

FOR IMMEDIATE RELEASE

October 16, 2003

Illinois EPA Asks Illinois Attorney General To Take Enforcement Action Over Asbestos-Contaminated Masonry Building Blocks

Springfield, Ill. -- The Illinois Environmental Protection Agency today requested that the Illinois Attorney General's Office take enforcement action against a Missouri firm that shipped exterior decorative masonry building blocks containing asbestos, that were recently discovered in an Illinois school.

The enforcement referral followed recent sampling results that confirmed that at least three of the blocks used in construction of a new athletics facility building at the Williamsville High School in Sangamon County contained chrysotile asbestos. A janitor at the school earlier this month observed foreign material in some of the split-faced exterior blocks. "The manufacture of new asbestos-containing materials has been banned by federal law since 1989 and we want a complete investigation of how this material showed up in masonry building blocks and steps taken to address any contamination that has occurred," said Illinois EPA Director Renee Cipriano.

Illinois EPA and Illinois Department of Public Health inspectors supervised additional sampling after being notified by Williamsville school officials of the testing arranged by its environmental consulting firm of the suspect material, which tested positive for 40 percent chrysotile asbestos. Aggressive indoor air sampling and sampling of soil on the exterior of the building where the blocks were cut came up negative, indicating no immediate health hazard was found at the school other than the exposed asbestos in the blocks. The Williamsville School District has erected a fence restricting building access to the entrances that will remain in place until the contaminated blocks are remediated.

Approximately 1,400 of the blocks were shipped from Kirchner Block & Brick Inc. of Bridgeton, Missouri for the Williamsville School project. The local distributor and masonry contractor indicated they were unaware of any asbestos materials in the blocks. It is unknown whether any more of the blocks used on the exterior wall contain asbestos.

The three split blocks sampled contained transite, a product of fibers and Portland Cement. Asbestos traditionally was used for the fibers for many thin cement products, such as pipe and wallboard, but has never been used as aggregate for cement blocks. One of the exposed pieces of transite had what appeared to be a protruding nail, indicating that demolition debris may have been used as a substitute for the aggregate materials. Asbestos-containing transite is not acceptable as an ingredient in construction materials.

The U.S. Environmental Protection Agency and the Missouri Department of Natural Resources were notified by Illinois EPA and are investigating Kirchner's Missouri manufacturing activities.

"We want any shipment of these contaminated blocks into Illinois to stop immediately and a complete accounting of any that may have been used on projects in our state in the past and appropriate corrective action taken to prevent any potential health hazard," Director Cipriano added.

Illinois EPA is concerned that potentially hazardous asbestos fibers could be released if blocks containing asbestos materials were cracked, split, drilled or cut.

Contact: Dennis McMurray
217-785-1871

FOR IMMEDIATE RELEASE

October 8, 2003

Illinois EPA Seeks Enforcement Action From Attorney General for Improper Asbestos Removal

Springfield, Ill. -- The Illinois Environmental Protection Agency has requested that Illinois Attorney General Lisa Madigan seek enforcement action against the owner of Sully's Irish Pub, located in Peoria, Illinois, resulting from the improper removal, handling and disposal of regulated asbestos-containing material generated during renovation activities within the building.

The Illinois EPA alleges the owner of Sully's Irish Pub caused or allowed the improper removal of pipe insulation resulting in the discharge of asbestos into the environment. The Illinois EPA determined the activities occurred without proper notification to the Illinois EPA or measures to properly control and contain the material in apparent violation of the National Emission Standards for Hazardous Air Pollutants (NESHAP) administered by the Illinois EPA and the Illinois Environmental Protection Act.

"The Illinois EPA works to ensure that laws pertaining to the safe removal of asbestos materials are followed," said Director Cipriano. "Property owners must take responsibility for their failure to follow such laws."

Illinois EPA officials received an anonymous complaint on September 29, 2003 alleging improper asbestos removal within the building, located at 121 SW Adams. An inspection by the Illinois EPA the same day revealed improper removal of pipe insulation in the facility's basement and the presence of seventeen 55-gallon bags containing suspect asbestos containing waste material apparently removed from the pipes. Testing confirmed the material contained asbestos.

The Illinois EPA promptly requested the facility voluntarily close due to possible asbestos contamination from the improper removal. Further, the Agency requested the owner retain a licensed asbestos abatement contractor to conduct air sampling and design a clean up plan to ensure the proper removal of all asbestos contamination.

The Illinois EPA is currently evaluating a design plan for the remediation of asbestos from the basement.

Contact: Kim Kuntzman

217-785-8911

TDD: 217-782-9143

FOR IMMEDIATE RELEASE

October 3, 2003

Illinois EPA Asks Attorney General To Enforce Against Asbestos Removal Violations

Springfield, Ill. -- Improper removal, handling and disposal of asbestos-containing material discovered by Illinois EPA and Chicago Department of the Environment inspectors on Thursday in a renovation underway at a Chicago apartment building was referred to Attorney General Lisa Madigan for enforcement today.

Illinois EPA's referral alleges thermal and pipe insulation materials containing asbestos were removed without required procedures such as use of water, containment, and other safeguards and without the required notification to Illinois EPA. The referral alleges these actions violated the National Emission Standards for Hazardous Air Pollutants law that is administered by Illinois EPA as well as the Illinois Environmental

Protection Act. The inspection occurred as a result of an anonymous complaint on Oct. 1.

“Illinois EPA takes violations of the laws requiring safe removal of asbestos very seriously and we urge all building owners and renovators to be aware of and follow the requirements for the health and safety of everyone,” said Illinois EPA Director Renee Cipriano.

At the request of Illinois EPA inspectors, all renovation work has ceased at a 25-unit apartment building located at 6200 South Evans, Chicago, owned by Azram Bojojel and Petro Amara. Warning signs and tape have also been placed in the courtyard area by inspectors to prevent access to potentially contaminated areas. Illinois EPA has also requested that the owners promptly retain a licensed air sampling professional to conduct sampling on the occupied upper floors. It appears four tenants currently occupy the building.

The referral asks the Attorney General to initiate enforcement action to ensure the federal and state regulations for safe removal of asbestos are followed.

The Illinois EPA has requested the owners promptly retain a licensed asbestos abatement project designer to design and submit for review and approval a program to determine the scope of asbestos contamination and methods to be used to remediate any contamination resulting from previous improper removal and disposal.

Contact: Dennis McMurray
217-785-1871
Pager: 800-426-1557
TDD: 217-782-9143

FROM THE WEB SITE OF THE ILLINOIS ATTORNEY GENERAL

Please note her last warning, yet children and adults are allowed free access to the asbestos on our beaches.

Environmental Enforcement/Asbestos Litigation Division

The Illinois Attorney General plays a critical role in the enforcement of our civil environmental laws. The Attorney General's primary role in environmental enforcement is handling enforcement actions referred to the Office by a number of state agencies, including the Illinois Environmental Protection Agency (IEPA), Illinois Emergency Management Agency (IEMA), Illinois Department of Public Health, Illinois Department of Natural Resources and others.

The Attorney General has power and authority to protect the public health and environment by pursuing enforcement actions that state agencies have not yet identified. Attorney General Madigan uses that power to its fullest extent by aggressively identifying and bringing enforcement actions.

Attorney General Madigan also employs the Office's outreach to community members to learn of potential violations of environmental laws that are endangering the health and well-being of our families and communities.

The division's Asbestos Litigation Bureau handles civil cases against material manufacturers who have hazardously placed asbestos in state and university buildings. The bureau has recovered millions of dollars on behalf of Illinois residents as payment for damages that occurred as a result of using asbestos in construction since the mid-1900s, after the dangers of asbestos had come to public attention.

Environmental Crimes Bureau

Protecting our natural resources is vital to ensuring a healthier Illinois. For this reason, strict observance of the state's environmental protection laws is very important. The Environmental Crimes Bureau is charged with prosecuting the most egregious of environmental crimes.

Environmental crimes fall into three categories: air, land and water.

Examples include:

Air Pollution: open burning of waste or tires, chemical releases and illegal removal of asbestos from buildings

Land Pollution: tire piles, landfills, roadside dumping, agricultural waste and other hazardous waste

Water Pollution: run-off, landfills, farm drainage and waste generated by construction sites and factories

Hazardous waste can be described as any material which threatens the health and safety of our environment and its inhabitants. It includes, but is not limited to, degreasers, acids, metals, paint waste, solvents, cyanides and pesticides.

Do Not attempt to handle hazardous waste on your own. Call your local law enforcement or the Illinois Environmental Protection Agency for removal and/or handling of hazardous waste.

PRESS  RELEASE

www.IllinoisAttorneyGeneral.gov

For Immediate Release

Contact: Melissa Merz

312-814-3118

877-844-5461 (TTY)

October 12, 2004

**MADIGAN FILES ASBESTOS REMOVAL VIOLATIONS AFTER
RENOVATIONS OF SOUTH SIDE APARTMENT BUILDING
CREATE HEALTH HAZARDS**

Chicago – Attorney General Lisa Madigan today announced a lawsuit alleging two building owners and two corporations violated state laws when they renovated an apartment building in a residential neighborhood on Chicago’s South Side and allowed the unsafe removal of asbestos, a known human carcinogen with no safe level of exposure.

On September 28, an Illinois Environmental Protection Agency (IEPA) inspection of the rear courtyard of the building revealed a pile of renovation debris containing more than one cubic meter or 35 cubic feet of linoleum floor tile and plaster mixed with dry, easily crumbled asbestos-containing material. The same type of material was found on the third floor of the house and two large garbage bags filled with asbestos-containing pipe insulation were found on the back porch. A six-foot-long and four-foot-wide boiler that had been stripped of asbestos-containing material also was found on the property. The asbestos materials allegedly had not been watered down, a process that protects people from the dangers of asbestos by making the asbestos fibers less likely to float into the surrounding air.

According to Madigan’s complaint, samples taken by the IEPA during the September 28 inspection revealed that materials on the site contained as much as 40 percent asbestos – a remarkably high and dangerous amount.

Madigan’s suit, filed on Friday, October 8, in Cook County Circuit Court, names as defendants Ekeh Lewis and Phyllis Nash, of Chicago, Le-Na Construction, Inc., an Illinois corporation, and Trotterbuilt Construction, Inc., an Illinois corporation. Lewis and Nash allegedly are overseeing renovations of the three-story apartment building at 5300 S. Prairie Ave.

“The improper removal of asbestos is a health hazard for employees working at the site as well as neighbors living near the building,” Madigan said. “We have known for many years that asbestos can cause serious health problems if not properly handled. This reckless rip-and-tear operation is an example of why we need laws to protect employees and neighbors of buildings where renovation is taking place.”

The defendants are charged in the five-count complaint with violations stemming from the improper removal of asbestos, including causing air pollution, failing to follow proper notification requirements, failing to follow proper emission control procedures, improper disposal of regulated asbestos-containing materials and creating a substantial danger to the environment and public health and welfare.

Additionally, Lewis and Nash allegedly failed to follow laws requiring them to have a representative at the site trained to oversee safe asbestos removal and notify the IEPA before demolition of asbestos-containing materials began.

Madigan's suit seeks to stop all renovations involving asbestos contamination until the IEPA has approved plans for future construction activities that comply with all Illinois environmental requirements. In addition, the suit seeks civil penalties of \$50,000 for each violation and additional penalties of \$10,000 per day of violation.

Assistant Attorney General Stephen Sylvester is handling the case for Madigan's Environmental Division.