

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

**PEOPLE OF THE STATE OF ILLINOIS,  
ex rel. LISA MADIGAN, Attorney General  
of the State of Illinois,**

**Plaintiff,**

**-vs-**

**CHAMPION ENVIRONMENTAL SERVICES, INC.,  
A Wisconsin corporation,**

**Defendant.**

**No. PCB 2005-199**

**REQUEST FOR ADMISSION OF FACT AND GENUINENESS OF DOCUMENTS**

The PEOPLE OF THE STATE OF ILLINOIS, *ex rel.* LISA MADIGAN, Attorney General of the State of Illinois, pursuant to Supreme Court Rule 216, submits this request for the admission of the truth of the following specified relevant facts and the genuineness of attached documents within twenty-eight (28) days after service hereof:

1. Champion Environmental Services, Inc., ("Champion") was the operator of an asbestos renovation and demolition at the former Case manufacturing facility, 1100 Third Street, East Moline, Rock Island County, Illinois (the "site").
2. Champion was conducting the on-site asbestos removal in 2005.
3. A Notice of Asbestos Removal was received by the Illinois EPA from Champion on February 14, 2005. Please see Attachment A.
4. During May, 2005, Champion was engaged in removal of asbestos from the site.
5. On May 5, 2005, an inspector from the Illinois Environmental Protection Agency ("Illinois EPA") conducted an inspection of the site. Please see Attachment B.
6. On May 5, 2005, employees of Champion struck transite panels with crowbars and hammers, pried transite panels from the structure, and dropped transite panels from varying heights. Employees of Champion also ran over pieces of transite with machinery
7. On

May 5, 2005, regulated asbestos-containing waste materials and asbestos-containing waste material at the site were not wetted.

8. Since on or before May 5, 2005, Champion allowed asbestos containing waste materials to be dumped on the ground at the site.

9. The photographs attached hereto as Attachment B truly and accurately portray conditions at the site on May 5, 2005.

10. On September 28, 2005, the Illinois EPA inspected the property.

11. On September 28, 2005, regulated asbestos-containing material and asbestos-containing waste material on site that had been placed in a dumpster. See Attachment C.

12. The photographs attached hereto as Attachment C truly and accurately portray conditions at the site on September 28, 2005.

13. On March 1, 2006, the Illinois EPA inspected the property.

14. On March 1, 2006, regulated asbestos-containing material and asbestos-containing waste material on the site that had not been adequately wetted. See Attachment D.

15. On November 2, 2000, Champion was ordered to pay a penalty of \$25,000, within thirty (30) days by the Illinois Pollution Control Board in Administrative Citation PCB 1997-135. Please see Attachment E, which is a true and correct copy of that Order.

16. Champion did not petition for administrative review of the Administrative Citation within thirty five (35) days of the date of service of the Citation.

17. On October 7, 2010, Champion was ordered to pay a penalty of \$2,500, within thirty (30) days by the Illinois Pollution Control Board in Administrative Citation PCB 2010-008. Please see Attachment F, which is a true and correct copy of that Order.

18. Champion did not petition for administrative review of the Administrative Citation within thirty five (35) days of the date of service of the Citation.

19. Champion does not have a permit to operate a sanitary landfill at the site.

20. Attachment A is a true and correct copy of the Notice.


21. Attachment B truly and accurately portrays the conditions at the site as it existed on May 5, 2005
22. Attachment C truly and accurately portrays the conditions at the site as it existed on September 28, 2005.
23. Attachment D truly and accurately portrays the conditions at the site as it existed on March 1, 2006.
24. Attachment E is a true and correct copy of the November 2, 2000, Order of the Illinois Pollution Control Board.
25. Attachment F is a true and correct copy of the October 7, 2010, Order of the Illinois Pollution Control Board.

Respectfully Submitted,

PEOPLE OF THE STATE OF ILLINOIS,

*ex rel.* LISA MADIGAN, Attorney General  
of the State of Illinois  
MATTHEW J. DUNN, Chief  
Environmental Enforcement/ Asbestos  
Litigation Division

By



J. L. Homan  
Assistant Attorney General  
Environmental Bureau

J. L. HOMAN  
Assistant Attorney General  
500 South Second Street  
Springfield, Illinois 62706  
217/782-9031  
Dated September 6, 2013

50359

**STATE OF ILLINOIS  
ASBESTOS ABATEMENT PROJECT  
NOTIFICATION FORM**

Date: \_\_\_\_\_

Revision #: \_\_\_\_\_

Item Numbers Revised: \_\_\_\_\_

\* If revision, complete section below

Fax # (217)785-5897 (IDPH ONLY)

Projects greater than 3 sq/ft and/or 3 in.ft. and ALL SCHOOL projects shall be submitted to IDPH.  
Projects greater than 160 sq/ft and/or 260 in.ft. and demolition projects shall be submitted to IEPA.

This form shall be used for all Original and Revised Notifications submitted to ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, ILLINOIS DEPARTMENT OF PUBLIC HEALTH and COOK COUNTY DEPARTMENT OF ENV. CONTROL.

TYPE OF NOTIFICATION: ☒ Original ☐ Revised ☐ Canceled ☒ Demolition ☐ Renovation

Circle Type of Project Below

Notice will not be accepted unless one and only one type of project is circled below.

Friable School Project Non-friable School Floor Tile Project Both Friable &amp; Non-friable School Project (CPB) (Friable and Non-friable)

\*CHANGE IS MADE BY: (Circle One) Owner's Representative Contractor Owner Project Designer

**1. FACILITY INFORMATION**

FACILITY NAME: CASE FACILITY

SCHOOL BLDG ID: N/A

LOCATION OF ASBESTOS CONTAINING MATERIAL (ACM) IN STRUCTURE: THROUGHOUT

Bldg Size: 2,500,000 SF SqFt: #Flrs: 2 Age: 1917-1980 Present Use: VACANT

Prior Use: MANUFACTURING

Future Use (Demo) UNKNOWN

Address: 1100 THIRD STREET

City: EAST MOLINE

County: ROCK ISLAND

Zip: \_\_\_\_\_

Contact Person: DALE AVERY

Phone: 630-878-6144

**2. SCHOOL DISTRICT/FACILITY OWNER**

District Name and Number: CNH AMERICA LLC OF EAST MOLINE Address: 7000 DURAND AVENUE

City: RACINE

State: WI

Zip: 53404

Contact Person: RITA TYLLO

Phone: 262-636-5295

COPIES OF ABATEMENT PERMISSION AND WRITTEN VERIFICATION OF NOTIFICATION TO ALL BUILDING OCCUPANTS AND USERS FROM THE BUILDING OWNER OR SCHOOL BOARD SHALL BE SUBMITTED FOR PUBLIC AND PRIVATE SCHOOL FACILITIES AS REQUIRED BY SECTION 855.350 OF THE IDPH ASBESTOS CODE.

**3. ASBESTOS CONTRACTOR: CHAMPION ENVIRONMENTAL SERVICES INC. ID#: 500-0359**

Address: 38 WEST END DRIVE

City: GILBERTS

State: IL

Zip: 60136

Contact: DOMINIC GORNIAK

Phone: 847-844-1695

**4. DEMOLITION CONTRACTOR: CHAMPION ENVIRONMENTAL SERVICES, INC.**

Address: 38 WEST END DRIVE

City: GILBERTS

State: IL

Zip: 60136

Contact: DOMINIC GORNIAK

Phone: 847-844-1695

**5. ABATEMENT INFORMATION:**

IS ASBESTOS PRESENT?

☒ YES☐ NO

DESCRIPTION OF PLANNED DEMOLITION OR RENOVATION WORK: REMOVAL OF TRANSITE, PIPE INSULATION AND FLOOR TILE & MASTIC. MACHINE DEMOLITION OF BUILDING.

METHODS TO BE EMPLOYED INCLUDING DEMOLITION OR RENOVATION TECHNIQUES: TRANSITE WILL BE REMOVED

AS WHOLE COMPONENT. PIPE INSULATION WILL BE REMOVED USING BOTH GROSS &amp; GLOVE BAG

REMOVAL METHODS. FLOOR TILE &amp; MASTIC WILL BE REMOVED USING GROSS REMOVAL METHODS.

MACHINE DEMOLITION OF BUILDING.

DESCRIPTION OF WORK PRACTICES AND ENGINEERING CONTROLS USED TO PREVENT EMISSIONS AT THE DEMOLITION OR RENOVATION SITE:

ESTABLISH NEGATIVE AIR; WET MATERIALS; DOUBLE-WRAP IN PROPERLY LABELED 6-MIL POLY; TRANSPA

IN LEAK-TIGHT CONTAINERS TO APPROVED LANDFILL. WATER SPRAY DURING DEMO &amp; DURING LOADING OF DEBRIS ON TRUCK

6. REGULATED ASBESTOS CONTAINING MATERIALS TO BE REMOVED (RACM)	Non-friable asbestos not to be removed (demolition)		Non-friable asbestos to be removed		TOTAL ASBESTOS TO BE REMOVED	NESHAPS (Circle one)
	CAT I	CAT II	CAT I	CAT II		
Pipes (Ln. Ft.)	15,000 l.f.				15,000 l.f.	(Y) N
Surface Area (Sq Ft)			10,000 S.F.	2,000,000 S.F.	2,010,000 S.F.	(Y) N
Volume (Cu Ft)						Y N

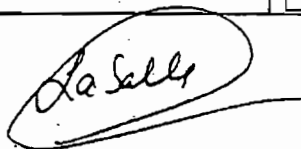
7. ABATEMENT DATES AND TIMES: 7:00 AM-3:30 PM Start: 2/24/05 Finish: 12/31/05

SCHEDULED DEMOLITION DATE: 7:00-5:00 PM Start: 2/24/05 Finish: 12/31/05

WORKING WEEKENDS?

☒ YES☐ NO

Check # 15412



mc 2-14-05  
pm 2-10-05  
Attachment A

8. PROJECT DESIGNER ID#: 100- <u>N/A</u>		NAME: <u>N/A</u>	
Complete Project Designer Name and License ID# if this project was designed by a Designer			
9. INSPECTOR ID#: 100- <u>1119</u>		NAME: <u>JAMIE D'ARILLE</u>	
10. PROCEDURE, INCLUDING ANALYTICAL METHOD, USED TO DETECT THE PRESENCE OF ASBESTOS <u>PLM</u>			
NAME OF ANALYTICAL TESTING LABORATORY: <u>PROFESSIONAL ENVIRONMENTAL SERVICE</u>			
11. ASBESTOS PROJECT MANAGER ID#: 100- <u>N/A</u>		NAME: <u>N/A</u>	
12. AIR SAMPLING PROFESSIONAL ID#: 100- <u>N/A</u>		NAME: <u>N/A</u>	
13. DISPOSAL SITE		LANDFILL NAME: <u>TBD</u>	
Address:		Landfill Permit#:	
City:	State:	Zip:	Phone:
14. WASTE TRANSPORTER		NAME: <u>TBD</u>	
Address:		Contact:	
City:	State:	Zip:	Phone:
15. IS DEMOLITION ORDERED BY A GOVERNMENT AGENCY? <u>Y</u> <input checked="" type="checkbox"/> (If Yes, a signed copy of Order must be attached)			
Government representative ordering the activity: <u>N/A</u>			
Title: <u>N/A</u>	Date of Order: <u>N/A</u>	Ordered Demolition Date: <u>N/A</u>	
16. FOR EMERGENCY RENOVATION			
Date and hour of emergency (mm/dd/yy): <u>N/A</u>		AM/PM <u>N/A</u>	
Description of the sudden, unplanned event (e.g. structure in danger of imminent collapse): <u>N/A</u>			
17. Description of procedures to be followed in the event that unexpected asbestos is found or previously nonfriable asbestos material becomes crumbled, pulverized or reduced to powder. <u>STOP WORK; NOTIFY OWNER + ILEPA; HEPA VACUUM; WIPE</u>			

THE ABOVE INFORMATION IS REQUIRED PER NESHAP 40 CFR-SUBPART M-61.145, REV. NOV. 20, 1990.  
ALL SECTIONS MUST BE COMPLETED TO AVOID NOTICE VIOLATION.

I CERTIFY THAT AT LEAST ONE REPRESENTATIVE TRAINED IN THE PROVISIONS OF 40 CFR PART 61, SUBPART M, SHALL BE ON SITE DURING DEMOLITION OR RENOVATION, HAVING IN HIS OR HER POSSESSION FOR INSPECTION EVIDENCE THAT THE REQUISITE TRAINING HAS BEEN ACCOMPLISHED.

CERTIFICATE # ATS 2004-0282

NAME OF TRAINING COURSE AMERISAFE ASBESTOS CONTRACTOR SUPERVISOR REFRESHER

I CERTIFY THE ABOVE INFORMATION IS CORRECT.

SIGNATURE OF CONTRACTOR OR THE BUILDING OWNER'S REPRESENTATIVE

DATE

#### ILLINOIS. EPA AGENCY USE ONLY

This form shall be mailed to Ill. Environmental Protection Agency, P.O. Box 19276, Springfield, IL 62794-9276.  
(Original signature only, photocopy not valid) - FOR ILEPA ONLY.

Date Received:	Input to ACTS:	Post Mark Date:	To Cook/City:
Champaign	LaSalle	Springfield	Rockford
			Moline
			Marion
For Cook County Departmental Use Only.		Mail to Cook Co Dept. of Env. Control, 69 W. Washington, Suite 1900, Chicago, IL 60602-3004	
Date Received CCDEC:	Post Mark Date:	Input Into Computer:	
Inspection Fee Received:	Inspection priority	Top	High
		Low	Must be Inspected
Date(s) of Inspections			
Inspection Report Attached	YES	NO	Violation Copies Attached
			YES
			NO



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-3397  
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

I.D.#: 161 ASB  
Case I H Plant  
Asbestos Complaint

**ASBESTOS INSPECTION MEMORANDUM**

**Date:** May 9, 2005

**Date of Inspection:** May 5, 2005

**To:** Dale Halford

**Last Inspection Date:** None

**From:** Dennis Hancock

**Reg/Dist:** II/ASB

**Facility:** Former Case I H Plant  
1100 3<sup>rd</sup> Street  
East Moline, Illinois 61244  
Security Phone number: 630-918-1307

**Owner:** CNH Global America LLC

**Contact:** East Moline, Illinois 61244  
Rich Nelson, senior director of external Communications

**Contractor:** Champion Environmental Services Inc.  
38 West End Drive  
Gilberts, Illinois 60136

**Contact:** Dominic Gorniak 847-844-1695

**Reason for Inspection:**

An anonymous complaint was emailed to the LaSalle IEPA office from Dale Halford regarding possible improper asbestos removal at the former Case I H Plant in East Moline Illinois.

**Findings:**

Prior to leaving for this site due to the fact that the complaint stated that debris was also flying into the Mississippi River this inspector contacted the US Coast Guard

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and explained to them what I had received via the complaint and this inspector also contacted BOW in Peoria to advise them of the situation.

This inspector arrived at the site at approximately 10:20 am on Thursday May 5, 2005. This inspector entered the security gate and requested permission to enter the site at this time. The girl behind the security desk said she would have to contact Dominic in order for anyone to enter the work site. This inspector asked if possible not to notify them at this time so I would be able to see the work that was going on. At this point she stated that she did not know what to do. This inspector after waiting approximately 10 minutes informed the security person that I would be contacting our legal department because of the delay and if she wanted to talk to them it would be okay to do so.

This inspector contacted Chris Pressnall with DLC at IEPA in Springfield and informed him of what was going on. While on the phone with Chris, Dominic Gorniak walked into the back door of the security shack. At this time he contacted the supervisor to meet me at the gate to show me around the site. Chris Pressnall then stated that if I had any more problems there at the site to contact him.

As this inspector entered the gate to the work site the workers climbed down off of the roof of the building they were working on and each one was carrying a piece of transite off of the roof. None of the sections were full sheets. The workers then went and sat down in the parking lot for the rest of my site visit. No work was going on while this inspector was there. This inspector at this time did not ask them to stop work so someone must have told them to stop until this inspector was gone.

The supervisor took me to the east side of the building where transite had been removed from the entire roof section on this side. As we were walking towards this open area this inspector noticed that there were several pieces of broken transite debris lying on the blacktop by the dumpsters as well as along side of the building. Pictures were taken of this material. While walking along the outside of the building this inspector asked the supervisor regarding all of the transite pieces lying on the ground. This inspector asked the supervisor why they did not have any poly on the ground to catch any debris the fell to the ground. The supervisor stated that they had poly on the ground during removal but this inspector asked why there was so much material there if they had poly on the ground. No actual answer was given. Pictures were taken of this area as well.

With the amount of debris left on the ground it appeared as if no pre cleaning was done along with any post cleaning. There were approximately 5 dumpsters outside on the blacktop in this location. This inspector asked if they were all full of the transite and was told that only 3 of the 30-yard dumpsters were full with the transite. This inspector stated that on the way out I wanted to check the inside of these dumpsters with the material in it.

As we entered the open doorway to go into this section of the building immediately to my left were 8 gondola type containers with broken and dry transite material filling all of them. This inspector asked the supervisor what this was and he

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stated they put this material into the gondolas from sheets that were accidentally dropped from the roof as they were being handed down. This material had sponge type insulation on the underside of the transite and this inspector pushed on them to see if any moisture was there. They were dry. This inspector asked how long the material had been sitting in these gondolas and was told 2-3 days. This inspector then told the supervisor that this material needed to stay wet until taken off site for disposal and he stated that he would get someone to wet this down. Each of the gondolas would equal over 1 cubic meter each, which one gondola would be enough for the threshold and there were 8 of these in this location.

As we walked further inside of the open building there were large amounts of transite lying on the floor in different areas. Some of the transite had been run over by the machinery that was being used to load the dumpsters with. These pieces were crushed into a powder form, which rendered them as friable material. These areas were pointed out to the supervisor at this time. Down through the center of the building the floor had another large amount of broken transite lying on the floor along with insulation that ran the entire length of the center of the building. This was also pointed out to the supervisor and told that because of the amount of material mixed with the insulation that it would all have to be wet down and taken out as special waste. He stated that they were going to do this.

While walking through this open building this inspector watched the roof above us and found several pieces of broken transite still lying on the beams overhead. All along the edge of the beams were broken pieces of transite sticking out from between the beams. Pictures were taken of these areas as well. One of the concerns of this inspector at this time was how they were going to remove this transite that was bolted between the beams prior to demolition and if it could not be removed then they would have another serious problem during the demolition of this building this was also brought to the attention of the supervisor that was accompanying this inspector on the walkthrough. While walking out of the double doors on the East side of the building this inspector noticed that a bobcat was just loading his bucket with debris from the right side of the doorway and a lot of dust was released into the air. This inspector told the supervisor he needed water on this debris to knock the dust down and he called someone on the radio to hook up the fire-hose to the fire hydrant at this time.

We then left this large section of the building and went over to the section on the South end of the building. Just inside of this section in the corner was a pile of debris that contained pieces of transite mixed in with it. This inspector told the supervisor that this material needed to be wet down and when loaded out must be treated as special waste. He stated he understood and would have this done. We walked this area until we reached the end of where the work had been done. Then we went back to the dumpster area to check the dumpsters.

This inspector looked inside of the dumpsters and found that the material inside of them was dry and broken and the cover over the top was not sealed up. This inspector then told the supervisor that this needed to be wet down and fully covered.



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After the inspection was finished we went over to the office to talk with Mr. Gorniak to let him know what I had found. This inspector explained to Mr. Gorniak that there were violations due to the crushed and crumbled transite and he asked if it was considered friable by us (IEPA). This inspector told Mr. Gorniak that when transite is removed it is supposed to be removed in as full as pieces as possible and minimal breakage. I explained that minimum breakage does not mean a full piece crumbled in half or the amount of small and large pieces of transite that were found while this inspector was walking through the building. He then asked if the material was friable (able to reduce to powder by hand pressure), I explained to him that there were several areas where the bobcat and forklifts had run over the material that was lying on the concrete floor that was reduced to powder and the supervisor agreed with this assessment. This inspector then told Mr. Gorniak that now the material would be considered RACM due to the amount of crushed and crumbled material that had been sighted and photographs taken during the walkthrough with his supervisor. At this point Mr. Gorniak stated he was not going to argue with me he would just address this when he received the violation.

This inspector then stated what was recommended to fix the problems that had been found and he stated that they would take care of the problems. So everything that was found and explained how to correct it was told to both Mr. Gorniak and his supervisor before I left the site. One of the questions that Mr. Gorniak asked when this inspector asked that the material inside the dumpster be wet and then covered over he wanted to know where this rule was and I told him to look it up under disposal since material is supposed to be wet and covered in a leak tight container prior to being taken to an approved landfill.

### **Re-Inspection of site on May 11, 2005**

This inspector arrived at the site unannounced on May 11, 2005 at approximately 9:50 am to re-inspect the project to see if the recommendation from May 5, 2005 had been taken care of. This inspector met with the supervisor again and we started the inspection in the same order that we had progressed through the site on the first day.

We walked along the outside of the building and it looked pretty good there were a couple of pieces of transite still on the ground but he picked them up as we went. There were still items there that needed to be taken care of such as what appeared to be a gutter of fascia lying on the ground along with other misc. debris that would be considered trash and needed to be cleaned up so that it did not blow across the parking lot or the walking path or the factory across from them and the supervisor stated that he would be getting the picked up and disposed of.

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We went into the large building that was more or less an open building due to the roof being gone and the doors being opened. We started where the gondola type containers had been earlier and they were gone and empty. The supervisor stated that they had been taken to the dumpster and wet down and loaded out and removed from the site. The area to the right of this was where the debris pile was being loaded out on the May 5, 2005 inspection is now gone. This inspector had been told that it also had been removed to a dumpster and taken off site. This was the pile of debris that was being moved when I asked the supervisor to get it wet and put it in a lined dumpster and they brought out the fire hose to wet it down while I was there.

The next place that we went to was the area where there was transite debris lying by the double door entrance on the North end of the building. This material had been picked up as well. To the right after going through the door Southward there was a pile of garbage debris lying in a pile and again this inspector told the supervisor that this needed to be picked up so that it does not blow around. He stated he would cover it with poly for now until he can get to it.

As we headed back south through the building there appeared to be about 3 inches of water lying on the floor from the rain this morning. This inspector informed the supervisor that this water would need to be run through a filter before putting down the drain and he stated that he would do that. We then walked through the water section in the center of the building and looked for suspect ACM that maybe remaining on the floor. The center area appeared that it had been cleaned of most of the ACM but we found a couple of pieces that were still there but under the water. The supervisor picked them up at this time.

We left this building and went out to where the dumpsters were and this inspector observed that the dumpster were fully covered at this time and there appeared to be moisture showing on the poly so this item had been completed.

The next building that we went to was the south section where partial roof removal had been done and just inside of the corner of the doorway there was a pile of debris with transite mixed in with it during the first inspection this had been cleaned up on this re-inspection. This item had been corrected as well.

We walked around the parking lot and I noticed that there was insulation along with other debris non-asbestos lying around so at this time the supervisor was instructed to clean this material up daily so that this material does not get blown around to other properties on windy days and the supervisor agreed to do this as well.

We got to talking about how he was getting the transite to the dumpsters and he stated that they were using a special fork lift that tilts to slide the panels inside of the dumpsters but he stated that the first two or three that are put into the dumpsters get broken and then once that was done it was raised enough to put full sheets on top.

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After this part of the inspection was finished this inspector left the work site and went to the Mississippi River side and the park side and walked along the edge of the water and observed debris that matched up with the debris from the work site. Photographs were taken of these items. There were pieces of green insulation, pink insulation board and some yellow insulation lying on the rocks just before the rivers edge. In the park on the rocks were some green insulation board and caution tape photos of this was taken as well.

Attachments: Photographs  
Chain of Custody  
Sample Results

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**Illinois Environmental Protection Agency  
Bureau of Air/FOS/Asbestos  
Division of Air Pollution Control**

**DIGITAL PHOTOGRAPHS**



**Date: May 5, 2005  
Time: ~ 10:30 am  
Direction: West  
Photo by: D. Hancock  
File No: DAH050505~05052005-001  
Comments: Suspect transite lying on the  
ground outside of dumpster area**



**Date: May 5, 2005  
Time: ~10:30 am  
Direction: West  
Photo by: D. Hancock  
File No: DAH050505~05052005-002  
Comments: Another piece of suspect transite  
lying on the ground outside of the building**



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Illinois Environmental Protection Agency  
Bureau of Air/FOS/Asbestos  
Division of Air Pollution Control

### DIGITAL PHOTOGRAPHS



Date: May 5, 2005

Time: ~10:30 am

Direction: Southwest

Photo by: D. Hancock

File No: DAH050505~05052005-003

Comments: Suspect transite debris lying in regular debris alongside of the building on the East side.



Date: May 5, 2005

Time: ~10:30 am

Direction: Southwest

Photo by: D. Hancock

File No: DAH050505~05052005-004

Comments: More transite pieces mixed in with other regular insulation debris. It appeared no pre cleaning or post cleaning was done during the removal of roof material

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Illinois Environmental Protection Agency  
Bureau of Air/FOS/Asbestos  
Division of Air Pollution Control

### DIGITAL PHOTOGRAPHS



Date: May 5, 2005

Time: ~ 10:30 am

Direction: Northwest

Photo by: D. Hancock

File No: DAH050505~05052005-005

Comments: More transite material lying among the regular debris along this section of the building outside



Date: May 5, 2005

Time: ~ 10:35 am

Direction: West

Photo by: D. Hancock

File No: DAH050505~05052005-006

Comments: Transite pieces lying on the ground outside of the building on the east end of building



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**Illinois Environmental Protection Agency**  
**Bureau of Air/FOS/Asbestos**  
**Division of Air Pollution Control**

### **DIGITAL PHOTOGRAPHS**



**Date: May 5, 2005**

**Time: ~10:35 am**

**Direction: Northwest**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-007**

**Comments: Transite material lying outside in  
dusty debris on the east side of the building**



**Date: May 5, 2005**

**Time: ~10:35 am**

**Direction: West**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-008**

**Comments: transite debris lying on the ground  
outside of the building**

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Illinois Environmental Protection Agency  
Bureau of Air/FOS/Asbestos  
Division of Air Pollution Control

### DIGITAL PHOTOGRAPHS



**Date:** May 5, 2005

**Time:** ~10:35 am

**Direction:** Northwest

**Photo by:** D. Hancock

**File No:** DAH050505~05052005-009

**Comments:** More suspect transite debris lying on the ground outside of the east side of the building where the transite roof was removed



**Date:** May 5, 2005

**Time:** ~ 10:35 am

**Direction:** Southwest

**Photo by:** D. Hancock

**File No:** DAH050505~05052005-010

**Comments:** More transite material lying in a debris pile in the Southwest corner of the building outside.



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**Illinois Environmental Protection Agency  
Bureau of Air/FOS/Asbestos  
Division of Air Pollution Control**

### **DIGITAL PHOTOGRAPHS**



**Date: May 5, 2005**

**Time: ~10:40 am**

**Direction: West**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-011**

**Comments: Transite lying on the floor inside c  
the building where the transite roof had been  
removed above this material**



**Date: May 5, 2005**

**Time: ~10:40 am**

**Direction: East**

**Photo By: D. Hancock**

**File No.: DAH050505~05052005-012**

**Comments: More transite debris lying on the  
floor below the roofing area where this was  
removed**

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### **DIGITAL PHOTOGRAPHS**



**Date: May 5, 2005**

**Time: ~10:45 am**

**Direction: East**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-013**

**Comments: More transite lying on the ground**



**Date: May 5, 2005**

**Time: ~10:45 am**

**Direction: Southwest**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-014**

**Comments: Larger pieces of transite lying on the ground among other insulation debris**



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### **DIGITAL PHOTOGRAPHS**



**Date: May 5, 2005**

**Time: ~10:50 am**

**Direction: West**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-015**

**Comments: Transite material lying on the green insulation lying on the concrete along with other debris**



**Date: May 5, 2005**

**Time: ~10:50 am**

**Direction: East**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-016**

**Comments: More transite pieces lying on the ground under where roofing material had been removed from the roof above**

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### DIGITAL PHOTOGRAPHS



Date: May 5, 2005  
Time: ~ 10:50 am  
Direction: East  
Photo by: D. Hancock  
File No: DAH050505~05052005-017  
Comments: More transite debris lying on the ground under where roofing material had been removed



Date: May 5, 2005  
Time: ~10:50 am  
Direction: East  
Photo by: D. Hancock  
File No: DAH050505~05052005-018  
Comments: Transite pieces lying on the ground against the wall area below where roofing material had been removed



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### **DIGITAL PHOTOGRAPHS**



**Date: May 5, 2005**

**Time: ~10:55 am**

**Direction: North**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-019**

**Comments: Transite material that has been reduced to powder after being run over by forklift that was being used inside of the building**



**Date: May 5, 2005**

**Time: 10:55 am**

**Direction: East**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-020**

**Comments: Transite material lying on the table tops inside of building**

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### **DIGITAL PHOTOGRAPHS**



**Date: May 5, 2005**

**Time: ~10:55 am**

**Direction: East**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-021**

**Comments: Small pieces of transite material lying on the ground area**



**Date: May 5, 2005**

**Time: ~10:55 am**

**Direction: East**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-022**

**Comments: Crushed transite material that appeared to have been run over by the forklift or the bobcat that was being used**



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### DIGITAL PHOTOGRAPHS



Date: May 5, 2005

Time: ~ 11:00 am

Direction: South

Photo by: D. Hancock

File No: DAH050505~05052005-023

Comments: Broken transite material lying inside of one of the 8 gondolas inside of the building



Date: May 5, 2005

Time: ~11:00 am

Direction: Southwest

Photo by: D. Hancock

File No: DAH050505~05052005-024

Comments: More of the 8 gondolas filled with broken pieces of transite material inside of the building. Ziggy (Supervisor) stated they have been there for approximately 3 days. All of this material in the gondolas was dry.

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### **DIGITAL PHOTOGRAPHS**



**Date: May 5, 2005**

**Time: 11:00 am**

**Direction: East**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-025**

**Comments: Closer view of broken transite material lying in the gondola inside of the building**



**Date: May 5, 2005**

**Time: ~ 11:00 am**

**Direction: East**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-026**

**Comments: Another view of the gondolas filled with broken transite that was among the 8 gondolas that were filled with dry material**



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## DIGITAL PHOTOGRAPHS



Date: May 5, 2005

Time: ~ 11:00 am

Direction: Southeast

Photo by: D. Hancock

File No: DAH050505~05052005-027

Comments: Another view of the other gondola that were filled with dry broken transite material that had been sitting there for approximately 3 days



Date: May 5, 2005

Time: ~11:00 am

Direction: Southeast

Photo by: D. Hancock

File No: DAH050505~05052005-028

Comments: Another photo of the gondola boxes containing dry broken transite material

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### **DIGITAL PHOTOGRAPHS**



**Date:** May 5, 2005  
**Time:** ~ 11:00 am  
**Direction:** Southeast  
**Photo by:** D. Hancock  
**File No:** DAH050505~05052005-029  
**Comments:** A piece of dry broken transite material lying on the ground away from the gondola box.



**Date:** May 5, 2005  
**Time:** ~11:05 am  
**Direction:** Southeast  
**Photo by:** D. Hancock  
**File No:** DAH050505~05052005-030  
**Comments:** final gondola box in this area showing the dry broken transite material lying inside



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### **DIGITAL PHOTOGRAPHS**



**Date: May 5, 2005**

**Time: ~11:05 am**

**Direction: Northeast**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-031**

**Comments: Scattered transite debris lying on tables and floor area inside of the building material was dry at this time**



**Date: May 5, 2005**

**Time: ~11:05 am**

**Direction: East**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-032**

**Comments: Photo of scattered broken dry transite material lying on the floor inside of the building on the east section of building below where transite roofing was removed**

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### DIGITAL PHOTOGRAPHS



Date: May 5, 2005

Time: ~11:10 am

Direction: West

Photo by: D. Hancock

File No: DAH050505~05052005-033

Comments: Photo showing a section of broken transite hanging down from the center of the roof next to the green stanchion.



Date: May 5, 2005

Time: ~11:10 am

Direction: East

Photo by: D. Hancock

File No: DAH050505~05052005-034

Comments: another photo showing another piece of broken transite at the corner of the beam showing it was a broken piece and not removed in a full section.



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## DIGITAL PHOTOGRAPHS



Date: May 5, 2005

Time: ~11:15 am

Direction: West

Photo by: D. Hancock

File No: DAH050505~05052005-035

Comments: Photo showing broken transite still up on the roof at the left side of photo



Date: May 5, 2005

Time: ~11:15 am

Direction: West

Photo by: D. Hancock

File No: DAH050505~05052005-036

Comments: Dry transite material in a gondola box showing that the screws that were suppose to have been cut off were still screwed through the roofing transite material.

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### DIGITAL PHOTOGRAPHS



Date: May 5, 2005

Time: ~11:20 am

Direction: North

Photo by: D. Hancock

File No: DAH050505~05052005-037

Comments: Photo of sample of transite material taken from debris pile on the east side of the building



Date: May 5, 2005

Time: ~11:20 am

Direction: South

Photo by: D. Hancock

File No: DAH050505~05052005-038

Comments: Broken dry transite lying on the floor next to a pair of gloves



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### **DIGITAL PHOTOGRAPHS**



**Date: May 5, 2005**

**Time: ~11:20 am**

**Direction: North**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-039**

**Comments: Photo of insulation and small piece of transite material lying on the floor on the east side of building**



**Date: May 5, 2005**

**Time: ~11:20 am**

**Direction: North**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-040**

**Comments: Sample taken on transite material lying on the floor with the insulation**

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### DIGITAL PHOTOGRAPHS



Date: May 5, 2005

Time: ~11:25 am

Direction: North

Photo by: D. Hancock

File No: DAH050505~05052005-041

Comments: Photo showing sample of insulation material taken from pile of debris on the east side of the building



Date: May 5, 2005

Time: ~11:25 am

Direction: North

Photo by: D. Hancock

File No: DAH050505~05052005-042

Comments: More photos of broken dry transite lying on the floor inside of the open building some of it is crushed by either the bobcat or forklift



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### DIGITAL PHOTOGRAPHS



Date: May 5, 2005

Time: ~11:25 am

Direction: Northwest

Photo by: D. Hancock

File No: DAH050505~05052005-043

Comments: Photo showing a section of broken transite material lying on the beams of the roof this piece again shows that the transite sheet was not removed in as full a sheet as possible



Date: May 5, 2005

Time: ~11:25 am

Direction: West

Photo by: D. Hancock

File No: DAH050505~05052005-044

Comments: Photo showing broken pieces of transite that was between two beams and not removed at this time

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### DIGITAL PHOTOGRAPHS



Date: May 5, 2005

Time: ~ 11:25 am

Direction: South

Photo by: D. Hancock

File No: DAH050505~05052005-045

Comments: Photo showing more pieces of small transite material dry lying on the floor inside of the building



Date: May 5, 2005

Time: ~11:25 am

Direction: North

Photo by: D. Hancock

File No: DAH050505~05052005-046

Comments: Crumbled transite lying on the floor of the building that may have been run over by the equipment that was being used inside of the building



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### DIGITAL PHOTOGRAPHS



Date: May 5, 2005

Time: ~11:30 am

Direction: North

Photo by: D. Hancock

File No: DAH050505~05052005-047

Comments: Photo showing pieces of broken dr  
transite lying in among the insulation debris on  
the floor in the center of the building



Date: May 5, 2005

Time: ~11:30 am

Direction: North

Photo by: D. Hancock

File No: DAH050505~05052005-048

Comments: Photo showing broken and crushed  
transite material lying on the floor among  
insulation debris

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### DIGITAL PHOTOGRAPHS



Date: May 5, 2005

Time: ~11:30 am

Direction: Northeast

Photo by: D. Hancock

File No: Dah050505~05052005-049

Comments: Photo showing small broken and crushed transite pieces lying on the floor against the east edge of the building



Date: May 5, 2005

Time: ~11:30 am

Direction: North

Photo by: D. Hancock

File No: DAH050505~05052005-050

Comments: broken dry pieces of transite material lying on the floor among other debris



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**DIGITAL PHOTOGRAPHS**



**Date: May 5, 2005  
Time: ~11:30 am  
Direction: Northwest  
Photo by: D. Hancock  
File No: DAH050505~05052005-051  
Comments: Photo showing another piece of dry, broken transite lying in the middle of the floor area**



**Date: May 5, 2005  
Time: ~11:30 am  
Direction: North  
Photo by: D. Hancock  
File No: DAH050505~05052005-052  
Comments: Photo showing transite lying on the floor among insulation debris**

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### **DIGITAL PHOTOGRAPHS**



**Date: May 5, 2005**

**Time: ~11:30 am**

**Direction: Down**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-053**

**Comments: Photo showing a piece of dry transite that appears to have been run over by the equipment being used on the site**



**Date: May 5, 2005**

**Time: ~11:30 am**

**Direction: South**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-054**

**Comments: Photo showing broken dry transite pieces of material lying on the floor among other misc. debris**



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### **DIGITAL PHOTOGRAPHS**



**Date: May 5, 2005**

**Time: ~11:30 am**

**Direction: North**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-055**

**Comments: Photo showing small pieces of transite lying on the floor among other misc. debris**



**Date: May 5, 2005**

**Time: ~11:35 am**

**Direction: West**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-056**

**Comments: Photo showing broken pieces of transite lying on the roof with the broken edge showing**

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### DIGITAL PHOTOGRAPHS



Date: May 5, 2005

Time: ~11:35 am

Direction: West

Photo by: D. Hancock

File No: DAH050505~05052005-057

Comments: Another photo showing the broken transite still on the roof appears to be under a vent stack of some type



Date: May 5, 2005

Time: ~11:35 am

Direction: West

Photo by: D. Hancock

File No: DAH050505~05052005-058

Comments: Photo showing a broken piece of transite still hung up between the beams of the roof



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### **DIGITAL PHOTOGRAPHS**



**Date: May 5, 2005**

**Time: ~11:35 am**

**Direction: West**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-059**

**Comments: Photo showing another small piece of transite hung on the beams from the roof**



**Date: May 5, 2005**

**Time: ~11:35 am**

**Direction: West**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-060**

**Comments: Photo showing another section of broken transite stuck on top of the beams of the roof**

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### DIGITAL PHOTOGRAPHS



Date: May 5, 2005

Time: ~11:35 am

Direction: East

Photo by: D. Hancock

File No: DAH050505~05052005-061

Comments: Photo showing another broken piece of transite lying on the beams of the roof

Date: May 5, 2005

Time: ~11:35 am

Direction: East

Photo by: D. Hancock

File No: DAH050505~05052005-062

Comments: Photo showing pile of insulation which also contained pieces of transite Ziggy was told to treat as all contaminated special waste



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### DIGITAL PHOTOGRAPHS



Date: May 5, 2005

Time: ~11:40 am

Direction: North

Photo by: D. Hancock

File No: DAH050505~05052005-063

Comments: Photo showing several broken pieces of transite lying in the doorway at the far South section of the building



Date: May 5, 2005

Time: ~11:40 am

Direction: South

Photo by: D. Hancock

File No: DAH050505~05052005-064

Comments: Photo showing small pieces of transite lying on the floor in center of building east side

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### **DIGITAL PHOTOGRAPHS**



**Date: May5, 2005**

**Time: ~11:40 am**

**Direction: South**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-065**

**Comments: Photo showing a pile of transite made friable by being crushed by equipment running through the building**



**Date: May 5, 2005**

**Time: ~11:40 am**

**Direction: South**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-066**

**Comments: Photo of another pile of crushed transite that appeared to have been run over by their equipment being used in the building**



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### **DIGITAL PHOTOGRAPHS**



**Date: May 5, 2005**  
**Time: ~11:45 am**  
**Direction: South**  
**Photo by: D. Hancock**  
**File No: DAH050505~05052005-067**  
**Comments: Photo of transite and misc. debris lying on the floor through the center of the building that had transite roofing removed**



**Date: May 5, 2005**  
**Time: ~11:45 am**  
**Direction: South**  
**Photo by: D. Hancock**  
**File No: DAH050505~05052005-068**  
**Comments: Photo showing more transite and insulation lying in the center area of the building floor where the transite roof was removed**



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### DIGITAL PHOTOGRAPHS



Date: May 5, 2005

Time: ~11:45 am

Direction: South

Photo by: D. Hancock

File No: DAH050505~05052005-069

Comments: Photo showing transite pieces mixed in with other misc. debris through the center of the building where the transite roof was removed



Date: May 5, 2005

Time: ~11:45 am

Direction: South

Photo by: D. Hancock

File No: DAH050505~05052005-070

Comments: More transite lying on the floor through the center of the building where the transite roof was removed

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### DIGITAL PHOTOGRAPHS



Date: May 5, 2005  
Time: ~11:45 am  
Direction: South  
Photo by: D. Hancock  
File No: DAH050505~05052005-071  
Comments: Another photo of transite pieces lying on the floor through the center of the building where the transite roof was removed



Date: May 5, 2005  
Time: ~11:45 am  
Direction: South  
Photo by: D. Hancock  
File No: DAH050505~05052005-072  
Comments: Photo showing the transite and misc. debris through the entire center section of the east building.



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### **DIGITAL PHOTOGRAPHS**



**Date: May 5, 2005**

**Time: ~11:45 am**

**Direction: South**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-073**

**Comments: More transite and misc. debris scattered throughout the center of the east building**



**Date: May 5, 2005**

**Time: ~11:45 am**

**Direction: South**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-074**

**Comments: Another photo of some more transite and misc. debris scattered throughout the center of the building where the transite roof was removed**



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### **DIGITAL PHOTOGRAPHS**



**Date: May 5, 2005**

**Time: ~11:50 am**

**Direction: East**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-075**

**Comments: Transite and misc. debris scattered throughout the north section of the building where the transite roof was removed**



**Date: May 5, 2005**

**Time: ~11:50 am**

**Direction: East**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-076**

**Comments: Photo of more transite broken and dry lying on the floor some of this was crushed apparently by the equipment used in the building**

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### **DIGITAL PHOTOGRAPHS**



**Date: May 5, 2005**

**Time: ~11:50 am**

**Direction: South**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-077**

**Comments: Photo showing more broken transite lying on the floor underneath where transite roofing was removed**



**Date: May 5, 2005**

**Time: ~11:50 am**

**Direction: East**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-078**

**Comments: photo showing transite broken and dry lying on the floor on the South side of the building**



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### **DIGITAL PHOTOGRAPHS**



**Date: May 5, 2005**

**Time: ~11:50 am**

**Direction: East**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-079**

**Comments: Transite and insulation material  
lying on the floor of the South end of the  
building below where transite roofing material  
was removed**



**Date: May 5, 2005**

**Time: ~11:50 am**

**Direction: South**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-080**

**Comments: Photo showing the broken and dry  
transite lying on the floor underneath where th  
transite roofing was removed**



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### DIGITAL PHOTOGRAPHS



Date: May 5, 2005

Time: ~11:55 am

Direction: East

Photo by: D. Hancock

File No: DAH050505~05052005-081

Comments: Photo showing broken transite still not removed from the roof at this time it seems as though this material may be caught between the beam sections.



Date: May 5, 2005

Time: ~ 11:55 am

Direction: South

Photo by: D. Hancock

File No: DAH050505~05052005-082

Comments: Photo of transite material lying on the floor under where transite roofing was removed

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## **DIGITAL PHOTOGRAPHS**



**Date: May 5, 2005**

**Time: ~11:55 am**

**Direction: Down**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-083**

**Comments: Photo showing the uncovered and dry transite panels that were broken and inside of uncovered dumpster**



**Date: May 5, 2005**

**Time: ~11:55 am**

**Direction: Down**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-084**

**Comments: Another photo of dry broken uncovered transite inside of the dumpster**



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### **DIGITAL PHOTOGRAPHS**



**Date: May 5, 2005**

**Time: ~11:55 am**

**Direction: Down**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-085**

**Comments: Another photo of uncovered broken and dry transite inside of the dumpster**



**Date: May 5, 2005**

**Time: ~11:55 am**

**Direction: South**

**Photo by: D. Hancock**

**File No: DAH050505~05052005-086**

**Comments: Pile of debris in the corner of the South building with small pieces of transite in it.**



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## DIGITAL PHOTOGRAPHS



Date: May 5, 2005

Time: ~11:55 am

Direction: South

Photo by: D. Hancock

File No: DAH050505~05052005-087

Comments: Closer photo of the above shot of debris and small transite pieces in the pile



Date: May 5, 2005

Time: ~11:55 am

Direction: West

Photo by: D. Hancock

File No: DAH050505~05052005-088

Comments: Crushed and pulverized transite roofing material in center of the South section of the building going West

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## DIGITAL PHOTOGRAPHS



Date: May 5, 2005

Time: ~11:5am

Direction: West

Photo by: D. Hancock

File No: DAH050505~05052005-089

Comments: More photos of dry broken transite lying on the floor going west in the South section of the building



Date: May 5, 2005

Time: ~11:55 am

Direction: West

Photo by: D. Hancock

File No: DAH050505~05052005-090

Comments: Piece of transite hanging from the ceiling joists looking west in the South section of the building



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Bureau of Air/FOS/Asbestos  
Division of Air Pollution Control**

### **DIGITAL PHOTOGRAPHS**



**Date: May 5, 2005**

**Time: ~11:55 am**

**Direction: West**

**Photo by: D. Hancock**

**File No: DAH0505055052005-091**

**Comments: Photo of piece of transite still up on the beams showing a lot of breakage**



**Date: May 5, 2005**

**Time: ~11:55 am**

**Direction: East**

**Photo by: D. Hancock**

**File No: DAH050505-05052005-092**

**Comments: Pieces of transite still lying on the roof area on the back side of the insulation hanging down**



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Bureau of Air/FOS/Asbestos  
Division of Air Pollution Control

### **DIGITAL PHOTOGRAPHS**



Date: May 5, 2005

Time: ~11:55 am

Direction: East

Photo by: D. Hancock

File No: DAH050505~05052005-093

Comments: Photo showing edges of transite on  
the beams across the top

**PHOTOGRAPHS FROM RE INSPECTION ON MAY  
11, 2005**

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Division of Air Pollution Control**

### **DIGITAL PHOTOGRAPHS**



**Date: May 11, 2005**

**Time: ~9:45 am**

**Direction: North**

**Photo by: D. Hancock**

**File No: DAH051105~05112005-001**

**Comments: Photo looking across the fence from the property next door to see if I was able to get a better view of the roofing condition.**



**Date: May 11, 2005**

**Time: ~9:45 am**

**Direction: North**

**Photo by: D. Hancock**

**File No: DAH051105~05112005-002**

**Comments: Photo looking across the fence from the property next door to see if I was able to get a better look at the condition of the roof before removed**



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### DIGITAL PHOTOGRAPHS



Date: May 11, 2005

Time: ~9:45 am

Direction: North

Photo by: D. Hancock

File No: DAH051105~05112005-003

Comments: A closer photo to see what condition the roofing was prior to removal



Date: May 11, 2005

Time: ~9:45 am

Direction: North

Photo by: D. Hancock

File No: DAH051105~05112005-004

Comments: Closer photo to see the condition of the roofing material prior to removal



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### **DIGITAL PHOTOGRAPHS**



**Date: May 11, 2005**

**Time: ~10:00 am**

**Direction: North**

**Photo by: D. Hancock**

**File No: DAH051105~05112005-005**

**Comments: Water on the floor of the inside of the building due to storm in the morning area appeared cleaned up but supervisor was informed to filter the water from this water since there was dust and broken transite lying on the floor in this area on first inspection**



**Date: May 11, 2005**

**Time: ~10:00 am**

**Direction: South**

**Photo by: D. Hancock**

**File No: DAH051105~05112005-006**

**Comments: Photo of loading dock area that appeared to have at least 3 inches more of rain water from the storm. Asbestos was found at the entrance to this doorway on first inspection and appeared to have been cleaned up.**

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### DIGITAL PHOTOGRAPHS



Date: May 11, 2005  
Time: ~10:10 am  
Direction: North  
Photo by: D. Hancock  
File No: DAH051105~05112005-007  
Comments: Photo showing that the area where the gondolas were at are now gone and area cleaned up. A couple of small pieces were found during this inspection but were picked up by the supervisor during the inspection



Date: May 11, 2005  
Time: ~10:10 am  
Direction: South  
Photo by: D. Hancock  
File No: DAH051105~05112005-008  
Comments: Photo showing where asbestos material had been observed during initial inspection and now appears to have been cleaned up.



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### **DIGITAL PHOTOGRAPHS**



**Date: May 11, 2005**

**Time: ~10:20 am**

**Direction: East**

**Photo by: D. Hancock**

**File No: DAH051105~05112005-009**

**Comments: Photo still showing trash material still lying around the work site area inside of the building. Supervisor was told to clean this up and try to do a good cleanup everyday prior to leaving site so debris does not blow around the property or go over to some other properties and he agreed to do this**



**Date: May 11, 2005**

**Time: ~10:20 am**

**Direction: Southeast**

**Photo by: D. Hancock**

**File No: DAH051105~05112005-010**

**Comments: Center area of building that was containing water where the cleanup needed to be picked up. There were a couple of small pieces of transite still under the water but the supervisor picked those up during the inspection**



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### DIGITAL PHOTOGRAPHS



Date: May 11, 2005  
Time: ~10:25 am  
Direction: East  
Photo by: D. Hancock  
File No: DAH051105~05112005-011  
Comments: Photo showing where a lot of debris was located during the initial inspection and appears to be cleaned up at this time.



Date: May 11, 2005  
Time: ~10:30 am  
Direction: South  
Photo by: D. Hancock  
File No: DAH051105~05112005-012  
Comments: Area where transite and insulation had been piled up during initial inspection has been cleaned up

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### **DIGITAL PHOTOGRAPHS**



**Date: May 11, 2005**

**Time: ~10:30 am**

**Direction: West**

**Photo by: D. Hancock**

**File No: DAH051105~05112005-013**

**Comments: Photo showing where material had been during the initial inspection and now appears to be cleaned up**



**Date: May 11, 2005**

**Time: ~12:00 pm**

**Direction: East**

**Photo by: D. Hancock**

**File No: DAH051105~05112005-014**

**Comments: Photo taken of river banks of the Mississippi River from the dock area**



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## DIGITAL PHOTOGRAPHS



**Date:** May 11, 2005

**Time:** ~12:00 pm

**Direction:** Southeast

**Photo by:** D. Hancock

**File No:** DAH051105~05112005-015

**Comments:** Photo of bank area where misc. debris was seen but camera was not able to pick up until I moved closer



**Date:** May 11, 2005

**Time:** ~12:05 pm

**Direction:** Southeast

**Photo by:** D. Hancock

**File No:** DAH051105~05112005-016

**Comments:** Another photo where misc. debris was seen but unable to pick up with camera until I moved closer



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### **DIGITAL PHOTOGRAPHS**



**Date: May 11, 2005**

**Time: ~12:15 pm**

**Direction: South**

**Photo by: D. Hancock**

**File No: DAH051105~05112005-017**

**Comments: Photo showing close up of green insulation board lying on the rocks next to the banks of the Mississippi River.**



**Date: May 11, 2005**

**Time: ~12:15 pm**

**Direction: South**

**Photo by: D. Hancock**

**File No: DAH051105~05112005-018**

**Comments: Another photo of more green insulation board lying on the rocks along the banks of the Mississippi River**



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### **DIGITAL PHOTOGRAPHS**



**Date: May 11, 2005  
Time: ~12:15 pm  
Direction: South  
Photo by: D. Hancock  
File No: DAH051105~05112005-019  
Comments: Another photo of more insulation green matching material from the demo site lying in the grassy area along the Mississippi River**



**Date: May 11, 2005  
Time: ~12:20 pm  
Direction: South  
Photo by: D. Hancock  
File No: DAH051105~05112005-020  
Comments: Another piece of green insulation board lying in the sand area next to the Mississippi river**



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## **DIGITAL PHOTOGRAPHS**



**Date: May 1, 2005**

**Time: ~12:20 pm**

**Direction: Southwest**

**Photo by: D. Hancock**

**File No: DAH051105~05112005-021**

**Comments: More green insulation board lying on the beach area of the Mississippi River**



**Date: May 11, 2005**

**Time: ~12:20 pm**

**Direction: East**

**Photo by: D. Hancock**

**File No: DAH051105~05112005-022**

**Comments: More green insulation board up in the rocks on the park side of the demolition site**

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### **DIGITAL PHOTOGRAPHS**



**Date: May 11, 2005**

**Time: ~12:25 pm**

**Direction: East**

**Photo by: D. Hancock**

**File No: DAH051105~05112005-023**

**Comments: Caution tape lying in the park area  
from the demo site across the fence**



**Date: May 11, 2005**

**Time: ~11:30 pm**

**Direction: South**

**Photo by: D. Hancock**

**File No: DAH051105~05112005-024**

**Comments: Inside of the building showing the  
piping that is to be removed by Champion as  
soon as the prepping is completed**



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### **DIGITAL PHOTOGRAPHS**



**Date: May 11, 2005**

**Time: ~12:30 pm**

**Direction: West**

**Photo by: D. Hancock**

**File No: DAH051105~05112005-025**

**Comments: More of the piping to be removed by Champion after prepping is completed**



**Date: May 11, 2005**

**Time: ~12:30 pm**

**Direction: South**

**Photo by: D. Hancock**

**File No: DAH051105~05112005-026**

**Comments: More of the piping that has to be removed on the inside of the building**

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Bureau of Air/FOS/Asbestos  
Division of Air Pollution Control

### DIGITAL PHOTOGRAPHS



Date: May 11, 2005

Time: ~12:30 pm

Direction: South

Photo by: D. Hancock

File No: DAH051105~05112005-027

Comments: Another view of the piping to be removed by gross removal with enclosure that are being set up at this time



Date: May 11, 2005

Time: ~12:30 pm

Direction: South

Photo by: D. Hancock

File No: DAH051105~05112005-028

Comments: Another view of the piping that is getting prepped for removal from inside of the building



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## **DIGITAL PHOTOGRAPHS**



**Date: May 11, 2005**

**Time: ~12:45 pm**

**Direction: East**

**Photo by: D. Hancock**

**File No: DAH051105~05112005-029**

**Comments: Photo of the Case plant where  
demolition has already taken place.**

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Case I H Plant  
Asbestos Complaint

## **ASBESTOS INSPECTION MEMORANDUM**

**Date:** September 28, 2005

**Date of Inspection:** September 28, 2005

**To:** Dale Halford

**Last Inspection Date:** May 11, 2005

**From:** Dennis Hancock

**Reg/Dist:** II/ASB

**Facility:** Former Case I H Plant  
1100 3<sup>rd</sup> Street  
East Moline, Illinois 61244  
Security Phone number: 630-918-1307

**Owner:** CNH Global America LLC

**Contact:** East Moline, Illinois 61244  
Rich Nelson, senior director of external Communications

**Contractor:** Champion Environmental Services Inc.  
38 West End Drive  
Gilberts, Illinois 60136

**Contact:** Dominic Gorniak 847-844-1695

### **Reason for Inspection:**

This inspector received a phone call from Justin at OSHA on September 27, 2005 that it was reported to him that a worker had fallen from the roof at the I.H. Case plant and he was on his way down to the site. This inspector explained that I had planned an inspection on the 28<sup>th</sup> and asked if he would like to go with me on that one as well. He agreed and said he would be going on the 27<sup>th</sup> and with me on the 28<sup>th</sup>.

The inspection on the 28<sup>th</sup> was a follow-up inspection due to previous alleged violations at this site.

### **Findings:**

We arrived at the site location at approximately 11:00 am and the sun was out and weather was approximately 70 degrees. Justin and I parked approximately a street away



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Case I.H. Plant

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and watched through binoculars at what the workers were doing on the roof area of the I.H. Case building. We observed approximately 8 workers on the roof wearing tyvek suits and respirators, one worker appeared to have a face shield on and we were not able to tell if he had a respirator on or not. Ziggy was sitting on the top ridge of the roof watching the workers; he did not have tyvek, respirator or harness on at this time. The workers were again using hammers to break the transite loose and then used a spud bar to pry the panel off of the roof. Then two of them would slide the transite panels down the roof. At one point it was observed that as a small panel was being slid down the roof it was hit with a hammer and it broke. Another of the workers was removing the insulation and tossing it down through the roof to the floor below. According to Ziggy they were using a cutting torch to cut the bolts on top of the roof and then prying up the pieces. There was no cutting torch of any kind on the roof during this removal that was taking place just hammers and spud bars.

We observed at least one of the workers pushing an apparent broken transite sheet through the hole in the roof apparently it did not go through the first time so he pushed it again and it fell through. This happened approximately 3 times while we were watching. The reason we watched from a distance is because the minute I pull through the gate area to head to the area where the workers are they leave the roof and take a lunch break until I leave the site. This way we were able to see what was going on before they saw us.

At approximately 11:30 am they left the roof and broke for lunch. Justin and I went to lunch at the same time and then we would go into the site after lunch after first looking to see if they were back on the roof. When we arrived back at the area that we were first watching them the rain was pouring down and no one was on the roof at this time.

Both Justin and I went to the site location and checked in and went in where the work was taking place earlier in the day. Underneath the area where they were removing and sliding the transite sheets down was a dumpster and inside of the dumpster was broken transite panels. This was a 30 yard dumpster and it was just about full of busted up transite. The material was wet at this time due to the fact that it was raining hard through the open roof and the floor and everything was soaking wet. I asked the supervisor on site about the broken transite and his explanation was that he put the panels inside of the dumpster and then pushed down on them with the lift he was on to break them up so more could be fit into the dumpster and not be sticking out and they could be covered with the poly easier.

As I was getting ready to take pictures of the inside of the dumpster one of the workers started to close up the poly on it. This inspector asked the supervisor to tell him to wait until I took my pictures of the inside of the dumpster. The supervisor then told the worker to wait until this inspector was finished. While checking photos batteries went dead and this photo did not show up.

This inspector looked up at the roof area and did see some transite sheets against the wall on the roof but it was not enough to account for all of the transite that was

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removed from this section of the roof. The workers were using brooms and shovels to clean up the floor when Justin and I arrived in the work area. Brooms are not to be used in any area where there may be asbestos lying on the floor. The floor was cleaned up by the time we arrived in the work area.

Justin at this point went to do his own inspection while this inspector went to the area where Ziggy was to observe the work that was done on the piping that was running throughout the building. After talking to Ziggy it had been decided that he said he took my advice and split the building into separate sections to do the pipe removal instead of a single containment. This inspector said I can't tell you what to do on these jobs its just a suggestion and then he stated and it was a good one that worked for us. At this time we walked around the site where the insulation had been removed from the piping. No debris was found on the floor except for some paint that had fallen off other bare pipes on the east end of the building.

In one of the hallways we observed some suspect debris lying on the floor and we took side-by-side samples of this in two locations. One was in the hallway and the second was in the same hallway but in a cubbyhole area. On our way back out of the building another piece of suspect slate material with 3 layers on it was observed on the floor and another side-by-side sample was taken of this.

About this time Justin from OSHA arrived at our location and we started talking to Ziggy regarding the worker that fell off of the roof. Ziggy stated that he has told these guys everyday to tie off when they are working on the roof but none of them do and now a worker fell and broke his femur. His statement was that he was not at the location where it happened but he was told that one worker handed the worker that fell a sheet of transite and the worker that fell turned and put his foot through the transite on the roof and fell through the roof and landed on the concrete below. But he said that is what he was told but like he said he was not at the location when it happened. The other supervisor told me the same thing. Justin stated that the day before he was told that the worker fell off a ladder but there was no ladder anywhere around the area.

This inspector then asked Ziggy if he had a copy of the survey yet and he stated that he has asked Dominic for it several times since I have asked for it and Dominic will not give it to him. This inspector then told Ziggy that the survey was supposed to be on the job site and the reason for this is when an inspection is done and something is found the inspector can refer to the survey to see if this material had been sampled and whether or not it is asbestos or not. Ziggy again stated he has asked Dominic for it and Dominic will not give it to him.

I had talked to the Attorney Generals office J. Homan regarding this and she stated that Champion's attorney has also been asked for this and its been a month and she still has not received a copy so she was going to call them again today to find out where the copy of the survey is as well as other documents that have been asked for and never received.



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Case I.H. Plant

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At this time this inspector and Justin left the site to return to our offices. We will continue to monitor this site until the project is completed. From our observations today it appears that they are still doing the same removal techniques that they had done previously but had it cleaned up off the floor before we were able to see it lying on the concrete.

Attachments: Photographs  
Chain of Custody  
Sample results

CC: Ed Bakowski, Manager BOA FOS  
Dale Halford, Manager Asbestos Unit  
Chris Pressnall, DLC  
J. Homan, AG'S office  
Dennis Hancock, Asbestos Field Unit  
Champion File

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Case I.H. Plant

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### DIGITAL PHOTOGRAPHS



Date: September 28, 2005

Time: ~11:00 am

Direction: North

Photo by: D. Hancock

File No: DAH092805~09282005-001

Comments: Workers on the roof of I. H. Case building removing transite. Picture blurred due to tree leaves in the way.

Date: September 28, 2005

Time: ~11:00 am

Direction: North

Photo by: D. Hancock

File No: DAH092805~09282005-002

Comments: Clearer photo of workers on the roof not tied off and removing the transite sheets. Ziggy on roof peak with no protection at all on at this time.



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### DIGITAL PHOTOGRAPHS



Date: September 28, 2005  
Time: ~ 11:10 am  
Direction: North  
Photo by: D. Hancock  
File No: DAH092805~09282005-003  
Comments: Workers sliding down a sheet of transite on the roof



Date: September 28, 2005  
Time: ~ 11:10 am  
Direction: North  
Photo by: D. Hancock  
File No: DAH092805~09282005-004  
Comments: Workers inside of building under area where transite was removed using brooms and shovels to clean up the floor. The dumpster was lined with poly but filled with broken transite pieces. Supervisor stated that he busted them up after putting them in the dumpster so it would make more room and the poly would not poke holes from the transite. A violation of crumbling by forces used upon it to make it friable

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SEP-26-2005 11:49 AM STATANALYSIS

312 733 7544

P.02/02

Laboratory: Stat Analysis Address: 2255 West Harrison Chicago, Illinois	Contact: (IEPA Inspector) Dennis Hancock
Project Name: IH Case Plant Project Address: 1100 3 <sup>rd</sup> St. Moline, Illinois	Contractor/Owner: Champion Environmental Inc. Owner/Contractor Address 38 West End Drive Gliberts, Illinois
Collector: Dennis Hancock	ASHERA Inspector Number: IAS42

Sample Identification	Date Collected	Location/Description
928-001	09/28/05	White debris west end of bldg on floor
928-002	09/28/05	White debris west end of bldg in cubby hole
928-003	09/28/05	Blue/black/white debris lying in center aisle

Released by (Signature)	Date/Time Released	Delivery Method	Received by (Signature)	Co/Agency Affiliation	Date/Time	Condition Noted
<i>[Signature]</i>	9/28/05 4:50 PM	UPS	<i>[Signature]</i>	STAT	9/28/05 4:50 PM	

Disposition Of Samples: Return to Dale Halford Springfield Illinois
Remarks, Special Instructions: <b>ASAP Rush</b> Fax results to Dale Halford @ 1-217-782-1876. Thank You. Fax results to Dennis Hancock @ 1-815-223-2486



## Attachment C

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Case I.H. Plant  
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**Photographs taken by Justin Sternes with OSHA on  
September 27, 28, 2005.**

**DIGITAL PHOTOGRAPHS From OSHA**



Date: September 27, 2005  
Time:  
Direction:  
Photo by:  
File No:  
Comments:



Date: September 27, 2005  
Time:  
Direction:  
Photo by:  
File No:  
Comments:



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**DIGITAL PHOTOGRAPHS From OSHA**



Date: September 27, 2005  
Time:  
Direction:  
Photo by:  
File No:  
Comments:



Date: September 27, 2005  
Time:  
Direction:  
Photo by:  
File No:  
Comments:

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**DIGITAL PHOTOGRAPHS From OSHA**



Date: September 27, 2005  
Time:  
Direction:  
Photo by:  
File No:  
Comments:



Date: September 27 2005  
Time:  
Direction:  
Photo by:  
File No:  
Comments:



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**DIGITAL PHOTOGRAPHS From OSHA**



Date: September 27, 2005  
Time:  
Direction:  
Photo by:  
File No:  
Comments:



Date: September 28, 2005  
Time:  
Direction:  
Photo by:  
File No:  
Comments:

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**DIGITAL PHOTOGRAPHS From OSHA**



Date: September 28, 2005  
Time:  
Direction:  
Photo by:  
File No:  
Comments:



Date: September 28, 2005  
Time:  
Direction:  
Photo by:  
File No:  
Comments:



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**DIGITAL PHOTOGRAPHS From OSHA**



Date: September 28, 2005  
Time:  
Direction:  
Photo by:  
File No:  
Comments:



Date: September 28, 2005  
Time:  
Direction:  
Photo by:  
File No:  
Comments:

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**DIGITAL PHOTOGRAPHS From OSHA**



Date: September 28, 2005  
Time:  
Direction:  
Photo by:  
File No:  
Comments:



Date: September 28, 2005  
Time:  
Direction:  
Photo by:  
File No:  
Comments:



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**DIGITAL PHOTOGRAPHS From OSHA**



Date: September 28, 2005  
Time:  
Direction:  
Photo by:  
File No:  
Comments:



Date: September 28, 2005  
Time:  
Direction:  
Photo by:  
File No:  
Comments:

I.D.#: 161 ASB  
Case I.H. Plant  
Page 17

**DIGITAL PHOTOGRAPHS From OSHA**



Date: September 28, 2005  
Time:  
Direction:  
Photo by:  
File No:  
Comments:



Date: September 28, 2005  
Time:  
Direction:  
Photo by:  
File No:  
Comments:



I.D.#: 161 ASB  
Case I.H. Plant  
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**DIGITAL PHOTOGRAPHS From Osha**



Date: September 28, 2005  
Time:  
Direction:  
Photo by:  
File No:  
Comments:



Date: September 28, 2005  
Time:  
Direction:  
Photo by:  
File No:  
Comments:

I.D.#: 161 ASB  
Case I.H. Plant  
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**DIGITAL PHOTOGRAPHS From Osha**



Date: September 28, 2005  
Time:  
Direction:  
Photo by:  
File No:  
Comments:



Date: September 28, 2005  
Time:  
Direction:  
Photo by:  
File No:  
Comments:





ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-3397

JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

I.D.#: 161 ASB

I.H. Case Building

Follow up Inspection

**ASBESTOS INSPECTION MEMORANDUM**

**Date:** March 2, 2006

**Date of Inspection:** March 1, 2006

**To:** Dale Halford

**Last Inspection Date:** None

**From:** Dennis Hancock

**Reg/Dist:** II/ASB

**Facility:** Former Case I H Plant  
1100 3<sup>rd</sup> Street  
East Moline, Illinois 61244  
Security Phone number: 630-918-1307

**Owner:** CNH Global America LLC

**Contact:** East Moline, Illinois 61244  
Rich Nelson, senior director of external Communications

**Contractor:** Champion Environmental Services Inc.  
38 West End Drive  
Gilberts, Illinois 60136

**Contact:** Dominic Gorniak 847-844-1695

**Reason for Inspection**

This was a follow up inspection on the asbestos work still going on at the I H Case Plant in Moline Illinois by Champion Environmental Services Inc.

**Findings:**

I arrived at the site and signed in at the security shack and entered the work area. The workers were on the roof at the far east section of the complex removing the transite roofing from this building.

I.D.#: 161 ASB

I.H.Case Building #5

Page 2

I met Ziggy at this time and went over to the building to see what was going on. As I approached the building I was able to observe one worker on the roof using a long pry bar and pounding down on the transite sheets trying to break the transite from the roof. Underneath the roof there were several pieces of broken transite being picked up by workers and carried to the dumpster. I took some photographs of these workers carrying this material over to the dumpsters with their hands full of the broken transite.

One of the workers was using a fire hose to get the material wet that was lying on the concrete floor. This had just started as I arrived at the site because the concrete was not wet until I went over to the area and the fire hose was picked up and turned on at that time. Again according to their operating procedure there was no poly on the floor under the work area, which has been the case throughout the entire work period.

After observing the work that was going on in this work area Ziggy and I walked around the area that had been finished and cleaned up already. While walking around this area we observed a couple of pieces of transite that had been missed during their cleanup in this area and I told Ziggy that he may want to have his crew during down time to walk this area again and see if there is any more material that had been missed so that it can be cleaned up completely. Ziggy agreed to have this done since he observed the same thing that I did during this walk-thru.

At this time we walked back to the work site area and I was still able to observe the person on the roof pounding on the transite roofing panels with the pry bar trying to break it to get it down from the roof. Ziggy said something to the worker that I was not able to understand and the worker came down off of the roof and they all broke for lunch.

I thanked Ziggy for his time and began to leave the site. While leaving the site I took a few more pictures of the dumpsters etc. then left the work area. I went to the gate and was let out. I signed out of the log and left the work site at this time.

Attachments: Photographs

CC: Ed Bakowski, Manager BOA FOS  
Dale Halford, Manager Asbestos Unit  
Chris Pressnall, DLC  
J. Holman, AG  
Miriam Zentz, CASM  
Dennis Hancock, Asbestos Field Unit  
VN File

**Attachment D**



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I.H.Case Building #5

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**Illinois Environmental Protection Agency**  
**Bureau of Air/FOS/Asbestos**  
**Division of Air Pollution Control**

### **DIGITAL PHOTOGRAPHS**



**Date:** March 1, 2006  
**Time:** ~10:30 am  
**Direction:** East  
**Photo by:** D. Hancock  
**File No:** DAH030106~03012006-001  
**Comments:** Broken pieces of transite lying on the steel beams



**Date:** March 1, 2006  
**Time:** ~10:30 am  
**Direction:** South  
**Photo by:** D. Hancock  
**File No:** DAH030106~03012006-002  
**Comments:** Transite and trash lying on the concrete floor also showing no poly covering floor like the SOP states would be done during the project.

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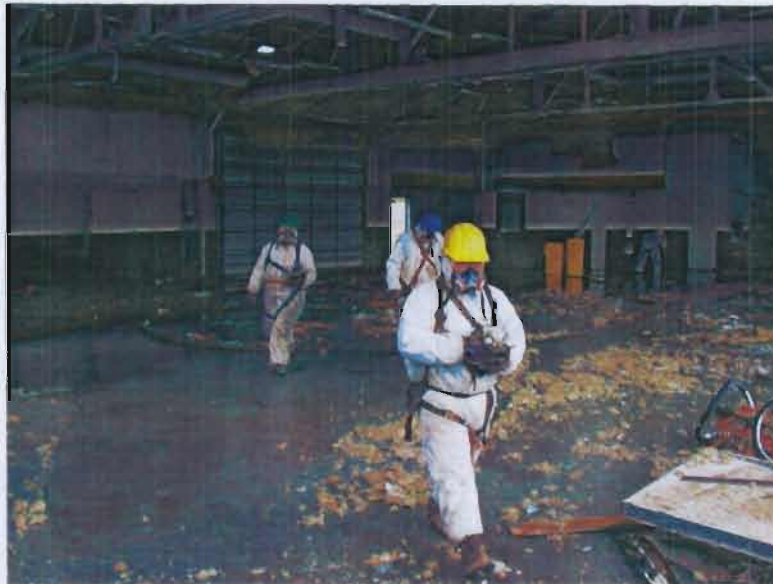
I.H.Case Building #5

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**Illinois Environmental Protection Agency  
Bureau of Air/FOS/Asbestos  
Division of Air Pollution Control**

### **DIGITAL PHOTOGRAPHS**



**Date: March 1, 2006  
Time: ~10:35 am  
Direction: Facing Southeast  
Photo by: D. Hancock  
File No: DAH030106~03012006-003  
Comments: Workers carrying handfuls of broken pieces of transite material picked u from the floor and carried to the dumpster**



**Date: March 1, 2006  
Time: 10:45 am  
Direction: Facing East  
Photo by: D. Hancock  
File No: DAH030106~03012006-004  
Comments: Another photo of worker carry another handful of broken pieces of transit from the concrete floor to the dumpster.**



I.D.#: 161 ASB

I.H.Case Building #5

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Illinois Environmental Protection Agency  
Bureau of Air/FOS/Asbestos  
Division of Air Pollution Control

### DIGITAL PHOTOGRAPHS



Date: March 1, 2006  
Time: ~10:45 am  
Direction: Down  
Photo by: D. Hancock  
File No: DAH030106~03012006-005  
Comments: Photo of broken transite roofing sheets inside of the dumpsters. No full sheet with just the corners broken were seen inside this dumpster.



Date: March 1, 2006  
Time: ~10:55 am  
Direction: Inside of dumpster  
Photo by: D. Hancock  
File No: DAH030106~03012006-006  
Comments: More transite inside of another dumpster showing more broken transite material again not in full sheets



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I.H.Case Building #5

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**Illinois Environmental Protection Agency  
Bureau of Air/FOS/Asbestos  
Division of Air Pollution Control**

### **DIGITAL PHOTOGRAPHS**



**Date: March 1, 2006  
Time: ~11:00 am  
Direction: Inside of dumpster  
Photo by: D. Hancock  
File No: DAH030106~03012006-007  
Comments: More photos of material in dumpsters**



**Date: March 1, 2006  
Time: ~11:10 am  
Direction: Inside of dumpster  
Photo by: D. Hancock  
File No: DAH030106~03012006-008  
Comments: Another photo of broken trans dumpster from different location**



I.D.#: 161 ASB

I.H.Case Building #5

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Illinois Environmental Protection Agency  
Bureau of Air/FOS/Asbestos  
Division of Air Pollution Control

### DIGITAL PHOTOGRAPHS



Date: March 1, 2006  
Time: ~11:10 am  
Direction: Inside dumpster  
Photo by: D. Hancock  
File No: DAH030106~03012006-009  
Comments: Photo of several small broken pieces of transite material inside of dumpst



Date: March 1, 2006  
Time: ~11:20 am  
Direction: Inside of dumpster  
Photo by: D. Hancock  
File No: DAH030106~03012006-010  
Comments: Another photo of several broken small pieces of transite inside of dumpster. full pieces



I.D.#: 161 ASB

I.H.Case Building #5

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**Illinois Environmental Protection Agency**

**Bureau of Air/FOS/Asbestos**

**Division of Air Pollution Control**

**DIGITAL PHOTOGRAPHS**



**Date: March 1, 2006**

**Time: ~11:30 am**

**Direction: Inside of dumpster**

**Photo by: D. Hancock**

**File No: DAH030106~03012006-011**

**Comments: Photo of several small pieces of broken transite material inside of dumpste**

ILLINOIS POLLUTION CONTROL BOARD

November 2, 2000

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 97-135
	)	(Enforcement - Air)
CHAMPION ENVIRONMENTAL	)	
SERVICES, a Wisconsin corporation,	)	
	)	
Respondent.	)	

OPINION AND ORDER OF THE BOARD (by N.J. Melas):

On February 11, 1997, the People of the State of Illinois (People) filed a two-count complaint against respondent Champion Environmental Services (Champion), an asbestos abatement contractor. On February 8, 2000, the People filed a five-count amended complaint against Champion. The amended complaint alleges Champion caused air pollution, failed to provide timely notice prior to demolition or renovation, failed to provide complete notice of demolition or renovation, failed to follow proper emission control procedures, and failed to properly dispose of waste at ten facilities within Illinois, in violation of Sections 9(a) and 9.1(d) of the Environmental Protection Act (Act) (415 ILCS 5/9(a), 9.1(d) (1998)), the Board's air regulations at 35 Ill. Adm. Code 201.141, and the asbestos National Emission Standards for Hazardous Air Pollutants at 40 C.F.R § 61.150(a)(iv) and 61.145(b)(1), (b)(3), (b)(4), (c)(6).

On September 8, 2000, the parties filed a joint stipulation and proposal for settlement, accompanied by a motion requesting relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)). Pursuant to Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (1998)), the Board caused publication of the required newspaper notice of the stipulation and proposal for settlement and request for relief from the hearing requirement. The notice appeared in *The Daily Times* on September 25, 2000, *The Elmhurst Press* on September 27, 2000, *The Arlington Heights Post* on September 28, 2000, *The News-Gazette* on September 24, 2000, *The Peoria Journal Star* on September 21, 2000, *The Chicago Sun Times* on September 27, 2000, and *The Times-Republic* on September 25, 2000. The Board did not receive any requests for hearing. Accordingly, the Board grants a waiver from the hearing requirement.

The stipulation and proposal for settlement sets forth the facts relating to the nature, operations, and circumstances surrounding the allegations in the complaint. In the proposed stipulation Champion denies the allegations contained in counts I, IV, and V, concerning air pollution, improper emission control, and improper disposal. Champion admits the notification violations contained in counts II and III, but asserts that a miscommunication with the Illinois Environmental Protection Agency contributed to those violations. Champion agrees to pay a civil penalty of \$25,000.



The Board accepts the stipulation and proposal for settlement filed by the parties in this matter. Champion must continue to comply with any federal, State, or local regulations including, but not limited to, the Act and the Board's regulations.

This opinion constitutes the Board's findings of fact and conclusions of law in this matter.

ORDER

1. The Board hereby accepts the stipulation and settlement agreement executed by the People and Champion. The stipulation and settlement agreement is incorporated by reference as though fully set forth herein.
2. Champion must pay the sum of \$25,000. Payments shall begin within 30 days of the date of this order, that is, on or before December 2, 2000. Such payment must be made by certified check or money order payable to the Illinois Environmental Protection Agency, designated to the Environmental Protection Trust Fund. The case number, case name, and the Champion's federal employer identification number must also be included on the certified check or money order and must clearly indicate that payment is directed to the Environmental Protection Trust Fund.

3. The check or money order must be sent by first class mail to:

Illinois Environmental Protection Agency  
Fiscal Services Division  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62702

A copy of the payment transmittal and check shall be simultaneously submitted to:

Kelly Cartwright  
Assistant Attorney General  
Environmental Bureau  
Illinois Attorney General's Office  
188 W. Randolph St., 20th Floor  
Chicago, Illinois 60601

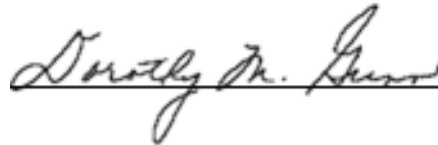
4. Any such penalty not paid within the time prescribed shall incur interest at the rate set forth in subsection (a) of Section 1003 of the Illinois Income Tax Act, (35 ILCS 5/1003 (1998)), as now or hereafter amended, from the date payment is due until the date payment is received. Interest shall not accrue during the pendency of an appeal during which payment of the penalty has been stayed.

5. Respondent shall cease and desist future alleged violations of any federal, State, or local statutes and regulations.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1998)) provides for the appeal of final Board orders to the Illinois Appellate Court within 35 days of the date of service of this order. Illinois Supreme Court Rule 335 establishes such filing requirements. See 172 Ill. 2d R. 335; see also 35 Ill. Adm. Code 101.246, Motions for Reconsideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above opinion and order was adopted on the 2nd day of November 2000 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", is written over a horizontal line.

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board



ILLINOIS POLLUTION CONTROL BOARD

October 7, 2010

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 10-8
	)	(Enforcement – Land)
DON SWINSON, an individual, and	)	
CHAMPION ENVIRONMENTAL	)	
SERVICES, INC., a Wisconsin corporation,	)	
	)	
Respondents.	)	

OPINION AND ORDER OF THE BOARD (by G. L. Blankenship):

On July 28, 2009, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a six-count complaint (complaint) against Don Swinson (Mr. Swinson) and Champion Environmental Services, Inc. (Champion) (collectively respondents). The complaint concerns Mr. Swinson's vacant lot at 2000 Cunningham Road in Rockford, Winnebago County, and the general construction or demolition debris (C&D) that Champion allegedly transported there. The parties now seek to settle without a hearing. For the reasons below, the Board accepts the parties' stipulation and proposed settlement.

Under the Environmental Protection Act (Act) (415 ILCS 5 (2008)), the Attorney General and the State's Attorneys may bring actions before the Board on behalf of the People to enforce Illinois' environmental requirements. *See* 415 ILCS 5/31 (2008); 35 Ill. Adm. Code 103. In this case, the People allege that respondents violated Sections 21(a) and (p)(1) of the Act (415 ILCS 5/21(a), (p)(1) (2008)) by causing or allowing the open dumping of waste without fulfilling the requirements of a sanitary landfill, which resulted in litter (counts I and V). The People also allege that respondents violated Sections 21(d)(1) and (e) of the Act (415 ILCS 5/21(d)(1), (e) (2008)) by disposing, treating, or storing C&D waste at the site without a permit from the Illinois Environmental Protection Agency (Agency) (counts II and IV). The People allege in count III that Mr. Swinson violated Section 21(d)(2) of the Act (415 ILCS 5/21(d)(2) (2008)) and Sections 807.201 and 807.202(a) of the Board's Waste Disposal Regulations (35 Ill. Adm. Code 807.201, 807.202(a)) by not applying for and obtaining permits from the Agency to develop and operate a new solid waste management site. Lastly, count VI of the Complaint alleges that Mr. Swinson violated Section 22.38(b)(11) of the Act (415 ILCS 5/22.38(b)(11) (2008)) by failing to submit to the Agency the necessary information prior to accepting C&D waste at the site.

On June 24, 2010, the People and Champion only filed an amended stipulation and proposed settlement (Champion settlement), accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2008)). On August 16, 2010, the People and Mr. Swinson only filed a stipulation and proposed settlement (Swinson settlement), accompanied by a request for relief from the hearing requirement of Section 31(c)(1)

of the Act (415 ILCS 5/31(c)(1) (2008)). These filings are authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2008)), which requires that the public have an opportunity to request a hearing whenever the State and a respondent propose settling an enforcement action without a public hearing. *See* 35 Ill. Adm. Code 103.300(a). The Board provided notice of the stipulations, proposed settlements, and requests for relief. The newspaper notice for the Champion settlement was published in the *Rockford Register Star* on August 18, 2010. The newspaper notice for the Swinson settlement was published in the *Rockford Register Star* on August 20, 2010. The Board did not receive any requests for hearing. The Board grants the parties' request for relief from the hearing requirement. *See* 415 ILCS 5/31(c)(2) (2008); 35 Ill. Adm. Code 103.300(b).

Section 103.302 of the Board's procedural rules sets forth the required contents of stipulations and proposed settlements. *See* 35 Ill. Adm. Code 103.302. These requirements include stipulating to facts on the nature, extent, and causes of the alleged violations and the nature of respondents' operations. Section 103.302 also requires that the parties stipulate to facts called for by Section 33(c) of the Act (415 ILCS 5/33(c) (2008)), which bears on the reasonableness of the circumstances surrounding the alleged violations. Respondents do not affirmatively admit the alleged violations. Both stipulations also address the factors of Section 42(h) of the Act (415 ILCS 5/42(h) (2008)), which may mitigate or aggravate the civil penalty amount. Champion agrees to pay a civil penalty of \$2,500. Mr. Swinson agrees to pay a civil penalty of \$5,000. The People and respondents have satisfied Section 103.302. The Board accepts the stipulation and proposed settlement.

In addition to the stipulations, on August 16, 2010, the People filed a motion to dismiss Count VI of the complaint, noting that Count VI was not mentioned in the stipulation. The Board grants the motion and dismisses Count VI.

This opinion constitutes the Board's findings of fact and conclusions of law.

### **ORDER**

1. The Board accepts and incorporates by reference the stipulation and proposed settlement.
2. Champion Environmental Services, Inc. (Champion) must pay a civil penalty of \$2,500 and Don Swinson (Mr. Swinson) must pay a civil penalty of \$5,000 no later than November 8, 2010, which is the first business day following the 30th day after the date of this order. Respondents must each pay their civil penalty by certified check or money order payable to the Illinois Environmental Protection Agency for deposit into the Environmental Protection Trust Fund. The case name and case number must appear on the face of the certified check or money order. Champion must also include the federal tax identification number on the face of the certified check or money order.
3. Respondents must submit payment of their civil penalties to:

Illinois Environmental Protection Agency  
Fiscal Services Division  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

Respondents each must send a copy of their certified checks or money orders and any transmittal letters to:

Zemeheret Bereket-Ab  
Environmental Bureau  
Illinois Attorney General's Office  
69 W. Washington Street, Suite 1800  
Chicago, Illinois 60602

4. Penalties unpaid within the time prescribed will accrue interest under Section 42(g) of the Environmental Protection Act (415 ILCS 5/42(g) (2008)) at the rate set forth in Section 1003(a) of the Illinois Income Tax Act (35 ILCS 5/1003(a) (2008)).
5. Respondents must cease and desist from future violations of the Environmental Protection Act and Board regulations that were the subject of the complaint.

IT IS SO ORDERED.

Section 41(a) of the Environmental Protection Act provides that final Board orders may be appealed directly to the Illinois Appellate Court within 35 days after the Board serves the order. 415 ILCS 5/41(a) (2008); *see also* 35 Ill. Adm. Code 101.300(d)(2), 101.906, 102.706. Illinois Supreme Court Rule 335 establishes filing requirements that apply when the Illinois Appellate Court, by statute, directly reviews administrative orders. 172 Ill. 2d R. 335. The Board's procedural rules provide that motions for the Board to reconsider or modify its final orders may be filed with the Board within 35 days after the order is received. 35 Ill. Adm. Code 101.520; *see also* 35 Ill. Adm. Code 101.902, 102.700, 102.702.

I, John Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on October 7, 2010, by a vote of 5-0.



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John Therriault, Assistant Clerk  
Illinois Pollution Control Board