



**Tom Barrett**  
Mayor, City of Milwaukee

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July 24, 2007

Thomas W. Easterly  
Commissioner of IDEM  
Indiana Department of Environmental Management  
Indiana Government Center North  
100 N. Senate Ave.  
Indianapolis, IN 46204

Dear Mr. Easterly:

A recent decision by the State of Indiana's Department of Environmental Management to grant an NPDES permit to the British Petroleum (BP) Products North America refinery in Whiting, IN guarantees that more pollution will be discharged into Lake Michigan.

As mayors of cities that sit on the Great Lakes, we are gravely concerned that the quality and environmental protection of the entire Great Lakes system has been placed in serious jeopardy by this decision. Even more troubling is the questionable manner in which this permit was obtained.

This new permit allows the BP Whiting refinery to dump alarming amounts of ammonia and total suspended solids ("sludge" essentially), including heavy metals such as mercury, selenium, and vanadium, into Lake Michigan. The amount of toxins that will be dumped into Lake Michigan by the Whiting refinery is the maximum discharge level allowed by federal law. In addition, it is the first time in 30 years that a company has been allowed to *increase* the amount of toxic waste being dumped into Lake Michigan."

This decision represents a careless disregard for the numerous communities across the region that depend on the Great Lakes, and undermines years of work by local governments and concerned citizens to protect the quality and health of the Great Lakes.

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We are also deeply concerned that BP was able to obtain this permit by bypassing the national Clean Water Act. The act outlines that no operation can downgrade the quality of lake water near a pollution source, regardless of the discharge limits mandated by federal law. In order to avoid displacing chemicals directly into the lake, and thereby avoid the provisions of the Clean Water Act, the refinery will use a mixing station 200 feet offshore to dilute its chemical discharge with lake water. This dilution will be subsequently flushed back out into Lake Michigan. The most distressing fact is that this sort of procedure is illegal under Indiana state law, yet for some reason, Indiana regulators issued an exemption for such an operation for the *first time ever*.

The circumvention of both federal and state laws to increase pollution into Lake Michigan sets a terrible precedent and exposes the entire Great Lakes region to unacceptable environmental degradation. Cities such as Milwaukee, Racine, Green Bay, Sheboygan, Superior, and many, many more all depend upon Lake Michigan for drinking water, economic activity and recreation. Though we understand the importance of economic growth, a modest gain does not outweigh the health and well-being of millions of Great Lakes residents.

We are certain that our concern and frustration is shared by an overwhelming majority of our citizens. We are surprised that a company such as BP, which often emphasizes its environmentally-friendly business practices, would so readily abandon the values and priorities upon which it prides itself. We are also disappointed that the State of Indiana would fail to consider the impact of its decisions, which will extend well beyond its own state borders, and that it would treat its natural resources so recklessly.

We the undersigned urge the state of Indiana to reconsider the decision to move forward with an expansion at the Whiting Refinery without first ensuring that proper controls are in place to prevent any increase in pollution discharged into the Great Lakes from the expanded facility. We are hopeful the United States Environmental Protection Agency and BP North America also review this decision.

We also ask the United States House of Representatives to pass H. Con. Res. 187, a resolution that urges the State of Indiana to reconsider its issuance of the permit allowing the BP Whiting Refinery to increase its pollutant discharge of ammonia and total suspended solids into Lake Michigan. The House will vote on this measure today, July 24<sup>th</sup>.

The Great Lakes form the largest freshwater system in the world and are shared by and relied upon by millions of people. As mayors of cities along the Great Lakes, we understand that we stand on the front lines in protecting the health and vitality of this great resource.

We hope you will work with us to prevent the consequences of this reckless action, and stand with us in the broader mission of protecting the Great Lakes.

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Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Tom Barrett". The signature is written in a cursive style with a large, sweeping initial "T".

Tom Barrett  
Mayor, City of Milwaukee

A handwritten signature in black ink that reads "Gary Becker". The signature is written in a cursive style with a large, sweeping initial "G".

Gary Becker  
Mayor, City of Racine

A handwritten signature in black ink that reads "Jim Schmitt". The signature is written in a cursive style with a large, sweeping initial "J".

Jim Schmitt  
Mayor, City of Green Bay

A handwritten signature in black ink that reads "Juan Perez". The signature is written in a cursive style with a large, sweeping initial "J".

Juan Perez  
Mayor, City of Sheboygan

A handwritten signature in black ink that reads "Dave Ross". The signature is written in a cursive style with a large, sweeping initial "D".

Dave Ross  
Mayor, City of Superior

cc: British Petroleum (BP) Products North America  
U.S. Environmental Protection Agency  
U.S. Congresswoman Gwen Moore  
U.S. Congressman Dave Obey  
U.S. Congressman Jim Sensenbrenner  
U.S. Congressman Tom Petri  
U.S. Congressman Ron Kind  
U.S. Congresswoman Tammy Baldwin  
U.S. Congressman Paul Ryan  
U.S. Congressman Steve Kagen