

STATE OF INDIANA  
EXECUTIVE DEPARTMENT  
INDIANAPOLIS

EXECUTIVE ORDER 17-13

**FOR: DECLARATION OF DISASTER EMERGENCY (EAST CHICAGO)**

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS.

**WHEREAS,** for nearly 80 years, a company commonly referred to as US Smelter and Lead (“USS Lead”) operated a facility in East Chicago, Indiana, that was a primary and secondary smelter of lead;

**WHEREAS,** exposures to high levels of lead can cause a range of health effects, such as behavioral problems, learning disabilities, seizures and death;

**WHEREAS,** the United States Environmental Protection Agency (“EPA”) has found lead-contaminated soils in certain areas on and near the USS Lead site, including, for example, high levels of lead in some of the soils located at the West Calumet Housing Complex (the “Housing Complex”);

**WHEREAS,** the area covered by this disaster emergency consists of 322 acres and is bounded by East Chicago Avenue on the north, East 151<sup>st</sup> Street on the south, the Indiana Harbor Canal on the west, and Parrish Avenue on the east (hereinafter referred to as the “Affected Area”);

**WHEREAS,** the Affected Area has been divided into three zones, which enabled EPA and the State of Indiana to secure in 2014 an agreement with particular companies to pay 100% of the costs incurred to implement the cleanup in Zone 1 and Zone 3, with EPA continuing similar efforts as to Zone 2;

**WHEREAS,** in June 2016, East Chicago Mayor Anthony Copeland issued a letter to EPA Region V Administrator Robert Kaplan, calling for residents of the Housing Complex to be evacuated immediately and for all contaminated soil in that area to be removed (the “Copeland Letter”);

**WHEREAS,** while there are no indications that anyone living in the Affected Area has suffered lead poisoning, testing has revealed that 18 children under age 8 who live in the Affected Area have slightly elevated blood lead levels and have been referred to the local health department in East Chicago for case management;

**WHEREAS,** EPA has taken actions to protect residents from lead-contaminated soils, including, but not limited to, the following:

- (1) collecting and testing soil samples from the yards of residences;
- (2) covering patches of bare dirt with triple-shredded hardwood mulch that provides a temporary barrier until EPA can dig-up and remove the contaminated soil;
- (3) advising parents to prevent children from playing in dirt or mulch, to wash their children’s toys regularly, to wash their children’s hands after they play outside, and to remove shoes before walking into their homes;
- (4) having EPA community involvement coordinators go door-to-door to provide information on ways to reduce exposure to possible lead in soil, including instructions not to dig or garden in their yards; and

- (5) cleaning the inside of homes and the furniture of residents in order to significantly reduce the amount of lead dust;

**WHEREAS,** the State of Indiana has taken actions to help address and respond to the situation, including, but not limited to, the following:

- (1) direct regular engagement with the residents, community leaders, personnel at EPA and the United States Department of Housing and Urban Development (“HUD”), and City of East Chicago officials, in order to ensure that progress is being made to protect and serve the residents;
- (2) the Indiana State Department of Health (“ISDH”) hosted more than thirty (30) lead testing clinics at the Affected Area and also provided eleven (11) multi-agency “One-Stop Shops” offering residents of the Affected Area additional testing, immunization, and other services;
- (3) the Indiana State Board of Education issued a \$2.8 million state disaster relief loan to help the East Chicago School District transform a vacant middle school facility into one that is suitable for use by students from the Carrie Gosch Elementary School in Zone 1 that has been closed;
- (4) the ISDH provided the sum of \$100,000 to the East Chicago Health Department (“ECHD”) for hiring a public health nurse and educator, redirected another \$48,000 for additional staffing supports, and provided supplies and training for blood lead testing clinics run by the East Chicago Women, Infants, and Children Clinic;
- (5) the Indiana Housing and Community Development Authority (“IHCDA”) made the sum of \$100,000 available for use by the ECHA to offset relocation expenses of the most vulnerable residents of the Housing Complex;
- (6) the IHCDA provided several members of its staff to the ECHA to provide administrative support for the relocation efforts for residents of the Housing Complex;
- (7) the Indiana Department of Insurance (“IDOI”) issued a bulletin calling for a 60-day moratorium on the cancellation of insurance policies in effect for policyholders residing within the Affected Area, including a suspension of penalties for late payments by residents; and
- (8) the Division for Mental Health and Addiction of Indiana’s Family & Social Service Administration (“FSSA”) provided staff with mental health expertise at the ECHA’s West Calumet Complex Outreach and Family Day Event.

**NOW, THEREFORE,** I, **Eric J. Holcomb**, by virtue of the authority vested in me as the Governor of the State of Indiana, do hereby:

**DECLARE,** that a state of disaster emergency exists within the “Affected Area” of East Chicago (as defined above). This declaration of disaster emergency shall be effective beginning on February 9, 2017, and shall continue for thirty (30) days unless, prior to March 11, 2017, I determine that emergency conditions no longer exist and I terminate this disaster emergency by a subsequent executive order or proclamation;

**ORDER,** the Executive Director of the Indiana Department of Homeland Security to implement any applicable portions of the State Emergency Plan, to coordinate local public safety responses when appropriate, and to coordinate any needed emergency services for the Affected Area with appropriate federal, state and local agencies;

**ORDER,** that the State seek to identify and enter into a contract with a local non-profit and/or social service agency to help ensure that all remaining residents of the

Housing Complex are safely resettled into new units that reasonably meet their needs by the HUD deadline of March 31, 2017;

**ORDER**, that the State petition the EPA to provide grant funding to the East Chicago Water Department for needed lead pipe replacement in portions of the Affected Area;

**ORDER**, that the IHCDA develop a web page through which status updates, progress reports, and other important information from State, Federal, and local partners can be posted;

**ORDER**, that the State, within thirty (30) days, engage with the new secretaries of the appropriate Federal agencies to petition them for greater assistance and more resources toward efforts to relocate residents out of Zone 1, replace water infrastructure as needed in Zones 2 and 3, and also to expedite remediation and demolition efforts;

**ORDER**, that the IHCDA, once residents of the Housing Complex are safely relocated, seek formal authorization from its Board of Directors to make available the sum of \$2 million for security and demolition of the Housing Complex;

**ORDER**, that the ISDH request that the Federal government allow the State to provide lead testing at Women, Infant and Children ("WIC") clinics in and around East Chicago in connection with the Affected Area;

**ORDER**, that the IHCDA continue efforts to identify and encourage the financing of new development for affordable rental housing in the East Chicago area;

**ORDER**, that all instrumentalities, agencies and department of state government continue developing and exploring ways to be of assistance in this matter; and

**REQUEST**, that City of East Chicago Mayor Anthony Copeland provide to the Office of the Governor, by March 5, 2017, a written assessment of additional resources and services that the City has ascertained are needed for the Affected Area as well as the identification of any other Federal resources that are or could be available to the City in connection with this matter.

IN TESTIMONY WHEREOF, I,  
Eric J. Holcomb, have hereunto set my  
hand and caused to be affixed the  
Great Seal of the State of Indiana on  
this 9<sup>th</sup> day of February, 2017.



Eric J. Holcomb  
Governor of Indiana



ATTEST: Connie Lawson  
Secretary of State