



DATE: Jan. 28, 2010

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New Mexico Contractor to Pay \$225,000 Penalty for Asbestos Air Quality Violations in Holbrook during Dorm Demolition

PHOENIX – (Jan. 28, 2010) – The Arizona Department of Environmental Quality and Arizona Attorney General’s Office announced today that an Albuquerque, N.M., contractor has agreed to pay a \$225,000 penalty under a consent judgment for asbestos air quality violations that occurred during the 2007 demolition of the Bureau of Indian Affairs school dormitory in Holbrook.

In May 2007, a subcontractor for Gerald A. Martin Ltd., a New Mexico corporation, began demolition of the dormitory. As the general contractor that was responsible for overseeing the demolition activities, Gerald A. Martin Ltd. was required to ensure compliance with asbestos removal and handling procedures prior to the demolition of the building. In August 2007, analysis revealed that materials containing asbestos were disturbed during the demolition of the dormitory.

On Aug. 29, 2007, ADEQ issued an Order of Abatement to Gerald A. Martin Ltd. requiring compliance with state and federal asbestos air quality requirements. After consulting with ADEQ on measures to reduce the health risks associated with the removal of the contaminated debris, Gerald A. Martin Ltd. reportedly spent more than \$900,000 handling and disposing the asbestos in the demolition debris in accordance with approved procedures. All of the demolition debris was removed by Nov. 7, 2007.

Asbestos is made up of microscopic bundles of fibers that may become airborne when damaged or disturbed. Exposure to airborne asbestos may result in potential health risks, and continued exposure can result in serious lung disease, including asbestosis, lung cancer or mesothelioma.

“It never pays to take shortcuts with asbestos and other hazardous materials involved in building demolitions,” said ADEQ Director Benjamin H. Grumbles. “Fortunately, the company stepped forward after an abatement order and complied with state and federal law to reduce potential risks to students, employees, and the community.”

“Strict compliance with asbestos identification, notification and handling requirements is necessary to ensure safe handling and disposal of these potentially lethal materials,” Attorney General Terry Goddard said. “Arizona’s asbestos handling rules protect our communities, workforce and public health. Violations will not be tolerated.”

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The consent judgment is subject to court approval.

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