

March 19, 2007

Illinois Dunesland Preservation Society  
PO Box 466  
Zion, IL 60099

Attention: Paul A. Kakuris, President

Subject: Regulated Asbestos Found at Illinois Beach State Park Sand Feeder Beach  
Friable Weathered Asbestos Debris Confirmed in Sand during Court Ordered Inspection  
IDNR Removal Apparently Violating Worker Protection and Environmental Regulations

Dear Mr. Kakuris,

At 6:30 am on March 13, 2007 I entered the secured North Point Marina feeder beach pursuant to a Federal Court order issued to Dunesland on March 12, 2007.

### **Court Ordered Sand Sampling of Asbestos-Contaminated Beach Performed**

Under the federal court order I was allowed to take samples of the asbestos-contaminated sands where removal of the material was scheduled to begin that morning. Asbestos-contaminated sediments dredged from in front of the Waukegan Power Plant and Johns-Manville Asbestos Superfund site that were dumped on the beaches in previous decades were now scheduled for removal by the Illinois Department of Natural Resources (IDNR) who had allowed this pollution had allowed and/or dumped this regulated pollution at the Park. I was escorted into the recently secured area by Illinois Beach State Park Superintendent Greg Behm. Representatives IDNR's asbestos consultant PSI and their remediation contractor SET Environmental were also present.

### **Site Entered Without Warning or Special Requirements**

Mr. Behm walked me up to a roped off area of the contaminated feeder beach that was designated for removal. I took a few photos of the area. Although no required warning signs were posted, I assumed this was an asbestos regulated area. I asked the PSI representative if this area was considered "regulated" under OSHA worker protection rules since only authorized, properly trained, and protected workers are allowed to enter these restricted areas. The PSI representative responded that he was instructed by his client not to talk with me. I asked if PSI was overseeing the work and he indicated that they were. When I asked if there were any hazards I needed to be aware of I was met with silence. I asked if I could enter the restricted area. The PSI representative granted me access to the area without verifying any of my credentials.

### **Sand Was Disturbed by Remediation Contractor Prior to Obtaining Samples**

Upon entering the restricted area I noted sand had already been moved at the north end of the sand pile by the remediation contractor using heavy equipment. It appeared that fresh, new sand had been added to severely eroded areas so that vehicles could drive across the top side of the feeder beach. I also noted a truckload of sand from outside of the work area being delivered to the site near the entrance to the restricted area. I walked from the north end of the feeder beach down to the water level on the south end. I donned a respirator and disposable gloves and began to visually inspect the strata of the regulated waste

pile. I was escorted by a second PSI representative who was to take duplicate samples of sand for retention by IDNR. This PSI representative did not wear a respirator during sampling of the contaminated beach sand.

### **Broken, Weathered, and Friable Asbestos Debris Identified and Sampled in Area**

I selected four sample sites that began at the south end of the regulated waste pile and extended to about half way through the work area to the north. One of the PSI representatives photographed me taking samples while the other PSI representative obtained split samples. I did not obtain samples of the disturbed sand to the north because it appeared that clean sand had been dumped and moved in this area by the remediation contractor. Prior to taking the first sand sample I discovered several pieces of suspected asbestos debris. I removed one piece of weathered debris and placed it into a sample bag. I then obtained the four samples of the regulated beach sand for Dunesland. Chain of custody seals were placed on my four samples and the split samples taken by PSI. We each initialed the PSI split sample seals.

### **IDNR and Consultant Refuse a Split Sample of Friable Debris Discovered**

The federal court order required that IDNR obtain a split sample of samples that I obtained during the testing of the regulated waste pile in the restricted area. I presented the bagged sample of suspected asbestos debris to the PSI representative so that a split sample could be taken. The PSI representative stated that he thought the sample was either a rock or piece of concrete. I was surprised that PSI did not recognize the debris as a suspected piece of asbestos since they had a contract to find and remove similar weathered pieces of friable asbestos debris along the 6.5 miles of Park beach in 2006. We showed the sample to Park superintendent Behm and he indicated that it was similar to prior asbestos debris that was routinely removed from the Park's beaches each week. I offered to give him the whole sample if he agreed to have it analyzed. He said he did not need to analyze the sample but would take a photograph of the material. A photo was taken and I left the site. I removed my respirator and cleaned it. I then removed my contaminated boots and bagged them for decontamination off site. I then left the Park property around 7:45 am.

### **Weathered, Friable Transite Debris Containing 15-20% Asbestos Confirmed**

The weathered piece of suspected asbestos debris was taken to Davis Laboratories in Evanston, IL. Davis Labs is an accredited asbestos analytical laboratory. I selected Davis Labs because they had previously analyzed similar asbestos debris for an IDNR contractor who removed asbestos from the Park's beaches in 2005. The lab confirmed that the weathered and friable piece of debris contained 15-20% asbestos. The analyst indicated to me that it appeared to be a weathered piece of transite asbestos debris. Transite asbestos was manufactured by Johns-Manville in Waukegan, Illinois at their Lake Michigan shoreline plant at the south end of Illinois Beach State Park near the area where offshore dredged sand was obtained and dumped on the Park's feeder beach.

### **Investigation Needed of Apparent Regulatory Violations Involving Regulated Waste**

The Federal Court ordered sampling of the restricted area of the Illinois Beach State Park feeder beach south of North Point Marina revealed the presence of weathered, friable, regulated asbestos debris. Previous sampling by IDNR's consultants also found both friable asbestos and statistically elevated levels of microscopic asbestos in the same area. However, the regulated asbestos waste removal and disposal did not appear that it was being handled as a regulated asbestos or special waste. No asbestos warning signs or regulated areas were established. No respiratory protection was being worn by personnel in the restricted area. I did not observe any asbestos air sampling equipment being used. IDNR's Park Superintendent indicated that the waste was being taken to an offsite landfill, Onyx, in Zion, IL. He was not sure how the waste was being characterized by IDNR's remediation contractor. I am concerned that the regulated asbestos waste that contains known friable asbestos debris and statistically elevated levels of the more toxic microscopic asbestos fibers is being mishandled in apparent violation of both state and

federal asbestos worker protection and environmental regulations. I am also concerned that Onyx, the landfill operators, have not been informed of the true characteristics of this regulated waste.

### **Immediate Actions Necessary by Regulators to Prevent Further Harm to Public**

It appears that the regulated waste from the North Point Marina feeder beach is being improperly handled, transported, and disposed in violation of state and federal regulations. The regulated waste in the restricted area of the feeder beach is a large enough concern for the state to spend \$300,000 to remove and replace the asbestos-contaminated material. Yet the IDNR is treating the regulated waste pile that they allowed to be dumped on our park beach as clean sand. If the sand is clean then why are taxpayers paying \$300,000 to remove it. It is apparent that the sand is contaminated with friable asbestos and is regulated for handling and disposal. An investigation by state and federal regulators is necessary to halt the apparent illegal handling and disposal of this regulated waste before the potentially deadly contamination is spread to other public areas of Illinois.

### **IDNR Feeder Beach Removal Ignores 99% of Contamination Spread to Main Beach**

The IDNR has previously stated that 99% of the asbestos-contamination in the feeder beach area had eroded into the Lake by 2004. Since significant feeder beach erosion has taken place in the last three years one wonders what asbestos-contamination is left to be removed. The IDNR is spending \$300,000 to remove what they allege is the remaining 1% of asbestos-contamination remaining at the feeder beach. However, they are ignoring the 99% of this same regulated waste that has spread to the main public beaches to the south. This spreading of asbestos-contamination has been confirmed by the thousands of pieces of weathered asbestos debris that has been removed from the Park's beaches each week over the past decade alone. A recent report issued by the Illinois Attorney General's Office confirms the same levels of microscopic asbestos contamination in sand just to the south of the feeder beach. Why isn't the entire shoreline of Illinois Beach State Park secured and isolated like the small feeder beach? The answer is because the polluters at the IDNR do not want to be held accountable for allowing dredge sand known to contain asbestos to be dumped on public beaches at the Park.

### **Cover-up by IDNR and IAG Staff Must End - Polluters Must be Held Accountable**

Now an apparent cover-up is taking place by the polluters at IDNR to explain away the chronic presence of visible and microscopic asbestos fibers they dumped or allowed to be dumped and spread along our public shorelines. A Freedom of Information Request submitted by Dunesland on January 29, 2007 seeking documents pertaining to the removal of asbestos-contaminated sand is being held up by IDNR and the Illinois Attorney General's Office. I believe the documents we seek will provide evidence of a potential cover-up by state officials in the mishandling of this regulated pollution that IDNR dumped or had dumped on the Park's public shoreline. The asbestos-contaminated Park beaches should be isolated from the public until the IDNR and Illinois Attorney General's office accounts for their actions and releases the sequestered documents which describe that rationale for their apparent illegal activities discussed above. Please forward this report to those who investigate corruption by public officials.

I am attaching a copy of the laboratory results for your review. Please contact me with any questions.

Cordially,

*Jeffery C. Camplin*

Jeffery C. Camplin, CSP  
Illinois Licensed Asbestos Professional



**DAVIS ENVIRONMENTAL  
LABORATORIES, INC.**

1822 Ridge Avenue, Suite 110  
Evanston, IL 60201  
Tel: 847.492.0741 Fax: 847.492.0775



Lab ID: 101181



Lab ID: 101039-0

generated by LabDesk Pro, (C) 2004 LDP Technologies Inc.

## LABORATORY ANALYSIS REPORT

**BATCH 2753**

**EPA-600/R-93/116, using Polarized Light Microscopy**

Client: TEST	Site: South End of Feeded Pile
Client Reference: North point feeded	Sender: Jeff Camplin

Collected: 03/13/2007 by Jeff Camplin	Analyzed: 03/16/2007 by Aleksey Torosin
Received: 03/16/2007 by Aleksey Torosin	Reported: 03/16/2007 by Inna Borozin

Field # Lab #	Asb. Dete- cted	% Asbestos	Fibrous % Material	Non Fibrous % Material	Visual Properties	Location / Description
2753-1	YES	15-20 Chrysotile		80 Binder	Beige Friable Homogeneous	NPFB WEATHERED DEBRIS

This report summarizes the analytical results for the bulk material samples submitted for asbestos identification. Analysis of sample was performed in accordance with the Method #EPA-600/R-93/116 utilizing polarized light microscopy with dispersion staining. This report relates only to the items tested and must not be used to claim product endorsement by NVLAP or any agency of the U.S. Government. This report shall not be reproduced, except in full, and only with written approval of the laboratory.

\_\_\_\_\_  
ANALYST