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**Contact: Jack M. Colbourn
415-749-4900**

Bay Area Air District Collects \$430,000 from Asbestos Violators Largest Asbestos Penalties Ever Assessed by Air Officials

San Francisco, CA . . .The Bay Area Air Quality Management District (Air District) announced today two major civil penalty settlements involving asbestos reporting and removal violations. Both settlements result in the biggest asbestos fines ever collected by the Air District.

"The Air District's role is to enforce standards that protect public health," said Air District Executive Officer Jack P. Broadbent. "Significant penalties demonstrate that the Air District is serious about prosecuting asbestos abatement contractors and property owners and managers who fail to comply with the Air District's regulations concerning asbestos abatement," Broadbent added.

In the first case, USA Properties Fund, Inc., and USA Multifamily Management, Inc., a property management company headquartered in Roseville, California, have agreed to pay a \$300,000 penalty for a number of incidents in which it used untrained and uncertified laborers to remove asbestos ceiling materials at the Clayton Crossing apartment complex in Concord, California. The laborers removed the asbestos ceiling material without taking any precautions to prevent themselves and the residents of the complex from being exposed to harmful asbestos fibers. The Air District filed a lawsuit over the violations in Contra Costa County Superior Court on March 13 of this year, but the defendants agreed to settle for a \$300,000 civil penalty.

In the second case, Synergy Environmental, Inc., and Synergy Enterprises, Inc., an asbestos abatement contractor based in Hayward, California has paid \$130,000 in penalties for doing asbestos abatement work without first notifying the Air District as required by law. An investigation of Synergy's practices revealed that the company did over 250 asbestos jobs between June of 2002 and August of 2003 without proper notification. The Air District collected \$59,885 in back notification fees, as well as \$130,000 in penalties for the violations, for a total payment of \$189,885.

"Asbestos is a harmful air contaminant that causes serious adverse health effects when asbestos fibers are inhaled, including asbestosis, lung cancer, mesothelioma, pleural plaques, and other serious diseases," said Air District Executive Officer Jack P. Broadbent.

The Air District is the agency with primary responsibility for enforcing air quality regulations in the San Francisco Bay Area. "Asbestos contractors and others should get the message that the Air District's aggressive enforcement program helps to assure the citizens residing in the nine Bay Area counties that illegal removal and/or disposal of asbestos will be vigorously investigated and prosecuted," added Air District Counsel Brian C. Bunger.

The Air District's asbestos regulation (Regulation 11 Rule 2) can be found on the Air District's website at <http://www.baaqmd.gov/dst/regulations/rg1102.pdf>.

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