

Environmental Solutions, Inc.
435 Oakdale Avenue
Suite 3E
Chicago, IL 60657

September 5, 2006

Attention: Mark Brumwell, Principal

Subject: Identifying Those Responsible for Microscopic Asbestos Fibers and Pieces
Contamination at Waukegan Lakefront in Lake County, Illinois

Dear Mark,

It was a pleasure speaking with you last Wednesday regarding your role in testing Waukegan beach for asbestos contamination through Deigan and Associates. I appreciate your request for my opinions during the planning stages of this project. I would like to meet with you and any other interested parties associated with Waukegan beach to discuss an evaluation and resolution to the chronic asbestos contamination issues found along Waukegan's lakefront.

Knowledge of Asbestos Contamination Requires Precautions from City Leaders

The City of Waukegan already knows that the Waukegan shoreline has unacceptable asbestos contamination:

- In 2005, Paul Kakuris, President of Illinois Dunesland Preservation Society, and I met with John Moore, the city engineer, in his office and discussed the asbestos contamination at the Waukegan beaches. Dunesland has also sent the mayor and aldermen a number of emails concerning this issue.
- They also know that there is visibly damaged and friable asbestos debris that appears on the beaches on a regular basis.
- The City knows that the offshore sediments near the Midwest Generation water intake channel just north of Waukegan beach contain visible and microscopic asbestos.
- They are also aware of the trillions of microscopic asbestos particles released daily from the Johns Manville discharge pipe into Lake Michigan where currents carry the fibers southward to contaminate the Waukegan beaches and at least as far south as Chicago's Oak Street Beach.
- They are also aware that the north (feeder beach north of Camp Logan) and south (fishing pier area at Midwest Generation) ends of Illinois Beach State Park have been closed for years due to asbestos contamination.
- They are also aware that the Waukegan Harbor Approach Channel sediments release microscopic asbestos fibers at levels statistically significant (higher) than background areas.

It should be no surprise that precautions have been necessary to protect the public from this asbestos contamination for some time. The City of Waukegan's plan for building residential housing and public recreation areas on or near these asbestos-polluted areas is not a precautionary step, but one that will further endanger public health and safety. The City of Waukegan cannot explain away their knowledge of chronic asbestos contamination found on and offshore of the Illinois Lake Michigan shoreline with a few samples of sand that you might take.

How Does City of Waukegan Find Chronic Asbestos Contamination Acceptable?

As you know, it is my position that the general public and city workers should have limited or no access to public beach areas that contain visible and microscopic asbestos contamination. Some still believe that visible and microscopic asbestos is acceptable in a public area, but they seem to have a vested interest in hiding the contamination. Therefore, the question I pose to the City of Waukegan is simple: How do you propose to evaluate and prove that the chronic visible and microscopic asbestos contamination on your public beaches is ever “acceptable,” i.e., protective of public health and safety? This requires an evaluation that utilizes sound science and conservative assumptions that are protective of human health and the environment. I have not found any asbestos risk assessments utilized on the lakefront which demonstrate that the asbestos contamination along the Illinois Lake Michigan shoreline is either acceptable or does not pose a health risk to the public. This includes the 2006 UIC/Illinois Attorney General's asbestos report at nearby Illinois Beach State Park, which was co-authored by the agencies that polluted or facilitated the asbestos contamination in Lake Michigan.

Testing Should Confirm Manville and Others as Responsible Parties for Clean-up

I have opinions on how to evaluate and address the visible and microscopic asbestos contamination that is now present on Waukegan beaches. Since you and/or your client requested my assistance, I would like to meet with you and any interested parties to discuss 1) sources of the existing asbestos contamination (both visible and microscopic) to establish potential or known responsible parties; 2) discuss your role and purpose for testing the Waukegan beach for asbestos (including who will use this data); and, 3) how data you generate regarding visible and microscopic asbestos at Waukegan beach will be interpreted (and for what purpose). I will be able to offer my opinions and suggestions once we all have an understanding of the various positions held on these issues.

Evaluation Necessary for City's Disturbance of Asbestos-Contaminated Sediments

There are other issues we can also talk about which may have an impact on future testing needs. The City of Waukegan is planning to use asbestos-contaminated sediments from Waukegan Harbor's outer harbor for use in a new railroad embankment as part of the harbor area redevelopment. It is my opinion that these asbestos-contaminated sediments are regulated and/or enforced by the Illinois EPA and the Illinois Pollution Control Board as a pollution control waste or industrial process waste and not suitable for placement onshore in the Waukegan Harbor area. The City will save significant disposal costs if the regulations pertaining to this waste are not enforced. That aside, the dredging of these asbestos-contaminated sediments will cause plumes of microscopic asbestos contamination to wash up onto the public beaches and shoreline. This may require the City to perform a follow-up evaluation of additional microscopic asbestos contamination of the Waukegan shoreline caused from any future offshore or harbor- related dredging activities.

Claims of Safe Beaches Must be Defensible and Supported by Current Science

You also need to be aware of a potential class action lawsuit involving harms to the public caused by the chronic presence of visible and microscopic asbestos along the Illinois shoreline. Any testing, risk assessments, or health evaluations addressing asbestos exposures along the Illinois/Lake Michigan shoreline will be scrutinized. Your findings must be defensible. You do not want your study to contain the same fatal flaws as are found in the UIC/Illinois Attorney General's recent Illinois Beach State Park asbestos report. We can also discuss the fatal flaws found in the UIC/Illinois Attorney General's asbestos report, including how you can avoid them.

Waukegan Beaches Are Near “Ground-Zero” of Asbestos Pollution Sources

Attached is a document I have used to illustrate why Waukegan Harbor and the Waukegan Lake Michigan beachfront is contaminated with visible and microscopic asbestos fibers. It also identifies the Johns-

Manville site and several other potentially contributing "sources" of this chronic asbestos contamination. The Waukegan shoreline is immediately down current of the Johns-Manville asbestos Superfund site which appears to be the "ground-zero" source of visible and microscopic asbestos contamination at Waukegan beaches. Identifying responsible parties for clean-up should be a top priority for the City of Waukegan. Until then, precautionary actions are necessary.

Please contact me when you are available to meet and discuss these issues.

Cordially,

Jeffery C. Camplin

c: Gary Deigan, Deigan and Associates
John Moore, City of Waukegan
Jeff Jeep, City of Waukegan, Environmental Attorney
Waukegan City Council
Tammy Mitchell, Illinois EPA
Illinois Pollution Control Board
Illinois Dunesland Preservation Society

Eleven Reasons Why There Is Asbestos Found At Waukegan Municipal Beach

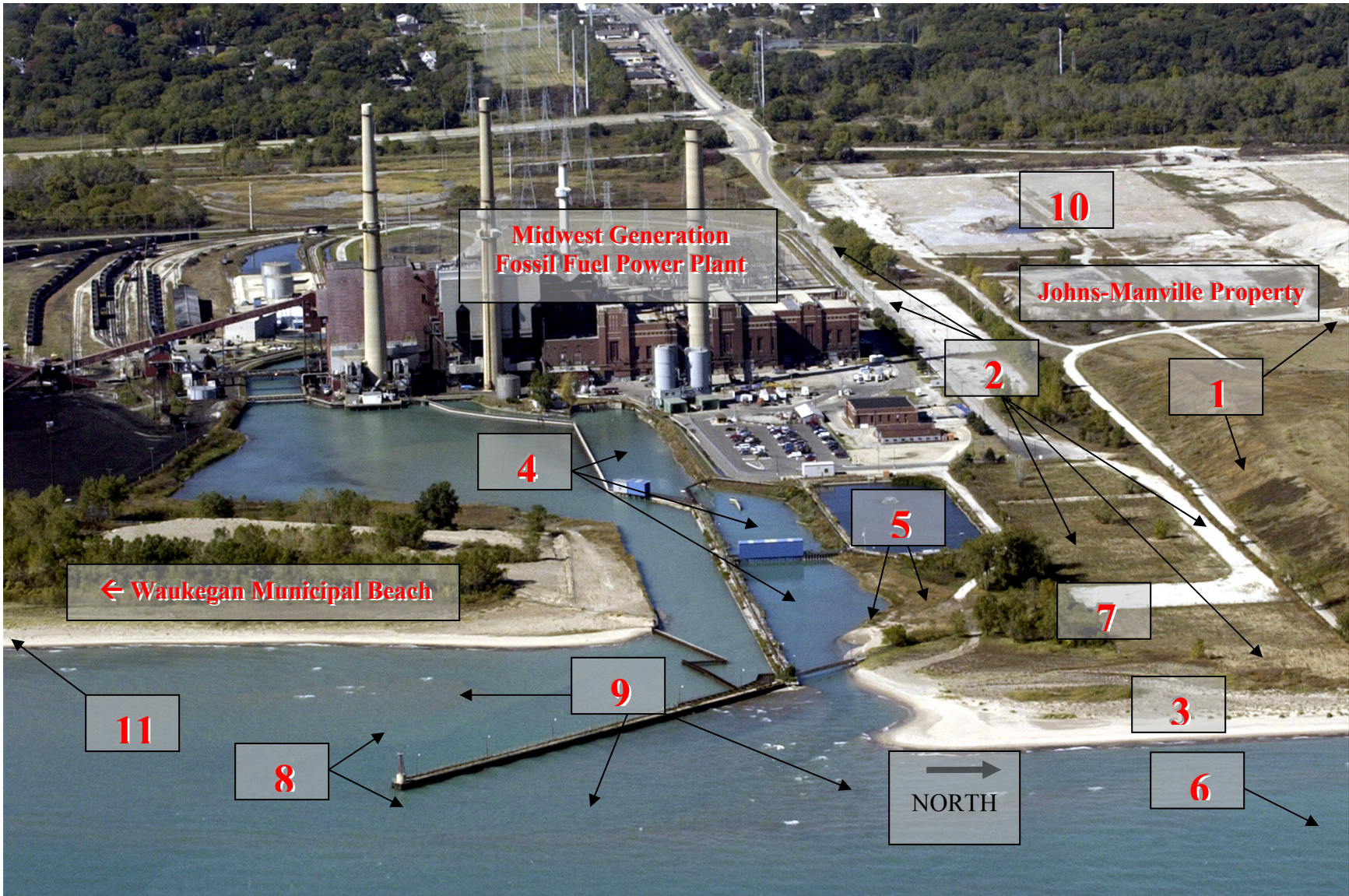
By: Jeffery C. Camplin, June 25, 2005

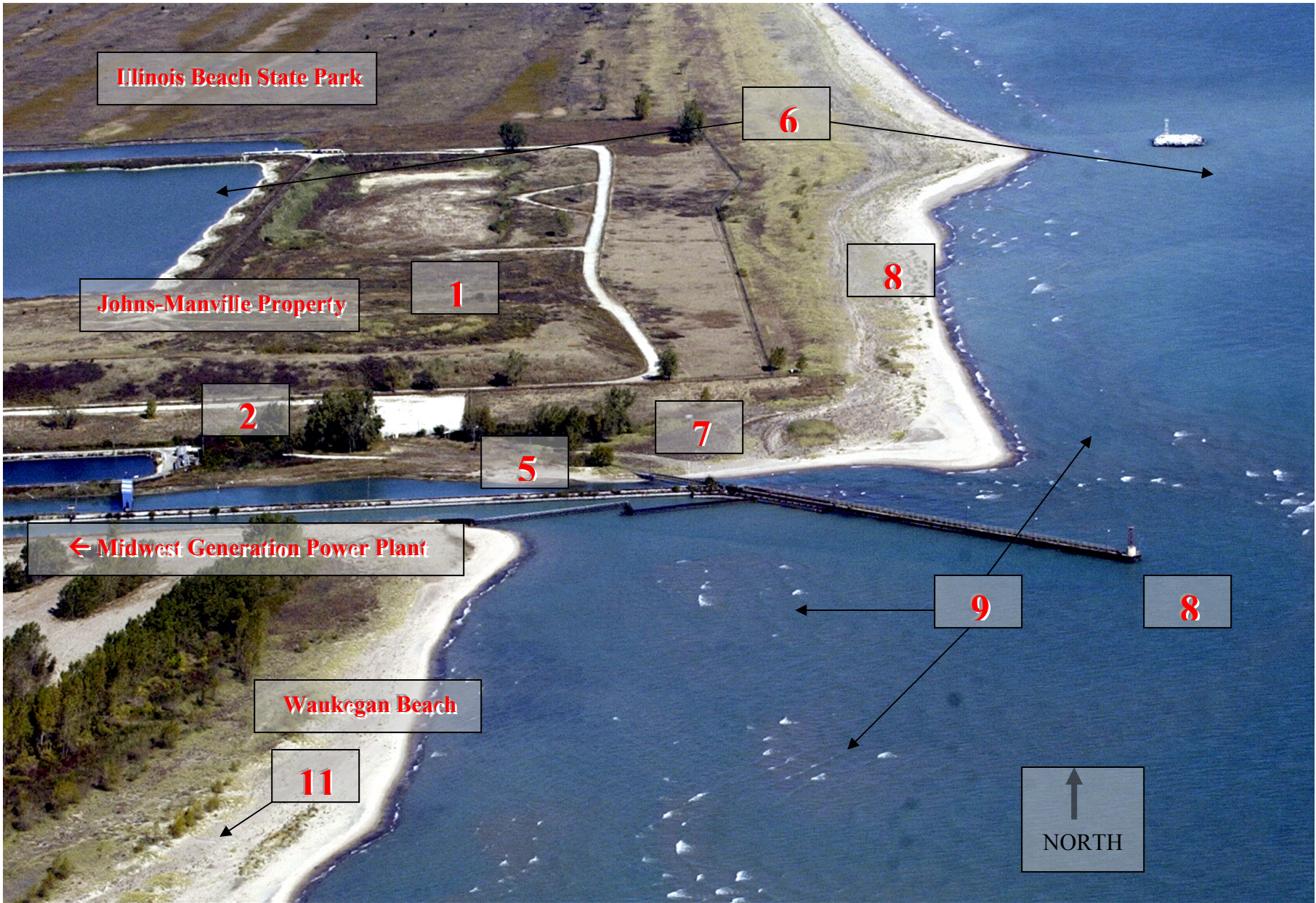
Waukegan Municipal beach is immediately south of one of the most asbestos contaminated areas in the Midwest. Public officials with the City of Waukegan and Waukegan Park District obtained knowledge of excessive microscopic and visible asbestos contamination immediately north of the Waukegan Municipal beach since the release of their own 2002 Park District asbestos study of the area. Waukegan was represented on the Attorney General's secret asbestos task force for the last 2 years with knowledge of tremolite asbestos contaminated beach sand identified in their 2002 Park District report. The areas identified on the photos below were subsequently ignored by the most recent asbestos beach study performed under the direction of the Illinois Attorney General's secret asbestos task force in 2004. The popular Waukegan Municipal beach has visible asbestos debris. The presence of microscopic asbestos fibers at Waukegan Municipal beach and their related risk to Waukegan residents remains unknown.

The following numbered comments correspond to the numbered locations identified on the attached photographs.

- 1. 3 million cubic yard pile of asbestos debris from former Johns-Manville manufacturing plant. This site was listed as one of the first Superfund cleanup sites in the United States in the mid-1980's. This asbestos waste pile covers 130 acres and is 40 feet high. The superfund waste pile also contains unlined ponds with as much as 7 feet of asbestos and chemically contaminated sludge within one foot of groundwater.**
- 2. In 2002 an asbestos study by the Waukegan Park District found a road bed just north of the beach (Greenwood Ave.) was made out of asbestos. This Johns-Manville debris was identified as Site 2 under the Superfund Program. This was the first of seven asbestos waste locations found outside the original Johns-Manville boundaries. During the removal project much more asbestos contamination was found resulting in nearly \$2 million being spent on asbestos contaminated soil removal.**
- 3. The Park District study in 2002 also found the rare, but extremely dangerous tremolite asbestos on the Johns-Manville beach shoreline just north of the Waukegan municipal beach. No disclosure of this tremolite finding was made and no further investigations were performed to determine the extent of contamination or health risk associated with this tremolite finding so close to the Fishing Pier Beach and Waukegan Municipal beach. The park district participated on the Illinois Attorney General's secret asbestos force but did not show concern for its citizens by requesting testing in this asbestos contaminated area. Although the University of Illinois reviewed the study, this area was subsequently excluded from any testing in the recent report on asbestos in beach sand conducted under the direction of the Illinois Attorney General's Office in 2004.**
- 4. The Midwest Generation warm water discharge channel, just north of the Waukegan beach was apparently lined with asbestos materials from the adjacent Johns-Manville waste pile. It is thought some asbestos debris may be pushed into the Lake by the strong channel currents. This area also was excluded from the Illinois Attorney General's asbestos beach study.**
- 5. The old power plant Fishing Pier Beach just north of the warm water channel was closed in 2003 due to chronic asbestos contamination. This highly asbestos contaminated area is still closed to the public. This area was also excluded from the recent Illinois Attorney General's asbestos beach study of 2004.**

- 6. The Johns-Manville Superfund Site contains a lagoon system which has a pipe that discharges asbestos polluted water into Lake Michigan each year. In 2002, Johns-Manville was fined for their excessive asbestos pollution discharge into the lake when Dunesland discovered over 21 million asbestos fibers (per liter of water!) was being dumped in violation of environmental regulations. This same discharge point was found to release over 56 trillion fibers into Lake Michigan in June of 2004. No actions have been taken by the State of Illinois or USEPA to end this massive source of microscopic asbestos pollution as it heads south (and sometimes north) where some washes back up on the shoreline beaches. The airborne risk of this discharge once the trillions of microscopic asbestos fibers wash onshore and dry is unknown. This area also was excluded from the Illinois Attorney General's 2004 asbestos beach study.**
- 7. In 1959, this area hosted a shooting event as part of the Pam Am Games. Huge berms constructed out of asbestos debris from the Johns-Manville property were used as a backstop for the event. This debris was then bulldozed towards the lake once the event was completed. This area also was excluded from the Illinois Attorney General's 2004 asbestos beach study.**
- 8. Sand dredged offshore near the mouth of the intake and effluent channels of Midwest Generation were found to contain visible asbestos debris. This area also was excluded from the Illinois Attorney General's 2004 asbestos beach study. This dredged pollution was trucked 6.5 miles north and dumped on the "feeder beach" of Illinois Beach State Park which fed this pollution onto the park shoreline to the south. The Illinois Attorney General's report confirmed significantly elevated levels of microscopic asbestos contamination found on the feeder beach area. The USEPA recommended to the Illinois Attorney General that dredged material should not be dumped directly onshore but would allow the dumping the contaminated sand immediately offshore. The Illinois EPA has ruled this material is regulated as a pollution waste by past IEPA director Mary Gade and again in 2003 by current IEPA officials. The Illinois EPA has not enforced the removal of the previously dumped dredged pollution waste since its 1999 ruling. According to the Attorney General's 2004 asbestos beach study, nearly 99% of the asbestos polluted waste dumped at the north end of Illinois Beach State Park has eroded down the shoreline to the south.**
- 9. Sediments passing through the asbestos contaminated areas are carried by the literal drift down the shoreline to the south towards Waukegan Municipal beach, the North Shore, and Chicago. This shoreline area in front of the Johns-Manville property also was excluded from the Illinois Attorney General's 2004 asbestos beach study. Larger chunks of deteriorated asbestos located in the lake have been found to move onshore during storm events and periods of significant wave action.**
- 10. Former site of Johns-Manville manufacturing plant that is now razed. The former manufacturing site is currently under the State of Illinois Site Remediation Program to clean up chemical and asbestos contamination identified by previous studies. This site is under negotiations for purchase by the Waukegan Park District to turn this property into an outdoor soccer field/sports complex for local children to play at. A Park District study claimed no increased health risk from this area.**
- 11. Visible pieces of suspect (deteriorated) asbestos waste were identified on June 22nd, 2005 at Waukegan Municipal beach. This area also was excluded from the Illinois Attorney General's 2004 asbestos beach study for the presence of microscopic asbestos fibers. Health risks associated with the presence of visible and microscopic asbestos is unknown at this beach.**







Asbestos debris found on Waukegan beach in July 2005.