

May 5, 2020

ATTORNEY GENERAL RAOUL FILES LAWSUIT OVER SMOKESTACK DEMOLITION

Demolition Caused Enormous Dust Cloud to Spread Throughout Little Village Community

Chicago — Attorney General Kwame Raoul today [filed a lawsuit](#) against Hilco Redevelopment, LLC, doing business as Hilco Redevelopment Partners (Hilco); HRP Exchange 55, LLC; MCM Management Corp. (MCM); and Controlled Demolition Inc. (CDI) over the release of contaminants during the demolition of the smokestack at the former Crawford Electric Generating Station in Chicago.

Raoul's lawsuit, filed in Cook County Circuit Court, alleges the companies violated Illinois law and Pollution Control Board Air Pollution Regulations by causing air pollution during demolition of the 378-foot smokestack. Like many other coal-fired power plants, the Crawford Power Generating Station emitted mercury, sulfur dioxide, nitrogen oxides, particulate matter and other pollutants through its smokestack.

The Crawford Power Generating Station is located in an area designated by the Illinois Environmental Protection Agency as an area of environmental justice concern. Communities in Illinois with a percentage of low-income and/or minority residents that is greater than twice the statewide average can be designated as areas of environmental justice concern by the IEPA.

"The companies responsible for the demolition of the Crawford Power Generating Station's smokestack failed to take steps to protect the community from air pollution and compromised air quality at a time when we are urging residents to remain in their communities to minimize the spread of a deadly respiratory disease," Raoul said. "I am committed to holding the defendants accountable for the environmental damage done to the Little Village community and working to address any remaining contamination."

Raoul's lawsuit is based on a referral from the Illinois Environmental Protection Agency.

"The company and their contractor failed to take the necessary steps to protect nearby residents from the resulting impact of the implosion," said Illinois EPA Director John J. Kim. "Illinois EPA referred this matter to the Attorney General's Office to ensure the company and contractor are held responsible and are required to take the necessary steps to remediate the impacts."

CDI was hired as the specialty explosives subcontractor to oversee the smokestack's demolition. While planning for demolition, CDI compiled a plan to control and mitigate dust using various watering techniques. Demolition took place April 11 with the implosion of the concrete smokestack, and according to Raoul's lawsuit, the defendants failed to take adequate steps to protect the community from the resulting cloud of particulate matter.

According to Raoul's complaint, the implosion caused the smokestack to crash to the ground, creating a massive dust cloud of particulate matter that was relatively unaffected by water mitigation efforts. Raoul alleges the enormous dust cloud immediately traveled north, blanketing an area of the Little Village neighborhood, at a time when Chicago residents were ordered to stay at home due to the COVID-19 pandemic, a severe respiratory illness.

Particulate matter is comprised of dust, dirt, soot or smoke mixed with liquid droplets found in the air. If inhaled, particulate matter can cause serious health problems, including aggravated asthma, decreased lung function and increased respiratory symptoms. Residents near the site reported experiencing respiratory distress and pain while breathing, in addition to heightened fear and anxiety after the smokestack fell.

Raoul's lawsuit seeks to require the companies to take corrective actions for the release of air pollutants, take preventative actions to ensure future demolitions do not release air pollutants and pay civil penalties.

Supervising Attorney Gerald Karr and Assistant Attorney General Daniel Rottenberg are handling the case for Raoul's Environmental Enforcement Division.

This press release is available [En español](#).