



# ***Illinois Dunesland Preservation Society***

*Paul A. Kakuris, President*

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August 7, 2007

## **URGENT REQUEST FOR REVIEW**

### **Memo:**

**Stephen Johnson, USEPA Administrator**

**Mary Gade, USEPA Region V Administrator**

**Michael Cook, USEPA Superfund Director**

**Aubrey Miller, Tri-chair Technical Review Work Group, USEPA**

**Mark Maddaloni, Tri-chair Technical Review Work Group, USEPA**

**Arnold Den, Tri-chair Technical Review Work Group, USEPA**

### **Subject:**

**Request that USEPA Region V Direct the TRW Work Group to Review Our Comments and Those of Dunesland's Asbestos Health & Safety Consultant Jeffery C. Camplin, CSP, CPEA, before Final Review is Completed**

**We request that you review the enclosed comments and attachments about the ATSDR Exposure Investigation Report Illinois Beach State Park – Zion, IL by Jim Durant and Mark Johnson. All of our comments should be reviewed before TRW's final report.**

- **The controversial draft document is lacking in scientific credibility and ethics.**
- **It is apparently "rigged" or "cooked."**
- **We request that the ATSDR/CDC Durant/Johnson document have the scientific data validated before TRW's final review.**
- **Region V's Superfund manager has remained silent when a request to review the current comments was made by Dunesland even though the ATSDR previous draft was part of a federal court subpoena procedure.**
- **We request that Tri-chairs Aubrey Miller, Arnold Den, and Mark Maddaloni dispatch these comments to the entire TRW committee for review and that those comments be incorporated in the current review process carried out by TRW.**
- **Attached is a September 28, 2005 ATSDR letter from Mark Johnson reviewing the Illinois Attorney General's Asbestos Task Force Report. Mr. Johnson said that approximately fifteen national asbestos experts wrote that document with him. He refused to tell Dunesland who those members were. IF THOSE MEMBERS WERE TRW MEMBERS, THEY SHOULD BE RECUSED FROM THIS CURRENT TRW REVIEW PROCESS.**

- Attached are April 24, 2007 comments from Region V's Brad Bradley, *et. al.*, to ATSDR's Mark Johnson, critiquing the so-called activity-based testing. Region V pointed out to Johnson that asbestos fibers were at statistically elevated levels, yet the ATSDR Durant/Johnson report said there were low levels.
- We are available to make a presentation to the TRW committee at any time. It should be understood that we have an extensive learning curve and the history of asbestos at Illinois Beach State Park and how Lake Michigan currents have spread the fibers from the Johns-Manville Asbestos Superfund site southward to the Indiana border, apparently contaminating the whole Illinois shoreline with asbestos fibers including amphiboles. The Illinois shoreline is now known as the new Libby East.
- We would like the TRW to acknowledge that they have received these comments and they will incorporate them for consideration.

It is unfortunate that Dunesland and our consultant need to make these comments, but the process by Region V and ATSDR has not been transparent. It appears that ATSDR/CDC and Region V are attempting to use the TRW review as a last-ditch effort to garner credibility because theirs has been lost in this process. Because of the carelessness of public officials, this area has become the new Libby East, and millions and millions of people are being exposed to asbestos, including amphiboles, as they visit Illinois beaches.

Dunesland requests a full peer review of the entire ATSDR/CDC report, if there is even any scientific credibility that warrants one. We invite the reviewers to look at our web site, [www.illinoisdunesland.org](http://www.illinoisdunesland.org), and review the Asbestos, Critical Issues, and Archives tabs. TRW may be interested in the scientific study in Archives/Reports and Resources entitled the Chicago Water Bureau Asbestos Study, 1976. Additionally, [www.asbestobeach.com](http://www.asbestobeach.com), contains additional scientific information about asbestos on the Illinois shoreline.

We look forward to your prompt response.

Sincerely,

*Paul A. Kakuris*

Paul A. Kakuris, President

c. Bill Roderick, Acting Inspector General, USEPA  
 Senator Dick Durbin  
 Senator Barack Obama

**Attachments:**

1. Mark Johnson's September 28, 2005 letter reviewing the IAG's Asbestos Task Force Report
2. Brad Bradley's April 24, 2007 comments to Mark Johnson
3. Jeffery C. Camplin's August 7, 2007 Report to Illinois Dunesland RE: TRW Asbestos Work Group Limited Review – ATSDR Exposure Investigation Report, Illinois Beach State Park, Zion, IL

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, ILLINOIS 60604**

April 24, 2007

Mark Johnson  
Agency for Toxic Substances and Disease Registry  
77 West Jackson Blvd (4<sup>th</sup> Floor)  
Chicago, Illinois 60604

Dear Mr. Johnson:

Thank you for the opportunity to review the draft "Exposure Investigation Report" (the Report) for the Illinois Beach State Park. The U.S. Environmental Protection Agency (EPA) has the following comments concerning the Report:

- 1) The dates and time of day and weather conditions (temperature, wind speed and direction, dew point) for each of the activity-based sampling events should be provided in the text of the Report.
- 2) The date and time of the last measurable precipitation prior to each of the sampling events should be included in the text of the Report.
- 3) If not already stated, the height at which the personnel monitors were located (e.g. 4 feet off the ground) should be noted in the text of the Report.

For comments 1-3, any potential biases introduced by the conditions present at the time of monitoring should be noted in the text.

- 4) How do the activity-based sampling locations comport with the previous sand sampling results from the June 6, 2005 UIC Interim Report? In other words, were there activity-based sampling locations located in the immediate vicinity of the samples with the highest asbestos fiber counts (i.e. sampling locations ISBP-15S, ISBP-16S, ISBP-17A, ISBP-18A, ISBP-20A, ISBP-21A, and ISBP-22A)? It is not easy for EPA to determine this since the maps included in EPA's copy of the UIC Interim Report are hard to interpret and do not include sampling locations ISBP-17A through ISBP-22A.
- 5) Discussion of the implications of the fact that some of the activity-based air results exceed the benchmarks set in the aftermath of the World Trade Center disaster should be included in the report.
- 6) In the first paragraph on page 11, is it now known how much, what type and how often you have to be exposed to asbestos fibers to develop mesothelioma?

7) The paragraph on page 12, which states that “Based on the bulk analysis of sand samples collected, the sand in of itself does not appear to pose a significant source of asbestos fibers” is a little misleading. The air samples near the beach grading equipment were significantly elevated; therefore, this would indicate that there might be a problem with this statement.

8) The last paragraph on page 12, regarding the use of the Berman & Crump Methodology for conducting risk assessments at asbestos sites is confusing, did they use it on IBSP and ATSDR is not recommending its use now since it has not been approved by the US EPA or what is the story? A lot of text is devoted to discussing the Berman & Crump method throughout the text and in the References but if it is still not approved why bother since the risk can not be calculated the way it is proposed?

9) Under Limitations and Uncertainties the indented paragraph on page 13 is suspect. Either you can do a risk assessment properly or say you can not do it now and since pieces of asbestos and asbestos fibers and were found on the beach it is questionable to call it safe or without risk.

10) Recommendation #2, Page 14- EPA feels strongly that warning signs should include photographs of commonly-encountered ACM and a clearly-posted contact number to call if any such materials are identified or suspected by park visitors.

11) Recommendation #3, Page 14- EPA cannot comment on this recommendation until the information requested in the preceding comments is provided.

12) Recommendation #4, Page 14- EPA feels strongly that beach grading activities should be conducted only under damp conditions as it is not always possible to determine whether or not persons will be present during such activities. Proper protective equipment should be worn by workers engaged in grading activities.

13) Regarding the human health safety statements in the Report, the Executive Summary states that it is within the acceptable risk range under certain conditions to use the IBSP beaches for the general public BUT for maintenance activities they should be conducted when sand surface is wet or closed to the public. It is also stated that the IDNR should continue asbestos removal from the beach. These inconsistencies and the actual air monitoring results raise concerns regarding the safety of human use of the beaches. There is ACM on the beach and it should be removed, the maintenance workers should take precautions but it is OK for the public and especially children to play with and on the beach. What is going on here, either the beach is safe or the safety is questionable.

EPA proposes that the TRW asbestos work group or other experts ask and answer the following questions: If a child plays with a friable asbestos chunk (one where fibers can be released by handling) on the IBSP beach, which would be an acute exposure scenario, will the child have minimal risk or a lot? And can we consider the beach safe?

These comments are those of the EPA Region 5 staff. Additional comments may be forwarded to you in the future. If you have any questions concerning this letter, please contact me at (312) 886-4742.

Sincerely,

Brad Bradley  
Remedial Project Manager

cc: Sandy Bron, Illinois EPA  
Beth Wallace, Illinois AG  
Stan Yonkauski, IDNR



Agency for Toxic Substances  
and Disease Registry  
Atlanta GA 30333

September 28, 2005

Salvatore Cali  
Senior Industrial Hygienist  
Health Hazard Evaluations  
Center for Excellence in Environmental Health  
School of Public Health  
University of Illinois at Chicago  
2121 West Taylor Street  
Chicago, IL 60612-7260

**RECEIVED**  
OCT 14 2005  
ATTORNEY GENERAL  
ENVIRONMENTAL BUREAU

Dear Mr. Cali:

ATSDR was requested to provide comments on the Illinois State Beach Park (IBSP): Determination of Asbestos Contamination in Beach Nourishment Sand, Interim Report of Findings through ATSDR's Region 5 office. The following comments represent a summary of the review by several ATSDR staff that have been extensively involved in asbestos issues.

**General comments:**

The reviewers generally thought that the report represented a significant amount of quality work. This project represents one of the most widespread applications of the elutriator method for sample analysis for any site that ATSDR has reviewed. While this method has not yet received regulatory acceptance as a standard approach for estimating levels of asbestos exposure in air, the extensive amount of data collected from this project will be of value in further validating the application of the method at other sites. One of the uncertainties is the calculation of the particulate concentration that is integrated with the measured fiber/particulate mass to estimate the asbestos fiber air concentration. There are specific comments on this methodology.

Another general comment refers to the use of toxicity criteria for the screening risk assessment. While EPA's IRIS unit risk value represents the current regulatory guidance for assessing risk, it is acknowledged that the IRIS value does not represent the most current available science. As a result, the detailed characterization of fiber dimensions and mineralogy performed on the IBSP project samples was not fully utilized in the screening risk assessment.

Finally, the ATSDR reviewers generally agreed with the conclusions that asbestos exposure does not appear to pose a public health hazard, assuming that the program to immediately remove visible asbestos containing material is in place. Some of the inputs for calculating exposure and risk were considered to result in an overestimation of risk and some would result in an underestimate. Therefore, the risk calculations are not likely to differ significantly when the following specific comments are applied. However, given the overall uncertainties of using the indirect measures of asbestos exposure, ATSDR recommends that an activity-based sampling be

conducted to better reflect actual exposure levels that could be experienced by using of the beach area.

**Specific comments:**

**Asbestos background-**

- 1) Section III. Do not use the word "pandemic"
- 2) Section III. Advise including the spectrum of asbestos-related disease in the 1st paragraph
- 3) Section III. Regarding "dose response".....generally true but in individual cases (e.g. of mesothelioma) may not ALWAYS hold as the language states (i.e. instead of using the word "all".....consider "generally" etc.)
- 4) Do not use the word "dose" when talking about asbestos exposure...."dose" implies some significant quantification which we don't usually have when talking about historical exposures to asbestos
- 5) Although generally mentioned, you should specifically mention the potential differences in toxicity of different fiber types i.e. amphiboles thought to be more concerning vs. serpentine
- 6) Emphasize that mesothelioma remains uncommon.....the use of the 1 in 10 incidence in heavily exposed workers may be alarming to the casual reader. Also, the relationship between lung cancer and smoking and asbestos should be discussed in detail. Probably a couple of sentences on this topic would be sufficient
- 7) "Gastrointestinal track" should be "gastrointestinal tract"

**Exposure assessment**

The estimation of asbestos fiber concentrations in air were based on the measured fiber per PM10 mass and the modeled PM10 air concentration. As stated in the general comments, the elutriator method has not yet received regulatory agency endorsement for assessing asbestos fiber concentration. However, it is being considered as an available tool to estimate levels of dispersion of fibers from soil matrices into air. The uncertainty in this report is further amplified by relying on modeled PM10 concentrations that may reflect exposure conditions. The methods used in this report to estimate PM10 concentration included the sand and gravel emission model. While the text acknowledges that other emissions models are available, the justification for the selection of the sand and gravel option is not described. ATSDR recommends that the applicability and uncertainty of this model be discussed.

The report describes the use of the "Box Model" for estimating a PM concentration of **0.000343 mg PM10/m<sup>3</sup>**. ATSDR acknowledges that this model typically works well for an upper bound estimate of personal exposure under equilibrium conditions. However, this may or may not be the case with the playing in sand scenario. The authors assume perfect mixing inside of the box. Typically, a mixing factor is applied to account for the potential for incomplete mixing inside the box. ATSDR recommends that if the box model is used, that an adjustment of a 2-3 fold multiplier be used to account for the expected lack of complete mixing during this exposure scenario. The effect of this adjustment is to raise the estimated PM concentrations by

2-3 fold. By not using this mixing factor, ATSDR believes that actual PM concentrations may be slightly underestimated.

An additional assessment to the box model, the Cowherd and Industrial Source Complex models could provide an alternate estimation of potential exposure levels. As a comparison, ATSDR ran these models with input parameters thought to be appropriate for this site. Using the emission rate estimate from the sand and gravel model calculation in this report (0.00617 g PM10/ hr or 1.7e-06 g/sec), Industrial Source Complex 3-Short Term (ISC3-ST) predicted a maximum air concentration of **0.00069 mg/m<sup>3</sup>**, which is within 2-fold of the estimated concentration in the report.

The emission rate predicted by the Cowherd Model was **0.023g/m<sup>2</sup>-hr**. Applying this emission rate, with the 1 m<sup>2</sup> area used in the box model, to the ISC3-ST model results in a prediction of a PM10 concentration of **0.0026 mg PM10/m<sup>3</sup>**, significantly greater than the box model prediction. The input parameters for each are summarized at the end of the comment letter. Given the uncertainty in using models to estimate exposure concentrations, it would be useful to discuss the limitations of various methods and provide alternative estimates to better understand the range of possible exposures. This could include a more detailed justification for the box model approach.

Due to the uncertainties involved in estimating fiber dispersion using the elutriator method and modeling approaches in estimating PM concentrations, ATSDR recommends that activity-based sampling be conducted as a verification of the exposure levels predicted in this report.

#### **Toxicity assessment**

The characterization of the asbestos fibers detected in the samples was extensive. However, the information regarding fiber dimensions and mineralogy was not incorporated into the risk calculations. Rather, the risk assessment utilized only the EPA 1986 assessment and the unit risk value in the IRIS file. ATSDR would recommend that the Berman-Crump model be utilized as a comparison, since fiber size and type are included in the model.

There are several specific concerns about the manner in which the EPA unit risk was employed.

- 1) Unit risk is linear only with respect to concentration, not time. The unit risk for asbestos is based on a 70 year exposure. For periods less than 70 years, the unit risk should be recalculated for the period in question. The most appropriate way to do this is to use life tables and the methods in the EPA 1986 Asbestos Update document. If the authors wish to time-weight the 70-year unit risk as calculated from Table 5 under "Exposure Variables," a thorough discussion of the uncertainties introduced by this adjustment should be included.
- 2) Applying an age-dependent adjustment factor for children is probably not warranted for asbestos. While the authors point out that the mode of action of asbestos remains in question, it is quite well established that asbestos is not a mutagen. Age dependent adjustment factors are used only for mutagens.



Page 36 points out that children inhale more air per kilogram body weight than adults. Yet body weight is not a factor related to toxicity from asbestos exposure. The primary reason children are more at risk than adults is simple latency and the exponential time function of the mesothelioma model. The most appropriate way to account for early life exposure is through a life table analysis using methods in the EPA 1986 Asbestos Update document.

- 3) The data tables indicate that a large percentage of the fibers are long protocol structures. Yet the analysis defaults to using the IRIS unit risk which cannot consider the added toxicity of fiber length. An analysis should be considered that helps assure that measuring only PCMe fibers does not grossly underestimate risk. The model can be run to make this assurance without being used as the primary decision-making tool.
- 4) Page 45. *"The Protocol asbestos structures were added to the 7402 asbestos structures when the Protocol structures were not also 7402 structures. This effectively resulted in 55% more chrysotile structures counted and 26% more amphibole structures counted overall than would have been counted by 7402 counting rules alone."*

Why was this done? Wouldn't this include structures of a diameter smaller than the PCMe cutoff? Wouldn't sticking strictly to ISO counting rules regardless of the risk model provide a more consistent cross analysis? The reason behind this needs to be clarified.

We appreciate the opportunity to review the report and are available to discuss these comments further with you.

Sincerely,



Mark D. Johnson, MSPH, PhD, DABT  
Senior Environmental Health Scientist  
Division of Regional Operations  
Agency for Toxic Substances and Disease Registry (ATSDR)  
77 West Jackson Blvd.  
Chicago, IL 60604

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Model assumptions used for ATSDR runs:

**ISC3ST Model Parameters**

- Dispersion options are regulatory default with rural dispersion coefficients
- No deposition, no downwash
- Meteorological data
  - Surface: MILWAUKEE/GENERAL MITCHELL FIELD
  - Upper Air: GREEN BAY/AUSTIN STRAUBEL FIELD
  - January 1, 1991 through December 31, 1991
- Result is the maximum 1-hour value
- Source is 1 meter by 1 meter, 0 meters above the ground
- Emission rate is 1.7E-6 g/s

**COWHERD Model Parameters**

**Rapid Assessment of Exposure to Particulate Emissions From Surface Contamination Sites: Chatten Cowherd, Jr., Gregory E. Muleski, Phillip J. Englehard, and Dale A. Gillette, EPA/600/8-85/002, February 1985**

*Model for wind erosion from surfaces with unlimited erosion potential (page 34)*

$$E_{10} = 0.036 (1-V) \left( \frac{[u]}{u_t} \right)^3 f(x) \quad (4-4)$$

where:  $E_{10}$  =  $PM_{10}$  emission factor, i.e., annual average  $PM_{10}$  emission rate per unit area of contaminated surface ( $g/m^2$ -hr)

$V$  = fraction of contaminated surface vegetative cover (equals 0 for bare soil)

$[u]$  = mean annual wind speed (m/s), taken from Table 4-1

$x = 0.886 u_t/[u]$  = dimensionless ratio

$f(x)$  = function plotted in Figure 4-3

$u_t$  = threshold value of wind speed at 7 m (m/s)

$$E_{10} = 0.023 \text{ g/m}^2\text{-hr}$$

$$V = 0$$

$$u_t = u_{(z)} = u_{(7)} \text{ from equation below}$$

$$[u] = 4.6 \text{ m/s}$$

$$f(x) = 1.07 \text{ from figure 4-3 in reference and } x = 0.886 u_t/[u]$$

Where  $[u] = 4.6 \text{ m/s}$  and  $u_t \text{ at } 7 \text{ m from equation 4-3 below} = 5.5 \text{ m/s}$

$$\frac{u(z)}{u_*} = \frac{1}{0.4} \ln (z/z_0) \quad (4-3)$$

where:  $u$  = wind speed at height  $z$  (m/s)  
 $z$  = height above surface (cm)  
 $u_*$  = friction velocity (m/sec)  
 $z_0$  = roughness height (cm)

$z = 700$  cm  
 $z_0 = 0.1$  cm  
 $u_* = 0.25$  m/s

Jeffery C. Camplin, CSP  
1681 Verde Lane, Mundelein, IL 60060

1-708-284-4563  
Fax: 1-847-837-1852

August 7, 2007

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

Attention: Paul A. Kakuris, President

Re: TRW Asbestos Work Group Limited Review - ATSDR Exposure Investigation Report  
Illinois Beach State Park – Zion, IL

- ATSDR's Bias and Conflicts Result in Staged Study to Rig Findings/Conclusion
- Exposure Investigation Avoids Typical Beach Activities and Hot/Dry Settings
- Questions Raised by Rainy, Cold, and Windy Field Sampling Conditions
- Field Sampling Limitations, Modifications, and Omissions Invalidate Data
- Ethics Complaint Filed Against Jim Durant for Rigging Flawed Sampling Plan
- Video Evidence Exposes Unsuitable Sampling Conditions and Public Exposures
- Sampling Data Mysteriously Misrepresented in Draft – Other Air Data Missing
- Full, Complete, Open, Peer Review Never Performed during Decade of Sampling
- Unsubstantiated Hearsay by Biased and Conflicted Public Agencies Misleads
- EPA Must Demand an Open and Independent Peer Review to End Controversy

Dear Mr. Kakuris,

It is my understanding that the TRW Asbestos Work Group is completing a very limited review of data found in the ATSDR Exposure Investigation Report draft authored by Jim Durant and Mark Johnson of ATSDR. The study is severely flawed and must be openly peer reviewed in its entirety to expose the unethical violations and scientific bias contained in a staged exposure investigation performed by ATSDR and its polluting partners of the State of Illinois.

**ATSDR Stages Exposure Investigation Providing Cover for Past Errors in Evaluating Risk from Statistically Elevated Levels of Amphibole Fibers in Beach Air and Sand**  
ATSDR released a severely flawed Public Health Assessment (PHA) in May of 2000 claiming that no elevated risk existed at Illinois Beach State Park. The PHA utilized bulk and air monitoring methods and analytical protocols which were known not to have the capability of evaluating human health risks from the presence of asbestos in beach sand. I disputed the conclusions of this non-risk-based report in an information correction request which can be viewed at <http://aspe.hhs.gov/infoquality/request&response/23a.shtml>. My information correction request and appeal was never answered in two incomplete and evasive responses from the U.S. Department of Health and Human Services (HHS). The TRW Asbestos Group is aware that current risk models for evaluating human health risk have severely under-estimated the toxicity of exposures to amphibole asbestos fibers. **All asbestos studies performed over the last 10 years at Illinois Beach State Park do not have the capabilities to evaluate the increased risk to human health from elevated levels of amphibole asbestos fibers in beach sand and air. ATSDR rigged the 2007 exposure investigation to cover-up for a decade of false claims by ATSDR and Illinois Agencies that the beaches are safe for public access without any peer reviewed science to**

**support these misleading statements. The TRW Asbestos Group must admit that no risk assessments exist.**

**2007 Exposure Investigation Avoids Typical Beach Activities on Hot, Dry, Calm Days**  
ATSDR staged the activity-based testing at Illinois Beach State Park during wet, windy, cold days in May, 2006, after nine straight days of rain. Workers constructed sand castles in wet sand during short periods when precipitation temporarily subsided. Rain ultimately halted the final day of “activity-based” testing. I have video confirming the cold, windy conditions present during testing in May, 2006. Follow-up testing performed in the hot, dry month of August, 2006 was modified by Jim Durant to eliminate any public activities. No sand castle building or volleyball activities were performed during the typical hot, dry summer months when true beach activities take place. **The data that the TRW Asbestos Group was asked to review IS NOT representative of typical beach activities in beach sands confirmed to have significantly elevated levels of amphibole asbestos fibers present.**

**Report Author Durant Omits, Misrepresents, or Does Not Analyze Sampling Data**  
Video evidence shows three air sampling cassettes being utilized during activity-based beach grooming tests performed in May, 2006. Yet the draft report only indicates two sample results. What happened to the additional air test? Also, in the first draft of his report, Mr. Durant misleadingly reported activity-based, sand castle building air sampling results, as non-detect. USEPA Region 5 asked for copies of the “non-detect” lab results and found that the samples were actually “not analyzed.” This is a major gaffe if this omission was not intentional. It is hard to believe ATSDR would make such a careless blunder on accident. Once the omission was uncovered, ATSDR explained that the samples were not analyzed because it started raining during the testing. Why didn’t ATSDR analyze the samples anyway? The refusal by ATSDR’s Jim Durant to analyze these samples is very suspicious. A few months after the activity-based testing was not analyzed, the State of Illinois spent nearly \$600,000 to remove all of the beach sand near the test sites because of “asbestos-contamination.”

**Ethics Complaint Filed in 2006 Reveals ATSDR Rigged Testing Conditions on Video**  
I have attached the ethics complaint I filed against the reports author Jim Durant. I filed this ethics charge even before his draft report revealed still more deviations from scientific protocol. The TRW Asbestos Group must read my ethics complaint which is attached to this document. **The TRW Asbestos Group must understand that they are being “snookered” by ATSDR into a very limited review of staged and biased data without charge to verify the data’s integrity.** I have photos and video of the flawed implementation of the activity-based protocols. The TRW Asbestos Group must verify that the data in the report was properly obtained under optimal conditions using representative activities before they review the ATSDR document. ATSDR does not want the integrity of the sampling data to be subject to independent review and scrutiny that it can not survive. **DO NOT PUT THE HORSE BEFORE THE CART! The TRW Asbestos Group must refuse to provide limited comments on the sampling data found in the ATSDR Exposure Investigation draft report until the activity-based protocols can first pass an independent and transparent peer review evaluation.**

**USEPA Must Request a Full, Independent, and Open Peer Review of ATSDR Scam**  
An open, transparent, independent, peer review has NEVER been conducted on ANY sampling data, reports, or studies that have been used by state and federal agencies to claim the sands and air at Illinois Beach State Park are safe or do not pose an unacceptable risk to human health. These concerns really apply to the entire asbestos-contaminated Illinois shoreline. Let an

**independent body openly peer review these findings and end this charade once and for all. The TRW Asbestos Group has no business providing a limited review of non-peer reviewed data.**

**Millions Exposed to Elevated Airborne Levels of Amphiboles with ATSDR's Blessing!**  
I have made some very serious charges that I can easily back-up with written, photographic, and video evidence. I challenge the TRW Asbestos Group and USEPA to request that the ATSDR draft Exposure Investigation and its supporting and/or referenced documents undergo an independent, transparent, peer review before TRW reviews the reports. **Millions of innocent men, women, and children's safety is currently based upon unsubstantiated hearsay by biased and conflicted public agencies.** Enough is enough! Too many lives are at risk to guess or hope for the best. This heavily populated area in the Midwest demands the best science of the sharpest minds to evaluate the elevated health risks posed by the presence of elevated levels of amphibole asbestos fibers in beach sand and air. To date, we have not had either.

The TRW Asbestos Group has the opportunity to advance science and reveal the unknown risks to citizens from elevated levels of amphibole asbestos fibers in beach sands and air at the most visited state park in Illinois. However, the TRW Asbestos Group needs to review valid data. The ATSDR draft Exposure Investigation is not good science. An independent, transparent, peer review is essential to settle this matter once and for all. **Submitting the data in this report to the scrutiny of the scientific community is a component of "good science," in part because it increases the likelihood that substantive flaws and bias in methodology or conclusions will be revealed.**

Honest and ethical scientists do not shy away from independent scrutiny of their good science. The reluctance of state and federal officials to subject ANY data pertaining to Illinois Beach State Park's chronic asbestos problem over the last decade to an independent, transparent, peer review, is disturbing. The victims at Libby, Montana advanced science with their lives. Let's not make the same mistakes at the new "Libby East"; the amphibole-contaminated Illinois Lake Michigan shoreline.

Cordially,

*Jeffery C. Camplin*

Jeffery C. Camplin, CSP, CPEA

Attachment: June 2006 Ethics Complaint against ATSDR's Jim Durant

Jeffery C. Camplin, CSP  
1681 Verde Lane, Mundelein, IL 60060

1-708-284-4563  
Fax: 1-847-837-1852

June 26, 2006

## ETHICS COMPLAINT ABOUT ATSDR STAFF

Centers for Disease Control and Prevention  
Mail Stop D-14  
Atlanta GA 30329-4018

Via E-mail

Attention: Michael O. Leavitt, Secretary of the U.S. Department of Health and Human Services  
Howard Frumkin, MD, DrPH, ATSDR Director  
Julie Louise Gerberding, M.D., M.P.H., Director of CDC, Administrator of ATSDR

RE: ATSDR Exposes Public During Rigged Asbestos Activity-Based Testing at Illinois Beach State Park  
ATSDR Staff and Exposure Investigation Team Leader James Durant Supervise Inappropriate Tests  
Independent Investigation Demanded to End Unethical Skewing of Public Asbestos Exposure Risks

Dear Secretary Leavitt, Dr. Frumkin, and Dr. Gerberding:

I am requesting an investigation into the unethical, inappropriate, unprofessional, and careless actions of your ATSDR staff, which resulted in uncontrolled asbestos exposures to unwitting citizens during an activity-based asbestos evaluation at Illinois Beach State Park in May 2006. I am specifically requesting an independent investigation into the unethical behavior of ATSDR Exposure Investigation Team leader James Durant and ATSDR Chicago staffers, who personally supervised and approved activity-based testing protocol that placed the public at risk from asbestos exposure during sampling conducted during the week of May 22, 2006.

### **Top ATSDR Administrators' Mismanagement Facilitates Staffs' Culture of Elitism and Abuse of Power**

I have complained to your agency for nearly a year about misconduct and unprofessional behavior by ATSDR/CDC/HHS and your Illinois partners involved in covering up massive asbestos contamination along the Illinois Lake Michigan shoreline. Many of my complaints have been addressed directly to Dr. Gerberding who has allowed compromised staffers to pen boilerplate non-responses to very serious charges of your staff's behavior. Your agency has willfully delayed properly responding to these charges by providing non-responses or by taking unreasonable extensions to avoid responding to me.

Unfortunately for you, your delays in acting upon my complaints have allowed my warnings of your staff's predicted motivations and actions to come to fruition. I am attaching a small sampling of my previous complaints and warnings to you regarding ATSDR and its Illinois partners' inappropriate behavior regarding their involvement with asbestos contamination at Illinois Beach State Park in Zion, Illinois. Your lack of staff supervision has resulted in egregious misconduct and ethical violations by your agency and its Illinois partners. **Please take immediate actions to properly investigate and thoroughly respond to the charges found in this letter and my previous correspondence.**

### **ATSDR Supervises Tests that Expose Illinois Families to Asbestos During Secretly Skewed Study**

ATSDR staff from the Atlanta and Chicago offices was present while men, women and children were exposed to asbestos fibers during recent activity-based asbestos testing designed to measure airborne asbestos exposure on public beaches. The unprotected public was allowed to enter the testing areas while the worker performing the exposure sampling was warned of the hazards of asbestos and protected during the event by wearing a respirator. The unethical and irresponsible actions conducted under ATSDR staff supervision involved a small

bulldozer dragging a section of chain link fence while air monitoring devices measured asbestos fibers being released from the asbestos-contaminated beach sand on the main public beach at Illinois Beach State Park.

Members of the public were not notified of the testing, which was designed to generate dust and fibers in areas populated with innocent families. The bulldozer and dust-generating chain link fencing operation was performed within a few feet of the unaware families. This thoughtless act demonstrates a pattern of careless and unethical behavior by ATSDR and its Illinois partners that have resulted in asbestos exposures that would have been prevented if diligent actions had been taken. The Illinois partners included in this activity-based testing (as well as other failed attempts to determine public safety of the asbestos-contaminated shoreline) include the Illinois Department of Public Health, Illinois Department of Natural Resources, University of Illinois-Chicago, Illinois Attorney General's Office, Illinois EPA, ATSDR-Chicago Office, USEPA Region 5, and an array of well paid consultants. It now appears that ATSDR and many of its Illinois partners have determined "in advance" that there is no need to warn or protect the public from unknown health hazards presented from the chronic asbestos contamination that is found along the Illinois Lake Michigan shoreline. ATSDR staff should know better and set a proper example. Mr. Durant has let your agency down by apparently concluding no airborne asbestos hazards existed before the asbestos testing was performed, samples were analyzed, or a risk assessment on this data was conducted.

### **Evidence of ATSDR/CDC Staff Misconduct Grows Without Any Formal Management Response**

I have complained to your agency on multiple occasions (see attached letters) regarding the inappropriate and unethical conduct of ATSDR/CDC staff and its Illinois partners involved in covering-up chronic asbestos contamination and public exposures at Illinois Beach State Park. In July 2005 I challenged the validity of a scientifically unsupported public health assessment (PHA) conducted by ATSDR in 2000. I appealed an embarrassing non-response provided by CDC's Chief Science Officer Dr. Dixie Schneider in December 2005. I am still waiting for a proper response from your agency to my July 2005 request for information correction.

I have also asked to be involved with the secret activity-based asbestos exposure testing that was conducted in May 2006 at Illinois Beach State Park. I was provided with a copy of ATSDR's vague, activity-based plan a few days before testing was to take place. ATSDR and its Illinois partners developed this study in secrecy over an eight-month period while battling requests from the Illinois Dunesland Preservation Society and me to review the protocols and provide comments prior to starting the testing. On a tight deadline of two days, I was able to provide a quick response to the obvious problems I noted upon review of the plan in a May 19, 2006 letter sent to your Chief of Staff.

I asked that ATSDR delay the study until more representative dry conditions were present later in the summer. I also asked to meet with ATSDR to discuss my concerns (copy of May 19, 2006 letter attached) prior to the testing. A month has passed and I have not received any response from ATSDR or CDC. In fact, the activity-based asbestos exposure testing proceeded just a few days after Illinois experienced nine straight days of rain and only one day above 70° F during the previous two weeks in May. Not surprisingly, I also discovered that ATSDR and its Illinois partners strayed from the plan provided to us when modifications were made in the field during the testing.

I have many outstanding complaints into your office regarding this activity-based testing. When can I expect a response and an offer to meet and end this public health charade being perpetrated by ATSDR and its Illinois partners?

### **Sloppy ATSDR Testing Uncovered and Documented with Video and Photographic Evidence**

ATSDR/CDC and its Illinois partners have repeatedly denied requests for public involvement and oversight of the planned activity-based asbestos testing that was conducted in May 2006 at Illinois Beach State Park. This secret study was conducted in public areas of the park's beaches while families were present. I performed surveillance on the beaches for several days until I observed this activity-based testing taking place. I was able



to take video and photographs of ATSDR staff supervising activities that endangered the public. The video and photos reveal several apparent environmental, safety and public health violations perpetrated by ATSDR/CDC staff and its Illinois partners. The video incredibly depicts families being used as human guinea pigs while asbestos-contaminated sands were disturbed by heavy machinery during the careless testing that was designed, approved, and supervised by ATSDR's James Durant and its Chicago staffers.

**Unprotected ATSDR Staff Caught Drinking Soda in Regulated Asbestos Testing Area**

This first picture below is a frame from video that was taken in the early evening of May 23, 2006. Recognize anyone? Note one individual is holding a bottle of soda in the testing area.



The second picture on the previous page places ATSDR staff, its Illinois partners, and their consultant standing in the test area without any personal protection. The worker in the bulldozer performing the asbestos activity-based testing is wearing respiratory protection while your staff takes pictures, drinks soda, and socializes. Is this appropriate conduct for ATSDR project supervisors performing testing in a public area?

There are no warning signs or physical barriers preventing unauthorized individuals from entering the regulated testing area. Note that the worker in the bulldozer disturbing the asbestos-contaminated sand in the picture above is wearing proper respiratory protection as required by worker safety regulations. The beach should have been closed to the public and unauthorized or unprotected workers (including ATSDR staff) should not have been allowed near the test vehicle during the activity-based testing. Why did Mr. Durant and other agency officials allow these sloppy, uncaring, and unprofessional work practices to take place? Why weren't these simple precautionary steps taken to protect workers and the public from unknown airborne asbestos exposures?

### **Skewed Activity Testing Minimizes Sampling Devices Ability to Capture Airborne Asbestos Fibers**

The picture below is a close-up of the air testing equipment used to allegedly measure airborne asbestos fibers that could be released during beach maintenance and grooming activities conducted by park staff. This picture demonstrates that air testing equipment was placed too high above a majority of the dust that was generated by simulating the beach maintenance and grooming activity. The air-sampling cassette was also turned facing towards the back, which clearly will minimize the study's potential to capture any airborne asbestos fibers, which by chance, might be able to reach the elevated testing equipment. This strategy of aiming air testing cassettes away from the dust-generating activity was not specified in the vague study plans provided by Mr. Durant, so I was not able to provide any advance comments on this flawed test method.



However, my photos and video have uncovered the many gaps in the vague testing protocol developed by ATSDR and its Illinois partners. Now I can provide more accurate and specific comments with first-hand knowledge of the flawed and skewed work product being produced by your staff and its Illinois partners. ATSDR staff supervised and apparently approved the inappropriate placement of the testing devices used in the airborne asbestos evaluation. They were certainly close enough to the testing equipment, as illustrated in

several of my photos, to observe and comment on their placement. The test devices should be further back from the dragging chain link fence and much lower to the ground if the goal of the test is to trap airborne asbestos fibers. The air testing cassettes should also be facing the dust generating activity instead of facing away. No one would be standing on the back of this maintenance equipment. Why was the air testing measured there? Wouldn't it have been more appropriate to place air monitoring devices on your staffers who were exposed during the study?

There was a very brisk wind present during the testing that appeared to push dusts away from the testing device as the vehicle faced north, east and west. When the bulldozer was facing south (into the wind), dust and fibers would be expected to blow right past the testing devices at a velocity too fast to be captured and measured by the inappropriately placed testing equipment. It appears from the video evidence that ATSDR/CDC staff supervised and approved the placement of the air testing devices and the publicly accessible area in which the testing would occur in.

### **ATSDR/CDC Staff Inexplicably Allows Unwarned Families to be Exposed in Asbestos Test Areas**

ATSDR/CDC and its Illinois partners were more concerned about public perceptions than public protection during their skewed activity-based asbestos testing. Workers who were visible to the public did not wear respirators even though no proper OSHA asbestos negative exposure assessments were conducted that would indicate whether respiratory protection was necessary. No warning signs or barriers were present to educate unsuspecting families about the potential asbestos exposures in the test areas. Although workers were educated about the risks from asbestos and offered respiratory protection, this same information and protection was not provided to unaware families. This is a willful violation of safety and health standards by State of Illinois and ATSDR/CDC staff. Why was the public allowed to be exposed to asbestos by your testing?



Note in the picture above that an unprotected citizen is walking along the shoreline in the background while the activity-based asbestos testing is taking place. This was an unnecessary exposure to an individual who is clearly unaware of what is in the cloud of dust he is inhaling. Signage and barriers could have easily been placed along the shoreline to warn the public that this portion of the beach was temporarily closed. Instead, ATSDR/CDC and its Illinois partners apparently decided that the study could only remain "secret" if no one wore visible personal protection, warning signs and barriers were not constructed, and the public had full and

unrestricted access during the testing event. ATSDR/CDC staff did not wear protective equipment and did not prevent a citizen from entering the testing area where simulated maintenance activities were disturbing asbestos-contaminated beach sands. However, the unethical behavior of your staff continued to emerge as families ventured into the testing zone without any warning or directions to leave the beach testing area.

**ATSDR/CDC Refuse to Warn Families/Public While Test Designed to Disturb Asbestos Takes Place**

The following photos are frames from a several minute video I took that documented egregious violations of common precautionary measures almost always taken at sites by CDC/ATSDR when potential asbestos exposures are being measured and evaluated.



Unfortunately, ATSDR staff appears to be more concerned about keeping the study secret than they are about warning unprotected members of the public of potential exposures to asbestos during the activity-based testing. Note that the worker in the vehicle is wearing a respirator as required by worker protection regulations. An uninformed public does not even have the chance to avoid the vehicle as it churns up dust from the asbestos-contaminated beach.





In the above picture, a member of the public bends down to pick up a shell, a rock, or possibly a weathered piece of asbestos debris that is commonly found in this area while the other person observes. The testing equipment is dragged within a few feet of their position. Why weren't these innocent bystanders warned of the potential asbestos hazards and asked to leave the immediate area prior to the activity-based testing that is designed to generate airborne dusts? The inappropriate and unethical behavior exhibited by ATSDR/CDC staff must be investigated and promptly corrected. ATSDR staffer James Durant (who supervised and approved this testing in publicly accessible areas) along with other ATSDR staffers and their Illinois partners, should be held accountable and disciplined for his egregious lack of care for public health.



The second picture on the previous page depicts the windy and cold conditions under which ATSDR/CDC's activity-based asbestos testing operated. As the testing continues, part of the ATSDR/CDC/Illinois partners "testing observation group" walks back to their cars with the belief that their skewed testing will deliver the negative airborne asbestos results they seek. Note that wind gusts are so brisk that one of the test observers must hold onto her hat as her jacket is kicked up by the stiff, cold breeze. The testing performed on a cool, windy day after more than a week of rain is hardly representative of a hot summer day in July or August. Also, note the soda bottle in the right hand of the test observer to the right. Worker protection regulations prohibit eating, drinking and smoking in regulated asbestos areas where asbestos exposure is unknown. The ATSDR/CDC staff members appeared quite proud of themselves thinking they had successfully hidden the activity-based asbestos exposure testing from beachgoers, even if it was at the expense of a few members of the public.

### **ATSDR Claims the Presence of Water is "Not Critical" in Inhibiting Airborne Asbestos in Study**



The picture above was published in the May 25, 2006 edition of the Waukegan *News Sun* newspaper. It shows an unprotected worker disturbing wet asbestos-contaminated sands near the Lake Michigan shoreline. The unprotected worker is wearing a heavy coat due to the cool, damp conditions found at the testing site. A newspaper reporter asked one of ATSDR's Illinois partners to comment on the wet, cold conditions of the beach. Pat Giordano from the Illinois Department of Natural Resources (the Agency that runs Illinois Beach State Park) provided quite an exaggerated description of the skewed activity-based testing being performed by ATSDR and his agency. Mr. Giordano was quoted in the newspaper as saying

*Giordano of the IDNR said he was out at the park Tuesday when testing was going on and he said the sand was dry as a bone. "It was blowing all over the place, you feel like you are getting sand blasted," he said, adding that there were three dry days.*

Unfortunately for Mr. Giordano, my pictures and video along with those of the media portray a cold, damp environment that does not resemble summertime beach activities. Why would ATSDR's Illinois partner at the Illinois Department of Natural Resources attempt to mischaracterize the poor testing conditions found during the weeklong tests? Does anyone really believe that conditions resembled anything close to sand-blasting conditions? Mr. Giordano's statement was disingenuous and apparently meant to deceive the media and the public about the true conditions found during the skewed testing. However, ATSDR was present and had the opportunity to set the record straight regarding the wet conditions found during testing.

ATSDR's James Durant was also asked by the media to comment on charges that the sand was too wet to simulate airborne asbestos exposures during summertime beach activities being conducted by children. Mr. Durant was quoted in the newspaper as stating:

*James Durant, an environmental health scientist with the Agency for Toxic Substances and Disease Registry, which is a branch of the federal Centers for Disease Control and Prevention, was in the area to observe and helped develop the protocol used for testing.*

*He disagreed that it was too wet for testing. The tests didn't begin until after there was over 48 hours of no precipitation as measured at Waukegan Regional Airport. Durant also said that there is another aspect of the issue.*

*"The size of the asbestos fibers were dealing with is not wettable by water," he said, explaining that during asbestos removals, water is amended to reduce the surface tension so it adheres to the fiber." So water is not a critical role," he added.*

Is Mr. Durant speaking on behalf of ATSDR when he makes such a statement to the media? Does ATSDR agree with Mr. Durant's position that asbestos fibers bound in sand are not wettable by water? Is it ATSDR's position that simulated children's activities on cold, wet sand will generate the same airborne exposure to asbestos fibers performed on hot, dry sand? This unsupported, willfully deceptive, and misleading statement further illustrates the extent to which ATSDR staff and its Illinois partners will go in order to cover-up the flawed science utilized in a sham study designed to underestimate airborne asbestos exposures to the public.

Mr. Durant then has the nerve to follow-up this incredible quote above with another revealing and incriminating statement:

*"We're not here to cover anything up," he said, "and we're not an alarmist agency."*

Source: May 25, 2006 Waukegan News Sun ([www.suburbanchicagonews.com/newssun/top/5\\_1\\_wa25\\_asbestosbeach\\_s1.htm](http://www.suburbanchicagonews.com/newssun/top/5_1_wa25_asbestosbeach_s1.htm))

**Apparently, Mr. Durant believed that he was being an "alarmist" if he informed the public of the asbestos air testing being performed or took basic precautionary steps preventing unprotected access into the testing area. What is truly alarming is the conduct of ATSDR staff and that of its Illinois partners.**

### **Air Testing Results will Remain Secret until ATSDR Crafts a Biased Evaluation to Rig Final Report**

ATSDR/CDC and its Illinois partners worked on the design of the activity-based testing protocol at Illinois Beach State Park in secrecy for approximately eight months. Your agency repeatedly ignored the public's request to participate in this process. There is no logical reason why members of the public were unknowingly allowed into the testing areas to become inadvertent participants in the activity-based asbestos exposure monitoring when knowledgeable members of the public were prohibited from participating. ATSDR/CDC staff must be held accountable for their careless, unethical, and unprofessional actions that allowed families to wander into areas that should have been isolated from the public. However, it appears that ATSDR/CDC and its Illinois Partners have cleverly colluded to withhold testing results from the public until your agency evaluates the laboratory data by a yet-to-be determined risk modeling methodology.

The consultant for the Illinois Department of Natural Resources specifically is omitting the sample results from their report to you. They will simply discuss sampling and analytical methodologies while excluding the laboratory data or any interpretations of them. The results will be secretly provided to your agency as a "draft," where they will remain void of public scrutiny in the State of Illinois. If we dare ask ATSDR for copies of the air testing results we will be redirected, of course, to the Illinois Department of Natural Resources, which will pretend the lab results are draft and therefore cannot be released to the public. Why would ATSDR handle lab test results that should clearly be in the consultant's report? I am very suspicious

about this abnormal handling of sample results that have already been analyzed, but withheld from the public. It appears that Mr. Durant wants to control analytical data and risk modeling selection so that the preconceived conclusions that the beaches are “safe” can be manipulated into fruition.

Mr. Durant’s apparent unethical behavior has tarnished the credibility of your agency. The public is losing trust in you agency’s ability to objectively evaluate the chronic asbestos issues that have plagued the Illinois Lake Michigan shoreline for decades.

- Will you end the secrecy and open this asbestos evaluation process up to the public in an honest and transparent manner?
- Will your agency end the collusion with your Illinois partners that ensures the testing data would remain secret until your final report could be suspiciously prepared?
- Will you break the secrecy involved with the unethical behavior of your staff and allow the laboratory results you will be reviewing to be available to the public immediately upon request?
- Will you also investigate why Mr. Durant was allowed to withhold his revelation of the selection of a risk model to evaluate the lab samples until sampling results are reviewed? Page 7 of Mr. Durant’s study design states, “The appropriate risk model used will be determined by the mineralogy and length of the asbestos structures in the samples.” Is it appropriate to get results first and then select a method to evaluate them? Shouldn’t an appropriate risk model be determined at the onset of the study to minimize the appearance of bias by your staff?
- When will the public learn about the risk model Mr. Durant selects for his evaluation?
- Will the public have an opportunity to review the lab results and provide comment to ATSDR on what risk model is appropriate from our perspective PRIOR to ATSDR’s and Mr. Durant’s (post-testing) handpicked health risk model selection?
- Will ATSDR staff honor my request to meet and discuss more appropriate activity-based testing protocols that should be performed more accurately in the hot, dry, summer months or will you continue to skew the testing and risk modeling protocol?
- Will Health and Human Services ever honestly answer my “Request for Information Correction” of your 2000 PHA (which I challenged in July 2005) and end the chronic non-responses and delays?

Although in my opinion, the activity-based testing was skewed by Mr. Durant to minimize airborne asbestos that could be measured; my pictures and video clearly show the public at risk. **I demand an independent investigation into this complaint and my other previous charges of ATSDR/CDC staff misconduct and unethical behavior. This investigation must be conducted in a manner that is open and transparent to the public. ATSDR/CDC and its Illinois partners must also make a good faith effort to notify the public along with those family members who were present and potentially exposed to airborne asbestos during any and all activity-based asbestos testing at Illinois Beach State Park.**

I will make my incriminating video available to the independent investigators who will handle this complaint. Thank you for your prompt attention into investigating potential public harms created by the reckless and unethical behavior of ATSDR and CDC staff members.

Cordially,

*Jeffery C. Camplin, CSP, CPEA*

c: Daniel R. Levinson, Office of Inspector General, Department of Health and Human Services  
Lisa Madigan, Illinois Attorney General’s Office  
Douglas P. Scott, Director, Illinois EPA  
Sam Flood, Director, Illinois Department of Natural Resources  
Eric E. Whitaker, M.D., Director, Illinois Department of Public Health  
Dale Galassie, Director, Lake County Health Department  
Paul A Kakuris, President, Illinois Dunesland Preservation Society  
Alison Young, Nancy Albritton, Atlanta Journal



## ATTACHMENTS

Previous Letters Submitted to ATSDR/CDC/HHS Regarding Staff Misconduct

February 7, 2006

March 13, 2006

April 17, 2006

May 19, 2006

**Jeffery C. Camplin, CSP**  
**1681 Verde Lane, Mundelein, IL 60060**

**1-708-284-4563**  
**Fax: 1-847-837-1852**

Centers for Disease Control and Prevention  
Management Analysis and Services Office  
1600 Clifton Road, N.E., Mailstop E-11  
Atlanta, Georgia 30333

February 7, 2006

Attention: Request for Information Correction Appeal Officer

Regarding: CDC/ATSDR Staff Misconduct  
Request for Information Correction Appeal Follow-up  
Camplin Appeal of Dixie E. Snider, Jr., M.D., M.P.H Response Letter  
Illinois Beach State Park PHA of June 2000

Dear Sirs:

I submitted an appeal to you regarding the December 6, 2006 response signed by Dixie E. Snider, Jr., M.D., M.P.H., Chief Science Officer of CDC to my request for information correction. I believe it is necessary to follow-up this appeal to head off further misconduct by Region 5 ATSDR and CDC Atlanta personnel in their attempts to continue to protect their Illinois partners: the University of Illinois at Chicago School of Public Health and the Illinois Department of Public Health.

I admonished and criticized Dr. Snider for blindly signing off on the December 6, 2005 response letter to my July 28, 2005 request for correction of the June, 2000 PHA for Illinois Beach State Park. Since I submitted my December 22, 2005 appeal with ATSDR, I have discovered that, in fact, this letter was apparently authored with the assistance of ATSDR Associate Administrator for Federal Programs, Dr. Mark M. Bashor in cooperation with your Illinois partners at the Illinois Department of Public Health. What is more disturbing is that the draft work product was apparently reviewed by Labretta Lanier-Gholoston, Management and Program Analyst whose office I submitted my appeal to. The HSS policy clearly states that those who authored the initial December 6, 2005 response to me will not be involved in responding to my appeal request. This appears to be a gross violation of Agency policy and an obvious conflict of interest if Ms. Lanier-Gholoston or Dr. Bashor is involved in responding to my appeal. If this is true, is ATSDR/CDC organizational compliance of their agency policies that corrupt? Where is the internal oversight of your agency staff? I am asking the office of the inspector general to look into this apparent misconduct and violation of agency policy and the agencies role in a potential cover-up of past inappropriate behavior.

Now I have been recently informed through the Illinois Department of Natural Resources that Region 5 ATSDR (apparently at the direction of CDC in Atlanta), is assisting the Illinois Department of Public Health, University of Illinois-Chicago, PSI Consultants, Brad Bradley of USEPA Region 5, Illinois EPA, and the Illinois Department of Natural Resources with conducting activity-based asbestos risk assessments at Illinois Beach State Park. The reality and deception is that this organized, exclusive group is operating in a clandestine manner, excluding the public from what should be an open and transparent process. Your agency is currently participating in a group that has historically gone out of its way to exclude the public or avoid performing their work in an open and transparent manner while actively spending taxpayer resources. This is contrary to your

ATSDR/CDC policies for conducting risk studies and casts doubt on the scientific integrity of this secret group, including your agency. This would now be the fourth time ATSDR has tried to help its Illinois Partners cover-up the massive asbestos contamination they are responsible for accelerating along the Illinois Lake Michigan shoreline. I, therefore, must act preemptively and bring light to current and anticipated future actions by your Agency and staff. This apparent cover-up must cease.

First, it appears that my appeal will be conveniently deferred another 60 to 90 days to allow your ATSDR Region 5 and headquarters staff to further assist your Illinois partners in a unwise attempt to save face with the scientific manipulation and blunders conducted by their 2000 PHA and the recently released June, 2005 Interim UIC report. If you are contemplating further stall tactic by requesting additional time to review my appeal, I will not accept it. As a Safety and Health professional, I will consider any delay as an act of scientific fraud in an attempt to perpetrated a last ditch effort to cover-up potentially criminal acts by ATSDR and your Illinois partners that put the citizens of Illinois at further risk from tremolite asbestos. My July 28, 2005 request for correction and my December 22, 2005 appeal have provided enough information and time for even the most junior of staff members in ATSDR and CDC to make a proper and timely response. I assume a timely response will not be difficult for your agency to provide since your Chief Science Officer chose to initially respond to my original request. Anything less than a timely response to my appeal would be a bold move on the part of ATSDR and CDC to obstruct due process requiring further investigation into the motives of what appears to be such a shameful and transparent act. However, I request per your agency policy that those CDC staff members and the Illinois partners involved in ghost writing and reviewing the December 6, 2005 response for Dr. Snider, not have anything to do with reviewing or responding to my December 22, 2005 appeal.

Second, my original request of correction has nothing to do with the June, 2005 UIC interim report or the planned activity-based asbestos risk assessment scheduled for this spring at Illinois Beach State Park. Citing these ongoing studies as a reason not to respond to my appeal in a timely manner is an obviously deceptive move aimed to avoid a proper and timely response. This was already attempted in Dr. Bashor's apparent ATSDR authored response that was blindly signed off by Chief Science Officer Dixie Snider. I have succinctly articulated multiple reasons to ATSDR and CDC in my appeal for labeling the 2000 PHA as "no longer valid as a public health assessment." My appeal left no doubt that the 2000 PHA has no relationship to any other study and is no longer valid based on current asbestos risk protocols. There are no other legitimate excuses or delay tactics left in defense of the now-outdated June, 2000 PHA for Illinois Beach State Park. Respond to my appeal in a timely manner. Again, do not delay a response to my appeal.

Third, since ATSDR is compelled by some unknown force to remain actively involved in these covert activities, I request that you require your Illinois partners and ATSDR's Region 5 office to open up their closed and secretive activity based asbestos risk assessment process planned for this spring at Illinois Beach State Park. The secrecy and unscientific approaches previously used to hide the massive tremolite and other microscopic asbestos contamination from the Illinois-Wisconsin border down to the shores of Oak Street beach in Chicago must end. The Chicago Park District recently performed secret activity-based asbestos air tests last summer to claim the Chicago beaches were safe from asbestos accidentally found by your partially funded June, 2005 UIC interim report. Was it a coincidence that one of the major sources of past and current asbestos releases into Lake Michigan (Johns-Manville) currently uses the same consultant that performed the Chicago Park District's

activity-based asbestos study? How can the public have confidence in a secret report conducted in Chicago with such an apparent conflict of interest? Why won't the Chicago Park District publicly release this secret study conducted by Johns-Manville's Superfund site asbestos consultant (the polluter) for taxpayers to review? Yet your Illinois partners quote these surreptitious studies as science-based fact that support the beaches are safe from asbestos hazards for adults and children. You need to pay more attention to the motives, activities, and claims made by your Illinois partners regarding tremolite and other microscopic asbestos contamination along the Illinois Lake Michigan shoreline.

Finally, there is not enough scientifically valid testing of the Illinois Lake Michigan shoreline to properly characterize what areas are actually contaminated with tremolite and other microscopic asbestos fibers. The shoreline is a dynamic process, constantly changing based upon weather and seasons. A limited set of sampling data generated by a state of Illinois sponsored secret asbestos task force can hardly be definitive in determining where activity based risk studies should be conducted. The limited number of beach samples, the use of extensive compositing protocols, and significant issues with internal analytical laboratory quality control, require the use of more detailed sampling and analytical protocols to properly characterize the extent of tremolite and other microscopic asbestos contamination in shoreline sands. Your agency must demand additional, transparent, lakefront sampling using proper protocols and with public involvement, prior to overseeing any activity-based risk assessments. Otherwise, your agency's integrity will fall further by endorsing the use of this "junk science" in the interim June, 2005 UIC report, that ATSDR refuses to peer review. The fatal flaws of the sampling and analytical protocols found in the interim June, 2005 UIC report would have been easily identified by your agency as a significant problem nearly 6 months ago had ATSDR agreed to perform a scientific peer review of this limited document when you were asked to by UIC back in June 2005. Why is this non-peer reviewed, scientifically flawed document being propped up by your agency and used as a basis for the future activity-based risk assessment that is planned for this spring? Shouldn't you peer review it first?

ATSDR and CDC tout that risk assessments should be conducted in an open and transparent manner inviting its most contemptuous challengers into the process. Your website states:

*Recognize the importance of community input. Citizen involvement is important because (a) people are entitled to make decisions about issues that directly affect their lives; (b) input from the community can help the agency make better decisions; (c) involvement in the process leads to greater understanding of - and more appropriate reaction to - a particular risk; (d) those who are affected by a problem bring different variables to the problem-solving equation; and (e) cooperation increases credibility. Finally, battles that erode public confidence and agency resources are more likely when community input isn't sought or considered.*

I won't give you the indignity of quoting all of the points about public involvement in open and transparent risk assessments found on your website. It is clear your agencies, staff and funding is involved in the secretly conducted asbestos activities along the Illinois Lake Michigan shoreline. You have a responsibility to require this process to be conducted with public involvement, in an open and transparent manner. Once this fourth attempt to downplay asbestos risks to Illinois citizens is completed, a legitimate scientific peer review must be conducted by your agency of all past and current alleged risk-based testing and studies. This is necessary to sort out the facts (if any) from the fiction behind your Illinois partner's claims that there are no apparent asbestos hazards along the Illinois Lake Michigan shoreline.

If ATSDR/CDC is not actively and willfully involved in the apparent efforts to cover-up asbestos hazards in these reports on the Illinois shoreline, then they have been duped by their Illinois partners. Either way, your agency needs to take immediate actions to protect its scientific integrity and ethics. It is obvious that ATSDR/CDC has been deficient in properly verifying or attempting a meaningful vetting of this process because the results are a tragic betrayal of the public by your agency. Illinois citizens have endured the incompetence of your Illinois partners and now deserve integrity and science to be brought into evaluating a serious public health emergency of microscopic tremolite asbestos on the Illinois Lake Michigan shorelines. The unprofessional conduct and actions of ATSDR/CDC and its Illinois partners are creating the perception of the Illinois beaches turning into a "Libby east," both in the health threats to citizens and indictments of those who fail to act on their knowledge of these hazards.

I look forward to a timely response to my December 22, 2005 appeal letter and an invitation to participate in the development of the protocols for the activity-based risk assessment being conducted at Illinois Beach State Park this spring. Please copy me on your correspondence with your Illinois partners in response to my requests.

Cordially,

**Jeffery C. Camplin**

Jeffery C. Camplin, CSP, CPEA

c: Office of Inspector General, Department of Health and Human Services  
Michael O. Leavitt, Secretary of the U.S. Department of Health and Human Services  
Julie L. Gerberding, MD, MPH, CDC Director and ATSDR Administrator  
Howard Frumkin, MD, DrPH, ATSDR Director  
Dixie E. Snider, Jr., M.D., M.P.H., CDC/ATSDR Chief Science Officer  
Drue Barrett, PhD, Acting Associate Director, ATSDR Office of Science  
Mark Johnson, ATSDR Region 5  
Dr. Mark Bashor, Associate Administrator for Federal Programs  
Labretta Lanier-Gholoston,

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March 13, 2006

Centers for Disease Control and Prevention  
Office of the Director  
1600 Clifton Road, N.E., Mailstop D-14  
Atlanta, Georgia 30333

To: Julie Louise Gerberding, M.D., M.P.H.  
Director of CDC, Administrator of ATSDR

Re: **●HHS Refuses to Correct Flawed PHA Ignoring Tremolite Asbestos at Public Beaches**  
**●ATSDR Administrator's Cold Response Ignores Serious Charges of Staff Misconduct**  
**●CDC Head Covers-up Fact that Staff Knowingly Ignores Response Deadline to Appeal**  
**●Conflict of Interest Charge and Appeal Process Policy Violation Not Addressed**  
**●Request for Open and Transparent Asbestos Studies at Illinois Beach Disregarded**  
**●ATSDR Ignores Charges of Collusion with Illinois Partners in Flawed 2000 PHA**  
**●Asbestos Expert Accuses ATSDR of Cover-up – Administrator Provides no Response**  
**●ATSDR Ignores Millions of Citizen's Exposure to Asbestos Including Tremolite**  
**●ATSDR, CDC, and HHS Cover-up Compared to Indicted Officials in Libby, Montana**

Dear Dr. Gerberding,

I have received your evasive, inadequate response which is really a non-response and bureaucratic boilerplate, dated February 23, 2006, to the serious charges made in my February 7, 2006 letter to your agency. I wrote the February 23, 2006 letter (copying the Secretary of HHS and the Director of CDC) as a preemptive charge that ATSDR was in collusion with your state of Illinois partners to delay a proper and timely response to my December 2005 appeal in order to cover up incompetence and errors. The December, 2005 appeal was in response to an ethically and scientifically bankrupt denial of my July, 2005 request for correction for the very outdated 2000 Public Health Assessment (PHA) which used inadequate risk analysis that created a fraudulent document of public asbestos exposures at Illinois Beach State Park in Zion, Illinois. The initial denial of my request by CDC Chief Science officer Dixie Schneider refused to address the correction requested in my July 26, 2005 information quality challenge. No one at ATSDR, CDC, or HHS has ever responded to my July, 2005 request to add a disclaimer to your flawed non-risk based 2000 Public Health Assessment (PHA) that states it is no longer valid based upon current risk-based knowledge.

My February 7, 2006 letter to you accurately predicted that your agency would continue to stall a proper response to my original, unanswered, July 2005 information request. In the February 23, 2006 response letter that you signed, it claimed "My understanding is that a response to your appeal is in development and we anticipate it will be finalized by the required 60-day period." However, two days prior to you signing this generic statement I received a response from your staff (as I had predicted in my February 7 letter to you) stating an additional 60 days would be necessary, beyond the initial 60-days, to respond to my appeal.

How can you claim, as you do in your recent form letter, that "The Centers of Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry (ATSDR) takes all information quality complaints

seriously” when in actuality, they haven’t?” It is apparent that in your response, your staff used you by further misstating the facts in order to further cover-up their own incompetence. Do you also take charges of staff misconduct and misbehavior seriously as well? Dr. Gerberding, actions speak louder than words. I have accused your agency of conspiring to cover-up mistakes made by your agency and your Illinois partners (Illinois Department of Public Health, University of Illinois at Chicago School of Public Health) in evaluating the public health risks from asbestos-contamination (including tremolite) at public beaches along the Illinois Lake Michigan shoreline. Your sole response to these grave charges is an inaccurate, evasive, boilerplate, non-response letter that refuses to address serious charges of HHS staff misconduct including violation of agency policies in responding to my appeal. I demand that you do more than just sign a non-personal, boilerplate response letter that is robotically generated by your clerical staff. I expect you to actually investigate my charges and respond back to me with answers. Unfortunately, to date, you have remained silent on charges of staff misconduct which manifests into millions of Illinois citizens being unwittingly exposed to microscopic asbestos, including tremolite.

By ignoring these charges, your approach appears to be arrogant, detached, and evasive; it is a blatant attempt to put HHS staff above policy or the law. You are government employees who are accountable to citizens to follow established protocols and investigate charges of misconduct by your staff. I will continue to demand that you and HHS staff play by the rules and seek scientific truth. Your response letter shows that you are uninterested and/or unaware of the inappropriate actions of your staff. How can you claim that a timely response to my appeal is being worked on when your staff already had sent out a letter to me indicating they had failed to meet your agency’s required 60-day response deadline? Let me remind you that I made this request on July 26, 2005; it is now March 13, 2006. You said they were finalizing my appeal response when all they were preparing was another 60 day stall. How hard is it for your office staff to make a simple phone call and check the facts for you before asking you to blindly put your name on an inaccurate boilerplate response to a concerned citizen? Or, were you actually aware that they were preparing another 60 day staff letter when you signed your letter to me? Your failure to properly acknowledge, investigate and respond to the serious charges of misconduct by HHS staff makes you, along with Dr. Frumkin, and Secretary Leavitt, facilitators of this misconduct and inappropriate behavior of your staff and their Illinois partners. I asked for answers from you, not an evasive boilerplate response concocted by your underlings. Is my assumption right that you were not part of this scheme?

Let there be no confusion of the charges I am making against ATSDR, CDC, and HHS staff and the answers I seek from YOU:

1. No one at HHS has ever responded to the sole request in my July 26, 2005 request for correction of an invalid 2000 PHA for asbestos at Illinois Beach State Park. It took nearly 5 months to get a bogus and unsupported denial response from your Chief Science Officer. You failed to answer why my initial request was never answered in your agencies denial response. When can I expect a proper answer to my July 26, 2005 request for correction?
2. I quickly, accurately, and severely criticized and discredited the thoughtless and evasive response by your Chief Science Officer, Dr. Schneider, with a mountain of facts in a December 2005 appeal of your agencies denial of my July, 2005 request for correction. I had the feeling HHS would have a significant problem addressing the eye-opening charges found in my appeal and wrote a preemptive letter in February 7, 2006 that anticipated another 60-day delay by your staff. I asked that you not delay your response to my appeal due to the potential public health emergency regarding tremolite and other asbestos-contamination on the Illinois Lake Michigan shoreline. I also outlined misconduct by your staff due to the fact that you allowed the same individuals involved with preparing your extremely flawed initial response that denied my July 2005 request to my December 2005 appeal. Your staff failed to address this charge in the form letter they had you sign. Will you now answer this charge of policy violations in the handling of my appeal response?
3. I charged ATSDR Region 5 and their Illinois partners with covering-up their apparent bungling of a very flawed 2000 PHA and subsequent interim asbestos report by the University of Illinois at Chicago,

School of Public Health which used that document to support their very flawed interim report. (Let us all be reminded that ATSDR subsequently reviewed that UIC document informally and found the UIC document to contain significant flaws.). You failed to respond to this serious charge regarding HHS staff behavior and the secrecy and flaws contained in these CDC/ATSDR funded projects. Will you address my charges of a cover-up by your staff and your Illinois partners regarding asbestos-contamination at Illinois Beach State Park?

4. I found out that Region 5 ATSDR is informally assisting the Illinois Department of Natural Resources with a secret activity-based asbestos study scheduled for this spring at Illinois Beach State Park. I stated in my letter to you that HHS would probably delay a response to my appeal so that this secret asbestos study could be completed. It is my opinion that you and your Illinois partners hope this secretly conducted activity-based asbestos study will somehow save you all from the embarrassing reality that your past PHA claims about the safety of Illinois beaches from asbestos-contamination is fraudulent. I know better and so do you. I asked that you compel the IDNR through Region 5 ATSDR to open up this secret activity-based asbestos study your agency has offered to assist at Illinois Beach State Park. You and your Illinois partners have strayed away from science and are too eager to quote outdated and secretive non-peer reviewed documents to make unsupported public health claims from asbestos-contamination at Illinois Beach State Park. This is in direct opposition to your agencies' policies of transparency. Will you officially ask IDNR in writing that this study should be conducted in an open and transparent manner with public involvement? Will you also ask that this information undergo peer review before it is cited?
5. Your Chief Science Officer cited a fatally flawed UIC interim asbestos study as a defense that your outdated 2000 PHA was still valid. However, by ATSDR's own admission, there were significant problems with the UIC interim report; in essence the data did not support UIC's conclusions. I stated in my letter that your agency refused to perform an official peer review of this document even though ATSDR and CDC partially funded it. Will you officially peer review this interim UIC report that is cited by you and your Illinois partners in support of fraudulent claims Illinois beaches are safe from asbestos-contamination?
6. I made a simple statement in my letter to you on February 7, 2006 which said, "***You need to pay more attention to the motives, activities, and claims made by your Illinois partners regarding tremolite and other microscopic asbestos contamination along the Illinois Lake Michigan shoreline.***" What assurances can you provide me (beyond your impersonal form letter) that HHS, CDC, and ATSDR will investigate my charges regarding the behavior of your Illinois partners that you fund and support?

You must compel your staff to respond immediately to my appeal and answer the **simple** request contained in my July 26, 2005 request for correction that asks:

1. ***There should be a qualifier added to the document stating the health assessment is no longer valid because analytical data used to determine that there is "no significant public health threat at IBSP due to asbestos exposure" is not supported by current science on public risk to asbestos exposure in contaminated soils.***
2. ***A qualifier should be placed on the document stating it should not be cited or quoted and that the report is no longer valid as a public health assessment.***



Note: This information is provided for historical reference purposes only. It is now outdated and no longer valid as a Public Health Assessment based on new knowledge and science of asbestos risk. Do not cite this document as a valid Public Health Assessment.

Your agency has taken significant and valuable time in their delay responding accurately to my July 26, 2005 request for correction. These delay tactics by your staff and your ignoring of the misbehavior of your staff must end. I understand that by making the corrections I request you will also have to address the same issues with



scores of other asbestos PHA's from around the country that used this same flawed risk approach throughout the years. However, your agency has known for quite some time that the 1% asbestos threshold and aggressive outdoor clearance air sampling are not measures used to evaluate risks from asbestos exposures to human health. Your agency should have taken the necessary actions I request years ago. How many citizens of Illinois must be exposed to tremolite and other asbestos fibers before you decide to stop stalling and respond in a manner that is protective of human health?

These delay tactics have caused millions of citizens of Illinois to be unwittingly exposed to asbestos, including tremolite. It is difficult to imagine how ATSDR, CDC, and HHS, in order to cover-up their own incompetence, would manipulate and skew data while adults and children are exposed to inhaling these microscopic asbestos fibers on the Illinois shoreline. What would you think, as a parent, that your children were building sand castles in sand that contained the most deadly form of the asbestos mineral, tremolite asbestos, and you found out that public officials who are supposed to protect you skewed and manipulated data to save their own hides? Indictments were recently issued to officials in Libby, Montana for doing just that.

Stop delegating your responsibilities to incompetent staff that are out to protect themselves, their state partners, and possibly their superiors. Show some leadership in managing and adhering to the policies of your agencies and accept nothing less than scientific truth. I look forward to a prompt and complete response from you to this letter and my July 26, 2005 request for correction regarding your 2000 PHA of asbestos-contamination at Illinois Beach State Park. You must also demand a full response from your staff to charges found in my December 2005 appeal.

I request that you rescind the last 60 day extension to my appeal that your staff wrote in February 2006 and compel your staff to immediately honor my original request for correction from July 2005.

Cordially,

**Jeffery C. Camplin**

Jeffery C. Camplin, CSP, CPEA

c: Office of Inspector General, Department of Health and Human Services  
Michael O. Leavitt, Secretary of the U.S. Department of Health and Human Services  
Howard Frumkin, MD, DrPH, ATSDR Director

April 17, 2006

Centers for Disease Control and Prevention  
Office of the Director  
1600 Clifton Road, N.E., Mailstop D-14  
Atlanta, Georgia 30333

To: Julie Louise Gerberding, M.D., M.P.H.  
Director of CDC, Administrator of ATSDR

Re: **HHS Cover-up: Refuses to Fix Flawed Asbestos PHA Ignoring Tremolite in Sand**

- **CDC Allows Millions to be Exposed to Unknown Asbestos Risks for Six Years**
- **CDC Hides Knowledge of Citizens' Asbestos Exposure to Deadly Tremolite**
- **Surreptitious Involvement by ATSDR Regional and Atlanta HQ Staff Uncovered**
- **ATSDR Staff Politically Motivated in New Secret Asbestos Study Cover-up by State**
- **CDC Director Gerberding Asked to Admit Agency Mistakes and Protect the Public**

Dear Dr. Gerberding,

I wrote to you on March 13, 2006 to inform you that your staff had not answered the request for information correction that I made in July, 2005 regarding an outdated asbestos public health assessment conducted at Illinois Beach State Park. Your Chief Science Officer; Dr. Dixie Schneider, embarrassed your agency when he refused to properly answer my request in his non-responsive December, 2005 reply. Instead, your Chief Science Officer made unsupported and knowingly false statements in his December correspondence with me. I quickly appealed his misleading and inaccurate reply demanding a proper response from the Department of Health and Human Services. I followed up with a letter to you on February 7, 2006 in which I predicted your agency would once again delay a response to my appeal so your staff could surreptitiously assist your Illinois partners with a non-transparent, activity-based asbestos study to cover-up for your lack of diligence in responding to my July, 2005 information correction request. You wrote back to me on February 23, 2006 stating a prompt response was forthcoming. Unfortunately your lack of oversight on this issue surfaced when your agency delayed responding to my appeal for an additional 60 days. I wrote to you on March 13, 2006 requesting that you immediately overturn this delay and promptly respond. I also asked that you request your Illinois partners to conduct the activity-based air monitoring in a publicly inclusive transparent format. You never responded to these requests to conduct asbestos risk assessment activities in an open and transparent manner.

Since I wrote to you last month I discovered that ATSDR Region 5, Region 8, and your Atlanta headquarters staff have been leading participants in the development of activity-based asbestos air testing at Illinois Beach State Park. In fact, your agency has funded a risk-based evaluation of the activity-based asbestos testing being conducted by the Illinois Department of Natural Resources later this spring. I asked you in my February and March, 2006 letters to request that the Illinois Department of Natural Resources asbestos study be conducted in an open and transparent manner with public involvement. You have decided to remain silent on my request. The Illinois Department of Natural Resources has officially denied our request to review the work plan for this new asbestos risk study, citing your agency as the reason for keeping the public out.

- Why won't you request that this important asbestos risk evaluation be made open and transparent to the public? It is apparent that you are involved in a cover-up of flawed studies and unknown asbestos public health risks at Illinois Beach State Park with your Illinois partners.
- Why did your agency proactively approach the Illinois Department of Natural Resources and request involvement in this secret study? It is because you need to cover-up your shameful defense of an outdated and flawed asbestos public health assessment that never evaluated public risk to airborne asbestos at Illinois Beach State Park. This has resulted in asbestos exposures to millions of citizens who were allowed back into an asbestos-contaminated area after an inadequate clean-up.
- Why does your agency continue to stall responding to my request to label your faulty 2000 public health assessment as outdated? You fail to respond because you cannot explain why your agency remained silent for six years while millions of Illinois citizens visited a shoreline contaminated with microscopic asbestos fibers including tremolite asbestos.
- Why does your agency sit quietly while millions of citizens are exposed to unknown airborne asbestos risks? Your agency does not want to take responsibility for potential harms to the public health that have occurred over the last six years to millions of citizens by allowing a flawed and outdated asbestos public health assessment to downplay known asbestos hazards in public areas.

Your agency's complacency in addressing asbestos-contamination at Illinois Beach State Park has now resulted in this contamination spreading as far south as Oak Street Beach in Chicago where tremolite and other toxic asbestos fibers were found in 2005. The silence of your agency is harming the public. Our Illinois Lake Michigan tremolite asbestos-contaminated shoreline is now considered "Libby East."

You have delayed responding to my request for information correction for nine months. It is estimated that two million people have been exposed to microscopic asbestos fibers at Illinois Beach State Park during your unjustified delay. Who knows how many others have been exposed along the 40 miles of asbestos-contaminated shoreline of communities to the south on the North Shore and Chicago. A response to my appeal is due this Thursday, April 20, 2006. I fear your agency will once again delay a proper response so that the secret asbestos activity-based air sampling that you are leading with your Illinois partners will be completed. You need a new report that finds no asbestos risk to the public so you can hide the fact that your agency remained silent for six years as parents and children were exposed to microscopic asbestos, including tremolite. How many more will be exposed to asbestos on our beaches as you sit silently while covering-up your agency's past mistakes and your staff's current misconduct?

I have recently come across several individuals in Lake County, Illinois that have non-occupational mesothelioma. They have a history of visiting Illinois Beach State Park. Lake County, Illinois has an occupational mesothelioma death rate nearly seven times above what is expected. Now the community related mesothelioma cases are appearing. How many new cases of non-occupational mesothelioma will manifest themselves from airborne asbestos exposures that have occurred over the last six years? The same six years your agency did nothing to protect the public. The same six years your agency defended a flawed and outdated public health assessment that citizens of Illinois depended upon for the safety of their families. How much longer will your agency remain silent on this issue? How much longer will your agency work against public health?

You spoke at the James E. Webb Lecture on November 18, 2004, in Washington, DC. In this presentation you cited how your agency had responded poorly to the occupational vs. community exposures to asbestos hazards at Libby, Montana. You stated:

*"As we have tried to build a less structured CDC, we have developed some clusters. For example, it may not be intuitively obvious why we have three infectious disease centers but they are working together in a cluster to try to get efficiencies of shared business services and look for synergy and innovation across each other. Meanwhile, other parts have overlapping interests but no real integrated systems.*

*For example, vermiculite—a toxin—has plagued the community of Libby, Montana. When this asbestos product first became a problem, our Agency for Toxic Substances went there to help the community. Unknown to them at the time was that our Occupational Safety and Health Group already had been there since workers had been affected. Many years lapsed between the time when we knew this was an occupational issue and when we knew it was a community issue.”*

Now we have a lapse in time when your agency knew a flawed public health assessment published in 2000 did not accurately evaluate asbestos exposures to millions of men, women and children along the Illinois Lake Michigan shoreline. Instead of correcting this public health assessment, your agency decided to defend this scientifically bankrupt document which fraudulently claims there is no significant health risk from asbestos exposure along the Illinois Lake Michigan shoreline. This indefensible position places millions of citizens at risk when they visit this tremolite (and other toxic forms of non-indigenous microscopic asbestos) contaminated shoreline. These unwitting asbestos-exposed citizens have blindly relied upon the CDC and its partners’ previous conclusions that no airborne asbestos risks are present at Illinois Beach State Park for their safety. Since this non-factual public health assessment was released six years ago, nearly 2 million visitors per year have been exposed to the microscopic asbestos hazards that lay undefined in the beach sands. Many millions more have been exposed to asbestos along shoreline communities to the south, including Chicago. Yet, all your agency can do is to avoid answering my July, 2005 challenge to this flawed public health assessment and delay a proper response to my December, 2005 appeal.

It is time for your agency to admit that it made mistakes in the past. It is time that your agency takes responsibility for an outdated and flawed public health assessment. It is time that your agency involves the public as a partner in resolving the uncertainty in health risks created from microscopic asbestos fibers that have plagued our community for decades. Practice what you preach. Protect our community in an open and transparent manner. The first step is to properly respond to my outstanding request for information correction from July, 2005: do not allow your outdated 2000 public health assessment to be cited as a valid risk study. Next, demand that your Illinois partners immediately allow public review and oversight of any new studies or reports that are designed to evaluate public health risks from asbestos exposure. Finally, your agency must lead an investigation into the occurrence of non-occupational asbestos diseases in Lake and Cook County, Illinois.

The integrity of your agency is at a crossroads. Do you choose science and sound risk-based policy or do you choose political cover-up? I guess we will find out this Thursday when you respond to my appeal.

Will you end your agency’s silence on this matter and respond to my charges? I look forward to your response.

Cordially,

*Jeffery C. Camplin*

Jeffery C. Camplin, CSP, CPEA

c: Office of Inspector General, Department of Health and Human Services  
Michael O. Leavitt, Secretary of the U.S. Department of Health and Human Services  
Howard Frumkin, MD, DrPH, ATSDR Director

May 19, 2006

Center for Disease Control and Prevention  
Mail Stop D-14  
Atlanta GA 30329-4018

Attention: Lynn Austin, Ph.D., Chief of Staff

Subject: Asbestos Public Health Emergency  
Illinois Beach State Park, Zion, Illinois

Dear Dr. Austin,

I received your response letter dated April 25, 2006. In your letter, you stated and requested that, *“In the meantime, to be respectful of your time and efforts, unless you have new information regarding IBSP, please accept this letter as a final interim response while waiting to hear from CDC regarding your letters to CDC and HHS.”* I am compelled and obligated to provide you with the following new information because the health and safety of the public is at stake and your responses have been late and inappropriate. Please provide me with prompt answers to the following inquires.

1. I challenged ATSDR findings of the 2000 Public Health Assessment for Illinois Beach State Park through a Request for Information Correction on July 28, 2005. Your agency delayed responding until December, 2005, yet failed to answer my request for information correction. I filed a detailed, highly critical appeal of the non-response to my request for information correction by CDC’s Chief Science Officer Dixie Schneider. Since my appeal to your non-response was filed in December, 2005, I have received two, 60-day delays from your agency. I have still not received a proper and complete response. Your new response date is June, 2006, nearly one year from my initial challenge of the 2000 PHA. Dr. Gerberding stated back in April, 2006 that a timely response was forthcoming. Unfortunately, a few days later I once again received a letter informing me a response would be delayed until June 20, 2006. This is unacceptable for such a simple request. Will you respond to my appeal immediately?
2. I expect the current validity of the 2000 PHA to be judged on its own. Your agency has attempted to cite newer “interim” studies in hopes of somehow saving the defective and doomed 2000 PHA. The 2000 PHA was based upon data collected in 1998. I accurately challenged this data as not evaluating human health risk to asbestos. The 2000 PHA and its conclusions should only be defended based upon the data that was used to write it. That data has been shown to be skewed and defective and appears to be scientific fraud. Your current attempt to use smoke and mirrors (using non-applicable interim studies performed years later to defend the fatal flaws of the 2000 PHA) is unprofessional and is using flawed, rigged data to shore up other rigged reports to make it appear that the health and safety of the public is being addressed. Answer the simple question which is, “Does the data used in the 2000 PHA support the findings?” If not, then the 2000 PHA must be labeled as no longer valid based upon current risk assessment protocols. Will you respond to my appeal immediately?
3. ATSDR/CDC is now colluding with its Illinois partners to downplay the chronic findings of visible and microscopic asbestos on public shorelines that 1.5 to 2 million visitors are

unwittingly exposed to each inhaling microscopic asbestos each year since its initial discovery in 1990. ATSDR/CDC appears now to be involved in a cover-up of the bungling and misinterpretation of previous studies at IBSP that falsely which were rigged and “cooked” to make it appear that the beaches are safe. You are now assisting IDNR in performing activity-based asbestos exposure scenarios that allegedly mirror typical or expected beach activities. I have asked your agency to open up this study on the front end of its design for public involvement and comment. Your agency refused to allow any public involvement in the design of this study. I have now obtained a copy of the final study parameters and have once again identified fatal flaws in the scope of work in your agency’s new study. You and your Illinois partners are about to launch into a further cover-up the past “cooked” and rigged studies and attempt to tell the public that the beaches in Illinois are safe and it’s OK for beach users to sit amongst fragmented asbestos-containing waste pieces and inhale the visible fibers in the sand, some of which is tremolite and amosite.

- a. The activity-based air testing at IBSP is being conducted in late May, 2006. It is my understanding the activity-based air testing is scheduled for next week (May 22-26, 2006). Zion, Illinois has received precipitation every day for the last 10 days. The beach sands are saturated. It is inappropriate to state that activities conducted on saturated beach sand in the damp month of May will represent exposure scenarios found in hot, dry, summer months of July and August. Your schedule for releasing your findings is listed as September, 2006. This is after the beach season has ended. Therefore, there is no need to rush the activity-based tests for this year’s beach season. Why won’t you and your Illinois partners perform the activity-based tests in the hot, dry, months of July and August instead of the record breaker month for rain this May?
- b. Aside from the unusually wet season, the moisture and dampness embedded in the sand through the winter months is not released until approximately late June. After that, typical beach moisture conditions begin and the hot, dry summer days attract crowds of people who are exposed to the more readily released fibers. Why are you allowing your partners to rig the sampling protocols by conducting activity-based asbestos testing in May when the beaches are saturated?
- c. Dr. Schneider addressed the inappropriateness of performing activity-based air testing during damp months when he responded to my July, 2005 Request for Information Correction. I wrote that the 1998 air testing at IBSP that was used in the 2000 PHA was conducted on a wet beach. Dr. Schneider wrote:

*“The next concern raised is the seasonality of the sampling that occurred for the IBSP PHA. Even though leaf blowers were used to suspend asbestos fibers in to the air, ATSDR agrees that had the samples been collected during a dry summer they would have been more representative of a ‘worst case scenario’.”*

Your agency claims this new activity-based testing scheduled for the damp month of May, 2006 was necessary because “ATSDR reviewers felt that there were some uncertainties in the exposure assessment, and recommended activity-based sampling to more directly evaluate the levels of asbestos exposure for people using the beach.” Wouldn’t activity-based testing in the hot, dry, months of July and August provide a better evaluation of levels of people using the beach to clarify the “uncertainties” of previous studies, particularly when there are many more people on the beaches when children are out of school?

- d. Your agency determined that there were no asbestos clusters on the beaches based upon the location of where asbestos chunks had been located and removed over the last two years. Your activity-based testing will evaluate airborne microscopic asbestos and not

- airborne chunks. There is no correlation between the visible chunks of debris and the location of where microscopic asbestos fibers might cluster on a beach area. The visible chunks previously tested on IBSP contain chrysotile asbestos. Beach samples taken in 2004 found asbestos fibers other than chrysotile in beach sand, which would indicate other sources of the microscopic asbestos fibers on the beaches. Therefore, why isn't your agency taking sand samples to determine whether microscopic asbestos fiber clusters are present on the beaches? Or, are ATSDR/CDC and its partners avoiding dealing with the sources of the asbestos fibers in order to skew the results?
- e. Your agency's study does not evaluate take-home asbestos-contamination that would occur when families bring asbestos-contaminated belongings into their cars and back to their homes. You have also disregarded the exposure of the state employees and their subcontractors who have worked on the beaches over the years. Why is your activity-based study excluding activities that occur off-site of the beaches where microscopic asbestos-contamination from IBSP will be taken home by beach visitors, park staff, and subcontractors?
  - f. Your agency's study will allow activity-based testing to be performed 24 hours after precipitation has occurred for many days. The USEPA provided comments on this study stating activity-based testing should not be conducted until at least 48 hours had passed after precipitation has occurred. May 18 marked the ninth consecutive day this month of measurable rain, making this May one of the wettest on record. Next week, rain is predicted for every day but one according to the WGN forecast in the Chicago Tribune. Why did your agency schedule activity-based testing for next week when the USEPA recommends a 48 hour wait time?
  - g. Your agency requires moisture testing yet does not set a maximum moisture level under which the activity-based testing will occur. Moisture in beach sand will be much less in July and August than it is in May. ATSDR/CDC will waste taxpayer dollars on futile testing which will have predictable results neatly covering your past mistakes and rigging. Why didn't your agency establish maximum moisture levels in sand that cannot be exceeded prior to conducting the activity-based testing, otherwise, the results would be significantly skewed?
  - h. Your agency's citing of the interim UIC report in the Exposure Investigation Protocol is inappropriate. Your agency found "uncertainties" in the findings of the UIC interim report, yet still cites this inconclusive, interim report by stating, "*Available analysis indicate that while exposure to asbestos is possible in these activities, it is likely that even under worst case situations to be well below 1 in 1,000,000 lifetime risk range.*" In general, it is known that the data generated in the UIC Interim Report is manipulated, rigged, and does not support the report's conclusions. It is extraordinarily inappropriate for your agency to have "dirtied" its hands in dealing with its partners and contaminated its own integrity. How can ATSDR find that the UIC interim report has uncertainties requiring activity-based support, but still cite these uncertain UIC "finding" in the Exposure Investigation activity-based protocol?
  - i. Your agency's Exposure Investigation Protocol included the PSI (consultant who will perform the activity-based testing) proposed work plan. I understand that this document has been reviewed and modified multiple times from comments received from your agency over an eight-month period. I was quite surprised to read that PSI was using asbestos exposure monitoring from previous beach clean-up activities to represent exposures during the activity-based testing. PSI states, "*Based on this data, it is not anticipated that the exposure level shall exceed the OSHA permissible exposure limit of 0.1 f/cc. Therefore, personal protective equipment for airborne asbestos fibers shall not*

*be required.*” The beach clean-up protocol that PSI uses as a negative exposure assessment for your agency’s study is designed to minimize fiber disturbance and generation. On the other hand, the activity-based protocol in your agency’s study is specifically designed to disturb asbestos fibers. PSI’s justification for not wearing a respirator is based on significantly flawed data that hides the true risk exposure for the personnel. Your partners and the consultant PSI are more concerned about appearing on the beaches with respirators for the public to view than the health and safety of the workers. Is public visibility also why activity-based testing is scheduled in May as opposed to the busy month of July? Why would your agency approve and allow the practice of non-mandatory respiratory use for personnel involved in the activity-based study using an inappropriate negative exposure assessment?

There are many more comments I have on the Exposure Investigation Protocol for IBSP that have been finalized by your agency. I am asking that you delay your investigation so that activity-based testing can occur in appropriate and representative summer months of July and August for beach activities. This would also give us time to meet and discuss the other issues I have with your agency’s activity-based testing and proposed risk assessment criteria. All of the previous studies and asbestos risk assessments conducted at IBSP with involvement of your agency have significant, fatal flaws. It is apparent that your agency’s new exposure investigation protocol designed to resolve these “uncertainties” of previous reports will only further enhance the “uncertainties” regarding the public’s asbestos exposures at IBSP. Will you delay your activity-based testing until July, 2006 and allow me to prepare and present my complete comments to your agency?

Thank you for your prompt attention to these matters because the health and safety of the public is at stake.

Cordially,

*Jeffery C. Camplin*

c: Office of Inspector General, Department of Health and Human Services  
Michael O. Leavitt, Secretary of the U.S. Department of Health and Human Services  
Howard Frumkin, MD, DrPH, ATSDR Director  
Julie Louise Gerberding, M.D., M.P.H., Director of CDC, Administrator of ATSDR  
James T. Durant MSPH, CIH, ATSDR Exposure Investigation Team  
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