 

**Analysis of Brownfields Cleanup Alternatives (ABCAs)**

**For Kings Club/Former Administration Building**

**12142 W. Lakeshore Drive in Brimley, MI 49715**

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Bay Mills Indian Community will be conducting an environmental clean up of the Kings Club/Former Administration Building located at 12142 W. Lakeshore Drive in Brimley, MI 49715. An ABCA is a required document in the public notification process when federal funding is used to clean up a property. Federal Bipartisan Infrastructure Law funding for this project will be used to address the soil contamination present at this site. Other clean up activities at this site, including demolition of buildings, are being addressed through other funding sources.

1. **Introduction & Background**
   1. **Site Locations**

The property is located at 12142 W. Lakeshore Drive in Brimley, MI 49715. This site is located on Bay Mills Indian Community Trust land.

* 1. **Previous Site Use(s) and any previous cleanup/remediation**

The site has served many purposes over the years including the Kings Club Casino, Tribal Administration, and housed many other functions of Tribal government including the court room and police department. The building has had numerous additions constructed since its first structure was built in the 1970’s. No known previous cleanup or remediation efforts have occurred on the site.

**Site Assessment Findings**

Because the structure is scheduled for demolition, a pre-demolition hazardous material survey was conducted in February 2025 by Mackinac Environmental Technology Co-op.

Results show the building contains lead paint and asbestos.

* 1. **Project Goal**

The overall purpose of a cleanup at this site is to allow the property to be redeveloped while mitigating risks posed to human health and the environment while also incorporating climate resiliency in all actions. The cleanup goal(s) for this site are listed below:

* Remove and properly dispose of asbestos containing materials in buildings
* Conduct cleanup operations that are compliant with applicable tribal, state, and federal standards and protect human health and the environment, and utilize climate resiliency strategies
* Conduct asbestos post abatement clearance testing

1. **Applicable Regulations and Cleanup Standards**
   1. **Cleanup Oversight Responsibility**

The cleanup will be enrolled in the tribal response program and overseen by the Tribe in U.S. Environmental Protection Agency Region 5 (EPA). Certified contractors will be hired to conduct the cleanup and complete subsequent monitoring. Contractors will be overseen by the Tribal Construction Manager and Environmental Coordinator.

* 1. **Cleanup Standards for major contaminants**

These standards will follow rules and regulations during the cleanup tasks and activities:

§ Michigan Occupational Safety and Health Administration Part 305 and Part 602

§ Michigan Public Act 135 of 1986

§ Michigan Public Act 440 of 1988

* 1. **Laws & Regulations Applicable to the Cleanup (briefly summarize any federal, tribal, state, and local laws and regulations that apply to the cleanup**)

Laws and regulations that are applicable to this cleanup include MIOSHA regulations for handling asbestos containing materials, lead containing materials and Tribal laws. The cleanup contractor will be required to follow MIOSHA, EPA and applicable state regulations and notifications. Federal, State and Tribal laws regarding procurement of contractors to conduct the cleanup will be followed. In addition, all appropriate permits will be obtained prior to the work commencing.

1. **Evaluation of Cleanup Alternatives**

Each of the potential cleanup alternatives is evaluated against the following set of four criteria:

1. **Compliance**

§ Compliance with applicable tribal, state and federal regulations.

1. **Effectiveness**

§ Protectiveness of human health and the environment, including workers during implementation;

§ Reliability for mitigation of risk in the short-term and long-term effectiveness;

§ Reduction of toxicity, mobility, and/or volume of contaminants;

§ Ability to achieve the cleanup goals; and

1. **Implementability**

§ Technical feasibility;

§ Availability of required services, materials, and equipment;

§ Administrative feasibility;

§ Construction feasibility; and

§ Maintenance and monitoring requirements.

1. **Cost (Conceptual costs for comparative analysis only)**

§ Amount of time, effort, materials, and labor necessary.

The selection of “effectiveness,” “implementability,” and “cost” of evaluation criteria is based upon the EPA’s Guidance for Conducting Remedial Investigations and Feasibility Studies under CERCLA (EPA, 1988). In addition, the selection of “compliance” as an evaluation criterion is used to take into account variations between federal, state, and/or local regulations, if applicable, on a site-by-site basis.

1. **Cleanup Alternatives**
   1. **Cleanup Alternatives Considered**

To address contamination, three different alternatives were considered, including:

* + - Alternative #1: No action
    - Alternative #2: Removal of asbestos containing materials.
    - Alternative #3: Continue to monitor site with possible future action or no action

Alternative #1: No Action

Advantages

* No Cost

Disadvantages

* + All contamination will still exist.
  + Health, environmental, and safety hazards remain
  + Blighted building remains.
  + The needs of the community will not be met since the site cannot be reused with the status quo situation.
  + Not compliant with Federal, Tribal and State regulations
  + No immediate costs, but potential high costs in future due to unlimited liability and deteriorating conditions.
  + The “No Action” alternative is technically ineffective

Alternative #2: Removal of asbestos containing materials.

Advantages

* Abate asbestos in building
* Conduct cleanup operations that are compliant with applicable tribal, state, and federal standards.
* Removal of contamination will reduce safety, health and environmental risks
* Allow for reuse/redevelopment of these sites

Disadvantages

* Alternative would incur a moderate amount of time, effort, labor, and material costs to complete the removal of building materials containing asbestos and lea.
* Estimated total cost is up ranges from $15,000 - $37,000 to remove health and environmental risks from site

Alternative #3: Continue to monitor site with possible future action or no action

Advantages

* Minimal cost

Disadvantages

* + All contamination will still exist.
  + Health, environmental, and safety hazards remain
  + Blighted buildings remain.
  + The needs of the community will not be met since the sites cannot be reused with the status quo situation.
  + Minimal costs, but potential high costs in future due to unlimited liability and deteriorating conditions.
  1. **Cost Estimate of Cleanup Alternatives (summary of the compliance, effectiveness, implementability and a preliminary cost estimate for each alternative)**

To satisfy EPA compliance, requirements, the effectiveness, implementability, and cost of each alternative must be considered prior to selecting a recommended cleanup alternative.

Summary Comparison of Potential Alternatives

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Cleanup Alternative | Compliance | Effectiveness | Implementability | Cost | Comment |
| Alternative #1: No Action | Compliant | Not effective | Implementable | Low (3rd) | This alternative does not satisfy the cleanup goals or allow for redevelopment of the site |
| Alternative #2: Abatement of asbestos containing materials in building. | Compliant | Effective | Implementable | Moderate (1st) | This alternative satisfies the cleanup goals, and allows for redevelopment of the site. |
| Alternative #3: Continue to monitor site with possible future action or no action | Compliant | Not effective | Implementable | Low (2nd) | This alternative does not satisfy the cleanup goals or allow for redevelopment of the site in a timely manner. |

* 1. **Recommended Cleanup Alternative**

Of the three cleanup alternatives evaluated for selection for the property located at 12142 W. Lakeshore Drive in Brimley, MI 49715, the preferred alternative recommended is:

Alternative 2: Removal of asbestos containing materials.

This alternative was selected based upon overall compliance with state and/or federal regulations, effectiveness in protecting human health and the environment in both the short-term and long-term, feasibility of implementation, long-term cost effectiveness and ability to redevelop the site into a future use that benefits the community.

Please see Attachment A for the Clean Up plan for addressing environmental contamination at this site.

**Attachment A**

**Clean Up Plan**

**Clean Up Plan for**

**Former Administration Building/ Kings Club**

**Bay Mills Indian Community**

**Former Administration Building/Kings Club**

**12142 W. Lakeshore Drive**

**Brimley, MI**

**Prepared by**

**Jennifer Satchell, Environmental Coordinator**

**Bay Mills Indian Community**

**12142 W. Lakeshore Drive**

**Brimley, MI**

**And**

**Quality Environmental Services**

**2175 S Hockaday Rd.**

**Beaverton, MI 48612**

**April 2, 2025**

Bay Mills Indian Community has contracted with Mackinac Environmental Technology Co-op, Inc (MET) and Quality Environmental Services (QES) to conduct asbestos abatement of the Kings Club/Former Administration Building located at 12142 W. Lakeshore Drive in Brimley, MI 49715. Other clean up activities at this site, including demolition of buildings, are being addressed through other funding sources.

*Site Location*

The property is located at 12142 W. Lakeshore Drive in Brimley, MI 49715. This site is located on Bay Mills Indian Community Trust land.

*Previous Site Use(s), Previous Cleanup/Remediation, Proposed Revitalization Plans*

The site has served many purposes over the years including the Kings Club Casino, Tribal Administration, and housed many other functions of Tribal government including the court room and police department. The building has had numerous additions constructed since its first structure was built in the 1970’s. No known previous cleanup or remediation efforts have occurred on the site. Revitalization plans for the site include a mixed-use facility with business spaces on the lower level and apartments on the second level.

*Site Assessment Findings*

Because the structure is scheduled for demolition, a pre-demolition hazardous material survey was conducted in February 2025 by Mackinac Environmental Technology Co-op. Results show the building contains asbestos.

*Project Goal*

The overall purpose of a cleanup at this site is to allow the property to be redeveloped while mitigating risks posed to human health and the environment while also incorporating climate resiliency in all actions. The cleanup goal(s) for this site are listed below:

* Remove and properly dispose of asbestos containing materials in buildings
* Conduct cleanup operations that are compliant with applicable tribal, state, and federal standards and protect human health and the environment, and utilize climate resiliency strategies
* Conduct asbestos post abatement clearance testing

*Quality Assurance Project Plan (QAPP)*

QES will work under MET’s QAPP which describes the personnel, procedures, and methods for

ensuring the quality, accuracy, and precision of data associated with the project. MET’s QAPP has been approved by EPA.

*Site Specific Clean Up Plan*

All work will be completed in accordance with Michigan Occupational Safety and Health Administration (MIOSHA) Construction Safety Standard 602 – Asbestos for Construction and Construction Safety Standard by an asbestos abatement contractor licensed in the State of Michigan.

Proper preparation of the work areas for asbestos removal is required, including the use of ground fault circuit interrupters, warning signs in accordance with MIOSHA regulations, banner tape that provides a visible and physical barrier into the work area, and sealing openings and fixtures with 6-mil polyethylene sheeting. All asbestos-containing materials (ACM) will be thoroughly wetted prior to abatement, and all waste will be thoroughly decontaminated prior to loadout.

Where enclosures are required, negative pressure with a minimum of four air exchanges per hour will be maintained throughout the abatement process. A device to monitor negative pressure in the enclosures shall be provided by the contractor. In addition, three-stage decontamination units will be used along with HEPA-equipped air filtration devices, and critical barriers will be erected to seal entrances and exits.

In areas where an enclosure is not required, a regulated area with critical barriers will be established. Glovebag operations will require the utilization of at least one HEPA filter-equipped air filtration device in the regulated area.

*Worker Safety*

No street clothing or street shoes will be allowed in the containment. Disposable coveralls will be provided by the contractor and are to be replaced upon exiting the containment area. Rips and tears in coveralls will be promptly repaired or the coveralls will be replaced. No eating, drinking, smoking, applying cosmetics, or removing of respirators will be permitted in regulated areas/containments.

At a minimum, half-face negative pressure air purifying respirators will be used in regulated

areas/containments. While in regulated areas/containments, respirators must be worn at all times and have been properly fit-tested in accordance with MIOSHA regulations.

*Air Monitoring*

Throughout the removal and cleaning operations, personal air monitoring will be conducted by Quality Environmental Services to ensure employee compliance with all codes, regulations, and ordinances.

Mackinac Environmental Technologies Co-op will conduct final air monitoring clearance of negative pressure containment and adjacent areas with their equipment. Asbestos air samples will be analyzed using the phase contrast microscopy (PCM) method which measures the number of fibers within a certain length and width threshold that are present in the air. A total of 1,200 liters of air will be collected for each clearance sample. The State of Michigan’s clearance level for fibers in commercial buildings is 0.05 fibers/cc.

Abatement operations shall cease, and all employees shall decontaminate and leave the work area if, for any reason, the Air Monitoring Professional’s air sampling equipment is disconnected, disturbed, or tampered with in any way.

It will be the Contractor's sole responsibility to maintain adequate engineering controls in order to keep fiber levels within regulatory limits. If the airborne fiber levels exceed the Permissible Exposure Limit (PEL) (0.10 f/cc) or the Excursion Limit (EL) (1.0 f/cc) for asbestos in the work area, the use of air misters and other appropriate modifications to engineering controls will be required. Efforts necessary to reduce any elevated fiber levels to the PEL and EL or lower shall be clearly documented in daily reports of the Contractor.

Following a visual clearance of the work areas to verify that no ACM remains, air clearance samples will be collected from each area to verify that no fibers are present above State of Michigan clearance levels (0.05 f/cc).

*Stop Work Orders*

If, at any time the Owner or Owner’s Representative decides that work practices are violating contract specifications or endangering workers, the on-site Contractor's representative shall be immediately notified, and removal operations are to cease until corrective action is taken.

No additional time will be added to the work schedule completion date following a stop work order.

*Transport and Storage of Asbestos Waste*

The Contractor will decontaminate asbestos-containing waste generated during each work shift before transfer to an enclosed dumpster which will be locked and located in a pre-designated area, or to the Contractor's covered and secure vehicle for transport off-site at the end of each shift.

Asbestos-containing material waste may not be stored in the work area. ACM waste must be bagged or placed in drums by the end of each work shift and removed from the work site to the enclosed dumpster or Contractor's covered and secure vehicle prior to the end of each work shift.

Dumpsters or vehicles which are used to store asbestos waste or equipment must be securely locked at all times, except during supervised loading or unloading.

Dumpsters which remain on-site and/or waste transport vehicles will be labeled and bannered in

accordance with 29 CFR 1910.1200(f) and NESHAP 40 CFR Part 61, Final Rule.