



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

January 27, 2022

UPS NEXT DAY DELIVERY

**ENFORCEMENT NOTICE**

In the matter of:

Mrs. Trudy Nicol-Bowers  
Sanilac County Land Bank  
60 West Sanilac, Room 204  
Sandusky, Michigan 48471

Mr. Keith Pierson, President  
K & J Excavating Company, Inc.  
7528 Huron Line Road  
Minden City, Michigan 48456

SRN: U762200072; Sanilac County

ATTENTION: Mrs. Nicol-Bowers and Mr. Pierson

This letter is to advise you of the commencement of an escalated enforcement action against Sanilac County Land Bank and K & J Excavating Company, Inc. for alleged violations that occurred at 8475 Third Street, Minden City, Michigan. This letter follows the January 5, 2022, Violation Notice issued by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD) which details violations of the National Emission Standards for Hazardous Air Pollutants for asbestos (Asbestos NESHAP), Title 40 of the Code of Federal Regulations, Part 61, Subpart M; and Rule 942 of the Michigan Air Pollution Control Rules, Mich Admin Code, R 336.1942. These regulations hold all owners and operators, such as contractors and/or subcontractors, fully liable for compliance with the Asbestos NESHAP.

The AQD is providing Sanilac County Land Bank and K & J Excavating Company, Inc with an opportunity to formally resolve these violations through the entry of a legally enforceable agreement that will include a compliance program and payment of an appropriate monetary penalty pursuant to Section 5528 of Part 55 of NREPA, MCL 324.5528.

Be advised that failure to respond to this Enforcement Notice in a timely manner and adequately resolve or address the cited violations may result in further enforcement proceedings, including but not limited to, referral of the matter to the Michigan Department of Attorney General (DAG) for commencement of civil litigation.

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Mrs. Trudy Nicol-Bowers, Sanilac County Land Bank  
Mr. Keith Pierson, K & J Excavating Company, Inc.  
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This Enforcement Notice does not preclude or limit EGLE's ability to initiate any other enforcement action under federal or state law as appropriate.

Please contact me at 517-275-0943 no later than Monday, February 7, 2022, to schedule a meeting to discuss the resolution of this matter. You may also contact me by email at [WolfJ2@Michigan.gov](mailto:WolfJ2@Michigan.gov).

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



By: \_\_\_\_\_  
Jason Wolf  
Air Quality Division, Enforcement Unit

Date: \_\_\_\_\_ 1/27/2022

cc: Mr. Neil Gordon, DAG  
Ms. Karen Kajiya-Mills, EGLE  
Ms. Jenine Camilleri, EGLE