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Asbestos Enforcement: Arkansas Department of Environmental Quality and Pulaski County, Arkansas, Renovation Project Operator Enter into Consent Administrative Order

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The Arkansas Department of Environmental Quality (“ADEQ”) and Conquest Properties LLC (“CP”) entered into a December 3rd Consent Administrative Order (“CAO”) addressing alleging violations of Arkansas Pollution Control and Ecology Commission Regulation 21 (Asbestos Rules). See LIS No. 18-094.

CP is stated to have begun renovation activities at a structure in Little Rock, Arkansas, on or before May 2nd.

The CAO provides that as defined in Arkansas Pollution Control and Ecology Commission Regulation 21, Chapter 4, that:

- The structure in question constituted a “facility”
- CP meets the definition of an owner or operator of a demolition or renovation activity

ADEQ is stated to have received a complaint that renovation of the facility was being conducted. It is further provided that during the complaint investigation conducted by ADEQ it was determined that CP failed to conduct or have conducted a thorough asbestos inspection of the affected facility prior to renovation. Such alleged failure violates Arkansas Pollution Control and Ecology Commission Reg. 21.501.

CP is further alleged to have failed to submit a written Notice of Intent and appropriate fee to ADEQ at least 10 working days prior to beginning asbestos stripping, removal work, or any other activity. The company subsequently submitted an asbestos inspection to ADEQ which is stated to indicate that asbestos was present in areas identified in a table in the CAO.

CP subsequently submitted a NOI to ADEQ for abatement activities at the site. Further, CP is stated to have provided ADEQ with documents indicating asbestos abatement at the site was completed.

A civil penalty of \$1,250 is assessed, which could be reduced by one-half if the document was signed and returned to ADEQ by December 1st.

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