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MADIGAN: BUILDING OWNER, CONTRACTOR TO CLEAN UP ASBESTOS AT CHICAGO CONSTRUCTION SITE

Chicago — Attorney General Lisa Madigan today announced an agreed order to halt renovation at a hospital and hotel building on Chicago's North Side until asbestos contamination is cleaned up. The City of Chicago has joined Madigan's office in seeking the emergency legal action.

Cook County Judge Neil Cohen has entered an agreed order that Madigan's office filed with defendants Zidan Management Group, Inc., Dubai, Inc. and Somerset Place Realty, LLC. The agreed interim order requires the defendants to cease all asbestos removal and to take measures to prevent further release of asbestos by posting notices at every entrance to the structure and to bar unauthorized access to minimize the threat to public health and the environment. In addition, the defendants must present a project design plan for approval by Madigan's office, Illinois EPA and the City of Chicago for the removal of asbestos and remediation of contamination caused.

The Illinois EPA referred the matter to Madigan's office in April, noting that a City of Chicago inspector observed asbestos had been improperly and illegally removed on the north side of the nine-story building at 5009 N. Sheridan Road. In addition, workers were observed wearing only paper respirators and were not dressed properly for asbestos removal. Workers were removing pipe insulation, tile and mastic containing asbestos without enclosures and without following the proper wetting procedures.

"There is no known safe level of exposure to asbestos," said Madigan. "Unfortunately, careless mishandling of this dangerous substance posed a health threat. This legal action will ensure the workers take appropriate precautions and the contractors effectively clean up the location."

Joined by city legal officials, Madigan's office also announced an eight-count complaint against the three defendants alleging substantial danger to the environment, air pollution, violation of asbestos inspection, emission control and disposal procedures, and violations regarding state and local notification of asbestos removal. A status hearing has been set for May 21, 2013.

Assistant Attorneys General Nancy Tikalsky and Evan McGinley are handling the case for Madigan's Environmental Bureau.

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