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# Asbestos Enforcement: Arkansas Department of Environmental Quality and Russellville, Arkansas Construction Firm Enter into Consent Administrative Order

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The Arkansas Department of Environmental Quality (“ADEQ”) and Curtis Construction, Inc. (“CCI”) entered into a May 24th Consent Administrative Order (“CAO”) addressing an alleged violation of Arkansas Pollution Control and Ecology Commission Regulation 21 (Asbestos Abatement Regulation). See LIS No. 18-048.

CCI is stated to have demolished or caused to be demolished a structure formerly located at 815 North Arkansas Avenue, Russellville, Arkansas (“Site”) on or before November 2, 2017.

The referenced structure is stated to be a facility as defined in Regulation 21, § 4. Further, CCI is stated to meet the definition of an “owner or operator of a demolition or renovation activity” as defined in Regulation 21, § 4.

ADEQ is stated to have received a complaint regarding the demolition of a structure located at the Site on November 2, 2017. The agency subsequently conducted an inspection on November 8th in response to the complaint.

The inspection allegedly revealed that CCI failed to conduct or have conducted a thorough asbestos inspection of the affected facility prior to demolition. Such failure is alleged to violate Reg. 21.501.

The CAO provides that the investigation indicated CCI failed to submit a written NOI and appropriate NOI fee to ADEQ at least 10 working days prior to commencing the demolition activity.

ADEQ is stated to have emailed CCI the findings of the complaint investigation on November 8, 2017. CCI is stated to have responded on November 9, 2017, and emailed a copy of the weight tickets for the landfill where the debris was disposed of and a copy of the demolition permit granted by the City of Russellville.

ADEQ is stated to have provided CCI notice of the alleged compliance issues and received no response.

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

The CAO assesses a civil penalty of \$1,950 which could be reduced by one-half if signed and returned to ADEQ prior to 4:00 p.m. on June 10th.

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

