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# Asbestos Enforcement: Arkansas Department of Environmental Quality and Saline County, Arkansas, Structure Owner Enter into Consent Administrative Order

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The Arkansas Department of Environmental Quality (“ADEQ”) and Team Dynamo, LLC d/b/a Domino’s Pizza Little Rock (“Domino’s”) entered into a March 7th Consent Administrative Order (“CAO”). See LIS No. 19-018.

The CAO provides that Domino’s renovated or caused to be renovated a structure (“Structure”) located in Bryant, Arkansas, on August 29, 2018.

The Structure is stated to constitute a facility (“Facility”) as defined in Arkansas Pollution Control and Ecology Commission (“Commission”) Regulation 21, Chapter 4. Further, Domino’s is stated to meet the definition of an “owner or operator of a demolition or renovation activity” as defined in Commission Regulation 21, Chapter 4.

ADEQ personnel are stated to have investigated a complaint that renovation had begun on the Structure on August 29, 2018. Such investigation allegedly indicated that Domino’s failed to conduct or have conducted a thorough asbestos inspection of the Facility prior to renovation, violating Commission Reg. 21.501.

ADEQ is stated to have informed Domino’s in correspondence dated October 22, 2018, of compliance issues identified during the previously referenced inspection.

Domino’s is stated to have provided ADEQ with an inspection report, dated November 27, 2018, with results from an asbestos inspection conducted on October 15, 2018, by Terracon Consultants, Inc. The CAO further notes in paragraph 10 as follows:

The report stated that the objective of the asbestos inspection was to identify the presence and location of accessible asbestos containing material present in the accessible areas of the recently renovated facility. Furthermore, the report stated that the sample collection strategy was developed based on Respondent communications and that the report should not be relied upon as being a thorough pre-renovation/demolition NESHAP inspection. The inspection did not include any visual or physical assessments of building materials that had previously been removed and disposed of during renovation activities prior to the complaint investigation and asbestos inspection.

Domino's is stated to neither admit nor deny the factual and legal allegations contained in the CAO.

A civil penalty of \$350 is assessed.

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