

Asbestos Enforcement: Arkansas Department of Environmental Quality and County Road Department Enter into Consent Administrative Order



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The Arkansas Department of Environmental Quality (“ADEQ”) and Mississippi County Road Department (“Road Department”) entered into a Consent Administrative Order (“CAO”) on April 2nd addressing an alleged violation of the Arkansas Asbestos Regulations. See LIS No. 18-033.

The Arkansas Asbestos Regulations are incorporated in Arkansas Pollution Control and Ecology Commission Regulation 21.

The CAO provides that the Road Department demolished or caused to be demolished on or before May 24, 2017, a structure formerly located near 4701 Memorial Drive, Blytheville, Arkansas (“Site”).

ADEQ is stated to have received a complaint on May 19, 2017, regarding the demolition of a structure located at the Site.

ADEQ personnel are stated to have conducted an investigation of the complaint on May 24, 2017. The investigation allegedly indicated that the Road Department had failed to conduct or have conducted an asbestos inspection of the affected facility prior to demolition, constituting a violation of Arkansas Pollution Control and Ecology Commission Reg. 21.501.

The alleged violations include the failure to submit a written NOI and appropriate NOI fee to ADEQ at least 10 working days prior to commencing the demolition activity, therefore violating Arkansas Pollution Control and Ecology Commission Reg. 21.601.

The Road Department is stated to have responded to an ADEQ letter identifying the compliance issues. The letter from the Road Department stated that new management is in place and that the demolition was conducted under the direction of a former Mississippi County official. Further, the demolition was stated to have been done to help the Westminster Village where there are numerous dilapidated structures that are dangerous and hazardous to senior residents living there.

The CAO assesses a civil penalty of \$750, which could be reduced by one-half if signed and returned to ADEQ on or prior to April 2nd.

[A copy of the CAO can be downloaded here.](#)