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Utah Brownfields Connection

Simpson Steel Voluntary Cleanup Site

The former Simpson Steel site, located in Murray near 4500 South and Main Street, is approximately 20 acres and was used for brick manufacturing, pipe manufacturing, and structural and general steel fabrication until 2001. The property was subsequently used for office space and equipment storage for a short time after that. Historical uses of petroleum products impacted the property, and waste slag was imported from a nearby smelter to fill and grade the site.



Lions Gate development built on the former Simpson Steel site.

A transit oriented development became the driving force for the transformation of this underutilized, industrial area since a UTA TRAX station is directly adjacent to the site. In 2004, Simpson Steel applied to the Utah Department of Environmental Quality (UDEQ), Division of Environmental Response and Remediation (DERR) for entry into the Voluntary Cleanup Program (VCP). The owner intended to redevelop the site into a high density, mixed-use development. A change of ownership and various zoning and other issues slowed the project, but sampling and investigation of the property was completed in late 2008. Several areas of metals and petroleum impacted soils were found and delineated. Slag material and elevated levels of metals were found in Big Cottonwood Creek.

To facilitate cleanup of the property, the new owner proposed a strategy to remove all impacted material exceeding site-specific cleanup levels for a residential land use. After a public comment period, the strategy was implemented, and contaminated material was removed and disposed of at a permitted facility. Cleanup began in spring 2009 and was performed in phases addressing the upper portion of the site, the creek channel, and finally areas previously covered by hardscape. Cleanup activities were completed by the end of 2009 under DERR oversight. A Certificate of Completion was issued under the VCP in March 2010.

Today, the site is known as the Lions Gate development. The \$80 million redevelopment of the former Simpson Steel site began in the summer of 2011 with construction of a new overpass for access and 15 buildings containing a total of 400 apartment units. This first phase was completed in the spring of 2012 and will be followed by construction of 268 low-income housing units as well as retail, restaurant, and office space – all of which will be less than a five minute walk to the UTA TRAX light rail station.

EPA ARC Grant Applications – Tools and Tips:

The next round of EPA ARC grants will commence later this summer. The deadline for the applicants is typically in the fall.

The DERR will provide notice of the dates relating to the next round of grants and will forward the guidelines to communities across the state as the information becomes available.

For communities seeking to apply for these competitive grants, the following six tips are provided by the EPA.

- *Read the guidelines and address all required criteria and sub-criteria in the listed order.*
- *Contact partners and the State early to get letters of support, commitments, and input.*
- *Clearly cite the sources of all information and data.*
- *Use active, not passive, language throughout the application.*
- *Assume that the reviewer knows nothing about the community, its social and economic history or its present state.*
- *Provide examples of past achievements to demonstrate a real commitment behind stated goals.*

For more Brownfields and ARC grant tips, information, and helpful tools, please visit:

www.epa.gov/brownfields

Utah Applicants Awarded EPA Grants

Assessment, Revolving Loan Fund and Cleanup (ARC) grants are tools to assess, cleanup and redevelop Brownfields in Utah. Proposals are received on an annual basis and Utah communities compete with other communities across the nation for grant funding from the Environmental Protection Agency (EPA).

In May 2012, three Utah applicants were awarded Brownfields ARC grants by the EPA: 1) Salt Lake City Corporation was awarded a community-wide assessment grant for the North Temple Corridor Brownfields Assessment project; 2) The Wasatch Front Brownfields Coalition, consisting of a partnership between Salt Lake County, Salt Lake City and Ogden City, was awarded a Revolving Loan Fund grant to address contaminated properties in Salt Lake County and Ogden; and 3) Utah State University Brigham City Regional Campus (USU) was awarded a Cleanup grant for the former Bushnell Army Hospital/Intermountain Complex property in Brigham City. These awards will help the recipients deal with Brownfields issues, hopefully resulting in once blighted properties being returned to economic beneficial use.

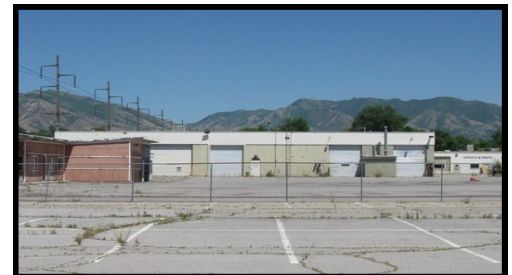
Salt Lake City will conduct assessment activities along the North Temple Corridor, which is a gateway between the Salt Lake City International Airport and the central business district. Assessment activities will compliment on-going efforts to develop light rail transit, multi-use paths, landscaping and other improvements. Properties to be assessed include automotive-related businesses, metal working facilities, and dry cleaners. Many sites are adjacent to residential properties and the Jordan River.

The Wasatch Front Brownfields Coalition will use the loan fund to provide loans and sub-grants for cleanup activities at various sites in Salt Lake County and Ogden City. Remediation of Salt Lake City's former Fleet Maintenance Yard is an important component since it could help foster further transit oriented development opportunities. Furthermore, assessment and cleanup of properties along the Wall Avenue Retail Corridor in Ogden will protect the environment due to its proximity to two rivers in the area and advance revitalization efforts in this community.

In Brigham City, Utah State University will address asbestos issues in old buildings associated with the former Bushnell Hospital and Intermountain Complex. USU bought 40 acres of the former Intermountain Complex property in December 2010 and most of the 18 buildings have been torn down, but seven remain. USU's goal is to establish a new regional campus at the site.



Bushnell Hospital/Intermountain Complex



Fleet Maintenance Facility

Utah Voluntary Cleanup Program

The Utah State Legislature passed the Voluntary Release Cleanup Program statute during the 1997 legislative session. This legislation created the Voluntary Cleanup Program under the direction of the UDEQ/DERR. The VCP is a tool to address Brownfields in Utah.

Some of the primary reasons to conduct voluntary cleanups are: 1) Voluntary cleanups can be tied to land use allowing for a risk-based approach to cleanup; 2) A successful voluntary cleanup results in the issuance of a Certificate of Completion (COC) which provides a release of liability to qualified applicants as specified in the statute; 3) The liability release is transferable to subsequent property owners; and 4) Sites that are on the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) database and that are issued a COC may be designated No Further Remedial Action Planned (NFRAP) by EPA.

The goal of the VCP is to promote the investigation and cleanup of contaminated sites under a cooperative, regulatory-friendly framework. Voluntary cleanups will mitigate risk to human health and the environment. Below are pictures of voluntary cleanups conducted in different portions of the state. For more information on the program, please refer to the following website: www.superfund.utah.gov/vcp.htm



Alice Lode Site Remediation – Park City



Geneva Nitrogen Site Remediation - Vineyard

EPA Brownfields Solutions Series

A Brownfield is property on which expansion, redevelopment, or reuse may be complicated by the presence, or perceived presence, of a hazardous substance, pollutant, or contaminant. Brownfields are located in both urban and rural areas and can include former gas stations, maintenance garages, historic dump sites, and mine scarred lands.

EPA has produced a *Brownfields Solutions Series* fact sheet to provide an overview of the Brownfields redevelopment process. The document provides examples of redevelopment scenarios and outlines the processes, key challenges, and critical participants. Other related topics are also discussed in the fact sheet.

For more information on the EPA *Brownfields Solutions Series*, please visit:

http://www.epa.gov/brownfields/overview/anat_bf_redev_101106.pdf

National Brownfields Conference:

The 15th National Brownfields Conference will be held in Atlanta, Georgia on May 15–17, 2013. Cosponsored by the EPA, the Conference is the most comprehensive event in the nation that focuses on issues important to community revitalization and cleanup and redevelopment of impacted properties.

Brownfields 2013 will offer a diverse set of educational opportunities including, but not limited to, panel sessions, marketplace roundtables, mobile workshops, film screenings, plenary events, an exhibit hall and a redevelopment forum. Stay tuned to www.brownfieldsconference.org for more information on the 2013 conference!

Voluntary Cleanup Program Statistics:

77 VCP applications have been received and 36 Certificates of Completion have been issued since the program began in 1997. Over 855 acres have been returned to a state of beneficial re-use.

Enforceable Written Assurance Statistics:

The DERR has received 65 EWA applications and issued 51 EWAs since the program began in 2006.

Interactive Map and Records Search:

The DERR has the Easy Records Search and Interactive Map available online.

To access records please visit: <http://environmentalresponse.utah.gov/research.htm>

The Interactive Map can be found at: <http://mapserv.utah.gov/DEQ/>

For more information contact: haroldsandbeck@utah.gov

Petroleum Brownfields:

Abandoned gas stations can also be considered Brownfields. Please call the Underground Storage Tank program at (801) 536-4100 for more information.



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All Appropriate Inquiry

All Appropriate Inquiry (AAI) is the process of evaluating a property's history and environmental condition to determine whether any contamination may be present. AAI investigations should be conducted during the due diligence process and are required to be performed for a future owner to assert the bona fide prospective purchaser liability defense under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Inquiries must be performed in a manner consistent with the final rule, published at 40 Code of Federal Regulations (CFR) Part 312 (effective November 1, 2006). AAI requirements may be met using the ASTM E1527-05 or ASTM E2247-08 standards.

AAI's must be conducted or updated within one year prior to property acquisition. Specific activities required by the final rule that must be performed or updated within 180 days before acquisition of the property include an onsite visual inspection, review of government records, interviews with previous and current site owners, and searches for environmental cleanup liens. AAI investigations must be performed or supervised by individuals who meet the definition of an Environmental Professional.

The findings of an AAI investigation must be documented in a written report and should include an opinion as to whether the inquiry identified conditions indicative of releases or threatened releases of hazardous substances, an identification of significant data gaps, qualifications of the environmental professional and an opinion regarding additional appropriate investigation.

For more information about All Appropriate Inquiry and to access EPA's final rule, please visit: www.epa.gov/brownfields/aai/.

About Our Organization

The VCP/Brownfields Program is administered through the Division of Environmental Response and Remediation, Superfund Branch. The DERR is charged with protecting public health and Utah's environment through cleanup of chemically contaminated sites, by ensuring that underground storage tanks are used properly and by providing chemical usage and emission data to the public and local response agencies. For more information about us, please see our website.

We're on the Web!

www.environmentalresponse.utah.gov