

Dunes News

Published by Illinois Dunesland Preservation Society

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September, 2004



Paul A. Kakuris, President

Luncheon Reservations

Saturday, September 18
12 PM

Park Resort

Please give your menu
choice when you make
your reservation:

1. Chicken Caesar Salad
2. Sesame Chicken
Salad w/fruit
3. Beach Burger
4. Club Sandwich

RSVP by September 15.

Dory Havens 847 945-2243

Karen Jump 847 498-5710

Dunesland in the News!

Chicago SunTimes
August 24, 2004
August 25, 2004
September 2, 2004
September 5, 2004

Chicago Tribune
August 25, 2004

Waukegan News Sun
July 3-4, 2004
July 21, 2004
August 6, 2004
August 24, 2004
August 26, 2004

Zion-Benton News
August 12, 2004

Some of these are still
available online.

Sign up for our email list:
ildunesland@aol.com.

Asbestos Expert Jeffery Camplin Speaks on "Asbestos Dangers at Illinois IBSP and How to Protect Yourself" Luncheon Meeting on Saturday, September 18 at Noon Illinois Beach State Park Resort and Conference Center

Our guest speaker will be Jeffery Camplin, a health and safety professional and an asbestos consultant. Jeff is administrator of the influential Environmental Practice Specialty (committee) of the American Society of Safety Engineers, the largest organization of its kind in the country. In June, Camplin was named the group's "Environmental Safety Professional of the Year." We feel very fortunate that Jeff has taken our quest for truth and safety to his heart. Perhaps some of his concerns also relate to the fact that he has taken his own children to play on the beaches, not being informed by IDNR of the potential danger of the asbestos that is present.

A state and federal-certified asbestos instructor and inspector, Camplin has taught certification classes for a number of the state's asbestos technicians. State officials are now attempting to use some of the very people that Jeff

has trained and certified to downplay the dangers of the state park's asbestos contamination. He will discuss the problems related to past, present and future risks from the asbestos debris which continues to appear on the shore of our beaches. The IEPA (Illinois Environmental Protection Agency), the USEPA (United States Environmental Protection Agency), the IDPH (Illinois Department of Public Health), and the IDNR (Illinois Department of Natural Resources which manages the park) have repeatedly stated that the beaches are safe and that there is no health risk from the continued recontamination of the shoreline from asbestos debris. The state is trying to cover up that they have dredged the contaminated, illegal asbestos-containing sand and dumped it on the beaches.

However, very recent admissions by the USEPA indicate the evaluation tools used by these agencies

claiming the beaches are safe did not measure risk at all! In addition, the IDNR has finally admitted that the more hazardous, "friable" asbestos does in fact exist on the beaches.

Jeff will discuss how The Camplin Report (2003), an analysis of the asbestos contamination at the park, had already identified these now-corroborated facts. He also conducted some of his own tests. He will also discuss concerns with state actions taken since his report was released. Due to Camplin's report, Attorney General Lisa Madigan created a Task Force to operate in secret (not subject to the Open Meetings Act, as we believe it should be) and produce a \$200,000 taxpayer-funded report. That report was supposed to be issued last spring. It has yet to be released and another whole summer has gone by while thousands of adults, children, and pets had unnecessary potential exposure to microscopic asbestos in the air, sand and water.

Dunesland's Loop Attorney Donald L. F. Metzger Files for a Temporary Restraining Order to Protect Our Right to Freedom of Speech

IDNR Removed 1998 Public Information Display on Asbestos and Pamphlets Dunesland's Safety Refuses to Display Tips to Protect the Public

Dunesland requested earlier this week that the Illinois Department of Natural Resources allow Dunesland to display our flyer in the park's information area because IDPH has not had theirs available for years. They had agreed in 1998 to display a flyer and exhibit depicting asbestos.

An Illinois Department of Public Health press release (March 2, 2000) states, "IDPH, IDNR, and Illinois EPA jointly developed a fact sheet to communicate information regard ACM (asbestos-containing material) at

the Park. The fact sheet is available in kiosks at heavily used areas in the Park, such as the lodge, the marina, and the public swimming beaches. The kiosks also have display boxes with examples of what ACM might look like. In addition, signs printed in both English and Spanish were placed throughout the Park to warn people about potential asbestos contamination. The signs were intended to discourage people from picking up suspected ACM and to have

them notify the Park Office if suspected ACM was found."

Unfortunately, asbestos isn't very easy for the novice to identify. Many chunks have been rounded and abraded by wave action before they hit the beach. Dunesland members have seen children playing with the "rocks" on the beach. Can one surmise they might take them home as souvenirs? Then, the household would be contaminated. Dunesland worked very hard to develop a practical, informative pamphlet to help people be able

Camplin Exposes Asbestos on the Beach (continued)

Dunesland has expressed concern to the AG that three of the most knowledgeable and qualified people about the issue were not allowed to be on the Task Force: Robert Grosso, Park Superintendent; Jeffery Camplin, health and safety professional and the author of the Camplin Report on the asbestos problems at the park; and Paul Kakuris, an environmental professional and Dunesland's president who has been the driving force behind uncovering the issues associated with the desecration of the park since 1998. Evidently, the state doesn't want their input in developing sampling and testing protocols because it would force the state and federal agencies to seek scientific truth and not practice "political" science.

Further, many of the members of this taskforce were on a statewide taskforce in 1998 which collaborated on the Hanson Report. As it was noted in the Camplin Report, the Hanson Report was found to have "cooked" the sampling and testing protocols which resulted in manipulated and ambiguous results. The Attorney General's office apparently has appointed a taskforce with a stacked deck and something to protect. Instead of the house winning, the environment loses.

Due to the fact that it seems to be business as usual as far as the state is concerned, Dunesland has produced a safety flyer, "Tips for Avoiding Asbestos Contamination at Illinois Beach State Park.

Metzger Files for Temporary Restraining Order (continued)

to protect themselves and their families. Our request was denied. As stated in the Chicago Sun-Times (9/2/04), "Though agency spokesman Joe Bauer would not say whether DNR disagreed with any content in the flyer, he justified the decision not to display it on the basis that Dunesland had not followed rules pertaining to public demonstrations, though Dunesland was not seeking any sort of public demonstration."

All we wanted to do was display our flyers with those of Great America, Gurnee Mills Shopping Center, and state and local health department warnings about *E coli* and West Nile Virus. When questioned, Park Superintendent Robert Grosso indicated that DNR had not required those groups to obtain the type of permit required of Dunesland,

the official society founded to help establish and protect the park. It might lead one to believe that they have something to hide!

We have been battling official denial of the asbestos issues and other contamination at the park since 1998 and have decided to take new action. Yesterday, Dunesland President Paul Kakuris went to court with Dunesland's Loop attorney Donald L. F. Metzger. They filed for a Temporary Restraining Order to allow Dunesland to display the flyers at the park before the busy Labor Day weekend begins.

We filed because our First Amendment rights were being violated. The prohibition against dissemination of the pamphlet deprives Dunesland of Freedom of Speech and

equal protection of the laws under the Illinois and U.S. Constitutions. The request was heard by Judge David M. Hall, Chancery Judge, in Waukegan on September 3

However, we now have the flyers on display at many Zion and Waukegan locations so that the public can be warned of the dangers. Printing was donated by Stephen's Printing in Zion.

Several thousand flyers were passed out at Zion's Jubilee Days on Labor Day. It is the largest Labor Day parade in the state. Many people were outraged that this asbestos problem has not been resolved, risking their health and endangering their children.

The hearing in Judge Hall's court will be September 21 at 10:30 A.M. in Waukegan.

One mother was very upset at the Labor Day parade because her little boy had picked up two chunks of asbestos at the park on the previous day. The office confirmed that it was asbestos. She wanted to know why the public isn't notified. One of our board members told her that was why Dunesland was distributing the brochure. The state wasn't fulfilling its promised 1998 obligation.

What do you tell a mother who asks how carrying the chunks and seeing the fibers on the edge of them will affect her child? We know that seeing the fibers means it can become airborne (friable) and potentially dangerous for future health problems.

Judge Hall Allows Dunesland "Friend of the Court" Status in State Lawsuit About Violations' Settlement Against Manville

In Chancery court in Waukegan, Dunesland's Loop attorney Donald L.F. Metzger filed a motion to intervene in the pending lawsuit. The Illinois Attorney General was representing the IEPA (Illinois Environmental Protection Agency) in a series of violations which were allegedly committed by Manville. Some of these violations were brought to the attention of the state by Dunesland. Dunesland had charged that the IAG and IEPA have a "sweetheart" deal with Manville. Our concern in state court is that our state regulators would like to sign off on the first

Superfund site in the country and let Manville off with a fine of approximately \$140,000 instead of \$3-4M. The site is far from cleaned up, according to our estimation! Otherwise, chunks of debris wouldn't be fouling our Nature Preserve and air tests wouldn't be picking up asbestos readings on the beaches. Unfortunately, Lisa Madigan vigorously opposed Dunesland's attempt to intervene.

If the government signs off on this, the taxpayers will be assuming the liability. Manville is now owned by Warren Buffett's Berkshire

Hathaway, Inc. The liability needs to stay with them, not the beleaguered taxpayers whose duty seems to be to just keep on paying for government errors of one type or another.

Additionally, whatever fines are collected should go into a SEP (Supplemental Environmental Program) which, if allowed, would permit these funds to go into Environmental mitigations for Illinois Beach State Park. We have requested the state to do this, but they have ignored us. Hopefully, the court system will be able to even out the playing field and allow an environmental group to have a say in key environmental and health and safety issues.

Federal Judge George Lindberg Lets Dunesland's Attorney Donald L. F. Metzger Submit Plea to Intervene in the Johns Manville Superfund Asbestos Cleanup Case

Dunesland's attorney Donald L. F. Metzger filed a petition to intervene federal lawsuit against Johns Manville. In 1988, Manville signed a U.S. District Court Superfund consent decree, agreeing to clean up the eastern-most 150 acres of its property which was severely polluted with asbestos and chemical contaminants during manufacturing operations that began in the mid-1920's. After 1988, with state and federal

approval, Manville occasionally deviated from the consent decree's original cleanup plan. In February, 2004, state and federal officials submitted to the court their proposals for updating the 1988 consent decree and invited public comment. Dunesland filed comments which were ignored. Then Dunesland filed the Motion to Intervene.

Kevin Lyskowski, representing the Justice Department and the USEPA, and IAG's representative on behalf of

the IEPA and other state agencies vehemently urged the judge to ignore Dunesland's requests and give immediate approval to the proposed Revised Consent Decree which would, in effect, approve final state, federal, and Manville proposals for cleaning up and filling in Manville's still-contaminated lagoons, canals and other areas. That would allow Manville to do much of the remaining cleanup with no judicial or public input or oversight, a sellout to the environment! Judge Lindberg denied their request and will rule on Dunesland's request on September 29.

IDNR Caught in Misrepresentation to Public of Health Risks of Asbestos on the Beaches; Denies Asbestos Present, Official Later Recants

IDNR spokesman Tim Schweizer chided the News Sun on July 3 for its article reporting that asbestos-containing transite pipe was found on the beach. Park Superintendent Robert Grosso, who was trained by the state to ID asbestos-containing material (ACM) confirmed that transite pipe had been found. Schweizer later apologized saying he did not have the full report at the time (just before a busy holiday weekend) when he denied ACM had been found. Dunesland has claimed for years that ACM has washed ashore and is friable. It is hard for the state to deny its existence since the park staff picked up tons of it over the years and has now hired a cleanup contractor. The pipe is often found with rounded edges meaning that wave, wind and sand action has ground the pipe, thus releasing microscopic fibers into the sand, water, and air.

How many people have played on the sand and "buried" each other, figuratively, and perhaps years hence, literally?

State Finally Admits It Has Found Dangerous "Friable" Asbestos and Potentially Deadly Airborne Asbestos on Our Beaches

Asbestos concerns at IBSP have just escalated significantly, with the state's confirmation that "friable" asbestos, the most dangerous, airborne form of the cancer-causing minerals has been found at the far north end of the park's beaches. Air tests at the north end detected, for the first time in 19 years, airborne particles of microscopic asbestos, which can lodge in the lungs, with potentially fatal consequences.

The existence of friable asbestos along the Park's lakefront has long been denied by state and federal officials who have sought to downplay the dangers of asbestos-containing debris that has been washing up for years on the 6 ½ miles of the park's beaches. It is the most heavily-visited state park in Illinois. In the minutes of an August 2 meeting of a state task force, created last summer after Dunesland's release of the Camplin report, Assistant Attorney General Elizabeth Wallace disclosed that a chunk of friable asbestos had been found near the north end of the park by contractors hired by the state to regularly pick up the asbestos debris. The contractor's lab analysis also later confirmed the finding.

Jonathan Furr, IDNR'S chief counsel confirmed to Paul Kakuris in an August 11 phone conversation that microscopic, airborne particles of asbestos were detected in an air test by the cleanup contractor, Carnow, Conibear, and Assoc., Ltd (CCA). Although, Furr later claimed it did "not represent a (health) threat," IDNR later authorized CCA to establish a permanent, more sophisticated monitoring station somewhere near the north end of the park. The federal Centers for Disease Control has stressed that just one microscopic particle of asbestos, if inhaled and lodged in the lungs, can lead to a potentially-deadly cancerous growth.

Kakuris said, "It's very satisfying, and extraordinarily important, to have state officials finally admit, after years of denial, that dangerous, friable asbestos can be found on the Park's beaches, and that potentially-deadly microscopic asbestos is in the air there. But those same state and federal officials still refuse to conduct truly scientific tests for asbestos---in the air, sand AND water---along the beaches. And they refuse to conduct tests for asbestos and a broad spectrum of chemical contamination in the Nature Preserve which adjoins the Manville property because they KNOW the pollution they'll find---and that they could then be held responsible, with Manville, for ignoring it all these years."

Dunesland Hoped New Pamphlet Would Never Be Required: "Tips for Avoiding Asbestos Contamination at IBSP"

Due to the fact that it seems to be business as usual as far as the state is concerned, Dunesland has produced a safety flyer:

"Tips for Avoiding Asbestos Contamination at Illinois Beach State Park."

Among the flyer's tips:

1. "Avoid eating, drinking, and smoking while on the beach," because it has been shown that such activities facilitate the inhalation or ingestion of minute particles of cancer-causing airborne asbestos.

2. "Avoid disturbing the sand," because it may stir up asbestos, and "Avoid touching rocks on the beach," because---large and small---they may be pieces of asbestos.

3. "Shower off and clean belongings prior to leaving the beach," so you won't take any minute particles of asbestos home with you.

It's a shame that we can't just enjoy a day at the beach!

Please Pay Your Dues! Additional Donations Are Always Welcome to Enable Our Work.

We operate on a calendar year, so please plan to pay at the meeting or send in a check if you haven't paid in 2004.

Regular, Individual \$25 Regular, Family \$40 Friend of Dunesland \$100
Lifetime \$1500 Full Time Student \$15 Senior over 65 \$20 (on request)

Donations are tax deductible. We really need your financial support right now because expenses have been very high this summer.

Support Our Work Days

Work Days are the second Saturday of each month from 9 AM until noon. Arrangements can be made if you want to work beyond noon or on another day. Meet at the Nature and Interpretive Center at the south end of the park unless otherwise specified. In the event of inclement weather, special projects or training sessions will be held at the Nature Center. If you have questions or suggestions, please contact Don Wilson at 847 772-2910 (cell) or 847 937-2583 (work).

There are special opportunities such as wetland burns, adopting a section of the park for monitoring, such as local creeks, ravines, birds, park boundaries, bluebirds, butterflies, reed grass, purple loosestrife, and others. There is also training for identification of plants and animals and dunesland topography.

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***Attend our September 18 Luncheon Meeting!
Mark your calendar now for the November 20, 2004 meeting.***

***Illinois Dunesland Preservation Society
P.O. Box 466
Zion, IL 60099***



