



December 26, 2008

MADIGAN: PROPOSED SETTLEMENT PENALIZES FORMER HOTEL OWNER FOR ALLEGED ASBESTOS VIOLATIONS DURING DEMOLITION

Chicago — Attorney General Lisa Madigan said that the former owner of a now-demolished Collinsville hotel will pay a \$30,000 penalty for alleged improper asbestos removal in 2005.

Madigan's office filed a complaint with the Illinois Pollution Control Board (IPCB) in June 2007 against Vithalbhai Patel, the owner of the Howard Johnson Express Inn at 301 N. Bluff Road. In the complaint, Madigan alleged that Patel allowed employees and the public to disturb asbestos-containing materials as they removed contents and fixtures that they acquired from Patel through an auction of hotel items. Earlier this week, Madigan filed a proposed settlement with the IPCB which, if approved, would resolve the June 2007 complaint.

In November 2003, the Illinois Environmental Protection Agency (IEPA) stopped demolition of the office portion of the hotel when the agency learned that Patel allegedly had failed to inspect for asbestos. More than 200 square feet of ceiling material contained asbestos. The IEPA ordered Patel to properly deal with the asbestos before demolition could proceed.

In July 2005, the IEPA inspected the facility at the request of the future owner and observed that walls within 72 individual rooms had been damaged and copper plumbing had been removed. The IEPA saw that pipe insulation suspected to contain asbestos had been stripped from the lines and discarded on the floor. Testing of samples of the insulation revealed that it contained between 10 and 15 percent asbestos. The scrapped plumbing lines contained 576 linear feet of regulated asbestos containing material. Remediation was completed in September 2005 and the building was subsequently demolished.

Asbestos is regulated as a hazardous air pollutant because it is a carcinogen. Regulated asbestos containing material (RACM) contains more than one percent asbestos and is generally "friable," which means that when dry, it can be crumbled, pulverized or reduced to power, releasing dangerous asbestos fibers into the air. Patel failed to provide written notification to the IEPA prior to beginning demolition as required by the National Emission Standards for Hazardous Air Pollutants regulations. In addition, Patel also allegedly failed to collect, contain and deposit the RACM in a facility licensed to accept such material.

Assistant Attorney General Stephen Janasie is handling the case for Madigan's Environmental Enforcement Bureau.

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