



**For Immediate Release**

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**MADIGAN: ASBESTOS VIOLATIONS ALLEGED AT DECATUR  
RENOVATION**

***IEPA ORDERED FORMER SCHOOL BUILDING SEALED EARLIER  
THIS MONTH***

Chicago - Attorney General Lisa Madigan today filed a lawsuit in Macon County Circuit Court against the owner of a former Decatur school building for violations of the environmental laws caused during building renovations. As a result of these violations, state environmental officials placed a seal on the structure on November 3, 2006.

Madigan's lawsuit names two defendants: Affordable Property and Construction LLC, an Oklahoma corporation, which owns the former Roach School, a vacant and dilapidated building at 1932 E. William Street, and Jim Hobi, an on-site representative of Affordable Property and Construction.

According to the complaint, in late 2005, the Illinois Environmental Protection Agency (IEPA) retained a company to conduct an asbestos survey which revealed the school building contains a substantial amount of friable asbestos-containing materials. Asbestos is regulated as a hazardous air pollutant because it is a carcinogen. When asbestos is "friable", it can, when dry, be easily crumbled, pulverized or reduced to powder, releasing dangerous asbestos fibers into the air. Based on this report, the IEPA indicated that it would require at least 10 working days' notice prior to any renovation activity taking place at the site.

On November 3, 2006, the IEPA received and responded to a complaint by the city of Decatur about workers inside the building on October 25, 2006. According to the complaint, when IEPA personnel arrived at the building, Hobi allegedly denied access to them. The complaint also alleges that one of the workers at the site informed an IEPA inspector that he and his crew had been hired by Hobi and had swept crumbled floor tile into piles which created a considerable amount of dust.

"The defendants' carelessness exposed untrained workers to the dangers of asbestos and violated the laws designed to protect these workers as well as public health and safety," Madigan said.

The IEPA gained entry to the building on November 8, 2006 and discovered that the defendants had failed (1) to utilize required methods or equipment to

properly control the asbestos during renovation, (2) to adequately wet and keep wet all regulated asbestos containing materials (RACM) that were removed or disturbed during renovation, and (3) to seal all waste in appropriate, leak-proof containers.

Madigan's lawsuit asks the court to enter an injunction, requiring Affordable Property and Hobi to immediately secure the building property and restrict public access by covering all broken windows, doors or other access points to protect public health and safety. Additionally, the complaint asks the court to order the defendants (1) to properly manage the site and prohibit further removal of material in a manner that is inconsistent with the National Emission Standards for Hazardous Air Pollutants (NESHAP) for asbestos, and (2) to hire a licensed asbestos abatement project designer to prepare a plan to remove the asbestos that must be reviewed and accepted by the IEPA and implemented by an asbestos abatement contractor licensed by the Illinois Department of Public Health (IDPH).

Madigan's lawsuit also seeks a civil penalty against the defendants of \$50,000 for each violation of the air pollution laws allegedly caused by failing to adequately wet and keep wet all RACM removed or disturbed during renovation and for nonpayment of statutorily required fees and the failure to file a 10-day notice with the IEPA prior to demolition or renovation.

Assistant Attorney General Phillip McQuillan is handling the case for Madigan's Environmental Bureau.

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