, and he had pledged not to raise taxes during his first year.<sup>3</sup>

Later in 2007 the state legislature passed a new Renewable Portfolio Standard, a law that mandated 25 percent of the state’s power come from renewable sources by 2026, six percent of that from solar, with benchmarks along the way.<sup>4</sup> Clean energy advocates were generally pleased with the standard. But “fine print” in the law, as Urbaszewski described it, prohibited municipalities and counties from levying special taxes on power producers. So taxing sulfur dioxide or other coal plant emissions was no longer an option.

While Midwest Generation ultimately got a pass from the county government, the federal government was moving forward with its own actions against the company.

In August 2007 the EPA issued a Notice of Violation against all of Midwest Generation’s Illinois plants. It charged that since the 1990s, former owner ComEd and Midwest Generation had made significant improvements at all six Illinois coal plants without getting the necessary construction permits or installing best available pollution controls, as older plants grandfathered in under the Clean Air Act are required to do when they upgrade under a provision of the Clean Air Act known as New Source Review.<sup>5</sup> The notice also charged that the plants violated opacity standards and aspects of their Title V permits—the ones the ELPC had challenged several years prior.<sup>6</sup>

Environmentalists had been calling on the EPA to issue such a violation notice for years. They noted wryly that two years earlier the federal agency had issued an opacity violation notice to the Blommer Chocolate Co. factory, which grinds cacao beans into chocolate and sends a sugary smell wafting out over downtown.<sup>7</sup>

Blommer had violated opacity limits for a total of about 26 minutes over two days, compared to a total of about 45 and 32 hours at the Fisk and Crawford plants, respectively, between 2002 and 2006.<sup>8</sup>

"Everyone has to comply with the same rules, but why is it that time after time these coal plants get a free pass?" Sierra Club Midwest representative Bruce Nilles told the *Chicago Tribune* at the time.<sup>9</sup>

Pilsen and Little Village residents felt the federal government cared more about sweet smells annoying denizens of the tony West Loop neighborhood around Blommer than they did about dire health consequences for low-income immigrant neighbors of the coal plants.

"The idea that they're concentrating on relatively well-to-do developments and chocolate factories and ignoring clear health hazards in urban communities, it very much went along with that sense of outrage we had," said Dorian Breuer.

## Chapter 9: An electrifying moment



Greenpeace activists scale the Fisk smokestack. Photo courtesy Greenpeace.

**It was dark** and chilly before dawn as Kelly Mitchell and seven other Greenpeace activists stood gazing up at the smokestack of the Fisk plant, its plume reflecting the yellowish night lights of the city. The group made their way surreptitiously onto the Fisk property, silent and careful as cats. They headed straight for the stack, and began to climb it. With a cold wind blowing, one by one they ascended a small maintenance ladder of metal rungs welded to the side, staying calm and determined as they reached dizzying heights.

The group—all experienced climbers outfitted with helmets and harnesses—got to two circular catwalks about 40 stories high and set up camp, laying out meager provisions for an extended stay and decorating the catwalk with banners saying “Quit Coal.” In the late afternoon, they set to work painting their message directly on the stack.

One team of climbers rappelled from the catwalk at the very top of the 450-foot-tall stack, painting QUIT in yellow vertical letters each several feet high. Another team rappelled from a lower catwalk painting COAL.<sup>1</sup> Mitchell kept a lookout, marveling at the spectacular view of downtown and Lake Michigan stretching to the east, and the Chicago waterway winding southwest, right past the Crawford coal plant.

In October 2009, Mitchell had been asked to help out with a rally, across from the Fisk plant, that her employer Greenpeace was co-sponsoring along with the climate change action group 350.org and PERRO and LVEJO. She didn’t typically work on local issues at the time, so the rally opened her eyes to the extent of local opposition to the plants. Little did she know then that she would end up clinging to the side of Fisk’s towering stack, contemplating the city and considering the plant’s impact on all the people in homes that appeared like dollhouses hundreds of feet below.

“You’re up there on the smokestack seeing row after row of houses and schools, thinking, ‘Yeah this is what the plant is affecting,’” Mitchell remembered. “And to see the city skyline contrasted with this dirty old coal plant—it became a lot more tangible than in the past.”

In the early evening Mitchell could see the blinking lights of a coal barge that was stalled west of the Pulaski Street bridge. As the barge approached the Crawford plant, another team of Greenpeace activists dressed in bright orange had rappelled off the bridge with a large banner, saying in Spanish and English “Nosotros Podemos Para el Carbon,” and “We Can Stop Coal.” As they dangled between the banner and the fetid water, barges were unable to pass, effectively stopping coal shipments to the plants.<sup>2</sup>

At both locations photos and videos were shot and sent out to media and supporters around the world. Mitchell blogged and posted to Twitter, using the hashtag #quitcoal.<sup>3</sup> As night fell she used her iPad to hold a live video chat with supporters, meanwhile PERRO members and others gathered in a candle light vigil in Dvorak Park below. They were still there as Mitchell and the others climbed into sleeping bags.

“We’d just finished this really long day, it was the coolest thing to look across at the park where there was this little cluster of candles and people flashing headlamps at us,” Mitchell remembered. “It was organic, we had put out a call to action and people had heard it.”

Mitchell and the others spent a fairly sleepless night, huddling against the smokestack for warmth. “It looks old when you’re up there, this does not

feel like a modern piece of technology,” she said. “I know the stack itself is not 100 years old, but it definitely feels like a 100-year-old coal plant when you’re up there.”

They watched the orange glow of sunrise break over the city, and the painters got back to work, outlining the yellow “Quit Coal” letters in red. The message was visible from a great distance away on the Stevenson expressway coming into the city, rising parallel to the famous Sears tower downtown, just in time for the morning commute.

As the painters worked, Mitchell looked nervously at the sky to the west, where dark gray thunderheads were gathering. The wind was picking up and the air had that strange feel to it. Seeing that a serious storm was on the way, by mid-morning the team left the red outlines unfinished and made their way down the stack to the police and company officials they could see waiting below. At the bottom they were peacefully arrested, like the activists who had hung from the bridge and were arrested the previous day. The group knew from the start that they would likely face criminal charges.

“All of us involved recognized we’re fairly privileged individuals,” said Mitchell, who was 26 at the time. “I saw serious injustice taking place and developed really strong personal relationships with people who lived in those communities, so it was a risk I was willing to take and that I could take.”

Mitchell spent about 30 hours behind bars, between the local precinct lockup and the sprawling county jail. For months afterwards the activists faced the prospect of jail time on felony charges, but eventually they pled guilty to misdemeanor criminal property damage. Mitchell was ultimately sentenced to two years of probation and community service, which she completed by mentoring middle school students.

Mitchell’s mother joked that her daughter’s mug shot was the worst photo of her she’d ever seen. But Mitchell’s parents were proud. Mitchell grew up in southern California, where her parents had protested the San Onofre nuclear plant owned by the same parent corporation as the Chicago plants—Edison International.

“It came full circle,” Mitchell said. “Their daughter moved thousands of miles away from home only to fight the same company they protested when they were young hippies.”

**In the early days** of the struggle around Chicago’s coal plants, the focus was on the public health impacts. But in the early- and mid-2000s, Chicagoans became increasingly active on the issue of climate change. The Chicago coal plants combined emitted four to five million metric tons of carbon dioxide into the air each year, making them the city’s largest stationary source of greenhouse gases.<sup>4</sup>

Even with modern pollution controls, carbon dioxide would still be emitted. The only way coal plants can avoid carbon dioxide emissions is to

capture and then sequester the carbon. But this still has not been done on a commercial scale. Though carbon capture and sequestration was being proposed at various so-called “clean coal” plants around the country, there was no way that the expensive and complicated technology would be viable for old and relatively small plants like Fisk and Crawford.

Greenpeace and 350.org—the groups hosting the rally that initially brought Mitchell to Fisk—were among the national and international organizations that took on the Chicago plants as part of their larger campaigns to fight climate change.

Though carbon dioxide has no localized health impacts, globally climate change clearly takes a more devastating toll on the health and safety of the poorest and most vulnerable people—making it an environmental justice issue, a global parallel to the local fight for clean air in Pilsen and Little Village.

This was among the points discussed at a town hall meeting about climate change in a north side church in July 2006. It was, appropriately, sweltering inside the crowded room. Meeting organizer Pam Richart pointed out later that 2006 would become the hottest year on record in the U.S.<sup>5</sup>

Richart, an urban planner with a degree in human ecology, and her husband Lan Richart, an ecologist, were then in the process of bowing out of the environmental consulting firm they’d co-founded in the Chicago suburbs. They were also both long-time activists, having done work in Latin America and in their own city. So, as Pam Richart said, “we felt compelled to bring our environmental backgrounds to the justice issue of climate change.”

The Richarts live in Rogers Park, the city’s northernmost neighborhood, on the lakefront relatively far from the coal plants. But as they embarked on their new mission they knew coal plants were a major driver of climate change, and they also were focused on the lifecycle impacts of coal, from mining to air pollution.

The couple founded a small group called the Eco-Justice Collaborative, run out of their cozy, cluttered attic. The coal plants would be their main focus. It didn’t hurt that Pam’s cousin and friend was Joe Moore, an alderman known for taking on progressive causes and being willing to challenge the City Hall status quo.

At the sweaty town hall meeting, the Richarts met organizers from LVEJO and also the Environmental Research Foundation, the Nuclear Energy Information Service, the faith-based 8<sup>th</sup> Day Center for Justice and Blacks in Green. These groups began working together and organized another climate change forum in January 2007, at Whitney Young Magnet High School not far from Pilsen.

This time the temperature was frigid, but the place was still packed with more than 300 people. Environmental activists were joined by

prominent local civil rights and labor leaders, like James Thindwa of the group Jobs with Justice, the Reverend Calvin Morris, leader of the Community Renewal Society, and Naomi Davis of Blacks in Green.

A citywide coalition to become known as Climate Justice Chicago was forming—an alliance that would broaden the base of the campaign around the coal plants and help revive the network splintered by the tensions around the state agreement.

## Chapter 10: An Olympic effort



Leila Mendez. Photo by Lloyd DeGrane.

**While PERRO members** had been frustrated and disillusioned by the lack of City Council action on the coal plants and their exclusion from the state agreement, the grassroots group was having great success on another front: their campaign around H. Kramer, a long-standing family-owned smelter just a few blocks from the Fisk plant.

In 2005 PERRO members did soil testing on lots around the smelter and Fisk plant. They found alarmingly high levels of lead, well above federal safety standards. Their work prompted the Illinois EPA to do its own testing, which likewise showed severe lead contamination, and the federal and state government lodged legal complaints against H. Kramer.

The smelter was forced to clean up soil and improve its pollution controls. And PERRO developed a close working relationship with the U.S. EPA, which would eventually undertake a massive cleanup of a formerly defunct smelter site and several other contaminated lots in the blocks near the coal plant.<sup>1</sup>

PERRO could see that their scrappy H. Kramer campaign—launched with video of billowing emissions that Dorian Breuer shot late one night—had gained national attention and yielded some real results. They channeled the confidence, prominence and expertise they’d gained through the smelter fight into stepping up their campaign around the Fisk plant.

Among the members who had honed their research and organizational skills was Maria Chavez, whom Breuer and Jerry Mead-Lucero often refer to as “the brains behind PERRO.” A mother who shies from the media spotlight, Chavez was relentless in tracking down information on emissions releases, campaign donations and other facts about Pilsen polluters. And she was bold and clever in surveying the neighborhood, looking for evidence of contamination, and confronting company officials with her findings.

Another increasingly active PERRO member was Leila Mendez, a former preschool teacher and full-time nanny who often took her young charge to Dvorak Park.

Dvorak is one of only a few small parks in Pilsen, and its pool, playground and grassy field are packed with families every summer day. Mornings find locals jogging around the modest oblong running track, and on warm nights teenagers play basketball late into the night, a safer alternative to hanging out on street corners. Dvorak is directly across the street from the Fisk plant. When swimming in the pool or laying in the grass, the smokestack looms above you.

Mendez grew up in Pilsen with seven siblings. They all suffered severe and often mysterious health problems, including asthma, allergies and emphysema, which Mendez came to blame on the coal plant. She sometimes figured it was “not worth it” to continue living in Pilsen, she often told reporters, yet she refused to allow a profit-seeking company to drive her out of the neighborhood she loved.

Mendez made many a speech in Dvorak Park; she was also a frequent speaker during rallies and protests near the Crawford plant or at City Hall. PERRO and LVEJO protests were always colorful and creative, featuring props like gas masks, dioramas of the coal plants, an elaborate papier mache puppet of a greedy businessman.

They marched through the neighborhoods, including an annual procession for Dia de los Muertos. In Mexican communities the “Day of the Dead” is a major holiday, when people decorate sugar skulls and build altars to departed loved ones. PERRO and LVEJO members marched solemnly through the darkened streets holding candles, some wearing robes and skeleton masks, carrying signs noting the death toll from the coal plants.

LVEJO and the Rainforest Action Network also did a series of street theater actions, including “energy elections” in different neighborhoods where they asked passersby to vote on whether they supported clean power or coal power. The results were overwhelmingly in favor of clean energy.

**While the coal plants** continued to pollute Pilsen and Little Village, Chicago was touting its environmental credentials for national and international audiences.

In September 2008, Chicago adopted its Climate Action Plan, a lengthy document that outlined how the city would reduce its contribution to climate change by pushing for greener buildings, promoting energy efficiency overhauls and curbing the urban heat island effect.<sup>2</sup> The plan included an introduction from the mayor’s office, which said that over the past 15 years Mayor Daley had managed to “transform Chicago into the most environmentally friendly city in the nation.”

“Today, Chicago is one of the world’s greenest and most livable cities,” the statement crowed. “We lead the way from green roofs to green buildings and policies.”<sup>3</sup>

The plan warned that, “Continued global dependence at current levels on coal, gas and oil would radically alter the city’s climate so that a Chicago summer late in the century could feel like that of Mobile, Alabama today.” It called for “upgrading or repowering” Illinois’s 21 coal plants, including the two in Chicago, and it suggested a federal cap and trade system for greenhouse gases.

However, the plan made no further mention specifically of the two Chicago coal plants or any city efforts to reduce their emissions.

Climate and health activists said Chicago could never really be one of the world’s greenest cities as long as it did nothing to address the coal power within its borders.

“Let’s face it, Mayor Daley made it pretty clear that cleaning up Fisk and Crawford was not a priority,” said ELPC executive director Howard Learner. “He seemed to have a blind spot to the state’s largest sources of greenhouse gases.”

Meanwhile, Chicago was going all-out in a bid to bring the 2016 Olympics to the city. It could be Mayor Daley's crowning achievement, a culmination of his oft-repeated goal of becoming a true "global city."

In August 2008, LVEJO members visited City Hall to tell the mayor that if he didn't meet with them, they would contact the International Olympic Committee to let them know about the archaic sources of air pollution right in Chicago. Given that Beijing with its horrendous air pollution had snagged the 2008 Games, the coal plants alone surely would not have torpedoed Chicago's chances. But the larger message was clear: the Chicago coal plants could become a source of international shame for this seemingly glistening and modern city.

In spring 2009, LVEJO held their own "Coal Olympics" at an elementary school near the Crawford plant. Organizer Samuel Villaseñor led teens in a "hurdling" competition: they jumped cardboard models of coal plants topped with clouds of pollution, while wearing respiratory masks. The "medals" were lumps of coal spray-painted silver and gold.<sup>4</sup>

Later that year, when the International Olympic Committee made its decision, Chicago was the first candidate eliminated. Civic boosters were shocked and crushed. Hundreds of people gathered downtown waiting to celebrate dropped their flags and walked off in stunned disappointment.

Henry Henderson, Midwest program director for the NRDC and the city's former environment commissioner, believes the coal plants, along with the filthy Chicago River played a role in the Olympic committee's decision.

"It had become unambiguous that continued operation of the plants was an embarrassment to Chicago," he said. "The bid for the Olympics was made particularly on the basis of being a green Olympics, yet you had the illegal operation of these plants, and a population increasingly angry over being a dumping ground. As international groups were coming to look at the city, it made it untenable."

## Chapter 11: From the 'hood to the holler

**Since the early days** of the coal plants campaign, Chicago advocates across the spectrum from PERRO to the major groups had all been reluctant to talk openly about closing the plants. In addition to lost jobs, the prospect raised fears—albeit mostly unfounded—of disruptions to the electricity supply. By 2008, after the devastating collapse of housing prices and ensuing economic crisis, the jobs issue was even more sensitive. Nonetheless, many Chicago activists were increasingly realizing—and vocalizing—that public health and the environment would best be protected if the plants closed.

The Fisk and Crawford plants, like coal plants across the country, could install pollution control technology, and they could decide to do it more swiftly than the state agreement mandated. But even with top-notch pollution controls, coal plants are still burning coal. This means continued coal mining, tearing up the land in the mountains of Appalachia, the Powder River Basin of Wyoming or the woods and rolling farmlands of central and southern Illinois.

Coal plants also create tons of coal ash, a toxic byproduct left in boilers after the coal is burned. And scrubbers that remove sulfur dioxide create a toxic waste product of their own. All this has to be stored somewhere, typically as a liquid slurry in pits (often tapped out quarries) or impoundments held in place by dams. Just before Christmas in 2008, a coal ash impoundment in the hills of eastern Tennessee broke and spilled more than five million cubic feet of ash slurry laden with poisonous metals into the small town of Kingston.<sup>1</sup>

Across the country, reports by the EPA and environmental groups showed that contaminants from coal ash were leaching into groundwater or contaminating nearby waterways, including the Mississippi River.<sup>2</sup> In areas where people rely on well water, the possibility of toxic groundwater contamination was especially disturbing. There is generally no government testing of private wells, so people's water could be poisoned by coal ash and they wouldn't even know it.

The Fisk and Crawford plants ship their coal ash off-site. But at Midwest Generation's Joliet plant about 50 miles southwest of Fisk and Crawford, damp coal ash is piled in old limestone quarries amongst homes—in a largely lower-income, African American neighborhood—that rely on well water. Midwest Generation's Joliet site is among more than 200 nationwide where environmental groups and government agencies have documented water contamination from coal ash.<sup>3</sup>

The coal plants were often a topic of discussion when Pam Richart got a beer at the north side bar Hop Haus with her cousin Joe Moore, the alderman representing “lakefront liberals” in the Rogers Park neighborhood.

**Moore had long** been known as one of the City Council's relative independents, clashing with Mayor Daley on issues including a citywide ban on foie gras, which Moore sponsored as a statement against animal cruelty, and an ordinance demanding living wages for workers in big-box stores. (Daley ultimately vetoed the wage ordinance, and the City Council later overturned the foie gras ban.)

During their meet-ups, Richart would give her cousin an earful about the harmful local and global effects of the coal plants, and Moore was highly concerned.

In early June 2009, the Eco-Justice Collaborative organized a delegation for Chicagoans to West Virginia, where they saw first-hand the

impacts of coal mining and how locals were fighting back. The Richarts brought Moore along with Kim Wasserman's father, Howard Ehrman; LVEJO coal organizer Samuel Villaseñor and youth leader Lillian Molina; members of the 8th Day Center for Justice; and two young filmmakers, Parson Brown and Kat Wallace, who were making a documentary called *Topless America* about mountaintop removal mining. Dorian Breuer of PERRO had hoped to make the trip, but his young son had just been born. While the birth prevented him from going, it increased his personal motivation to fight the coal plants.

In West Virginia the Chicago group met members of Coal River Mountain Watch, a small non-profit formed in 1998 to fight mountaintop removal mining.<sup>4</sup> They talked with group leader Judy Bonds, often called the "godmother" of the movement against mountaintop removal mining, and winner of the 2003 Goldman Environmental Prize. They also met Lorelei Scarbro, a Coal River Valley resident who had seen the effects of mining on communities and families as the daughter, granddaughter and wife of miners.<sup>5</sup>

They talked with Larry Gibson, a diminutive landowner with a ribald sense of humor and nerves of steel who refused to sell his family property to a coal company even in the face of threats and violence from his pro-coal neighbors.<sup>6</sup> And Ed Wiley, a tall, wiry and earnest former coal company employee who became an activist because of the looming coal ash impoundment right above Marsh Fork Elementary, where his granddaughter Kayla went to school. Wiley walked from West Virginia to Washington, D.C. as part of a fundraising campaign called Pennies of Promise to try to build a new school away from the coal ash.<sup>7</sup>

SouthWings, a volunteer organization of pilots concerned about the environment, took the Chicagoans up in a tiny plane for an aerial view of the strip mines. As Larry Gibson would often say, the once lovely and tree-covered Appalachian mountains looked more like a desert, harshly sculpted barren earth dotted with the unnaturally brilliant colors of toxic ponds of mine waste.

Pam Richart described the delegation as a highly strategic move.

"All who attended knew we were going to explore the potential to work together to start a new campaign to close Fisk and Crawford," she explained. "The delegation was a way to get us together in an area where we could experience the impacts of coal on people and place without interruption; explore the potential for working together on a Chicago campaign; talk about what a campaign to clean up or close down the plants might look like.

"And to build trust," she added, "since after the 2006 state agreement, LVEJO and PERRO were angry and felt sold out."

While the rural, lush “hollers” in the rolling hills of Appalachia were a world apart from Chicago’s flat, urban landscape, the Chicagoans felt an immediate affinity with the West Virginia activists. Both groups felt deep connections to their homes; they couldn’t imagine leaving the places where they grew up or raising their families anywhere else. And both felt their families and their homes were now at great risk because of the coal industry.

The stakes appeared higher and more immediate in West Virginia: the mountains were literally being torn apart, the coal ash impoundment above Kayla’s school could burst at any moment. These scenes drove home for the Chicagoans that not only were the Fisk and Crawford plants harming their health and contributing to global climate change, but they were part of a larger industry wreaking havoc across the country.

“Talking to these people struggling against mountaintop removal and being very much taken with their courage and their conviction made me realize what we were doing in Chicago paled in comparison to the real courage being exhibited by folks on the front lines,” said Alderman Moore.

Though the Chicago plants didn’t actually burn Appalachian coal, Moore saw it as all part of the same puzzle. The following year during a National League of Cities conference he would tour the vast Wyoming strip mines that provided coal to the Chicago plants. The jaunt was meant to promote the concept of “clean coal”—but all Moore saw were “massive scars on the earth.”

Kim Wasserman said the Appalachian trip helped LVEJO members understand that “this is not just about feeling sorry for our poor brown people. We’re also talking about poor white people in West Virginia. This is not just about race, this is a class issue. Why is it that poor people are expendable when it comes to the fossil fuel industry?”

Meanwhile, Chicago activists were also connecting with people from Illinois’ own mining country.

**The first recorded find of coal** in the U.S. was in Illinois, by explorers Louis Joliet, a fur trader, and Father Jacques Marquette, a Jesuit missionary. They saw coal outcroppings in 1673 along the Illinois River.<sup>8</sup>

In 1848 the state’s first underground mine reportedly opened in Belleville, Illinois.<sup>9</sup> Coal demand picked up quickly with the expansion of the railroads and the Civil War,<sup>10</sup> and miners and those wishing to serve them flocked to towns like Coal City, Galena and Carbon Hill in central and northern Illinois.<sup>11</sup> In southern Illinois mining also took off, spawning towns like Carbondale<sup>12</sup> and Mt. Olive, bastion of coal miner activism and burial spot of legendary labor leader Mother Jones.<sup>13</sup>

The industry drew many thousands of immigrants from Europe, at first northern Europeans including Irish, Germans and Scots; and later southern and eastern Europeans including Bohemians, Italians and Poles.<sup>14</sup> The miner’s life was a hard one: they were likely to suffer from black lung

disease and other debilitating ailments, and faced constant danger from explosions, floods and collapses in the mines. They paid exorbitant rates for housing and supplies in company towns where the mine owner also typically owned the homes and operated the company store. They formed unions and fought violent, bloody battles over wages and working conditions.

Northern Illinois's coal mines were all tapped out and closed by the latter half of the 20<sup>th</sup> century, but central and southern Illinois maintained an active coal industry.

The Prairie Rivers Network and other groups and individual activists worked hard to shed light on the environmental and social impacts of coal mining in downstate Illinois.

Jeff Biggers, an author and itinerant storyteller, often visited Chicago to talk about coal and share tales from his book *Reckoning at Eagle Creek: The Secret Legacy of Coal in the Heartland*, an account of how strip mining threatened his family's beloved land in the lush forests of southern Illinois. Biggers, along with the Eco-Justice Collaborative, Sierra Club and Prairie Rivers Network would later found the Heartland Coalfield Alliance to address the environmental and social impacts of Illinois coal mining.

Increasing automation, the busting of the miners union and the shift in mining techniques from traditional "room and pillar" extraction to less labor-intensive "long wall" and strip mining meant that Illinois mines provided far fewer jobs than in decades past. But the state's coal industry was still significant and powerful.

In a bid to bolster Illinois coal, politicians including U.S. Senator Dick Durbin and even President Barack Obama were advocating for new so-called "clean coal" plants in Illinois, most notably the trouble-plagued FutureGen project slated to capture and sequester its carbon emissions.<sup>15</sup> Biggers and other downstate Illinois residents said the huge new plants would only accelerate the environmental and social devastation caused by mining in their backyards.

"Clean coal is a hoax," wrote Biggers in the *Huffington Post*. "Offensive to coal miners and their families who have paid the ultimate price, offensive to people who live daily with the devastating impacts of coal mining and coal ash in their communities and watersheds, and offensive to anyone who recognizes the spiraling reality of climate change."<sup>16</sup>



Lan and Pam Richart, with Alderman Joe Moore. Photo by Kari Lydersen.

## Chapter 12: Holler to the 'hood

**In July 2009**, the Chicago City Council energy and environment committee—where Alderman Ed Burke’s Clean Power Ordinance had died some years before—passed an ordinance meant to clean up Chicago air with stricter regulations on diesel vehicles and some other polluters.

But the ordinance did not mention the coal plants.

Committee chair Virginia Rugai—the one who failed to shepherd Burke’s ordinance out of the committee—asked early in the meeting why the coal plants weren’t included in the latest clean air measure.

*Chicago Reader* reporter Mick Dumke surmised that her question was a “gambit” to head off exactly that same criticism from environmental leaders.<sup>1</sup> Rugai’s question gave environment commissioner Suzanne Malec-McKenna an opening to note that the city could not really regulate coal plant emissions beyond what the state and federal government were doing. Her point was legally debatable; environmental lawyers had long argued that the city’s home rule powers did indeed give it such authority.

Alderman Joe Moore took issue with Malec-McKenna’s explanation, saying, “You have these two plants in our city that more than anything else contribute to global warming and impede the efforts of this city to achieve the results of its climate action plan. So I have been disappointed and I continue to be disappointed and somewhat perplexed by the administration’s failure to really aggressively pursue shutting down these plants.”<sup>2</sup>

A week after that City Council hearing, environmental groups sent a letter to the Illinois Attorney General and the federal government announcing their intention to sue Midwest Generation for violations of the Clean Air Act.

Enforcement of the Clean Air Act relies in large part on complaints generated by citizens and private groups. Admirers of the Act often describe this as part of its genius because it gives the public a legal avenue to enforce the law if government agencies are unresponsive. Citizens are required to give two months notice of their intention to file a Clean Air Act lawsuit, allowing state and federal authorities the chance to step in and take up the matter.

That's exactly what happened with Midwest Generation.

A month after the NRDC, the ELPC, the Sierra Club, the Respiratory Health Association of Metropolitan Chicago and Citizens Against Ruining the Environment (CARE, a group focused on the Joliet plant) sent their letter, Illinois Attorney General Lisa Madigan and the U.S. Department of Justice made a legal complaint against Midwest Generation, parent company Edison Mission Energy and ComEd, which formerly owned the plants.<sup>3</sup> The U.S. and Illinois governments were the plaintiffs; the environmental groups dropped their own lawsuit and became interveners on the government's side.

The government charged that the coal plants had violated the Clean Air Act's limits on opacity and particulate matter as well as the New Source Review provision that requires best available pollution control technology be installed when major upgrades are made. The lawsuit said the companies violated a provision of the Clean Air Act that calls for "prevention of significant deterioration" in areas like Chicago that are already out of compliance with regional air quality standards.<sup>4</sup>

The complaint asked a federal judge to order Midwest Generation to revise its permits and make required upgrades to comply with New Source Review, and to pay fines ranging from \$25,000 per day for earlier violations to \$37,500 a day for violations occurring since 2009. It also demanded the company pay the plaintiffs' legal costs. A judge would later rule for Midwest Generation; as of spring 2014 the government's appeal was still pending.

**In June 2009**, residents from "the 'hood" in Chicago had traveled to West Virginia's hollers. In September, the holler came to the 'hood.

Lorelei Scarbro of Coal River Mountain Watch joined Samuel Villaseñor from LVEJO and Dorian Breuer from PERRO for a series of events at Chicago universities and other venues. Scarbro shared the stories of Ed Wiley, Larry Gibson and other Appalachian activists. At a Pilsen café they read poetry and screened previews of the mountaintop removal documentary *Topless America* and a documentary called *The Cloud Factory* featuring Little Village activist Marisol Becerra.<sup>5</sup>

LVEJO led one of their popular Toxic Tours, wherein youth leaders marched journalists, academics and other visitors past attractions like the local Superfund site and the waste barrel facility where Wasserman scaled a fence to spy on suspicious dumping. The apex of the tour was always the Crawford plant, with its coal piles next to a stinky city garbage depot and a ramshackle wooden pallet operation.

On September 29, 2009 everyone piled into the offices of the 8th Day Center for Justice in downtown Chicago. It was a re-convening of the people and groups who had worked together around Alderman Burke's ordinance, the mercury rule and various events before fracturing over the state agreement. And there were new parties at the table, including those who had joined the fight from the climate justice perspective.

At this meeting Alderman Moore, the Richarts and community leaders announced their desire to try again for a city ordinance shutting down or cleaning up the coal plants. PERRO and LVEJO were already on board. After the meeting, as Pam Richart remembers it, they approached Brian Urbaszewski and Becki Clayborn of the Sierra Club asking them to join the effort.

The Richarts remember Urbaszewski saying something like, "I hear you, I care so much, but I just can't do it."

"The initial reaction was, 'We've been through this before, we're exhausted,'" said Pam Richart. "But we wouldn't take no for an answer."

They kept calling and emailing Urbaszewski and other leaders, and eventually everyone agreed to give it another shot.

"This time when we came to the table it was do or die," said Kim Wasserman. "We'd had our fights, but now it was all of us coming together saying, 'Let's go balls to the wall and see what happens.'"

## Chapter 13: An ordinance reborn

**The fall of 2009** featured biweekly meetings amongst the groups who had renewed their commitment to working together around the coal plants. The ELPC, Sierra Club, Eco-Justice Collaborative, Respiratory Health Association of Metropolitan Chicago, PERRO and LVEJO gathered in the offices of the ELPC, the Sierra Club or the Richarts' home. Alderman Moore usually joined them. When he participated in the "twinkle hands" gesture that activists do in meetings to show silent agreement, "we knew he was one of us," as Pam Richart said.

The group wanted to avoid the bad feelings that had previously splintered them. Becki Clayborn of the Sierra Club took a leading role in forcing everyone to have difficult conversations, and creating a roadmap that would avoid similar dynamics in the future. She pushed the group to hammer out a Memorandum of Understanding that outlined in exhaustive

detail processes for decision-making, media outreach, strategy and other important elements of the campaign. It defined the roles of various participants and committees, and laid out how resources would be allocated, how members would communicate and how data and contacts collected in the course of the campaign could be used. Creating the memorandum took a lot of time, and some thought it was an unnecessary distraction. But numerous coalition members later thanked Clayborn for her foresight.

“For me it was to build trust, that we’re going to make decisions together and learn about each other’s concerns so that we’re stronger together,” Clayborn said. “I probably was not the most liked person for pushing on it so much. People don’t want to think about the pesky process—people just want to go do!”

But she feared the past would repeat itself if the group wasn’t careful. “I recognized how powerful this coalition could be if it didn’t get stuck on mistrust and if it wasn’t splintered,” she said. “And I felt this was needed if we were going to win.”

Alderman Moore worked with the coalition to draft a new clean power ordinance. Then they held a series of meetings to “roll it out,” soliciting feedback from more community and environmental groups and inviting them to join the effort. The core of six organizations quickly grew to a total of 60, with 17 groups constituting the central coordinating committee of the newly minted Chicago Clean Power Coalition.

They formed committees for things like lobbying, coalition-building, media outreach and data management. They mobilized networks of volunteers to help with tasks like sending postcards to aldermen and launching email blasts.

“One of the strengths of this process was that we were able to get group buy-in early on, before beginning to meet with aldermen,” noted Pam Richart. “And we built a coalition with diversified groups who could carry messages to aldermen and others in differing ways.”

Living on the north side distant from the coal plants, and with a history of taking a stand on larger issues like the Iraq War, Moore was an appropriate politician to bring the coal fight back to the City Council in a new context. Alderman Burke’s ordinance had been framed as a public health issue based on the effects of NO<sub>x</sub> and SO<sub>x</sub> emissions. The ordinance Moore and the coalition came up with did not limit NO<sub>x</sub> and SO<sub>x</sub> but regulated particulate matter, arguably a more serious health danger. Moore’s ordinance also limited carbon dioxide and described the plants explicitly as drivers of global climate change.

“When the opportunity came around to do an ordinance again, we focused on particulate matter and carbon dioxide,” ELPAC attorney Faith Bugel explained. “Particulate matter because that was the pollutant left out

of the state settlement, and of course carbon dioxide because it had gone historically unaddressed.”

The ordinance set strict limits on both PM10 and PM2.5 and carbon dioxide emissions, measured per amount of fuel burned. The carbon dioxide limits—“120.36 pounds per million BTU of actual heat input”—would be basically impossible for the coal plants to meet unless they switched from burning coal to natural gas or captured their carbon emissions. Every one-hour period that emitters violated the standard would result in a fine of between \$5,000 and \$10,000, the ordinance said.

Moore’s ordinance began by laying out the city’s home rule authority to regulate pollution, noting that “state and federal air pollution regulations do not adequately address local impacts on human health.”<sup>1</sup>

**As the battle** over coal-fired power and coal mining had picked up steam around the country, there was a complicated subtext.

That would be the rise of horizontal drilling and hydraulic fracturing, or “fracking,” allowing the extraction of vast quantities of natural gas—and oil—that had previously been locked in inaccessible shale formations. Fracking for natural gas quickly became highly lucrative and highly controversial in the Marcellus and Utica shales underlying western Pennsylvania and New York, Ohio and West Virginia.<sup>2</sup> Illinois is also considered potentially prime territory for fracking, and speculators have laid the groundwork for a possible drilling boom in some of the same areas where residents are fighting coal mining.<sup>3</sup>

The rapid growth of fracking meant natural gas prices dropped to unheard-of lows. Power plants that burned natural gas to produce electricity were able to do it much more cheaply, flooding the energy markets with an influx of low-cost electricity.

This was bad news for merchant coal plants like Fisk and Crawford that sold their power on the open market. It was suddenly hard for them to compete with cheap gas-fired power, and the escalating “natural gas revolution” meant that even more gas-fired plants were being built.

Natural gas burns much more cleanly than coal, releasing significantly less particulate matter, NOx, SOx and carbon dioxide than a coal plant. So environmental and health groups were not sure what to make of natural gas. Some welcomed it as a cleaner “bridge fuel” that could help wean the U.S. off coal and onto renewables, while others warned that natural gas is still a climate change-driving fossil fuel, and its extraction involves significant environmental consequences, including massive water use and potential water contamination.

Around the country some coal-fired power plants had converted to burning natural gas. Such a conversion entails major and costly overhauls, but some of the equipment can be repurposed and the plant is already connected to the grid to transmit electricity. As Alderman Moore’s

ordinance was being crafted there was talk of converting the Chicago plants to burn natural gas; and natural gas plants could indeed have potentially met the emissions limits in the ordinance. Proponents of the ordinance would sometimes invoke the possibility of switching to natural gas to deflect criticism around killing jobs—indicating that jobs could be protected if the company was willing to invest in a conversion.

But Midwest Generation officials consistently maintained that switching to natural gas was not financially possible, and that Moore’s proposal was nothing short of a “shut-down ordinance.”

## Chapter 14: Thinking globally, acting locally

**President Obama** would go to Copenhagen in November 2009 for the highly anticipated international climate change summit, part of the United Nations Framework Convention on Climate Change.<sup>1</sup> In Denmark, world leaders hoped to hash out a successor agreement to the 1997 Kyoto Protocol, the most important global pact on climate change—albeit one the U.S. had never signed. Obama’s participation was seen as key to inking a binding successor agreement in Copenhagen, even though the failure of Congress to pass a climate bill dealt a major blow to his credibility and bargaining power.

Meanwhile, back in Chicago, organizers prepared for an International Day of Climate Action on October 24, which was pegged to the upcoming Copenhagen summit.

The Fisk plant took center stage, as the Chicago plants by this point had become national and even international symbols of coal’s major contribution to climate change. The cause had been taken up by 350.org, the national group started by high profile activist-author Bill McKibben and named for the goal of keeping carbon concentrations at 350 parts per million.

For the October event, Greenpeace Executive Director Phil Radford traveled to Pilsen to join PERRO, LVEJO and other locals marching in front of the Fisk plant.

“We’re here today for two reasons,” Radford said. “First, to shut down the Fisk coal-fired power plant.”

“The other reason we’re here is because we’re disappointed, frankly,” he continued. “We’re disappointed because we had hope that President Obama would shut down plants like this, would pass an energy policy that created new jobs and cleaned up our communities. So far we haven’t seen that leadership. So we’re here to hold him accountable and to make sure he makes that hope a reality.”<sup>2</sup>

Marchers pushed baby strollers and waved cardboard wind turbines, holding signs referring to “Chicago’s dirty secret” and demanding that the plants get shut down. Activists with Greenpeace and the Rainforest Action

Network<sup>3</sup> sat down on the road in front of the plant refusing to move; Chicago police methodically handcuffed eight protesters<sup>4</sup> and loaded them into the back of a police van.

“The cops were so nice to us,” said Debra Michaud, co-founder of the Chicago chapter of the Rainforest Action Network. She said the officers said they sympathized with the concern over the coal plants, and the protesters were released with a fine without being booked into jail.

Meanwhile LVEJO members appreciated that such activists were able to risk arrest for bold actions in a way that many Little Village residents could not. Immigrants in the country without documents could end up deported if they were arrested, or they might be working multiple jobs to support their families and couldn’t afford to get thrown in jail even overnight.

At the rally Moore announced the new ordinance—and made it clear that it was indeed intended to shut down the plants, as opposed to forcing them to install better pollution controls or convert to natural gas.

Moore told the cheering crowd that the Chicago plants were “contributing to global warming, contributing to the expiration of our planet as we know it.”

“And we cannot let that happen,” he vowed. “That is why in the next few weeks I’ll be introducing an ordinance in the Chicago City Council...to shut down that power plant.”<sup>5</sup>

**On April 13, 2010**, flanked by Wasserman and other activists, Alderman Moore held a press conference in the City Council lobby announcing the imminent introduction of the Clean Power Ordinance.

“When this legislation passes, Chicago will do what no other large city in America has had the guts to do: it will clean up a dirty power plant within its jurisdiction and thus protect the health and welfare of its residents,” he said. “In doing so, Chicago will cement its reputation as the greenest city in America.”

Moore waved a page from the city’s climate action plan—the one lacking any real commitment to clean up the coal plants—and said, “It’s now time for the city of Chicago to live up to its own climate action plan.”

“Before we’ve even read one word of this legislation, the power company executives are already threatening us,” he continued. “They say rather than clean them up, they’ll shut them down. They say their workers will lose those good union jobs.”

Moore invoked his strong record supporting labor unions, and said, “I’m sick and tired of corporate executives scaring people about job loss just to try to save the bottom line.”

“I’ll be damned if I’m going to let some power company executives scare their workers and their families,” Moore proclaimed. “I’ll be damned

if I'm going to let them divide the workers and their families from those of us who care about their health and care about the environment.”<sup>6</sup>

Kim Wasserman took the microphone. “This is exactly what the residents of Little Village and Pilsen have been fighting for—for the last eight years,” she said. “It brings joy to my heart and tears to my face to know that so many people have joined on and are fighting with us for clean air. Our communities have lived in the shadows of these plants for too long and we can no longer live like this.”

Several other aldermen voiced their support for the ordinance, including South Side alderman Sandi Jackson, who said her own children struggle with asthma.

“There is no time to waste,” Jackson said. “The time is now, the time is today!”

But the next day when the ordinance was introduced in City Council, it was assigned to the Rules committee, known as the committee where “ordinances go to die.”

## Chapter 15: ‘We know what's up’



Ian Viteri. Photo by Lloyd DeGrane.

**Ian Viteri** grew up a few blocks from the Crawford plant. It was a reliable landmark, the way he knew his family was approaching home from the highway. But like so many locals he never thought much about what the plant was actually doing. He got involved with LVEJO shortly after high school when Lillian Moreno—a member of the Appalachian delegation—recruited him to organize the group’s annual skateboarding jam.

“She was a really good organizer—she drew us in with the skate jam, and then she would talk about social justice and things,” remembered Viteri.

He went to art school for college but during summers returned to volunteer with LVEJO, helping Samuel Villaseñor run the group’s clean power campaign. That’s when he realized how many of his friends and family members had asthma, and the role the coal plant likely played. After Villaseñor left the organization, Viteri took his place as clean power organizer—right as the revived Clean Power Coalition was coalescing.

Viteri quickly became a skilled organizer on the local level. By April 2010, he was taking LVEJO’s message to the global stage at the World People’s Conference on Climate Change and the Rights of Mother Earth, in Cochabamba, Bolivia.

President Obama’s visit to the climate summit in Copenhagen in late 2009 had ended in failure, without a final agreement, binding emissions reductions promises or a hoped-for commitment to keep global average temperature rise below 2 degrees Celsius.<sup>1</sup>

The weak Copenhagen outline didn’t do nearly enough to combat the threat of global climate change, critics argued, and it didn’t force the richest developed countries to make the deep emissions cuts that would be only fair given their vastly disproportionate contribution to climate change in years past.

Making developed countries shoulder a fair burden was the main message at the People’s Conference on Climate Change. The idea was to formulate a counter-plan to the one being negotiated at conferences like Copenhagen and an upcoming meeting in Cancun, Mexico.<sup>2</sup> Cochabamba was a highly symbolic location, home of the “Water Wars” where in 2000 popular resistance had driven out a multinational company that tried to privatize the water supply, drastically raise rates and crush opposition.<sup>3</sup>

Viteri met Bolivian President Evo Morales, Venezuelan President Hugo Chavez and former Cuban President Fidel Castro. He even joined Morales on the dance floor, to the beat of Afro-Bolivian music, “until some of the American girls got crazy and started juking Evo, then security was like ‘that’s enough.’”

“I met organizers from all over the world, I heard about their struggles against water privatization, I saw that it was possible to take on these big companies,” Viteri added. “It was a turning point for me as an organizer.”

June 2010 found Viteri again surrounded by activists from around the world, this time closer to home in Detroit. While the city had become infamous as a symbol of urban decay and dysfunction, as Viteri and thousands of others arrived for the U.S. Social Forum it felt injected with new life. The downtown restaurants and cafes were full of energetic activists and advocates from teenagers to senior citizens.

The convention center's marquee flashed the words "Another world is possible."

At a big rally calling for the closing of a local incinerator, Viteri spoke to the crowd from the bed of a red pickup truck. He was surrounded by "an army of sunflowers," as he remembers it, and huge signs emblazoned with the slogan "Clean Air." He described himself as from "a community sandwiched between two coal fired power plants."

"So we know what's up," he cried. "We're right there with you, Detroit!"

That year Viteri also went to an activist training camp hosted by the Ruckus Society in Minnesota, where organizers from around the country learned about various non-violent direct action techniques, campaign strategies and collective decision-making processes. Then he traveled straight to Washington DC for the Appalachia Rising march bringing the mountaintop removal issue to the nation's capitol. If that wasn't enough, he also gave talks in New York City.

The travel impressed Viteri's parents, who had been skeptical of his seemingly impractical career choices—art and organizing—and joked, "You're always talking about cleaning up the neighborhood, why can't you just clean up around the house?"

**Aside from traveling** to network with other activists, Viteri's main mission in 2010 was helping Wasserman convince Ricardo Muñoz, the alderman representing Little Village, to publicly support the Clean Power Ordinance.

Muñoz was generally known as an independent and an advocate of social justice, and he was often allied with Alderman Moore as fellow members of the City Council's Progressive Caucus. But Muñoz was also concerned about the loss of jobs if the plants were to close, and downplayed their pollution impact relative to other sources.<sup>4</sup> Viteri and Wasserman knew that they needed to marshal enough support among Little Village residents to convince Muñoz to take a stand on the ordinance.

They planned a big march for August 5, 2010 that would start at an elementary school near Muñoz's home, and wind through the residential streets to end up outside the Crawford plant. A trained artist, Viteri often made creative and visually striking props and signs for the clean power campaign.

Before the march, he and other LVEJO members made scores of stencils with a silhouette of the coal plant and the words “Danger: You live .5 miles from a toxic coal power plant,” and in Spanish, “Peligro: Vives .5 millas del Planta del Carbon.” (They lost the word “toxic” on the Spanish signs, Viteri noted, since “things always come out so much longer translated into Spanish”) They spent days talking to residents and asking them to put signs in their windows.

“Organizers had been going door to door for months already, so people knew about the plant,” said Viteri. “But there was a sense of resignation, they supported the campaign but didn’t believe the plant would ever really close.” He told them, “This is the closest we’ve ever gotten.”

The stencils popped up in windows throughout the neighborhood, and LVEJO members blanketed local cafes and restaurants with fliers announcing the upcoming march. The message was explicit—the alderman must sign on to the Clean Power Ordinance.

The Rainforest Action Network, which co-organized the march with LVEJO, posted a notice on their Meetup website:<sup>5</sup>

**Dirty Coal = Dirty Alderman,**

**How Much are Your Lungs Worth in Little Village?**

**\$24,725**

**That’s how much Alderman Muñoz got from the Coal Power Plants!**

It was a sensitive time for Muñoz politically. He had weathered several controversies in the past two years and was expected to face a stiff challenge in the upcoming 2011 aldermanic elections.<sup>6</sup>

LVEJO asked residents to register for the march, and as it approached more than 300 had signed up. Two days before the march, they said, Muñoz’s office called and asked them to cancel it, because he would sign on to the ordinance.

“We held the march anyway, but we made it about thanking Muñoz rather than calling him out,” said Viteri. “That was my first big organizing victory.”

Now that Alderman Muñoz was on board, LVEJO joined PERRO in the bigger political challenge—winning over Pilsen Alderman Danny Solis, whose campaigns had received about \$50,000 from Midwest Generation over the years.

## Chapter 16: A heartfelt hearing

**On September 7, 2010**, Chicago politics were upended in a way even the city's most savvy pundits had not predicted. Mayor Daley made the surprise announcement that he would not seek re-election in 2011. Speculation swirled about the reasons, including the failed Olympic bid, his wife's poor health and massive public outrage about a disastrous deal leasing the city's parking meters. Like his father, Daley had ruled the city for more than two decades.

In the days after Daley's announcement, several politicians threw their names in the hat to take his place. Leading contenders were Rahm Emanuel, President Obama's Chief of Staff, former Congressman and star political fundraiser; political city insider Gery Chico; and Carol Moseley Braun, the first and only African American female U.S. Senator.

For the Clean Power Coalition it was both an opportunity and another factor they had to contend with. Hitting the ground running, the coalition quickly made the coal plants a campaign issue in the mayoral race.

"We were going to all those mayoral debates, making this one of the top points of discussion," remembered Wasserman. "If they were taking email questions, we'd bombard their inboxes. If there was a comment box, we'd bombard it. If you had to line up to ask a question, we got there early."

In October the coalition hosted a rally outside the Alivio Medical Center near the Fisk plant in Pilsen, targeting the coal plants and calling for investment in clean energy. Author Jeff Biggers issued an invitation and a challenge to the mayoral candidates, writing on the national website *Alternet*:

"Dear Rahm, Carol...and other mayoral candidates: How green is your Chicago vision? For three out of four residents (voters) polled recently in the greater Chicago area, this might be one of the most important questions for the candidates this fall."<sup>1</sup>

By November the field was narrowed down to a handful of serious candidates. Each responded to a "Green Growth Platform" questionnaire developed by a coalition of 17 organizations including many of the Clean Power Coalition members. Gery Chico, Carol Moseley Braun, city clerk Miguel del Valle, nonprofit leader Patricia Van Pelt Watkins and perennial candidate William Walls III all said they would support the Clean Power Ordinance.<sup>2</sup>

Emanuel declined to say yes or no. But in the comment section he wrote, "Midwest Generation must clean up these two plants, either by installing the necessary infrastructure to dramatically reduce the pollution they emit, or by converting to natural gas or another clean fuel. I will work

closely with State and Federal regulators and the City Council to make sure it happens.”

Soon Emanuel was clearly leading the field. He was generally known as strong on environmental issues; in Congress he had spearheaded legislation to protect and restore the Great Lakes, and he was known as a proponent of clean energy technology and innovation. The Sierra Club endorsed Emanuel in the mayoral race.<sup>3</sup>

Other Clean Power Coalition members noted it was impossible to predict what Emanuel would do as mayor. After all, he was known as a consummate political pragmatist, and insiders reported that as Chief of Staff he had pushed President Obama not to pursue a climate bill curbing carbon dioxide emissions.<sup>4</sup>

Sarah Lovinger, executive director of Chicago Physicians for Social Responsibility, wrote an OpEd in the *Chicago Tribune* demanding that mayoral candidates, including Emanuel, commit to the ordinance.

“For the sake of our children's health and the health of adults with heart and lung disease, we must elect a mayor who supports this legislation,” she wrote. “To candidates who care about the health and well-being of Chicagoans we say: your choice is clear, Support the Chicago Clean Power Ordinance. To candidates who don't support the ordinance we say: our choice is clear. We will vote for someone else.”<sup>5</sup>

**October 10, 2010**, as the mayoral race was heating up, was another international day of climate action: 10-10-10. Local and national activists converged on Dvorak Park across the street from the Fisk plant for a rally.

It was also the day of the annual Chicago Marathon, which each year takes about 40,000 runners through the heart of Pilsen, crossing Cermak Avenue just a quarter mile from the Fisk plant. That's around the 20-mile mark, where many runners typically hit “the wall,” their legs cramping and their breathing becoming ragged and desperate. As the racers passed within a few blocks of the coal plant, above the throngs of cheering spectators they saw a big banner denouncing the coal plants, affixed to the brick wall of a warehouse—a tricky feat, Dorian Breuer remembered.

As the Christmas holidays in 2010 came around, the Clean Power Ordinance was still languishing in City Council. Activists made a holiday-themed trip to the chambers in December, dubbing aldermen “naughty or nice” depending whether they'd endorsed the ordinance and handing out candy canes or lumps of coal accordingly.

In January 2011, West Virginia activists again visited Chicago to help rally support for the ordinance and more directly for closing the plants. Larry Gibson came, wearing his trademark fluorescent T-shirt that read “Keeper of the Mountains,” though with a jacket on top for the Chicago winter.

Junior Walk, one of Ian Viteri's favorite activists, was also there. About Viteri's age, Walk had grown up in Whitesville, West Virginia and seen strip mining turn his once-thriving town desolate. His family's well water "turned blood-red" and smelled like sulfur.<sup>6</sup> After working in several jobs for coal companies himself, Walk dedicated himself to fighting the industry. His father, a coal company employee, felt forced to kick him out of the house and many relatives wouldn't talk to him. Like Viteri, Walk had longish hair and was partial to flannel shirts. Viteri and other LVEJO members took Gibson and Walk on their Toxic Tour of the neighborhood, and held a "story swap" at a Little Village café.

The Appalachian activists also met with Alderman Moore, and held a panel discussion at Loyola University with Viteri and Pam Richart. They described the EPA's veto of the proposed Spruce Mine, which would have been the largest strip mine in the state—a recent victory in West Virginia. They vowed they would build on that success by passing the Clean Power Ordinance.<sup>7</sup>

The coalition had spent months working to move the ordinance from the dreaded rules committee into a different one, and they finally succeeded getting it into the City Council's health and environmental protection committee.

That committee had a new chair, Alderman James Balcer, who represented the Bridgeport neighborhood, the historic home of the Daley family and other Irish American and Italian American clans. Just southeast of Pilsen and adjacent to the city's once-notorious stockyards, Bridgeport has long had plenty of environmental and health issues of its own.

Balcer at first embraced the Clean Power Ordinance enthusiastically, coalition members said, seemingly unaware of the mayor's and the council's longstanding tacit opposition. Balcer, a Vietnam War veteran, was known for passionate advocacy of veteran's issues, and kept American and Marine Corps flags decorating his City Council seat. He seemed to relate almost every topic brought up in City Council to veterans or the military.

But even lacking direct relevance to veterans, the coal plants struck a nerve with him. Bridgeport stretched to within blocks of the Fisk plant, and Balcer's great grandfather died working in a limestone quarry, since transformed into a park, just across the river from the plant.<sup>8</sup>

Coalition members said Balcer promised to call a committee hearing on the ordinance on February 14, 2011—Valentine's Day.

But the political wheels turned, and a committee hearing was not scheduled. Furious and frustrated, Moore vowed to hold a hearing anyway. He was able to book the City Council chambers for an unofficial ad hoc hearing on the ordinance, billed as a "People's Hearing."

By then 16 aldermen were supporting the ordinance. A majority of 26 votes are needed for an ordinance to pass, but even with majority support an ordinance can never progress until it gets a committee hearing.

Hundreds turned out for the People’s Hearing, and activists had fun with the Valentine’s Day theme. The Rainforest Action Network set up a kissing booth, and a young couple held signs saying, “Make love, not smog” and “I like dirty talk, not dirty power.” LVEJO brought their elaborate dioramas of the coal plants, nearby schools and a mountain with a shorn-off top, an homage to their allies in West Virginia. The dioramas also featured what they’d like to see instead of the coal plants: cardboard homes with tinfoil solar panels on top. Youth in face masks held a banner saying, “30 more died while we waited for our hearing”—the number based loosely on the Harvard study premature death estimates.

Activists and residents packed in for the hearing, with Moore and a few other aldermen in attendance. Congressmen Jan Schakowsky and Mike Quigley sent statements of support. Leaders of the coalition and other lawyers and scientists testified one after another about the health, environmental and economic impacts of the coal plants.

ELPC attorney Faith Bugel described the center’s study showing the plants had caused up to a billion dollars worth of health and environmental impacts since 2002, based on analysis from the National Research Council blaming the plants’ particulate matter emissions for \$127 million in annual costs.<sup>9</sup> And speakers cited a 2010 study by the Clean Air Task Force estimating that the Chicago coal plants caused 42 premature deaths, 66 heart attacks and 720 asthma attacks each year.<sup>10</sup>

Alderman Moore took testimony from several Pilsen and Little Village elementary school students, holding the microphone up gently as the boys—one of them sporting a cool sunglasses-indoors look—gave earnest statements.

Attendees decried the fact that despite the obvious public and political support for the ordinance, it couldn’t even get a committee hearing.

“If citizens are demanding a hearing and if the normal procedure is to have a hearing, there should be one,” said Bugel. “Obviously some members of government don’t want this. As to why, that is baffling.”<sup>11</sup>

## Chapter 17: Changing of the guard

**Coalition leaders** and political insiders knew that Mayor Daley’s refusal to crack down on the coal plants was the reason for the council’s inaction, though none of them were sure exactly why the so-called “Green Mayor” was so recalcitrant. The new mayor would be elected on February 22, 2011, and by this point it was clear that Rahm Emanuel would win.

Less clear was the result of the aldermanic election in the 25<sup>th</sup> ward, where Pilsen alderman Danny Solis was in a tight race with two challengers.

Danny Solis had cut his political teeth in Pilsen back when it was a rough, dangerous and neglected neighborhood roiling with political activism by groups including the Brown Berets, a militant Mexican American civil rights group. Solis was born in Mexico and came to Chicago with his family in 1956 at age six, settling in the Tri-Taylor area just northwest of Pilsen.<sup>1</sup>

As a charismatic young activist he was involved in the fight for Latino studies at the University of Illinois, and he started an alternative high school for Latino youth. In 1980 he co-founded the United Neighborhood Organization, which started out demanding better housing and jobs for Latinos and morphed into a powerful politically-connected and well-funded institution. Solis's own trajectory was similar: once an outspoken dissident, by 2011 he was known as a City Hall insider happy to tow the line.

Solis's most prominent opponent in the 2011 race was Ambrosio Medrano Jr., the son of former Alderman Ambrosio Medrano, whose felony conviction on federal corruption charges had cleared the way for Solis to take his seat in the first place.

Now Medrano Jr. promised voters he would offer a breath of fresh air—both literally and figuratively. He promised to break from the cronyism and insider politics that many said characterized Solis's leadership, and he also promised to take action on the coal plants. Medrano was endorsed by the Service Employees International Union (SEIU) Doctors Council, the labor union representing doctors at public institutions.

Brian Urbaszewski had helped PERRO connect with the Doctors Council some time earlier. Mead-Lucero remembers meeting with SEIU representatives at Teamster City, the massive union hall just north of Pilsen. A long-time labor activist, Mead-Lucero was in his element. "We presented to them why we thought this was a real health emergency in Chicago communities. We explained the environmental justice perspective, and very quickly they came on board," remembered Mead-Lucero.

The SEIU Doctors Council circulated glossy, full-color bilingual election mailings depicting the coal plant's smokestack in ominous jaundiced colors with the words: "Despite the health problems the plant is causing in our community, Danny Solis won't stand up to the company causing them." Another collage showed a man stuffing cash into his pocket while looking at the plant, with the words, "There's something in the air, and Alderman Danny Solis has \$50,000 in his pocket from the company putting it there."<sup>2</sup>

Meanwhile, Solis faced a potentially even tougher challenge from Cuauhtemoc "Temoc" Morfin, a community activist, youth probation officer and gym owner seen as a true independent and backed by PERRO leaders.

PERRO and other Clean Power Coalition members dogged Solis on the campaign trail. Solis supporters in fancy dresses and sleek suits at a hip campaign fundraiser in a warehouse right near the Fisk plant one chilly evening had to walk past a gauntlet of activists holding candles and signs about the coal plant's death toll. Activists also held a 24-hour vigil outside Solis's office, curling up on the sidewalk in sleeping bags.

On Election Day, Rahm Emanuel won in a landslide as expected, taking 55 percent of the vote compared to 24 percent for runner-up Gery Chico. Danny Solis got 48.9 percent of the vote, meaning he was forced into a run-off election with Morfin, who got 27.9 percent. With third candidate Medrano out of the race and most of his votes likely to go to Morfin, Solis faced a serious challenge in the April 5 run-off.<sup>3</sup>

The timing was right for Solis to have a change of heart on the Clean Power Ordinance.

Two weeks after the election, and a month before the run-off, Solis announced that he had decided to support the Clean Power Ordinance. SEIU Doctors Council agreed to endorse him.

"We created a scenario where Solis knew that the coal plants would be the difference in the election," noted Sierra Club Beyond Coal organizer Christine Nannicelli. "He would need to come clean and overlook his campaign contributions from Midwest Generation."

"We had been embarrassing him repeatedly at public events—fundraising events, campaign events—we were just hammering away and bringing the press out, especially the Spanish-language press," said Mead-Lucero. "There was this tremendous pressure, and public awareness skyrocketed. It went from the back burner to the number one issue in the campaign. Temoc was pushing it, Medrano was pushing it, then SEIU was flooding the neighborhood with literature. Solis saw the writing on wall."

In the run-off, Solis won with 54 percent of the vote, again stressing his new commitment to the Clean Power Ordinance and saying he finally realized that's what his constituents wanted.

**Finally**—a year after its introduction—the Clean Power Ordinance was granted its first official City Council hearing, scheduled for April 21, 2011. By now at least 26 aldermen were co-sponsoring it, enough to pass if it ever got to a full council vote.

Alderman Moore noted that getting Muñoz and Solis to finally sign on was crucial. "That deprived my other colleagues of a convenient excuse not to support the ordinance," he said.

The day before the hearing, activists from LVEJO, the Rainforest Action Network and the grassroots groups Rising Tide North America and the Backbone Campaign breached the fence around the Crawford coal plant and clambered atop one of the 20-foot-tall coal piles. They unfurled a 7-by-30 foot banner saying "Close Chicago's Toxic Coal Plants."

One of the protesters was Gloria Fallon, a local teacher.

“Every class I teach has four to seven students who suffer from horrifying respiratory illness,” a RAN press release quoted her saying. “I can no longer sit back and watch my students and my community being sacrificed for dirty coal.”<sup>4</sup>

“Politicians have stalled and delayed any attempt to clean up these dangerous and outdated plants while people are getting sick and dying,” added Ian Viteri. “It’s time to stop playing nice with the politicians in City Hall and start taking action in the street.”<sup>5</sup>

The next morning Viteri and other members of the Clean Power Coalition arrived at City Hall by 7 a.m., getting in line early for what promised to be a well-attended council meeting. But as the start time approached, almost no one was being let through the metal detector into the council chambers. Nearly all the public seats in the chamber and the mezzanine overflow area had filled up even earlier, with Midwest Generation workers dressed in blue company shirts.

The clean power advocates were furious. They’d been pushing for a year for such a hearing. Now the company had been allowed to stack the deck.

“It was a big filibuster,” said Viteri.

Alderman Virginia Rugai, co-chair of the committee, opened the meeting by saying there would be no vote or decision that day, given the complexity of the ordinance and the council’s need to study it further.

“Never mind the fact that she had it for over a year, and that some of us called her every day or so about it,” steamed Pam Richart.

The Clean Power Coalition members made the same points they had made at the People’s Hearing and countless other times over the last few years. U.S. Congressman Bobby Rush made a statement supporting the ordinance, saying, “As the leading Democrat and Ranking Member on the U.S. House Subcommittee on Energy and Power, I can appreciate the magnitude, the significance, and the importance of this ordinance.”

Solis stated his support for the ordinance, seeming to go overboard in his effusiveness to make up for all his years of silence.

Midwest Generation had made it clear that if the ordinance passed, the company intended to file a lawsuit challenging the city’s authority to regulate power plants. Company officials also brought up the potential job loss and stressed the economic benefits they brought to the community. Midwest Generation president Douglas McFarlan reiterated the company’s position that switching to cleaner-burning natural gas was not a viable option.

“Some say we should just ‘convert’ to natural gas,” he said. Such a ‘conversion’ is essentially building a new plant, which would cost well over

half a billion dollars and would require a long-term contract for power sales in order to secure financing.”<sup>6</sup>

During the hearing, Alderman Moore asked pointedly how many of the workers in the chambers lived in Chicago and actually worked at the two Chicago plants. Only about a dozen out of the around 300 workers in the chambers stood up or raised their hands. The great majority worked at Midwest Generation’s suburban Chicago plants, not directly affected by the city ordinance.

Pam Richart tweeted: “300 #MWGen supporters pack the hall. But remember - Only 13 work at the Fisk Plant. None at Crawford. Not CHICAGO jobs! #chicoal #lying.”

Though the Midwest Generation employee turnout was obviously an orchestrated show of force, the workers’ anxiety and frustration was entirely real, and poignant. Though the hearing was about the Chicago plants, workers at all of Midwest Generation’s facilities felt they were under siege by a movement that aimed to close their plants and end the very use of coal as an energy source. Many had been at their jobs for decades. These were the kind of stable, seemingly lifelong union jobs with solid wages and benefits that built the American middle class, but now were increasingly rare. The workers took pride in their work, using their wits and their hands to keep these archaic plants running, “keeping the lights on” as industry backers would often say.

Now they felt under attack by a movement whose most visible face was often fresh-faced college students or scruffy activists traveling from one struggle to another—young people who had never held a “real job.” Or professional environmental campaigners who got paid to shut things down. Union representatives said as much, the frustration and resignation evident in their voices, as they declined to speak on the record for this book about the closure of the coal plants.

Ian Viteri could understand how the workers felt, and sometimes the dynamics at protests made him uncomfortable.

“At one point activists and workers were screaming at each other ‘you’re killing us’ or ‘you’re taking our jobs,’” he said. “I could see both sides of it. I come from a blue-collar family, I know how people need jobs. The activists were a lot of college students. One time they were saying ‘Let’s do a die-in!’ I was like, ‘Wait a minute, let’s just talk to the workers.’”

The hearing also drove home the reality of the jobs issue for one of those fresh-faced college students, Caroline Wooten, who was studying religion at the University of Chicago and was a leader in forming the Chicago Youth Climate Coalition.

“That hearing was really important for illustrating to us that it’s not a black-and-white issue,” Wooten said. “Sometimes to win you need to frame things as black-and-white, but they aren’t.”

The hearing stretched on for hours, and despite the lack of council action, many Clean Power Coalition members saw it as a success.

PERRO’s Dorian Breuer, ever the optimist, said he expected the ordinance to eventually pass: “This is the furthest we’ve ever come, we’re in an excellent position.”

But time was tight. There would be only one more council meeting before the new mayor and new council were sworn in, at which point the ordinance would need to be reintroduced. Though incoming Mayor Rahm Emanuel had expressed support for cleaning up the plants, it was far from clear that he would support the ordinance. And some of the aldermanic supporters had lost their seats in the recent election. Some frustrated coalition members had the feeling Mayor Daley and his allies were just running out the clock on them. They also heard that though not yet inaugurated, Emanuel was already calling the shots and did not want the ordinance passed before he took office.

## Chapter 18: Keeping the pressure on



**Kim Wasserman, Leila Mendez and Kumi Naidoo deliver petitions to Edison International in California. Photo by Gus Ruelas / Greenpeace.**

**A few weeks later**, in early May, community members met with government officials at Casa Aztlan, a settlement house-turned mural-covered community center in the heart of Pilsen. Representatives from the city public health department and the Attorney General's office discussed both the Fisk plant and the H. Kramer smelter.

By this point another Pilsen community organization had joined the Clean Power Coalition, and they turned out in force at Casa Aztlan. The Pilsen Alliance, a longstanding grassroots group, had steered clear of the coal plant issue back in the early 2000s as they were more focused on housing and jobs. But various alliance members had kids in Manuel Perez Jr. Elementary School right near the coal plant, new Executive Director Nelson Soza noted, and they couldn't look the other way any longer.

"Losing jobs was a big issue," he said. "But the studies show you have 40-some people dying each year. No jobs would compensate for those people, we shouldn't ask people to make that decision."

While residents listened with interest to presentations by city and state officials, they were incensed that Alderman Solis himself was not present. The crowd became boisterous as they berated the absent Solis for not moving more quickly on the coal plants. A Solis staffer promised he would bring the issue up for a vote at the July City Council meeting. Residents didn't believe it.

Cornelius Jordan, a teenager from the South Side Englewood neighborhood, had been studying and reporting on the coal plants as part of a youth environmental justice journalism program. He could see the parallels between Pilsen and the fight to clean up severe lead contamination in Englewood, and he related to the frustration of the residents that night at Casa Aztlan.

"People at the meeting loudly questioned why Solis was not there personally and yelled at the representative he had sent," Jordan wrote for the website *We the People Media*. "They were treating him badly because they didn't want him there, they wanted the alderman."<sup>1</sup>

Kelly Mitchell and her colleagues at Greenpeace also were not satisfied with the slow and uncertain progress at the municipal legislative level. That's what motivated them to make their ascent up the Fisk smokestack on May 24, 2011.

The Clean Power Coalition decided early on that they would not plan or endorse direct action tactics that broke the law; some of the member organizations' own charters forbid this. But the various members of the coalition were still free to take their own actions.

Greenpeace bills itself as the world's largest independent direct action group, known for bold, nonviolent but often illegal stunts like blocking whaling ships from refueling and occupying oil rigs.<sup>2</sup> And they figured dramatic tactics were needed to drive home just how serious they were

about cleaning up Chicago's air and shutting down the archaic coal plants fueling global warming.

"So many people had put blood, sweat and tears into making this happen," Mitchell said. "But it had gotten to this point where after two years of campaigning, the Chicago City Council couldn't even pull together a vote. As a public official your number one job is to look out for the people you represent. But the City Council had just totally failed; they didn't even have the courage to go on the record as to whether these communities deserved clean air. We needed to send that message."

**In late August 2011** Chicago hosted its annual Air and Water Show, where thousands of people cram the lakefront parks to watch the aerial acrobatics of military jets and elite parachute teams. LVEJO hosted its own parallel extravaganza. The Chicago Clean Air and Water Show started with a rally at the Crawford plant. Then about 30 people rode bikes down 31<sup>st</sup> Street to the beach, highlighting LVEJO's campaign for a 31<sup>st</sup> Street bus that would take people from the neighborhood to the lakefront and museum campus. At the beach, more activities highlighted environmental justice issues including the coal plants.

The air and water show was among the ways the Clean Power Coalition members tried to keep up momentum over the summer as the months ticked by without a City Council vote on the Clean Power Ordinance. On the national level, archaic coal plants like Fisk and Crawford were closing right and left—more than 100 by the Sierra Club's count.<sup>3</sup>

Coal was simply becoming a less economically viable way to make power. Impending federal pollution limits—though generally weaker than the state agreements covering Illinois plants—necessitated expensive upgrades for many coal plants. And natural gas prices were still very low thanks to fracking. Chicago energy experts had for several years been saying that Midwest Generation knew the Chicago plants were doomed and never intended to make major investments.

"Midwest Generation apparently decided to run these old coal plants akin to driving a Chevy beater, going as long as they could without installing any pollution control equipment," said ELPC executive director Howard Learner.

"They're playing out the string as long as they can with no intention of making investments," NRDC director Henry Henderson said bluntly.

Company officials consistently responded to such theories by noting the significant investments they'd already made in pollution controls for the plants, including installing mercury controls to meet the state mercury limits in 2008 and 2009, and investments in nitrogen oxide controls in 2011. They pointed out that Midwest Generation was a business like any other and future decisions would be made based on economic and regulatory factors.

On September 24, 2011, PERRO, LVEJO, 350.org and their allies hosted another rally in Dvorak Park in front of the Fisk plant, holding signs saying “Fossils Fuels are Dead” and “Coal is Over.” Leila Mendez told the crowd how she’d made the plant a crusade since 1998, how she blamed it for her serious health problems and was determined to shut it down to spare the health of future generations. Greenpeace executive director Kimu Naidoo joined her at the rally.

“This is a personal fight for me,” Mendez told him. “I’m so happy now I’m not alone...I believe that now there will be a change.”<sup>4</sup>

At the rally Naidoo emphasized the wide-ranging environmental justice implications of the Chicago struggle.

“I come from South Africa, I look at my continent that has been exploited by many companies from this country in the oil, coal and gas sectors,” Naidoo told the crowd. “I always think we are the wrong color and they can get away with it. But when I see this happening here in the United States in the middle of a city, where there are schools and children playing, you have to begin to say, ‘enough is enough, and no more!’”<sup>5</sup>

Naidoo said he hoped the locals would invite him to the victory party.

“Not if we win it, but when we win it, it will have global consequences,” he promised. “To have a sense of perseverance, a sense of stamina and to keep pushing—that is the biggest contribution that any one of us can make.”

That same month Naidoo accompanied Mendez, Ian Viteri, Kim Wasserman and grandmother Martha Castillon in taking their message to Midwest Generation’s parent company, Edison International, at their headquarters in Los Angeles. They went “right to the belly of the beast,” as Naidoo put it, bringing reams of petitions with more than 25,000 signatures from around the country calling for the plants to be shut down.

The group marched up to the company headquarters, Wasserman pushing a dolly stacked with petition-filled boxes and Naidoo carrying a box with the sign “Put People Over Profits” affixed to the front.

Edison spokesmen met them outside. One said he had tried but failed to set up a meeting with company officials, but he would be happy to take the petitions. Mendez was not impressed. “Thank you, but I want the coal plants closed,” she said firmly. “There are enough people dying, it’s just about four blocks from where I live, and no I’m not going to move.”

Castillon told the men in Spanish how her grandson was born sick because of the plants, as she saw it.

“Just like you care about your employees, I care about my people, my grandson,” she said. The spokesmen shook their hands and loaded the boxes into a waiting SUV they’d apparently brought just for that purpose.

## Chapter 19: Victory at last



Photo courtesy Pam Richart / Eco-Justice Collaborative

**Mayor Rahm Emanuel** took office in May 2011, and quickly made it clear that he is a chief executive who gets things done.

Hardly a day went by without press releases issued about a new initiative being launched or new jobs brought to the city. Emanuel was already well-known for his aggressive and impatient style. He was famous for his profanity; he had lost half of his middle finger to an infection after swimming in Lake Michigan as a teenager, and President Obama joked that it left him partially mute.

When Emanuel set his mind to do something, he was known for steamrolling over any obstacles that stood in his way. This was far from the type of democratic, collective approach that the Clean Power Coalition had worked so hard to foster amongst themselves. But they knew that if Emanuel really wanted to close the coal plants, he would find a way to do it.

Emanuel apparently tabled the ordinance early on because he wanted to negotiate with Midwest Generation and state officials instead. He worked on a deal with state legislators that could have seen the state offering a 25-year contract to buy power from a wind farm owned by Midwest Generation's parent company, in exchange for closing the coal plants.<sup>1</sup> But in November 2011 powerful state House leader Michael Madigan—father of Illinois Attorney General Lisa Madigan, who was suing Midwest Generation—

reportedly shot down that deal because the wind power would cost too much.<sup>2</sup> Madigan was instead backing proposed state legislation similar to the city Clean Power Ordinance; but that legislation failed to pass during the legislature's shortfall veto session.

Midwest Generation over the years donated generously to the campaign funds of state legislators and the Republican State Senate Campaign Committee. Since 2003 they'd donated more than \$42,000 to the committee and hosted a New York Yankees caucus event costing more than \$8,000.<sup>3</sup>

There would seem to be plenty of reasons that Emanuel would want to close the coal plants. Besides the well-documented health and environmental benefits, it fit with his larger mission to position Chicago as a hub of technological innovation and a laboratory for clean energy solutions. Some of his prominent initiatives included an "infrastructure trust" to fund energy efficiency overhauls of public buildings, a world-class battery research institution and a sweeping municipal electric vehicle program.

If health and environmental benefits, public demands and his own political legacy weren't enough motivation for Emanuel, by early 2012 there was another incentive.

In May 2012 Chicago was scheduled to host the NATO and G8 global summits consecutively, one of the only times in history the two gatherings of world leaders would be held in the same city. Both summits had become magnets for massive protests, drawing activists from international and well-organized movements who saw the summits as symbols of war and economic injustice.

The fall and winter of 2011 to 2012 saw escalating conflict between city officials and the coalition organizing the summit protests. Protesters staged some theater in the City Hall lobby: police in riot gear beating activists as a papier-mâché version of Rahm Emanuel looked on. Civic leaders and police spread the word that international anarchists would be descending on Chicago in May. And of course the fossil fuel industry was a favorite target of activist groups worldwide. The last thing Emanuel needed were crowds of black-clad European anarchists and indigenous Latin Americans in traditional dress storming the coal plants as international journalists watched.

Student leader Caroline Wooten, a member of the Clean Power Coalition, was headed to New Orleans for Mardi Gras when she got word that a deal to close the plants was close.

"We knew it was coming, but it was getting really frustrating, like 'When is this going to happen?'" she remembered.

She brought back handfuls of Mardi Gras beads, and coalition members wore them during a long lively meeting where they hashed out the "non-negotiables" they would present to the mayor. The coalition typically made

most decisions by consensus, but when they deadlocked on certain issues they would take a vote and go with the majority.

On February 22, 2012, the *Chicago Tribune* reported that Emanuel's administration told Midwest Generation they had one week to agree to a deal, or else the Clean Power Ordinance would be pushed forward. Alderman Danny Solis said at a press conference that he was eager for it to pass, and Alderman George Cardenas said he was ready to call it for a vote in the committee he chaired.<sup>4</sup>

On February 29, the announcement was made: the mayor had brokered a deal with Midwest Generation to close the Fisk plant by the end of 2012 and the Crawford plant by the end of 2014.

That was several years earlier than the state agreement deadlines of 2015 for Fisk, and 2017 and 2018 for the two units at Crawford, which would mean shutting down or installing the expensive pollution controls.

"Midwest Generation has made an important and appropriate decision today, which will be good for the company, the city, and the residents of Chicago," said Emanuel. "I committed during the campaign to work with all parties to address community concerns about the plants, and today's announcement puts us on a more sustainable path for these neighborhoods."<sup>5</sup>

The long fight to shut down the plants was finally over.

## Chapter 20: The plants go dark

**The day after** the agreement, members of the Clean Power Coalition celebrated at Dvorak Park across from the Fisk plant. But there was also some dissatisfaction that the closing would be obtained through a deal, not the ordinance, which would be taken off the table as part of the deal.

An ordinance would have more binding power and would make more of a statement, some thought. The deal also mandated that environmental groups would withdraw their lawsuit filed in conjunction with the Illinois Attorney General in 2009. That lawsuit was before an appellate court after a trial judge had ruled in the company's favor; the deal meant the government would likely also drop the appeal.

Environmental groups also agreed not to oppose an extension the company was requesting from the state government to give it an extra year to install pollution controls at its Waukegan plant north of Chicago. In other words, agreeing to close the Chicago plants would give the company more leeway to continue running its other plants and would free it from potentially having to make amends for past violations at the Chicago plants.

Alderman Moore said that while his ordinance never did pass, he was satisfied with the outcome.

"The bottom line was we wanted the plants to be cleaned up or shut down and they were shut down. For me it wasn't really important how we

did it, it was that it got done,” he said. “The threat of the ordinance proved a very useful tool in getting Midwest Generation to cry uncle and convincing the Mayor to intervene and put us over the goal line.”

Becki Clayborn had moved on to national organizing for the Sierra Club, so she was not involved in the negotiations around the deal to close the coal plants. But she got word that the Memorandum of Understanding she had pushed so hard continued to bear fruit.

“I heard about how during all these conversations with the Mayor’s office and Midwest Generation, people kept coming back to the MOU,” she said. “Some groups were probably being approached by Midwest Generation or the Mayor, trying to break some of the organizations off of the coalition. But everybody kept coming back to the agreement. Because they had declared we are going to work by these goals. To me that was really exciting. That was cool.”

A week after the announcement, Chicago hosted a roundtable of world ministers and mayors sponsored by two international bodies, the Organization for Economic Cooperation and Development and the C40 Cities Climate Leadership Group. This event was likely a strong reason for the mayor’s urgency to sign a deal; continuing to run two old coal plants was not exactly a sign of leadership on climate.

New York City Mayor Michael Bloomberg was in town for the roundtable, and joined Emanuel for a photo opportunity outside the Fisk plant. In 2011 Bloomberg’s philanthropy had committed \$50 million over four years to the Sierra Club’s Beyond Coal campaign, funds that likely helped the Chicago struggle.<sup>1</sup> From Fisk the two mayors went to a party with Clean Power Coalition members and other elected officials at a Mexican restaurant on Pilsen’s main drag.

“It showed that this was not only about community groups overpowering the government, the government wanted to do it,” said Sierra Club Illinois director Jack Darin. “This really became a national touchstone of why it’s so important to move off coal.”

On May 2, 2012, two months after the agreement to close the coal plants, there was more big news: Midwest Generation would close the plants even earlier than required by the deal. By the end of August, just a few months away, the plants would be closed. Between 150 and 180 employees would lose their jobs. The union contract did not mandate severance pay.

Midwest Generation was obviously struggling. Their earnings were down 47 percent in the first quarter of 2012 compared to the previous year, according to their Securities and Exchange Commission filings, and in a recent investor call Edison International CEO Ted Craver had said that a restructuring or reorganization might be in store.<sup>2</sup>

As the summer of 2012 passed, Little Village residents noticed that the Crawford plant’s coal pile was getting noticeably smaller. They now pointed

to the plumes coming from the stacks with a touch of bemusement and wonder, and made sure to snap photos. It wouldn't be long.

By the end of August, nothing came out of the stacks. The coal plants had gone dark. The red lights on top of their stacks could still be seen winking from miles away. But electricity was being made no more.

Officials at Midwest Generation emphasized the factor that everyone knew played a central role in the deal: old coal plants were just unable to compete on the open market with electricity generated by natural gas.

"Unfortunately, conditions in the wholesale power market simply do not give us a path for continuing to invest in further retrofits at these two facilities," said Pedro Pizarro, president of Midwest Generation's parent company Edison Mission Energy.<sup>3</sup>

Midwest Generation president Douglas McFarlan noted both the market and community forces.

"Make no mistake, the decision to announce timeframes for the retirements of Fisk and Crawford was driven by sustained, depressed power prices that make it impossible for us to see a viable path for continuing to retrofit those particular plants, and by our desire to address the unique community concerns associated with densely-populated neighborhoods having grown up around the plants," he said, adding that "We are as committed as ever to the belief that the environmentally responsible use of coal is essential to maintaining a reliable, affordable supply of electricity."<sup>4</sup>

The lawyers and policy experts in the Clean Power Coalition knew well the impact of natural gas prices. But they said gas prices were far from the overwhelming factor driving the agreement to finally close the coal plants.

"You can never say it was this one single thing that did it," said Faith Bugel. "The ordinance and the organizing were critical and also coming at a time when natural gas prices and electricity prices were putting pressure on coal. We've seen this repeated in a number of places where organizing and some sort of activist pressure has toppled a bunch of plants. With coal teetering on the brink, everything came together."

**August 30, 2013** marked the one-year anniversary of the coal plants closing. That night wild lightning lit up the sky, flashing horizontally behind the now-silent coal plant and reflecting in the river. Debris and dust swirled through the air, and the streetlights on the blocks around the National Museum of Mexican Art were out.

Inside, electricity was on everyone's minds. Members of the Clean Power Coalition and supporters from across the city were gathered in the museum to see *Monsters*, a documentary by Greenpeace filmmaker Melissa Thompson featuring PERRO member Leila Mendez.

"We will no longer have a Dia de los Muertos march with a clean air brigade," PERRO member Sarah Finkel told the crowd. "That's a victory, and we're here to celebrate that victory." She called the other PERRO

organizers to the front to be recognized. They reluctantly acquiesced as Jack Ailey's son called out proudly, "That's my dad!"

After the film, someone asked Mendez how they kept their spirits up during such a long haul.

"I always believe as long as there's love and people are working together united, you can do anything," she said earnestly. "This was a cause with love behind it."

On a September afternoon a few weeks later, Ian Viteri and five other members of LVEJO drove east past both coal plants and pulled up beside the Chicago River. There they met Noah Stein, a guide for Chicago River Canoe and Kayak. The crew piled into tandem kayaks and paddled south on the river. Soon the Fisk plant loomed above them. They pulled their boats into an inlet to take a closer look and tell some paddlers from the Field Museum of Natural History about the clean power campaign.

From the Fisk plant the group continued on through Pilsen. Past an abandoned grain elevator and a small park where many Chicagoans spend evenings fishing. And a boat launch utilized by high school rowing teams. The last time Viteri was on the river, they were documenting coal spilling into the water from the barges and piles at the Crawford plant. Now they were among the growing number of Chicagoans using the river for recreation. Stein said he hoped they might become "young ambassadors for the river," helping it transform from an industrial eyesore to a community asset. Laughing and joking as they sliced through the water, Viteri and his friends said they'd love to see more Little Village residents enjoying a cleaned-up river. Perhaps it would be the focus of a future campaign.

The kayak group passed the Fisk plant again on their way back to the launch. By that time it was glowing a brilliant deep rosy red in the slanting evening sun, the kind of rays that photographers call "magic light." It was as if the plant were putting on a final show, reminding people of its one-time glory. But the youth hardly glanced at it as they splashed along, negotiating flotsam of condoms, fast food wrappers, a bloated dead rat. Eager to get out of wet clothes and home to family dinners, they turned the corner around the Ozinga concrete plant, heading toward the boarded up warehouse where tall graffiti letters proclaimed, "Memories are Sacred."

They paddled hard, and didn't look back.

## Chapter 21: The movement continues



LVEJO members kayak past the Fisk power plant. Photo by Kari Lydersen.

**While the Fisk** and Crawford closings made national headlines, in March 2012 the State Line coal plant owned by Dominion Resources also shut down, with little fanfare.<sup>1</sup> Residents of Chicago's Southeast Side had learned much about the impacts of coal during their fight against a proposed coal gasification plant in their neighborhood. Governor Pat Quinn had vetoed a bill considered crucial for the company Leucadia National Corp. to open the plant, which would have turned coal and petroleum coke into synthetic natural gas for cooking and heating.<sup>2</sup>

State Line was also practically right in their backyard, but since it was across the border in Indiana they had little political leverage, and many Chicagoans never knew the plant existed. At meetings about Fisk and Crawford, Southeast Environmental Task Force leader Tom Shepherd would always make it a point to stand up and say, "We have a coal plant too!"

As a former steel worker and labor activist, Shepherd would have preferred State Line clean up its operations rather than closing and laying off more than 150 union workers. But like Midwest Generation, Dominion could see that an old merchant plant was not worth investing in. It was unclear what would happen to the site. The ELPC demanded a thorough environmental study and remediation, especially since it sits right on Lake

Michigan. Shepherd and other local history buffs hoped the impressive structure would be preserved, but it was unclear where funds for such a project could be found.

“Even though it was harmful it was a great fishing spot,” said Shepherd, who like other anglers knew fish swarmed to the warm outflow from the power plant. “I imagine now it could be a great recreational spot, feeding into the (nearby) casino and beaches. It could be turned into a park or something to do with wind or solar energy. It could still be an economic engine.”

Even as PERRO and LVEJO activists celebrated the coal plants closing, they worried what would become of the sites. They figured there was contamination of the soil and in the adjacent stretches of the canal and river, from the air emissions, the coal shipped on barges and stored onsite and any number of things that could have been spilled, dumped or buried over the years. They wanted to see thorough testing and remediation, and they wanted to make sure whatever happened next would be beneficial for the community.

The negotiations with Midwest Generation resulted in a promise that city officials and community members would be involved in ongoing discussions about the future of the coal plant sites.

Mayor Emanuel convened a task force, overseen by the non-profit sustainable development Delta Institute. It included representatives of aldermen Muñoz’s and Solis’s offices, Midwest Generation, ComEd—which still owned land and electric infrastructure on the sites, the local building trades labor union, the city government and the three community groups—PERRO, LVEJO and the Pilsen Alliance. The task force had no legally binding power; Midwest Generation planned to sell the sites and the buyer would ultimately be in charge of redevelopment. But potential buyers would be told about the task force, and their plans would be subject to city zoning requirements and under the purview of the local aldermen.

In the fall the site reuse task force released its comprehensive report.<sup>3</sup> And PERRO released its own dream plan including detailed renderings by the non-profit design firm Architecture for Humanity.<sup>4</sup>

Residents agreed that their communities needed more parks and green space, and the coal plant sites would be the perfect spots. They were adamantly opposed to any new polluting power plant or heavy industry. There was great interest in creating jobs related to clean power and transportation—like a factory making wind turbine components or bicycles.

In late June 2013, EPA officials held an open house at Perez Elementary in Pilsen. By now the federal agency staff knew PERRO members well. They were at Perez to present results of in-depth air and soil testing they’d conducted around the Fisk plant, H. Kramer and a long-defunct smelter. There were still high lead levels they attributed primarily to

the smelters, and they updated residents about an ongoing cleanup. Meanwhile the air around Fisk got a relatively clean bill of health.<sup>5</sup>

At the meeting, residents of a nearby senior home discussed how the coal plant had turned them into activists and opened their eyes to the whole concept of environmental justice.

Manuel Muñoz's father had moved from Zacatecas, Mexico to work in the steel mills and raised his family right near the State Line coal plant. In 1963 they moved to Pilsen, where Muñoz has lived ever since. It wasn't until Pilsen Alliance members knocked on his door in 2009 that he knew anything about the coal plant. Soon he was marching and protesting at City Hall. What would he like to see in the coal plant's place? "A shopping mall," he said dreamily. "Maybe a little show, a little theater. Something nice."

**As the Chicago** coal plants were winding down, many members of the Clean Power Coalition focused their efforts on a new and related issue—the push for municipal aggregation of electricity in Chicago. Around the country a snowballing number of towns and cities had adopted municipal aggregation, wherein the municipal government decides to buy electricity in bulk for citizens, subverting the dominant utility's de facto monopoly and offering more freedom to choose renewable or clean energy.<sup>6</sup>

Clean Power Coalition members worked with aldermen and city officials to place a municipal aggregation referendum on the November ballot, and to hold public meetings explaining the complicated proposal.

Thanks in large part to the coalition's work, the city adopted a municipal aggregation deal with an important component: Chicago would not purchase coal-fired electricity on behalf of its citizens. It was both symbolically and literally an outgrowth of the fight to close the coal plants, and one that could serve to inspire other municipalities in shaping their own aggregation plans.

During a shareholder conference call on November 1, 2012, Edison International executives assured investors they would not pour more resources into their flailing subsidiary Edison Mission Energy. In the summer Midwest Generation had made it clear that it could not afford to make required upgrades on its remaining four Illinois plants—which would cost more than \$600 million—without funding from Edison Mission Energy.

On December 17, 2012, Midwest Generation filed for Chapter 11 bankruptcy. That meant the plants' fate would be determined by the bankruptcy court and creditors or whoever eventually takes possession of the plants.

Meanwhile Midwest Generation didn't actually own its Joliet and Powerton plants, but ran them under a complicated sale-leaseback agreement with a consortium of investment companies. At the time of the

bankruptcy filing the company owed \$345 million in lease payments on those facilities.<sup>7</sup>

Midwest Generation president Douglas McFarlan said the company's outlook was still positive.

"We are operationally healthy and believe that a financial restructuring—coupled with the existing strength of our employees and assets—will preserve our focus on safe, reliable operations, and position us to take advantage of future opportunities," he said. "If our financial restructuring does include a Chapter 11 filing, remember that this court-supervised process is designed to let companies operate normally while they restructure their finances."<sup>8</sup>

But clean power advocates and other energy experts said things did not look bright for Midwest Generation's remaining coal fleet. That was not unwelcome news for residents in Waukegan and Will County, who had for years been worried about the plants' impacts on their health.

The Clean Power Coalition members formed close relationships with residents in Waukegan and with CARE, the grassroots group fighting to clean up Midwest Generation's Joliet and Romeoville plants in Will County southwest of Chicago. Kim Wasserman and other Chicago leaders visited Waukegan and Will County to offer their advice and moral support. And members of the Clean Power Coalition traveled to Edison International's spring 2012 annual shareholder meeting with CARE activists.

CARE co-founder Ellen Rendulich worried that coal ash from Midwest Generation's Romeoville plant was contaminating her well water and making her seemingly bucolic dream house an unhealthy place to live. She was anticipating the day Midwest Generation would shut the plant down, but that prospect also raised new concerns.<sup>9</sup>

“No one knows what will happen now, if they will just walk away and the taxpayers have to clean it up,” Rendulich said. “They’ve profited off these plants since 1999, now they should be doing something for the community.”

## Chapter 22: Moving on



**Claudia Ayala. Photo by Kari Lydersen.**

**As part of the negotiations** with the city, Midwest Generation signed a community benefits agreement including provisions to make grants to community groups. Community benefits agreements are common ways that companies build relationships with and soothe opposition from local residents. “But usually community benefits agreements are done when a company wants to move in somewhere,” noted Pilsen Alliance executive director Nelson Soza. “This was unusual because they signed the agreement as they were closing.”

PERRO got a \$10,000 grant from Midwest Generation to do environmental education with local high school students, teaching them how to do soil and air sampling, so that they’ll have the tools to be grassroots environmental watchdogs.

Meanwhile there is no shortage of issues for PERRO to work on. One evening a year after the plants’ closure, members gathered in Efebinas, the Pilsen café where they hold many meetings. Representatives of a scrap metal recycling outfit that hoped to open in the neighborhood joined them.

The sharply dressed company representatives promised it would be an environmentally-friendly operation. Alderman Danny Solis said they should meet with PERRO to get the community group's input. After listening to the pitch and asking incisive questions, the PERRO members weren't sure about the scrap metal proposal. But the larger significance was clear: whereas the alderman used to chronically ignore their calls, now he is seeking their input on the future of the neighborhood.

"The coal plants closing was not only a public health victory, but it built power in their own communities," noted Jack Darin of the Sierra Club. "I'm sure that will pay off in different ways."

"They're charting their own destiny," added his colleague Christine Nannicelli.

One of PERRO's projects is a focus on climate change and migration. Jerry Mead-Lucero's wife, Claudia, is a veteran immigrants rights organizer. She's originally from the Mexican state of Michoacan, where millions of Monarch butterflies migrate from the U.S. each year. Butterflies have become a symbol of the flow of migration north and south of the Mexican border. In a narrow empty lot on a residential street not far from the Fisk plant, PERRO created a community garden with native prairie plants and curving walkways where kids from a nearby day care center play. The garden hosts a mural showing the Fisk plant's towering smokestack, a flurry of butterflies swirling around and up away from it.

Dorian Breuer now lives in McKinley Park, a neighborhood just south of Little Village and Pilsen, within a few miles of both coal plants. He and Jack Ailey started a solar company called Ailey Solar Electric, and Breuer's own home was one of their first projects. His solar installation provides about 85 percent of the electricity for the three-story building. They rent the first floor out and the attic often serves as a de facto nursery, where Breuer and his wife cooperate with a few other parents to share day care responsibilities.

Breuer's son Alexander, or "Zander," suffered asthma-related respiratory infections that landed him in the emergency room twice, and he had notably high lead levels in his blood during his first few years living in Pilsen. "He's in environmental super hero mode now," Breuer laughed as Zander, four, ran by in a Spiderman suit one afternoon a year after the coal plants closed. Breuer is ecstatic that his infant son, Felix, will grow up without breathing coal plant emissions.

**In April 2013**, Kim Wasserman joined the Goldman Environmental Prize winners from other continents on a 10-day delegation in San Francisco and Washington DC. They met with U.S. Congressman Nancy Pelosi and President Obama. Wasserman shared stories of her own struggles with the other award-winners, including a man restoring marshes in war-torn Iraq and a woman organizing "weaving protests" at mining sites in Indonesia.<sup>1</sup>

“I definitely realized it’s a privilege to organize in the U.S.,” she noted. “These are people organizing in third world countries where their lives and families are being threatened, where they’re having to hide for years on end. They’re at a whole other level of organizing. I felt, ‘I’m truly honored to be just in the same space with you.’ It’s truly been a humbling experience.”

She also appreciated that the awards ceremony gave her the chance to publicly thank her husband and kids: “You’re talking so many nights and weekends working, phone calls and emails that never stop.”

The \$150,000 that came with the Goldman prize gave Wasserman the chance to pursue one of her long-time dreams: attending culinary school and possibly launching a food business. Yet even this new avenue will likely circle back to include her passion for the neighborhood and the environment. She imagines using produce from urban farms in dishes sold from a food truck, where tourists and locals will chat as they wait in line. She learned early on in organizing that if you want people to show up for a meeting, feed them. “Food for me is at the heart of a lot of things. If we can talk about food and the environment and feed people—that’s my goal.”

LVEJO’s Toxic Tours now features victories as much as ongoing challenges. Along with the closed Crawford plant, there is the contaminated site where LVEJO has convinced city officials to remediate and build a park. And a bus now runs frequently down 31<sup>st</sup> Street.

On a Toxic Tour in the summer of 2013, LVEJO organizer Claudia Ayala described how LVEJO taught her about environmental justice and was “personally transformational.”

Ayala was born in Mexico City and moved to Chicago at age 6 with her family. She dropped out of Catholic school and was working at a phone company as a trainer, when one of her trainees quit to take a job at LVEJO. At this friend’s behest Ayala started volunteering with the organization, and two years later she joined the staff. She quickly learned about the coal plant, worried about the effect it was having on her two young children, and became determined to see it closed.

“I’m so glad people like Kim gave me the chance to show what I could do. I used to be embarrassed that I was a high school dropout and a single mother. But then I looked at the statistics and saw that it was almost expected. And you can break out of it.”

Ayala pointed at the stacks of the Crawford plant, now partially dismantled, and said she’d like to see the structure preserved. “We want to change the image of Little Village as a toxic dump for things like coal. But this was a science and technology marvel in its time. In the end, it’s part of our history”

## Chapter 23: Lessons learned

**Nearly everyone involved** agrees that a central and defining aspect of the whole struggle was the dynamics between the grassroots groups—namely PERRO and LVEJO—and the “big green” groups.

The grassroots groups with little or no budget were pounding the pavement talking about the coal plants before the big groups got involved. When they first connected there was excitement about working together, but the community groups felt betrayed and disrespected after being left out of the process around the 2006 state agreement. The lawyers and policy experts who had burned the midnight oil to hammer out that agreement also felt hurt. In the brief window of opportunity for an agreement, they could not have conveyed to local residents the necessary technical knowledge or political connections they themselves had cultivated over the course of years.

Cooperation could have ended right there, with different organizations moving forward on their own paths or abandoning the campaign altogether. But instead everyone acknowledged that their best chance of victory was to work together. So they came back to the table and launched a grueling and sometimes painful process, where grievances were aired and a new path was forged.

“It got pretty ugly,” Urbaszewski remembered. “One moment still sticks in my mind, we were at a meeting in LVEJO’s office and someone from LVEJO basically called the Sierra Club ‘the man,’ with all the baggage that entails. There was a housewife from Waukegan there from the Sierra Club, to think of her as the ‘man’ didn’t make sense. But there was a grain of truth to it too. For any (professional) advocacy group, you tend to have a short attention span, you go from one problem to another. The (big) environmental groups were there because they saw an opportunity for change, and they were just kind of shocked when the neighborhood group said, ‘This is our turf. We don’t need you to swoop in and save us, thank you very much.’”

“In the environmental justice movement, there have to be serious conversations on race and class and white privilege,” explained Kim Wasserman. “There is the fact that nationally big green groups are sometimes making a killing off of foundation money, claiming our work and our victories. We had to have those discussions.”

Ultimately not only did the different groups learn to live with each other, but they actually formed genuine relationships that outlasted the coal plants campaign.

“Each side took time to learn about what the others cared about,” said the Sierra Club’s Jack Darin. “This wouldn’t have happened without that level of trust and understanding we developed in the coalition. We learned

about LVEJO's (campaign for a) bus route, and we worked with them on that, while they worked on things that don't immediately affect them, like renewable energy. I'm excited to see where that partnership will go."

Debra Michaud noted that she formed the Chicago chapter of the Rainforest Action Network in early 2009 because she didn't see any evidence of a citywide environmental movement; rather community and big green groups were operating in their own silos. The coal plants campaign changed that. "Now there really is an environmental movement that bridges local community and citywide and national and global levels," she said. "Now there's a tangible and growing movement. That's the biggest success, in my view."

Behind the scenes, meanwhile, foundations and other donors played a quiet but important role providing funds to support the work of both the major environmental and health organizations and the grassroots groups. These players not only provided financial support but networking and advice, typically emphasizing the importance of struggles led by those directly involved yet helping to empower the people on the front lines with tools and resources they might not otherwise have had. (RE-AMP, a network that coordinates funding and advocacy work throughout the Midwest, also directed funding toward the effort and helped publicize the struggles going on around the coal plants.)

"A number of foundations substantially increased their funding for work to reduce pollution from older coal plants," said ELPC executive director Howard Learner. "This grant support helped enable the Environmental Law & Policy Center and many other organizations to step up our advocacy to clean up the electricity sector by implementing and enforcing the Clean Air Act and, at the same time, advancing positive clean renewable energy development and energy efficiency solutions."

While the specifics of the clean power campaign and the people involved are unique, they hope the larger lessons can inform other struggles.

"A lot of funders are asking, 'How did you do it, how can we copy this and do it someplace else?'" said Kim Wasserman. "But it's not a question of just copying it. Every community is different, every community member is different. It's a question of making the connections, not parachuting in and saying this coal power plant is a problem and fixing it. It comes down to understanding and respecting your community."

She said groups around the country have asked to see the Memorandum of Understanding between the "big greens" and the local groups. She is happy to share their experiences, but emphasizes that "it's a document, and a document can only take you so far. What makes it powerful is the conversations that happen with it."

Kelly Mitchell for one misses those conversations; she's had "withdrawal" since the campaign ended.

“There are so many memories,” she mused. “Whenever I think about the campaign I think about too many people packed in a conference room at the Sierra Club way too late at night, being far too hot in the room and having these brutally honest conversations. At times I would leave those meetings and want to have a beer or bash my head against the wall. Now I crave that feeling. I believe what happened there was special. The way people seemed to really feel this campaign in their bones.

“It taught me the ‘how’ and the ‘why’ you campaign or organize are just as important as the eventual outcome. We fought this campaign with integrity.”

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## About the author



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Kari's previous books include *Mayor 1%: Rahm Emanuel and the Rise of Chicago's 99%*; *Revolt on Goose Island*; *Shoot an Iraqi: Art, Life and Resistance Under the Gun*; and *Out of the Sea and into the Fire: Latin American-U.S. Immigration in the Global Age*.