



*Ignorance is Bliss (Part I)* \_\_\_\_\_

## **Environmental Justice Issues at Madison Kipp and Goodman Center Ignored**

**Maria Powell, PhD**

**T**he east side of Madison, Wisconsin, is not a place most people would expect to have environmental justice problems. Toxic pollution, many assume, affects children, elderly, low income people and minorities in heavily industrialized, economically and racially segregated cities like Milwaukee. But such disparities don't happen in "eco-friendly", privileged and predominantly white cities like Madison—right?

Wrong. In the heart of [Madison's Atwood neighborhood](#), a neighborhood known for its liberal politics and progressive environmental culture, serious environmental injustices have been festering for many years, and the powers-that-be seem to be looking the other way. Why?

### **Madison Kipp Corporation**

First, some background. The recent [citizen lawsuit](#) brought against Madison Kipp Corporation, an aluminum and zinc die-casting facility in the Atwood neighborhood, is bringing much-needed public and political attention to the decades of toxic pollution from this factory and the plights of the unfortunate homeowners next to it. Several toxic chemicals released from Kipp over the last several decades, including PCE (perchloroethylene), have spread into soils and groundwater around and beneath homes near the factory, and some of these chemicals are coming up into the homes as vapors. Yet the Wisconsin Department of Natural Resources (DNR), the Wisconsin Department of Health Services (DHS), and Public Health Madison Dane County (PHMDC), quietly documented high levels of contaminants just feet away from homes for many years and said nothing to nearby homeowners—or downplayed the problem to the few they did notify—until it became too big to ignore.

“These homeowners certainly deserve compensation for their long-term exposures to toxic chemicals and lowered home values” notes Maria Powell, leader and community-based researcher with the Midwest Environmental Justice Organization (MEJO). “I hope the lawsuit results in adequate monetary compensation for these people—though nothing can really compensate them for future health problems that might result from their exposures, and the stress this situation has caused them.”

### **What about vulnerable people near Kipp?**

Oddly, despite attention the lawsuit has brought to Kipp Corporation's pollution, there has been a disturbing silence about impacts of the factory's ongoing air, soil, and water pollution on children at [Goodman Community Center](#), right next to Kipp, and at [Lowell School](#), about a half a block away. There are also several daycare providers and parks in the neighborhood. The Goodman Center serves many low-income minority kids in its pre-school and afterschool programs, facilitates food service training programs for teens, and also organizes programs for

seniors. Lowell grade school has a 50% poverty rate, and a growing number of African American, Hmong, and Latino students attend the school.

Yet even with the recent heightened public attention to Kipp's pollution, prompted by the citizen lawsuit, no local or state government agencies have ever monitored air or soils to see if children at Goodman Center, Lowell School, or daycare facilities near Kipp are being exposed to harmful levels of Kipp contaminants—though MEJO, Clean Air Madison ([CAM](#)), and some Kipp neighbors have asked for such testing for many years. “Everybody knows these facilities are right next to Kipp, and everyone knows they serve children, including a high proportion of low income kids of color. Why has nobody in environmental or public health agencies ever bothered to assess what these kids are being exposed to—or to even ask these questions?”

When MEJO leaders and neighbors asked why they haven't tested at Goodman Center after the PCE contamination was made public in 2011, DNR project manager for the Kipp site, Michael Schmoller, said his “gut feelings” tell him there are no problems at Goodman. “This approach is not only highly unscientific—it's also unethical,” Powell says. “When dealing with potential health risks to kids, they should get actual data to identify or rule out exposures, not rely on “gut feelings.”

Meanwhile, there have been obvious instances in which kids were directly exposed to Kipp contaminants. In 2006, for example, Whitehorse Middle School kids and teachers created a large rain garden at the end of a storm drain on the northeast corner of the Kipp Corporation property.<sup>1</sup> At that point, Kipp consultant reports submitted to the DNR in the 1990s clearly documented a storm drain leading from the Kipp factory directly to the rain garden area; the drain was the receptacle of decades of factory runoff heavily contaminated with PCE, vinyl chloride, and myriad other toxic contaminants. Barrels of highly toxic PCBs (polychlorinated biphenyls) were stored nearby, and used on the site for many years, according to documents dating back to the 1980s. In late 2011, in DNR investigations spurred by the lawsuit, the northeast part of the Kipp property where the rain garden is located was found to be [a PCE hotspot](#), and in spring 2012 [PCBs were also discovered](#) in soils near there. DNR officials acted surprised by these findings, and the department issued Kipp a “Notice of Violation,” yet reports in their files clearly pointed to these problems years before the rain garden was created.

“I find it unconscionable that Kipp, several government agencies, and neighborhood groups enthusiastically funded and organized a project in which these kids and their teachers dug up that soil—without at the very least testing for contamination first. These kids had no gloves or other protective gear, nor were they informed that they were digging up contaminated soil. And, why would anyone decide that a rain garden is an appropriate way to deal with heavily contaminated runoff from an aluminum and zinc smelter with known serious contamination problems in the first place?” Powell asks.

---

<sup>1</sup> <http://www.rockrivercoalition.org/publications/newsletters/RRCfall2006c.pdf> (see bottom of p. 8 for photo of kids working on rain garden). The project was initiated by the Rock River Coalition, Friends of Starkweather Creek, Earth & Water Works, LLC and funded by a Dane County Water Quality Initiative grant. Project partners included City of Madison, Madison Kipp Corporation, Schenk, Atwood, Starkweather, Yahara, Neighborhood Association (SASYNA), MG&E, Atwood Community Center (now the Goodman Center), and more.

## **Goodman Community Center Contamination**

The Goodman Center site, just a hundred feet or so north of the Kipp factory, housed several industrial and manufacturing facilities, beginning in 1880, that performed metal cutting, welding, machining, sandblasting, and painting. When the Goodman site was purchased in 2005 by the Atwood Community Center (which later changed its name to Goodman<sup>2</sup>), testing showed that soils on the property were widely contaminated with numerous toxic contaminants, including heavy metals (especially arsenic and lead), polycyclic aromatic hydrocarbons (PAHs), and several chlorinated compounds, including PCEs. Documents state that the chlorinated compounds found in groundwater beneath the site came from Kipp.<sup>3</sup> Contaminated soils were partially removed on most of the property and replaced with clean soil and/or “capped” (in part, by buildings, walkways and parking lots) before the center was approved for closure by the DNR in 2008. At that time, a signed “Contaminated Soil Cap Maintenance Plan” required the center to follow certain steps and notify the DNR before doing any maintenance or construction projects on the site, to prevent contamination from being re-released. MEJO’s investigations so far, however, have found no evidence that Goodman Center is following this agreement. [[See sidebar](#)]

Goodman Center closure reports also document PCB contamination in some walls, floors, and beams throughout the inside of the center’s main building. Identified PCB-laden materials were cleaned thoroughly and/or covered with non-contaminated materials. Powell notes, however, “Over time, PCBs could be re-released, for example, during maintenance, cleaning and remodeling, leading to exposures to kids or workers there. Hopefully someone is testing to make sure PCBs are not being re-released, and kids or others at the center are not being exposed.” Further, PCB testing was not very thorough, so it is not clear how widespread the contamination is in or around the building.

According to MEJO’s investigations, teenagers and young adults working in Ironworks Café and/or in other Goodman educational programs have not been informed of any contaminants in the center buildings or elsewhere on the site. Regardless, several workers shared concerns about pollution from Kipp, which is about 100 feet away from the café, and easily visible from the café windows. One employee mentioned hearing explosions and sirens in the factory on occasion, and Kipp employees are sometimes seen wrapping barrels of waste and loading them into trucks. On the driveway between Kipp and the Ironworks Café, trucks and other vehicles containing fuel, highly toxic chlorine, environmental waste, and remediation equipment frequently rumble by café windows.

---

<sup>2</sup> The property was purchased through an anonymous donor (whom many in the neighborhood speculate is Reed Coleman, chairman of Madison-Kipp Corp.—though this has been rebutted by the center's director as "100% false"), and the center renovation was funded by a large donation from Madison’s Goodman brothers. [Later in this series: the Coleman family’s political and philanthropy history in relation to Kipp and the Atwood neighborhood]

<sup>3</sup> The DNR claimed, when asked about this in Oct. 2011, not to have any knowledge about the PCE contamination under Goodman, or its source, even though documents in their files clearly identify the source as Kipp.

Another café worker wondered about whether Kipp groundwater contaminant vapors that have seeped under the Goodman building are coming up through the drains in the café floor—and whether his frequent feelings of nausea and headaches in the café could be related to that or to pollution from Kipp’s several large stacks, just a few hundred feet away. Goodman workers also expressed concern about the compost pile on the corner of the property just across from the Kipp rain garden, used to fertilize raised bed gardens on the center’s property, which supply some food to the Ironworks Cafe.

MEJO’s investigations suggest that Goodman workers may have reason to be concerned. Though soil on much of the Goodman site was removed or partially removed, soil in the area where the compost pile and chicken coops are located was not removed or remediated. Consultant documents from 2005 show that this area was contaminated with several heavy metals, including arsenic and lead, as well as PAHs.

Moreover, the PCE hotspot found in late 2011 near the rain garden on the Kipp property is just across the bike path from the compost pile. Hazardous air pollutants released from several large Kipp stacks are also likely deposited onto the compost. Given this, Powell wonders if anyone has ever tested the compost to make sure it’s safe to put on food gardens. “Given the historic lack of concern about contaminant exposures to vulnerable people near Kipp” she speculates, “my guess is—probably not.” MEJO has found no evidence of such testing to date.

### **Government documents include no mentions of risks to vulnerable groups**

Disturbingly, MEJO’s thorough reviews of DNR and public health agency documents to date have not found a single mention of potential exposures to vulnerable groups in the Kipp neighborhood. “Governmental officials have expressed no interest in or intent to assess exposures to these groups during public meetings and our interactions with them,” says Powell. “They have ignored our questions about these exposures for years.” Further, she notes, “Many of the most at-risk people around Kipp—low income people, minorities, kids, and elderly—are not at all aware of Kipp’s pollution and how it might affect them, and have not been engaged in public or political discussions about it so far.”