

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

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

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

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Attention: Mr. Paul A. Kakuris, President

Subject: Manville NPDES Violations and Asbestos Pollution Continues

**Over 56 Trillion Asbestos Fibers Released Near Beach in June 2004**

**State "Sweetheart Deal" Has No Effect on Manville Compliance Efforts**

Dear Mr. Kakuris,

Apparently State's reduction of an estimated \$84 million dollar fine down to a mere \$145,000 had no impact on Manville compliance efforts with environmental regulations. I have uncovered continued violations by Johns-Manville (JM) of their water discharge permit from their Waukegan Superfund industrial canal into Lake Michigan. There have been multiple and repeated violations of the JM NPDES permit through the last USEPA documented reporting date of June 2004. A violation measurement was noted in April and June 2004 for Total Suspended Solids and in June 2004 for BOD. This is quite surprising since JM is currently in State Court for previous violations of the same constituents. More surprising is the apparent lack of any enforcement by the Illinois EPA or Attorney General's Office. Why has enforcement of environmental regulations gone from a mere slap on the wrist to no slap at all!

The latest USEPA NPDES report on the JM facility has also uncovered some disturbing asbestos discharges into Lake Michigan and the adjacent public beaches. The State of Illinois deceptively claims that they don't know the source of the visible chunks of JM manufactured products that continue to wash up on the beach. However, these public officials cannot deny the source of a staggering quantity of the more deadly microscopic asbestos contamination into our environment. June 2004 water discharge asbestos measurements reported by the USEPA from the JM Waukegan Superfund Site indicated over 56 trillion asbestos fibers were released into Lake Michigan over a 30 day period in June 2004 alone!

*Calculation: 3 million gallons/day discharged x 30 days x 165,000 asbestos fibers per liter of water discharged x 3.8 liters per gallon = 56,000,000,000,000 + asbestos fibers!*

Shockingly, this release is well below the massive amount of asbestos fibers JM is allowed to discharge via its existing permit. These government agencies have never taken the time to calculate how much microscopic asbestos was actually allowed to be released into the federal and state navigable waters of Lake Michigan each day. The current State of Illinois approved NPDES permit would have legally allowed over 2,400 trillion asbestos fibers per month (80 trillion asbestos fibers averaged per day) to be release into the public waters during this same period. The State and Federal government allow JM to release over 7 million asbestos fibers

in each liter of the hundreds of thousands and sometimes millions of gallons of contaminated water each day into Lake Michigan. The Illinois Department of Public Health currently requires asbestos contaminated water from asbestos abatement projects in schools to filter out all asbestos fibers prior to discharging the water into the sewer system. Yet the State allows for the use of a less stringent, inappropriate, non-applicable drinking water standard for an asbestos pollution discharge directly into a public water supply. Sadly the State uses the deceptive drinking water standard (instead of quantifying the staggering asbestos release) to lull the public into a false sense of safety. Maybe this issue will get resolved when the North Shore communities and Chicago realize they are down current from this incredible release of microscopic asbestos and their own beaches contain the same if not more microscopic asbestos contamination than at the State Park.

The microscopic asbestos fibers levels allowed to be discharged into Lake Michigan are based upon a non-applicable drinking water standard. This standard only evaluates the health risks associated with ingesting asbestos and ignores the airborne risk of these asbestos fibers once they wash onto the shoreline and public beach. The Camplin report I prepared in June 2003 identified the lack of a scientifically based health risk assessment of the microscopic asbestos fibers that are transferred from the water to land and then to the air. This water to air conversion of microscopic asbestos fibers presents a potential health risk to the millions of annual visitors to Illinois Beach State Park and those lake shore communities to the south. This potential health risk was one of the many reasons for my June 2003 recommendation to limit the public's access to the asbestos contaminated shoreline and beaches of Illinois Beach State Park. This considerable microscopic asbestos contamination is also the reason I assisted Dunesland in the development of a common sense Asbestos Safety Tip Flyer which was barred from public distribution at the park office and hotel complex by the IDNR (now subject to a first amendment suit in State Court).

It is a shame that the State of Illinois dedicates scarce resources to fight Dunesland's free speech law suit to distribute common sense asbestos protection guidance for families visiting the asbestos contaminated beach. These same public officials then choose to shield a chronic polluter from Dunesland' efforts to protect a Dedicated Nature Preserve from obvious illegal pollution outfalls. They then sit back quietly and allow Johns-Manville to go unpunished for multiple and repeated environmental violations and approve the continual spilling of trillions of asbestos fibers into a public water supply that minimally pollutes the entire Chicagoland shoreline. Non-indigenous asbestos fibers are now in the water supply.

I would recommend recalculating your estimate of potential EPA fines based upon these new Manville violations. Trillions and trillions of asbestos fibers released into the environment might draw attention to the current sweet heart deal the State is handing Manville. I hope this information helps your cause.

Cordially,

*Jeffery C. Camplin*

Jeffery C. Camplin, CSP, CPEA, REP  
Illinois Licensed Asbestos Professional (100-0091)