

U.S. Environmental Protection Agency, Region 7
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Iowa, Kansas, Missouri, Nebraska, and Nine Tribal Nations

Compliance Order Issued to Kansas Department of Corrections for Asbestos Issues at Topeka Correctional Facility

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Environmental News

FOR IMMEDIATE RELEASE

(Kansas City, Kan., March 25, 2010) – EPA Region 7 has issued an administrative compliance order against the Kansas Department of Corrections (KDC) for failure to conduct an asbestos inspection prior to a 2005-2006 prison dormitory renovation project in Topeka.

Acting under the authority of the federal Clean Air Act, EPA alleges through the order that KDC violated the National Emission Standards for Hazardous Air Pollutants (NESHAP) by failing to conduct a necessary inspection for asbestos in 2005 prior to renovations at the Topeka Correctional Facility (TCF), 815 S.E. Rice Road, in Topeka.

In addition to the administrative compliance order, KDC also was issued a notice of noncompliance, under authority of the federal Toxic Substances Control Act (TSCA), for failing to provide appropriate respiratory protection, training, supervision, assessments and monitoring for workers involved in the renovation project.

Acting on a referral from the Kansas Department of Health and Environment (KDHE), EPA Region 7 staff conducted an inspection of the E-Dorm building at TCF in February 2010 to determine compliance with federal regulations. Based on information available to EPA, including findings of the inspection, the agency determined that KDC had conducted renovations at the E-Dorm building without first performing a necessary asbestos inspection or notifying EPA.

Based on its investigation, EPA has determined that the renovation work occurred between April 2005 and October 2006. However, last month's EPA inspection found no asbestos-containing material or debris from the renovation remaining at the site.

The administrative compliance order directs KDC to perform necessary inspections, make timely notifications to EPA, and perform future asbestos abatements in compliance with federal laws.

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Learn more about asbestos and potential health effects from exposure to asbestos:

<http://www.epa.gov/asbestos/pubs/help.html>