



GRETCHEN WHITMER  
GOVERNOR

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



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

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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](mailto:HoweJ1@Michigan.gov) and [WolfJ2@Michigan.gov](mailto:WolfJ2@Michigan.gov).

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](mailto:Belli@Michigan.gov); or EGLE, AQD, 301 East Louis Glick Highway, Jackson, Michigan 49201-1556.

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