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Asbestos Enforcement: Arkansas Department of Environmental Quality and North Little Rock, Arkansas Church Enter into Consent Administrator Order

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The Arkansas Department of Environment Quality (“ADEQ”) and Harmony Baptist Church (“Harmony”) entered into a March 15th Consent Administrative Order (“CAO”) addressing alleged violation of the Arkansas regulations addressing asbestos. (Arkansas Pollution Control and Ecology Commission Regulation 21). See LIS No. 17-019.

Harmony is located in North Little Rock, Arkansas.

The CAO states that Harmony demolished or caused to be demolished a facility in North Little Rock on November 30, 2016. ADEQ personnel are stated to have investigated a complaint on November 30, 2016 and December 6, 2016 that demolition had begun on the previously referenced facility.

Harmony is alleged to have:

- Failed to conduct a thorough asbestos inspection of the affected facility prior to commencing demolition (violating Arkansas Pollution Control and Ecology Commission Reg. 21.501)
- Failed to submit a written NOI to ADEQ at least ten (10) working days prior to commencing the demolition activities (violating Arkansas Pollution Control and Ecology Commission Reg. 21.601)

ADEQ instructed Harmony to conduct an asbestos inspection of the remaining structure and submit a completed NOI before continuing with the demolition. Rogers and Dillon Excavation, Inc. submitted a NOI and an asbestos inspection report on December 27, 2016 on behalf of Harmony. The NOI stated that demolition began again on December 20, 2016, and was completed on December 24, 2016.

The CAO notes that the inspection report states that the samples collected at the facility by Snyder Environmental, Inc. on December 13, 2016 did not contain asbestos. As a result, the CAO provides that no fee is required pursuant to the relevant regulation No. 21 provisions.

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

Harmony agrees to a civil penalty of \$100.

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