UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

2 0 APR 2017

The Honorable Shirley Washington
Mayor
City of Pine Bluff
200 East Eighth Avenue, Ste. 201
Pine Bluff, Arkansas 71601

Re: May 27, 2016 Notice of Noncompliance

Dear Mayor Washington:

On May 27, 2016, the Environmental Protection Agency (EPA) Region 6 issued a Notice of Noncompliance to the City of Pine Bluff citing potential violations of the Toxic Substances Control Act (TSCA) Asbestos Worker Protection Requirements associated with demolition activities conducted by the City of Pine Bluff and the Arkansas Department of Community Corrections (ACC) in Pine Bluff Arkansas. Potential violations of state and federal regulations governing asbestos including the Clean Air Act asbestos National Emission Standards for Hazardous Air Pollutants and the TSCA Asbestos Worker Protection Requirements were identified during the May 10-12, 2016 inspection conducted by EPA and the Arkansas Department of Environmental Quality (ADEQ).

Since that time, EPA has had several conferences with the City, ACC and ADEQ regarding the compliance issues identified by EPA and ADEQ as well as actions taken by the parties. Based upon information provided by the City of Pine Bluff and the ACC, on or about May 17, 2016, all work on that project ceased. On or about January 27, 2017, the ADEQ issued a Consent Administrative Order to the City of Pine Bluff addressing violations of state and federal asbestos requirements identified in the May 2016 inspection.

In consideration of the above, EPA has determined to conclude its action on the May 27, 2016 Notice of Noncompliance. This determination does not preclude enforcement action by EPA and the matter will be considered in any future evaluations of the City's compliance. In any future work subject to the asbestos NESHAP and Worker Protection Rule, the City of Pine Bluff should take all actions necessary to comply with those requirements.

Should you have any questions in this matter, please contact me at (214)665-2723 or at potts.mark@epa.gov.

Sincerely,

Mark Potts
Chief
Waste Enforcement Branch

Cc: Stuart Spencer, ADEQ
Sheila Sharp, Arkansas Community Correction