



**For Immediate Release**  
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## **MADIGAN ALLEGES ASBESTOS VIOLATIONS DURING BLOOMINGTON RENOVATION PROJECT**

Chicago - Attorney General Lisa Madigan has filed a lawsuit alleging that a Bloomington building owner and his tenant broke the law when they did not use a licensed asbestos contractor to properly remove asbestos-containing materials during a major renovation project in 2006. The complaint, filed in McLean County Circuit Court, also alleges that the defendants did not follow proper removal procedures required by law to avoid contamination.

The complaint names Merle Huff, owner of the Front 'N Center Building at 102 N. Center St., and his tenant Ben Slotky, in the complaint that alleges Huff allowed Slotky – during a March 2006 renovation project – to remove asbestos-containing flooring materials and place them in unsealed plastic garbage bags. Slotky is not a licensed asbestos contractor.

“Because there is no known safe exposure level to asbestos, this careless and improper handling of a known carcinogen created a very serious danger to public health,” Madigan said.

Madigan’s complaint alleges that both defendants failed to inspect and follow required work practices. Huff allegedly did not inspect the area for the presence of asbestos prior to the start of the renovation as required by National Emission Standards for Hazardous Air Pollutants (NESHAP) regulations. In addition, the complaint alleges that Huff allegedly failed to limit access to the work area and allowed it to be reoccupied before proper cleanup and air monitoring.

The complaint alleges that Slotky violated regulations pertaining to the removal of asbestos- containing materials when he removed them and loaded them in unsealed plastic bags. NESHAP regulations require the use of proper containers distinctly marked with warning labels and the delivery of materials to a licensed facility. Additionally, the complaint alleges that Slotky failed to properly contain the area where he was removing the flooring materials and failed to properly decontaminate the external surfaces of containers and equipment contaminated by the asbestos containing materials.

Madigan’s lawsuit asks the court to prohibit the defendants from further violations of environmental law and to impose a monetary penalty and other relief deemed appropriate by the Court.

In March 2006, an Illinois Department of Public Health (IDPH) inspection found piles of dry broken and chipped flooring materials and carpeting on site,

and an analysis of the samples confirmed that they contained asbestos. Inspectors had observed that the materials could be crumbled, pulverized or reduced to powder, which releases asbestos fibers into the air.

The complaint notes that the building owner repeatedly failed to hire a licensed asbestos contractor as demanded by IDPH following the discovery of the materials and the improper procedures at the site and failed to respond to the emergency stop work order issued and posted.

Assistant Attorney General Raymond Callery is handling the case for Madigan's Environmental Bureau.

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