Editor’s note: This story was republished from Cicero Independiente and MuckRock.

In mid-January, at a non-descript YMCA in Berwyn, a secret meeting was held by the publicly-traded chemicals company Koppers and a group of seven elected officials and employees of the nearby Village of Stickney, the location of the company’s plant.

A catered lunch was provided. Stickney’s longtime mayor was in attendance. The stated purpose of this invite-only meeting: to educate local leaders about how Koppers is a good community partner, and has been for more than a century, and
how it aims to be “good stewards” of the environment.

But no member of the public — none of the nearly 150,000 residents of Stickney, Cicero and Berwyn — nor any representative of a news organization, major community organization or state legislator’s office whose district includes the Koppers plant were invited or made aware of the meeting.

In fact, the only reason that news organizations, along with legislators, community groups and the public, found out about the meetings of the Koppers Community Advisory Panel are through repeated Illinois Freedom of Information Act requests.

This winter, a series of news articles published by the Cicero Independiente and MuckRock explored air pollution near one of Koppers’ most profitable plants — a 36-acre coal tar facility built in 1922 outside Chicago, situated between two densely-populated communities, Cicero and Stickney. It laid bare several unflattering environmental and public-health issues, with Koppers at the center of it.

Due partially to air pollution from more than a dozen industrial facilities, Cicero has some of the worst air quality in Cook County, which already is one of the most polluted urban areas in the United States. Some of the area’s census tracts have among the highest excess cancer rates from exposure to industrial air pollution in the country.

The January meeting, along with one held in mid-November and another planned for April 11, represent Koppers’ behind-the-scenes effort to shape the opinions of regional decision-makers, mostly behind closed doors.

For most of the January meeting, Koppers and some of the community panelists in attendance blasted the MuckRock and Independiente article, meeting minutes show, most of whom were unnamed.

One attendee called the article an “injustice to Koppers.”
One said the article was “biased.”

And one said it was an “unfair shake,” representing “one person’s view.”

The Koppers community panel doubles as a legitimate, quasi-governmental body. In reality, it’s a corporate lobbying effort, walled off from the larger community, stacked with friendly faces and separated from the disclosure and access requirements of official public government bodies.

After MuckRock and the Independiente sent a list of questions to the village of Stickney, Koppers and the company’s public-relations consultant, the village’s outside attorney, Jessica R. Fese of Del Gado Law Group, said that, “in the best interests of the Village,” public employees would no longer attend company-sponsored meetings.

“Village officials understood the luncheons to be informational in nature, and after review of the matter, the Village will not be participating in any future sessions of this type hosted by Koppers,” Fese said in the statement.

In a separate statement, the village’s clerk, Audrey McAdams, defended the practice of officials attending the Koppers meetings. “When a person is an elected official, they are ambassadors to the community,” she wrote.

She also said that “all the people representing Koppers at the meetings are cordial and sincere. I personally was seated next to Kevin Washington [Koppers vice president of external relations] at the November meeting. I appreciated his passion to disseminate Kopper’s importance to the world in general. Did you know that one of their recycling products actually makes the IV bags you will use at some time in your life?”
April 3, 2024

Dear Derek Kravitz:

In response to your request for comments or statements on your most recent article concerning Koppers.

When a person is an elected official, they are ambassadors to the community. Showing support to our business is part of it.

I perceived my invitation to the Kopper’s luncheon to be an opportunity to learn about an aspect of my environment. I have a long interest in the subject and clearly voiced that opinion.

All the people representing Koppers at the meetings are cordial and sincere. I personally was seated next to Kevin Washington at the November meeting. I appreciated his passion to disseminate Kopper’s importance to the world in general.

Did you know that one of their recycling products actually makes the IV bags you will use at some time in your life?

The Village is committed to transparency, and endeavors to answer all FOIA requests in that spirit for the benefit of our residents and local communities. The Village has seen fit to oversee the cover letters and contents of your responses for some time now. I personally respect the honesty and transparency involved in the Freedom of Information Act laws.

Regards,
Audrey McAdams
Master Municipal Clerk
Village of Stickney

While it’s true that Koppers recycles some of its chemicals for medical uses, such as coal tar concentrations for the treatment of skin rashes and psoriasis, the company’s biggest and most profitable products, by far, are treated lumber for
homes, utility poles and wooden railroad “crossties” along with the chemical used to treat and preserve the wood — creosote, which is processed from coal tar at the Stickney plant. In the company’s most recent annual report, Koppers claims to be the “largest global supplier of creosote to the North American railroad industry.”

In response to this story, Koppers didn’t address specific questions and concerns raised by community groups and elected officials but, in response, said in a statement that its Stickney plant has “engaged in community outreach over many years, interacting with a range of community members and organizations. While the global pandemic interrupted our efforts, we purposely restarted renewing neighbor relationships in early 2023, as facility leadership and other company representatives welcome these opportunities.”

View note

‘Are alarm bells going off?’

Koppers has a spotty environmental record with the Illinois Environmental Protection Agency, dating back 50 years, and new alleged violations of environmental laws that have made their way to the state attorney general’s office

View note

To manage the fallout and answer community concerns about the story’s findings, Koppers hired a public-relations firm, Mary Ann Green Communications of West Virginia. That PR firm’s stated goal, gleaned from emails obtained through an Illinois Freedom of Information Act request, was simple: Leverage Koppers’ decades of good will among a group of local leaders and create a new, hand-selected community board.
The bylaws of the Koppers Community Advisory Panel state that, among its objectives, is to “provide feedback and input from the community and plant operations and concerns” and to “provide information to the community from the plant,” along with addressing “related community/industry issues.”

It pledges that the makeup of the panel will “represent a cross section of the community” and says that “all meetings are open to the public.” But that includes a substantial caveat: Guests have to be identified to Green no later than 36 hours before the start of a meeting and any meeting can go into “executive session” at any time, which expressly excludes visitors. “Either all or part of a CAP meeting may be held in executive session,” the bylaws read.

This runs counter to how executive sessions are employed in Illinois public meetings.

While the Koppers Community Advisory Panel’s comments about the news investigation failed to question any of the underlying reporting, data or analysis, the lightly-transcribed minutes show the group made several false, inaccurate and misleading statements with clear policy and public health implications.

In the process of reporting and fact-checking that story, MuckRock and the Independiente requested comment from Koppers in late November, providing its vice president of external relations, Kevin Washington, with 12 bulleted findings and six numbered questions in advance of publication. In response, the company provided a 254-word generally-worded statement about its operations that largely avoided direct comment on any of the six questions.

In the report, MuckRock and Independiente directly quoted 84 words of their statement, and provided the entire statement as an embedded element via DocumentCloud. Despite this, Washington inaccurately and misleadingly characterized the report as having used “very little of what Koppers shared as its statement, he explained.”
Many of the comments bulleted in the meeting minutes are unnamed. One is not: Village Trustee Lea Torres is quoted as saying that “there has been such an improvement at the plant. She noted safety and controls are much better. She said that fact (sic) that the article went back so far in history was wrong. Lea explained that she follows Koppers and feels confident in its safety in how the plant is run now.” In reality, the investigation focused primarily on Illinois EPA violations since 2020, including the 2022 to 2023 period.

When MuckRock and Independiente reached out to Torres for further clarification and comment for a forthcoming article, she declined further comment.

Conversely, other comments expressed genuine concern about the environmental and public health findings from some of the panelists:

“Does this really go on?”

“Are alarm bells going off?”

“We have interest in this stuff and the health impact from pollutants.”

“How did Koppers address the violation?”

The responses underscore the lack of visible and clear public access to the Koppers meetings and is a clear departure from the spirit of the Illinois Freedom of Information Act and the Open Meetings Act, whose purpose is to promote “free and open communication between government and citizens,” experts say.

But legal experts also largely agree that a loophole in state law regarding company-created meetings exists: the state General Assembly and Illinois courts have made it difficult to apply the Open Meetings Act to private entities with significant representation by public officials, even when they are discussing matters of public concern, said Matt Topic, a media and intellectual property attorney and partner at Loevy & Loevy.
“Typically, unless a private entity is controlled on a day-to-day basis by the government, [the Open Meetings Act] generally does not apply,” he said.

‘Who are they hiding it from?’

Several community organizations and elected officials in the region have said they would have attended the meeting if alerted to its very existence. These officials and organizations include the offices of the districts where Koppers is located, state Rep. Abdelnasser Rashid and state Sen. Javier Cervantes, Deputy Majority Leader Elizabeth “Lisa” Hernandez; and Corazón Community Services, a community nonprofit formed in 2003 to serve “the Latinx community and others in the Cicero/Berwyn area by means of effective, life-improving programs.”

That’s especially problematic for Cicero, community members say, as the town of about 85,000 is 88% Hispanic.

“Any community meeting impacting thousands of residents that are poorly outreached is a failure of the entities,” said Esteban Rodriguez, Corazón’s executive director. “My reaction is like many: Upset, anger, frustrated that these types of meetings are held under the radar. Makes me think what are they hiding? Who are they hiding it from?”

Instead, the unusual nature of a company-sponsored community panel — with a hand-selected group of friendly, and indebted, village officials and, separately, organizations primarily working outside of the Cicero and Stickney communities — reflect a profound disconnect between the very idea of a “community panel” and the communities which it endeavors to serve, community members say.

The few panelists that attended the meetings were recruited through word-of-mouth referrals and the only regular, non-village or Koppers members are a retired Berwyn principal and two staffers from the Academy for Global Citizenship and Cultivate Collective, which are linked financially together, and describes itself on its website as a “Chicago Public School incubator of educational innovation, and teacher training institute.”

It’s unclear what, if any, connection a public charter school on the Southwest Side of Chicago has to the Cook County communities of Cicero, Stickney and Berwyn,
which are outside Chicago city limits.

Other potential Koppers Community Advisory Panel members were invited to the meetings but ultimately chose not to participate, largely because they didn’t know what the meetings were about or didn’t trust the non-governmental organizer. They include Cook County’s Emergency Management Regional Security agency; the University of Illinois’ Extension program in Cook County, and Morton College, which is located near the Koppers plant.

John Daniel, regional coordinator for Cook County’s Emergency Management Regional Security agency, said by email that when he “saw [the meeting invitation] was from a private entity,” he chose not to participate. “My job is working with police, fire chiefs, public works and sometimes elected officials. So, as such, I chose not to attend.”

Gina Torres, a career services coordinator at Morton College, which is located next to the plant, said she was invited to the meetings and met virtually with the Koppers public relations consultant, Mary Green. The consultant told Torres that Koppers “was looking to connect with the community and its local organizations.” But when asked by the consultant about whether she knew what Koppers was, Torres said no, and ended up not attending the meetings.

Stickney Township’s public health department was invited but its director said the community panel was the first time he had heard from the Koppers plant. “I have no relationship with Koppers. This is the first time they have contacted us,” said Christopher Grunow, Stickney’s top public health official. He confirmed he attended one meeting.

State legislators say they are working to learn more about Koppers. Cervantes, the state senator whose district includes the Koppers plant, has sent the company a letter following the Independiente and MuckRock investigation, requesting details on operational safeguards.

“Local residents must have the peace of mind that they are safe from dangerous chemicals,” he wrote.

Rashid said his office is reviewing the Illinois EPA findings and he is committed to “ensure that public health is protected and bad corporate actors are held accountable,” he said in a statement. “I will continue to prioritize the health and
Hernandez, the Illinois House deputy majority leader, said “these panel discussions do not change the fact that I continue to be open to genuine concerns about pressing public health frustrations.”

She added: “While our legislative process continues to take shape, companies that disregard the basic health and wellbeing of vulnerable communities absolutely need to be addressed.”

Village of Stickney officials have repeatedly made their close connections to Koppers clear, in emails obtained through Illinois FOIA requests.

MuckRock filed its first FOIA request regarding Koppers with the Stickney village clerk’s office in late November, requesting a range of most publicly-available records, including meeting minutes, violation notices and any results of a previous FOIA request filed by a different requestor.

This request appears to have triggered a flag by the Village of Stickney to Koppers. In its January meeting, Washington of Koppers “explained the company’s awareness of the story started with the FOIA to the Village Clerk. He said he appreciated her letting him know about the request.”

It’s unclear why McAdams alerted Koppers, other than to share information with a company that McAdams describes, in that very same meeting, as “integrated and part of Stickney.”

In a November response to Koppers’ business luncheon invitation, Village Clerk Audrey McAdams wrote to Stickney Mayor Jeff Walik: “If I am able, I plan on going (to the meeting). Koppers does a lot to support Stickney. I don’t want to snub them. If you are not going, do you have anything I should or shouldn’t share?”
Later, at a January village council meeting, McAdams remarked how “Stickney has had an exceptionally long relationship with Koppers, and it is a good rapport for us to have this level of input.”

Edited by Luis Velazquez, April Alonso and Derek Kravitz

Editor’s note: Attorney Matt Topic, quote in the story above, represents the Better Government Association, which publishes the Illinois Answers Project.