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Asbestos Enforcement: Arkansas Department of Environmental Quality Notice of Violation Addressing Conway County, Arkansas, Structure Demolition

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The Arkansas Department of Environmental Quality (“ADEQ”) issued a July 22nd Notice of Violation (“NOV”) to Mr. Lloyd Elkins alleging violations of the Arkansas asbestos regulations. See Arkansas Pollution Control and Ecology Commission Regulation 21.

The NOV alleges that the individual conducted demolition activities at a structure formerly located in Conway County, Arkansas (“Structure”).

ADEQ is stated to have received a complaint regarding demolition and disposal of the structure. The agency personnel are stated to have conducted an investigation and determined that the individual failed to conduct or have conducted a thorough asbestos inspection of the affected facility prior to demolition, therefore violating Reg. 21.501.

The NOV alleges that the individual:

- failed to submit a written Notice of Intent (“NOI”) and NOI fee to ADEQ at least 10 working days prior to commencing the demolition activity; and
- failed to dispose of the demolition debris in accordance with Reg. 21.1101.

The NOV proposes a civil penalty of \$7,900.

The individual has responded to the NOV through an attorney pursuant to the Arkansas Pollution Control and Ecology Commission Regulation 8 procedures and requested an administrative hearing. The response also states in part:

On January 8, 2018, Respondent conducted demolition activities on a residential structure located at 2450 Highway 9, Hattiesville, Conway County, Arkansas 72063. Prior to the demolition, the Respondent sought out information from the owner, Jamie Stacks, and was told that the structure contained no asbestos.

A copy of the [NOV](#) and the individual’s [response](#) to the NOV can be downloaded here.