

## Asbestos Enforcement: U.S. Environmental Protection Agency and Patterson, Georgia, Excavator Enter into Expedited Settlement Agreement



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The United States Environmental Protection Agency (“EPA”) and Underground Excavating, Inc. (“UEI”) entered into a July 22nd Expedited Settlement Agreement (“ESA”) of the Federal Clean Air Act Asbestos Regulations. See Docket No. CAA-04-2022-0003(b).

The ESA references demolition activity at a commercial building (“Facility”) in Patterson, Georgia.

UEI is alleged to have failed to conduct a thorough inspection for asbestos-containing materials prior to beginning demolition activity at the Facility. Such inspection activity is required by 40 C.F.R. § 61.145(a). It is also alleged that UEI failed to provide written notice to the Georgia Environmental Protection Division 10 working days prior to beginning the demolition activity. Such written notice is required by 40 C.F.R. § 61.145(b).

Demolition is stated to have commenced at the Facility on or around December 29, 2021.

A civil penalty is assessed and takes into the account the following factors:

- Full compliance history
- Good faith efforts to comply
- Other factors as justice may require

The civil penalty assessed is \$7,393.

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