



EXCAVATING • TRUCKING • SEPTIC MAINTENANCE

5405 E. Michigan Ave.

Jackson, MI 49201

(517) 764-7888 Fax: (517) 764-7808

December 26, 2023

JEREMY HOWE
TPU SUPERVISOR AT EGLE, AQD
PO BOX 30260
LANSING, MI 48909-7760
HoweJ1@Michigan.gov

RE: VIOLATION NOTICE AT 3323 WEST MICHIGAN AVE., JACKSON

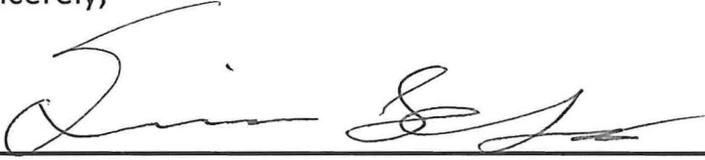
Dear Jeremy Howe:

This letter is in response to the notice I received dated December 21, 2023, regarding violations 40 CFR 61.145 (a) and 40 CFR 61.145 (b)(1) for the demolition site at 3323 West Michigan Ave., Jackson, Michigan.

The demolition began and was completed on December 12, 2023. The failure to submit a finalized asbestos inspection and 10-day demolition notice was due to the fact that the owner (Richard Walicki) and operator (Jimmy Lester) were both of the understanding that the other party had taken care of these notifications. The violations are not ongoing, as the demolition is complete. Both the owner and operator have been notified of this oversight and are in agreement that for *any and all* future demolitions/projects, the responsibility of scheduling an asbestos inspection and providing a 10-day intent to demolish will be **clearly outlined and executed**. This will prevent any future misunderstandings and any reoccurrences of these violations.

The owner and operator both apologize for this oversight. We appreciate all your division does to ensure the safety of our community.

Sincerely,



12-26-25

Jimmy Lester

Date

Lester Brothers Excavation, Inc.
5405 East Michigan Ave.
Jackson, MI 49201

CC: JASON WOLF, ENFORCEMENT UNIT
WolfJ2@Michigan.gov

IVAN BELL, SENIOR ENVIRONMENTAL QUALITY ANALYST
AIR QUALITY DIVISION
Belli@Michigan.gov



STATE OF MICHIGAN
 DEPARTMENT OF
 ENVIRONMENT, GREAT LAKES, AND ENERGY
 LANSING



GRETCHEN WHITMER
 GOVERNOR

PHILLIP D. ROOS
 DIRECTOR

December 21, 2023

VIA E-MAIL

Richard Walicki
 Jim Winter Automotive Group
 3303 West Michigan Avenue
 Jackson, Michigan 49202

Jimmy Lester
 Lester Brothers Excavation, Inc.
 5405 East Michigan Avenue
 Jackson, Michigan 49201

ID: U382308012; Jackson County

Dear Richard Walicki and Jimmy Lester:

VIOLATION NOTICE

On December 18, 2023, the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) performed an asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants) inspection at 3323 West Michigan Avenue, Jackson, Jackson County. The purpose of this inspection was to determine compliance with the requirements of Title 40 of the Code of Federal Regulations (40 CFR), Part 61, Subpart M (National Emission Standard for Asbestos), and Rule 942 of Part 55, Air Pollution Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

According to my investigation, Jim Winter Automotive Group owns the subject property and Lester Brothers Excavation, Inc. performed the demolition activities. The National Emission Standard for Asbestos holds both the owner and operator equally liable for any violations.

During the inspection, staff observed the following:

The subject facility had been recently demolished, and the demolition contractor was on-site finishing loadout of the foundation. A notification of intent to demolish had not been submitted and a thorough asbestos inspection had not been performed.

Process Description	Section Violated	Comments
On 12/18/23, staff performed a demolition inspection at 3323 W. Michigan Ave., Jackson. A notification of intent to demolish was not submitted. A thorough asbestos inspection was not performed prior to demolition activities.	40 CFR 61.145 (a)	Failure to thoroughly inspect for asbestos containing materials.
	40 CFR 61.145 (b)(1)	Failure to provide 10-day notification of intent to demolish.

VIOLATION NOTICE

Richard Walicki and Jimmy Lester

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December 21, 2023

Dec 12, 2023

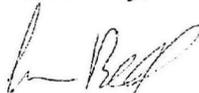
Please initiate actions necessary to correct the cited violations and submit a written response to this violation notice by January 11, 2024, (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violations occurred; an explanation of the causes and duration of the violations; whether the violations are ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violations, and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

The signed written response from the owner and operator may be submitted by mail to Jeremy Howe, TPU Supervisor at EGLE, AQD, P.O. Box 30260 Lansing, Michigan 48909 -7760 and must include a copy to Jason Wolf, Enforcement Unit at the same address. The response may be scanned and emailed as an attachment to HoweJ1@Michigan.gov and WolfJ2@Michigan.gov. cc

If you believe the above observations or statements are inaccurate or do not constitute a violation of the applicable legal requirements cited, please provide appropriate factual information to explain your position.

Thank you for your attention to resolving the violations cited above and for the cooperation that was extended to me during our conversations. If you have any questions regarding the violation notification or the actions necessary to bring this facility into compliance, please feel free to contact me at 517-582-0535; Belli@Michigan.gov; or EGLE, AQD, 301 East Louis Glick Highway, Jackson, Michigan 49201-1556. cc

Sincerely,



Ivan Bell
Senior Environmental Quality Analyst
Air Quality Division

cc: Annette Switzer, EGLE
Christopher Ethridge, EGLE
Brad Myott, EGLE
Jeremy Howe, EGLE
Scott Miller, EGLE
Jason Wolf, EGLE