

Neighborhood Group Challenges DNR's Decision To Allow Increased Pollution From East-Madison Facility

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Clean Air Madison, a neighborhood environmental group, today filed a petition with the Department of Natural Resources ("DNR") challenging issuance of an air pollution permit to Madison-Kipp Corporation on Atwood Avenue. The review will occur during a contested case hearing conducted by an administrative hearing examiner from the Department of Administration. The hearing examiner has the authority to deny or change Kipp's air pollution permit. Additionally, Clean Air Madison filed a petition with the Dane County Circuit Court to review the DNR's decision to grant a permit to Madison-Kipp. Last month, the DNR issued air pollution control permits to Madison-Kipp allowing an additional 61 tons per year of particulate emissions from the two aluminum furnaces at the Kipp foundry.

Clean Air Madison and its members submitted comments to the DNR as part of a public hearing and comment process. However, DNR decided to grant a permit to Madison-Kipp and effectively ignored public requests to include more stringent limits and better analysis of air pollution. By petitioning the DNR for a hearing and the court to review DNR's decisions, Clean Air Madison and neighborhood residents take advantage of their rights to an independent review of DNR's decision to allow more air pollution from the foundry.

The air pollution control permits issued to Madison-Kipp require no air pollution control equipment to capture the increased particulate emissions. Instead these emissions will be dispersed into the densely populated residential neighborhood surrounding the foundry. Particulates, and especially fine particulates known as PM2.5, are known to be harmful to human health. The United States EPA found that these pollutants are associated with increased hospital admissions and emergency room visits for people with heart and lung disease, and with work and school absences. Scientific studies have linked breathing particulate matter to asthma, increases in coughing and difficult or painful breathing, chronic bronchitis, decreased lung function, and premature death.

Clean Air Madison also recently notified Madison-Kipp and the DNR of the citizen group's intent to enforce the federal Clean Air Act against the facility. The group intends to enforce the federal environmental law whereas DNR has proposed to raise the facility's permitted pollution limits. "That's like addressing one person's speeding problem by raising the speed limit, rather than giving the speeder a ticket," says Clean Air Madison's attorney Frank Jablonski. Jen Voichick, spokesperson for Clean Air Madison, lives on nearby Ohio Avenue. "It's sad that neighborhood residents need to use the courts to fight DNR staff and Kipp. We thought it was the DNR's job to protect us. We expected Kipp to be a better neighbor rather than putting profits before the people in the neighborhood."

Chairman Reed Coleman and other Kipp officials have rejected recent offers by Clean Air Madison, the SASY Neighborhood Association and the Mayor Dave Cieslewicz to meet and negotiate a good neighbor agreement.