

Town of Lapel
Board of Zoning Appeals
Case No. BZA-2023-01

Affidavit of Dr. Sherrie Steiner

I, Dr. Sherrie Steiner, hereby swear and affirm under the penalties for perjury that the following statements are true and accurate to the best of my knowledge.

1. My name is Dr. Sherrie Steiner and I am over the age of 18.
2. I have personal knowledge of the contents of this affidavit.
3. I am currently employed by Purdue University – Fort Wayne as an Associate Professor of Sociology. I currently hold a tenured position with Purdue University.
4. I hold a PhD in sociology with areas of specialization in environmental sociology and sociology of religion.
5. Recently, I and my colleagues at Purdue West Lafayette have been the recipient of a Trailblazer Grant to analyze soil, water, toe nail, and urine samples in the residents and areas surrounding a steel recycling plant in Hartford City, Indiana.
6. I have received two community engagement awards from Purdue University as it pertains to the environmental contamination and possible public health effects surrounding a steel recycling plant located in Hartford City, Indiana.
7. I have previously published work on pollutants and contaminants in the air surrounding a steel recycling plant.
8. I am aware of the LKQ Midwest, Inc.'s ("LKQ") application to seek a special use permit to operate a salvage yard in Lapel, Indiana.
9. I have reviewed materials relative to LKQ's application to seek a special use permit to operate a salvage yard in Lapel, Indiana.
10. I was present at the October 9, 2023 Board of Zoning Appeals ("BZA") hearing and heard testimony from the applicants and remonstrators.
11. LKQ presented testimony that car crushing will occur outdoors.
12. From my work in Blackford County, crushing metal creates fugitive dust. Fugitive dust is dust that is heavy with carcinogenic metal contamination. Such metals common in automotive metal crushing include arsenic, cobalt, chromium, cadmium, lead, nickel, and iron.
13. It is common for this carcinogenic fugitive dust to blow down wind and settle on neighboring properties where it can be unknowingly ingested.
14. From my experience in Blackford County, the Indiana Department of Environmental Management ("IDEM") does not normally conduct air monitoring in the areas surrounding metal yards and will only record residents' complaints about fugitive dust in their vault if their investigators have first gathered photographic evidence of dust plumes, and subsequently required the facility to obtain an air permit. Only then will IDEM record resident's complaints pertaining to air and fugitive dust in their 'vault.'
15. Often times, fugitive dust is invisible to the naked eye and can only be detected by ongoing air quality management.

16. Another concern the BZA is aware of centers on the underground aquifer. I was present when LKQ discussed the findings of the APEX report which claimed the thick clay soil was impermeable making the risk of contamination “*de minimis*.”
17. I have been involved in research relative to ground water contamination at the Hartford City, Indiana steel recycling facility.
18. Like Lapel, the make-up of the soil in Hartford City is comprised of thick clay.
19. Despite LKQ’s claims laid out in the Apex report, clay soil can and has been permeated. This is true of what is taking place in Hartford City.
20. Currently, the Indiana Department of Environmental Management (“IDEM”) is tracking a pollution plume that has permeated the clay soil and is migrating towards the city well in Hartford City. This pollution plume has been well documented and followed by IDEM and Hoosier Environmental Council.
21. Corporate compliance requires corporate oversight. It will be necessary for Lapel to have a compliance officer to monitor any conditions imposed upon LKQ or LKQ’s adherence to local ordinances. The Town of Lapel must also be willing to enforce those conditions against LKQ, if necessary, through litigation.
22. Without a local compliance officer, the Town of Lapel will have to rely upon State and Federal agencies for environmental protection. Such agencies often carry a back log of cases, which at times, can make communication and follow through difficult or impossible. Without compliance oversight at the local level, there is little to hold large corporations accountable.
23. LKQ has a known record of a failure to comply with state, federal and local regulations.

Further affiant sayeth naught.

VERIFICATION

I affirm, under the penalties for perjury, that the foregoing representations are true and correct.

Sherrie Steiner

[Sherrie Steiner \(Oct 24, 2023 18:05 EDT\)](#)

Dr. Sherrie Steiner

Date: Oct 24, 2023






Dr. Steiner Affidavit

Final Audit Report

2023-10-24

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