

Owner of Apartment Building to Pay \$43,000 Penalty For Failing to Follow Asbestos Requirements During Renovation

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(Originally published at: <http://illinoisenvironmentallaw.blogspot.com/2010/06/owner-of-apartment-building-to-pay.html>)

The Illinois Pollution Control Board recently accepted the parties' settlement in *People v. Al-Algonquin Apartments, LLC, Case No. PCB 09-39*, which concerned a residential apartment building at 1605 East 50th Street in Chicago, Cook County, Illinois.

The State alleged that the owners of the building violated the Illinois Environmental Protection Act by: (1) failing to adequately wet and keep wet all regulated asbestos-containing material (RACM) removed during renovation operations until such asbestos-containing waste materials were collected and contained in leak-tight wrapping in preparation for disposal, (2) failing to provide notice of a renovation activity, (3) failing to have a trained foreman or representative present during the disturbance of regulated asbestos containing materials, (4) failing to maintain adequate containment of RACM, thereby causing and allowing the release of asbestos fibers into the environment, and (5) failing to deposit all asbestos-containing waste material within a site permitted to accept such waste as soon as practicable.

Under the terms of the settlement, the owners do not affirmatively admit the alleged violations but agree to pay, jointly and severally, a civil penalty of \$43,000.

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