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Lawsuit Being Filed Against Steel Mills by LMYA, et al

A civil lawsuit is being filed in Federal court by a group of interested parties with LMYA as the lead plaintiff against two large steel mills in Indiana - USX Steel and Arcelormittal USA, which have been polluting the Burns Waterway in Indiana with cyanide (a lethal poison), ammonia, and hexavalent chromium (another toxic carcinogen heavy metal substance, which virtually permanently pollutes the environment). Both chemicals are part of the steel making process and they are supposed to be collected during plant operations so only permitted, harmless amounts leave the steel plants. However, several instances of neglected maintenance and accidental spills at the two plants have dumped large impermissible amounts of these

dangerous chemicals into outflows into the Burns Waterway which flows directly into Lake Michigan. The instances which occurred the last weekend of August, 2019, and have occurred repeatedly since, caused the closing of beaches, The Indiana Dunes National Park, and the Indiana Dunes State Park beach along the Indiana shoreline, and a shut-down of several marinas and yacht clubs for several days.

Thousands of fish were killed near the shores, and several businesses lost a

week of prime summer income from restrictions on boating and the park closures. Recreational boaters lost one of the last prime weekends of the summer, (good weather and school hadn't started yet), and many were disappointed to learn that they were ordered by the local authorities not to board their boats or leave their slips. There were some instances of swimmers being ordered out of Lake Michigan by police officers with the warning "there is cyanide coming, you and your kids get out of the water now.!" Some yacht clubs will likely lose slip rentals next summer as a result of the dangerous levels of cya-

nide and hexavalent chromium that sunk to the bottom of the lake and will remain there permanently.

Approximately one-half mile away from Burns Waterway is the location of the Indiana American Ogden Dunes water intake serving much of northwest Indiana, which had to be shut down for several days out of caution due to the cyanide spill. Meanwhile, initially, the mill that spilled the cyanide denied any involvement. Eventually, they self-reported the spill, and their own culpability.

Thomas Dogan, LMYA's commodore, is the attorney filling the suit which will not only seek damages on behalf of the plaintiffs, but also seeks to require these steel mills to repair and maintain their equipment properly, and to develop better monitoring techniques which would alert the public immediately if another dangerous accidental spill should happen again. It is also requested that independent monitoring be paid for by the mills, rather than the current system of self-reporting of spillages by the steel mills, after they occur.

More details on the progress of the federal lawsuit will be provided in the next edition of the Spreader.

Special points of interest:

- [Lawsuit Filed by LMYA](#)
- [Major January Storm Damage](#)
- [Debris in Milwaukee River](#)
- [Officers and Directors 2020](#)
- [Lock Closures / Repairs 2020](#)
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Terrible January Storm Damages Yacht Clubs

A major storm that hit on January 11th has left many marinas and yacht clubs damaged. The most severe damage occurred along the southwest corner of Lake Michigan including Milwaukee, Racine, and Kenosha counties. In several areas the breakwater protecting the harbor areas has breaches in the rock walls and huge waves as high as 15 feet caused major damage to the

docks. At South Shore Yacht Club, for example, the finger piers are made up of steel support beams with multiple four foot wooden pallets inserted along the length of each pier. There are six main docks with multiple finger piers on each side. Out of 950 pallets originally in place prior to the storm, less than 100 remained after the storm battered the harbor area. The rest were either destroyed or

blown away to float ashore in the storm surge. Several of the steel support structures were also bent or wrenched out of their normal positions. Many dock boxes were dislodged and sunken during the storm, which will become a navigation hazard that must be cleared before the boating season starts.

Damage will run into the millions of dollars to the

lakefront area, and federal aid (FEMA) has been requested by the governor to help make the repairs needed to the breakwater wall, the marinas, and the harbor infrastructure which was decimated. The pictures below show the South Shore slip area which was damaged, and one of the piles of broken lumber from pallets which were washed ashore and must be replaced to make the docks whole again in the spring.



Officers and Directors elected for 2020

The full slate of officers from 2019 have been re-elected at the annual meeting for another term to serve in 2020. Officers of the LMYA will be: Commodore: Tom Dogan, Vice Commodore: Matthew Dogan, Secretary: Jim Mergener, Treasurer: Sally Mergener, and Judge Advocate: Tom Dogan.

Rear Commodores who serve as the directors for the three regions will once again be: Jim Mergener— Wisconsin, Christine Hunt— Indiana and Michigan
Wade Schroeder—Illinois.

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The Bridge for 2020

Commodore: Thomas Dogan
Vice Commodore: Matt Dogan
Secretary : Jim Mergener
Treasurer : Sally Mergener
Past Comm: Scott Robertson
Judge Advocate: Tom Dogan

State Rear Commodores:
WI : Jim Mergener
IL: Wade Schroder
MI/IN: Christine Hunt

Debris in Milwaukee River Reaches Dangerous Levels

At a recent meeting of the Milwaukee Harbor Safety Committee, Wayne Happel on behalf of LMYA, raised the issue of large masses of floating debris that



have been accumulating around the bridges and turning points in the river. This is becoming a safety hazard for all types of boaters. Wayne asked if the Milwaukee Metro Sewage District who owns the skimmer and the Port of Milwaukee who operates the barge would increase their efforts to remove this debris. However, it was pointed out that this problem resulted from removal of a dam up river and as a result caused this great increase in the amount of debris in the river. Therefore it has become impossible to remove the majority of this debris since crews are operating with very limited resources that were provided at a time when we didn't have this problem.

The items removed from the river include large objects such as entire trees, and the barge that transports these items to the south side of the harbor for disposal is spending much more time going back and forth and therefore does not have enough time to remove all the debris. To alleviate this problem, the city has been offered another removal point for the barge which is closer to the center of town. This will shorten its transport times. A very active discussion of the safety concerns to boaters resulted, and hopefully new actions will take place in spring when the rivers open and debris piles build up once again.

Lock Closures Coming Again in 2020

Illinois River Lock and Dam Closures set by the Corps of Engineers for 2020.

Illinois Rear Commodore Wade Schroder reports that many of the locks along the Illinois River waterway are still under repair. The Army Corps of Engineers will have to shut down several locks for up to 80 days next summer for repairs. Here is the schedule for full lock closures:

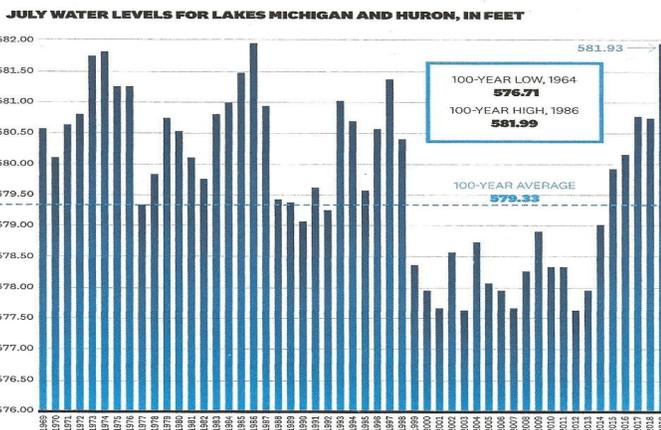
- Marseilles - Jul 6 to Oct 29
- LaGrange - July 1 to Sept 30
- Peoria - July 6 to Sept 30
- Starved Rock July 1 to Oct 29

Dresden - Oct 4 to Oct 24
 Dresden lock will be partially open during the periods from July 6 to October 3rd, and from October 25th to October 28th.
 At certain times if the water levels are high enough at LaGrange and Peoria, it may be possible to open the wicket portions of the dams allowing vessels to pass around the dams without using the locks.



LMYA's New Logo

Like all Great Lakes, Lake Michigan's water level fluctuates in a cycle. But within the past six years, the lake's water level has hit a record low and come within an inch of its record high.



Lake Levels Rising this Year

A recent article in the Milwaukee Magazine included the graph to the left of lake levels in July going back to 1968. The average lake levels for Lake Michigan/Huron in feet is 579.33. The lowest during this period was recorded in 2012 when the level fell to 577.6 feet. Last summer, the levels rose to

581.93 which is just a tiny amount below the 100 year high point of 581.99 that has gone up by feet. That means the lake has risen by about 4 1/2 feet since the summer of 2012, and projections from recent publications are expecting the lake to increase by as much as a foot this summer