Asbestos Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Construction Renovator Enter into Consent Administrative Order



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The Arkansas Department of Energy & Environment – Division of Environmental Quality ("DEQ") and Siff's Custom Tile & Flooring Inc. ("Siff's") entered into an April 26th Consent Administrative Order ("CAO") addressing alleged violations of Arkansas Pollution Control & Ecology Commission Regulation 21 (Asbestos). See LIS No. 22-054.

The CAO provides that Siff's renovated or caused to be renovated structures located in Marianna, Quitman, Shirley, and Donaldson, Arkansas, on or before May 31, 2021.

The referenced structures are stated to constitute individually a "Facility" in Regulation 21, Chapter 4. Further, Siff's is stated to meet the definition of an owner or operator of a demolition or renovation activity as defined in Regulation 21, Chapter 4.

Siff's is stated to hold a current license as an Asbestos Abatement Contractor/Supervisor in the State of Arkansas. In addition, six of Siff's personnel are stated to hold various asbestos licenses issued by DEQ.

Violations alleged to have occurred at one or more of the referenced Facilities included:

- Notice of Intent was not post-marked by the U.S. Postal Service at least 10 working days before the renovation activities began
- Removal of 6,600 square feet of resilient floor tile and/or associated mastic covering containing ACM which violated Regulation 21.603
- Removal of 2,500 square feet of resilient floor tile and/or associated mastic covering containing ACM which violated Regulation 21.603
- Removal of 6,000 square feet of resilient floor tile and/or associated mastic covering containing ACM which violated Regulation 21.603
- Failure to keep at the site copies of an Asbestos Inspection Report, the Notice of Intent, or any Revised Notice of Intent submitted in compliance with Regulation 21, the project design, and certification of licenses of personnel participating in demolition, renovation and response actions

Siff's neither admits nor denies the factual and legal allegations contained in the CAO.

A civil penalty of $4,305 is assessed.

A copy of the CAO can be downloaded here.