UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 Ross Avenue
Dallas, Texas 75202-2733

September 9, 2016

The Honorable Debe Hollingsworth
Mayor, City of Pine Bluff
200 East 8th Avenue, Ste. 201
Pine Bluff, AR 71601

Mr. Kevin Murphy
Deputy Director
Arkansas Community Correction
Two Union National Plaza
105 West Capitol Street
Little Rock, AR 72202

Re: Management and Disposal of Debris from City of Pine Bluff Demolition of Residential Buildings

Dear Mayor Hollingsworth and Mr. Murphy:

The U.S. Environmental Protection Agency, Region 6 (EPA) and the Arkansas Department of Environmental Quality (ADEQ) conducted coordinated inspections at certain residential facilities in the City of Pine Bluff, Arkansas from May 9 - 11, 2016. The purpose of the inspections was to ensure compliance with the Clean Air Act Asbestos NESHAP Standards (40 C.F.R. Part 61, Subpart M) and the TSCA Worker Protection Rule (40 C.F.R. Part 763, Subpart G), and ADEQ's Asbestos Regulation 21.

The TSCA Worker Protection Rule provides that State or local government employers that are not subject to a State OSHA asbestos standard that OSHA has approved or a State asbestos plan that EPA has exempted from the requirements of TSCA Worker Protection Rule are subject to the TSCA Worker Protection Rule. The TSCA Worker Protection Rule provides that State or local governmental employers whose employees perform construction activities identified in 29 C.F.R. § 1926.1101(a) must comply with the OSHA Asbestos Standard in 29 C.F.R. § 1926.1101. The definition of construction activities in 29 C.F.R. § 1926.1101(a) includes: (1) demolition or salvage of structures where asbestos is present; (2) removal or encapsulation of materials containing asbestos; . . . and (6) transportation, disposal, storage, containment of and housekeeping activities involving asbestos or products containing asbestos, on the site or location at which construction activities are performed.

EPA and ADEQ have discussed the management and disposal of the piles of debris that are remaining at the residential property demolished during the week of May 9, 2016. Based on the review of applicable regulations, the remaining debris must be managed and disposed of disposal in accordance with 40 C.F.R. §§ 61.145 and 61.150, the requirements of 29 C.F.R. § 1926.1101, along with the relevant requirements of ADEQ's Asbestos Rule 21. Please review the entire OSHA Asbestos Standard to ensure at all relevant requirements are met prior to initiating any activities involving the asbestos debris. A copy of the OSHA Asbestos Standard is enclosed.

If you should have any questions, please contact me for assistance at 214- 665-2736 or via email at potts.mark@epa.gov.

Sincerely,

Mark Potts
Chief
Waste Enforcement Branch
Compliance Assurance and
Enforcement Division

Enclosure

cc: Demetria Kinbrough
ADEQ (w/o enclosures)

Torrence Thrower
ADEQ (w/o enclosures)