



DEPARTMENT OF ENVIRONMENTAL QUALITY

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Washington Parish School Board must institute asbestos handling training

U.S. Attorney Kenneth A. Polite announced today that his office has agreed to defer prosecution on the bill of information it filed against the Washington Parish School Board (“school board”) charging it with a felony violation of the Clean Air Act for failing to notify the Louisiana Department of Environmental Quality of the 2011 demolition of the Old Pine High School which contained regulated asbestos containing material.

According to court documents, in 2011, due to persistent vandalism and an inability to sell the vacant former Pine High School, located at 27164 La. 62 in Franklinton, the school board decided to demolish the school and clear the site. Despite the fact that the school board had an asbestos management plan for the former Pine High School which showed that at the time of the last inspection in 2007 there was greater than 31,000 square feet of floor tile suspected of containing asbestos material, the school board failed to make any notification or report to DEQ that it intended to demolish the school in violation of Title 42, United States Code, Section 7413(c)(2)(B) and Title 40, Code of Federal Regulations, Section 61.145(b).

The School Board has since remediated the site and has begun steps to comply with a host of compliance requirements in the deferred prosecution agreement with the government, including training and instituting standard operating procedures for future handling of confirmed and suspected asbestos containing material wherever found during the maintenance of the school board’s remaining facilities as well as during construction and demolition of the school board’s properties. This includes a requirement that any contract for construction, renovation, remediation, demolition, or project that implicates environmental regulations or laws shall be let in accordance with Louisiana law and any solicitations for bid or proposal shall set forth specifically all environmental concerns and obligations of the contractor and the school board. In 2011, the demolition of the former Pine High School had not been let for public bid, but was privately negotiated and agreed to in a purchase order.

The school board will be under the deferred prosecution agreement for two years. If the school board is in full compliance with all of its obligations under the agreement and has not committed any negligent or knowing violations of state or federal criminal law at the end of the two years, the United States Attorney’s Office will request that the district court dismiss, with prejudice, the bill of information. This matter is currently pending before U.S. District Judge Lance M. Africk.

U.S. Attorney Polite praised the work of the Environmental Protection Agency-CID and the investigators with the Louisiana Department of Environmental Quality-CID in investigating this matter. Assistant United States Attorney Emily K. Greenfield is in charge of the prosecution.

Louisiana DEQ website:
<http://www.deq.louisiana.gov>