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Asbestos Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Mississippi County Facility Renovator Enter into Consent Administrative Order

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The Arkansas Department of Energy and Environment - Division of Environmental Quality (“DEQ”) and Jerry Kachel Builder, Inc. (“JKB”) entered into a November 18th Consent Administrative Order (“CAO”) addressing alleged violations of Arkansas Pollution Control & Ecology Commission (“APC&EC”) Regulation 21 (Asbestos). See LIS No. 21-123.

The CAO provides that JKB renovated or caused to be renovated on or before October 27, 2020, a structure (“Site”) located in Blytheville, Arkansas.

The Site (i.e., structure) is stated to constitute a facility as defined in APC&EC Regulation 21, Chapter 4. Further, JKB is stated to meet the definition of an “owner or operator of a demolition or renovation activity” as defined in APC&EC Regulation 21, Chapter 4.

DEQ is stated to have received a complaint alleging renovation activities at the Site on October 22, 2020. An investigation of the Site is stated to have been conducted on October 27, 2020.

The investigation is stated to have found laminate flooring, carpet, tile, and vinyl rock ceiling material that had been removed from the Site as part of the renovation.

It is alleged that JKB failed to conduct or have conducted a thorough asbestos inspection of the affected facility prior to renovation, violating APC&EC Reg. 21.501.

JKB neither admits nor denies the factual and legal allegations contained in the CAO.

A civil penalty of \$1,320 is assessed.

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