Div of Waste Management and Radiation Control





DSHW-2019-001005

Mr. Rusty Lundberg Acting Director, Utah Department of Environmental Quality Division of Waste Management and Radiation Control 195 North 1950 West, 2<sup>nd</sup> Floor P.O. Box 144880 Salt Lake City, Utah 84114-4880 January 23, 2019 Project No.: 1995-013C

SUBJECT: Site Management Plan - Final LearnKey Facility 633 North 400 West Salt Lake City, Utah

Mr. Lundberg,

On behalf of our client, Price 633 North, LLC, Wasatch Environmental, Inc., is submitting the attached Site Management Plan (SMP) report regarding the LearnKey Facility. Wasatch received comments from the Division of Waste Management and Radiation Control (DWMRC) on January 16, 2019, regarding the draft SMP submitted to DWMRC for review and comments. All DWMRC comments were addressed in the final SMP being submitted.

Please feel free to contact us with any questions, comments, or concerns you may have regarding site.

Best regards,

Blake Downey, P.G.

Project Hydrogeologist

C.C.: Mr. David Larsen,

# DSHW-2019-001005

WASATCH ENVIRONMENTAL, INC. ENVIRONMENTAL SCIENCE AND ENGINEERING

> Div of Waste Management and Radiation Control

> > JAN 23 2019

SITE MANAGEMENT PLAN LEARNKEY FACILITY 633 NORTH 400 WEST SALT LAKE CITY, UTAH

Project No. 1995-013C

To:

Mr. Rusty Lundberg, Acting Director Utah Department of Environmental Quality Division of Waste Management and Radiation Control 195 North 1950 West, 2<sup>nd</sup> Floor P.O. Box 144880 Salt Lake City, Utah 84114-4880

> Prepared For: Mr. Ken Rudy Price 633 North, LLC 230 East South Temple Salt Lake City, Utah 84111

> > Prepared By:

Wasatch Environmental, Inc. 2410 West California Avenue Salt Lake City, Utah 84104

January 23, 2019

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Appendix A - Well Abandonment Report

#### SITE MANAGEMENT PLAN LEARNKEY FACILITY 633 NORTH 400 WEST SALT LAKE CITY, UTAH

#### 1. INTRODUCTION

Wasatch Environmental, Inc. (Wasatch), has prepared this Site Management Plan (SMP) to present the planned long-term approach for managing heavy metals and semi-volatile organic compound (SVOC) impacts to soil and groundwater at the LearnKey facility (Property).

This SMP has been prepared in accordance with the requirements of R315-101 "Cleanup Action and Risk-Based Closure Standards" that establishes information requirements to support risk-based cleanup and closure standards at facilities for which remediation or removal of hazardous constituents to background levels is not expected to be achieved. Except as set forth in the Environmental Covenant (EC) recorded with the Salt Lake County Recorder's Office, the "Holder" (as defined in the EC) shall comply with the SMP. Provisions of the SMP relating to the land use limitations shall be the responsibility of the "Owner" (as defined in the EC) of the Property.

#### 1.1 Site Description

The Property is 0.71 acres in size and consists of one parcel (parcel number: 83-61-260-050) located at 633 North 400 West in Salt Lake City, Utah. The entire Property is included in the restrictions described below. The legal description obtained from the Salt Lake County Assessors website is presented below:

Legal Description of Property - Beginning at the Southeast Corner of LOT 7, Block 137, Plat A, SLC SUR; North 100 feet; West 309.54 feet; S 100 feet; East 309.54 feet to Beginning 3908-0234. 5439-1637,1639 9084-1487 9423-5141.

A Facility Location Map and a Facility Parcel and Property Boundary Map are presented as Figures 1 and 2, respectively.

The Property is occupied by a 13,640-square-foot, single-story, office/warehouse building. This structure is situated along the northern Property boundary and occupies the majority of the eastern and central portions of the Property. The eastern portion of the Property building includes 4,200 square feet that consists of office space, and was constructed in 1961, with the northern portion likely added in 1965. The western portion of the Property building includes 9,440 square feet that consists of warehouse space and was constructed in 1965 and 1968. The remaining portions of the Property are covered by concrete and asphalt pavement. Vehicle parking is located to the east and south of the eastern portion of the building. Vehicle access and a storage yard are located to the south and west of the western portion of the building.

The Property is accessed by 400 West along the eastern boundary.

The Property has been connected to the local municipal water and sewage system since construction. The building is heated with natural gas and cooled with central air.

#### 1.2 Site Background

Our research indicates that the Property consisted of vacant land prior to the construction of the current office/warehouse in 1961 (office) and in 1965/68 (warehouses). Tenants at the Property have included the following: Geotron Corp., electronic instrument manufacturing (at least 1962); Specialty Engineering & Manufacturing Company, a machine shop (at least 1963 through at least 1982); and Quality Press Inc., printers (from at least 1983 through at least 2004), a classic automobile restoration company (at least

2007), and advertising/media companies, including and previous tenant, LearnKey, since 2007 to mid-2018.

Regulatory agency files from the Utah Department of Environmental Quality (DEQ) – Division of Waste Management and Radiation Control (DWMRC); identified Quality Press, a former tenant at the Property, as a Resource Conservation and Recovery Act – Small Quantity Generator (RCRA-SQG). According to regulatory file review information, this tenant filed for a Notification of Regulated Waste Activity in 1993. According to the three-page registration form, Quality Press anticipated disposing of 100 to 1,000 pounds of ignitable wastes per month. No other information was readily available associated with this former tenant. Other occupants of potential environmental concern have included an electronics company, an engineering and manufacturing company that included a machine shop, and an automobile restoration company that included a paint booth.

Price Realty Group contracted Wasatch to complete a Phase I Environmental Site Assessment (ESA) for the Property in anticipation of the potential purchase of the Property. Wasatch completed a Phase I ESA report dated March 27, 2018, for the Property, which identified the following recognized environmental condition:

• Former tenants from 1962 through 2007 would have likely used a combination of petroleum products and hazardous substances, including solvents, in daily business operations. The potential release of petroleum products and hazardous substances at the Property from past uses of the Property for over 45 years is considered to be recognized environmental condition;

Price Realty Group contracted Wasatch to complete a Phase II ESA to address the recognized environmental conditions identified by the Phase I ESA report. On April 6, 2018, Wasatch supervised the completion of seven soil borings across the Property to facilitate the collection of soil and groundwater samples. Wasatch also collected one sub-slab soil gas sample near a sand trap that was formerly located at the Property. All detected sub-slab soil gas concentrations were below the applicable United States Environmental Protection Agency (U.S. EPA) Commercial Vapor Intrusion Screening Levels (VISL) for Target Sub-Slab and Exterior Soil Gas Concentrations. The report confirmed the presence of various semi-volatile organic compound (SVOC) contaminants at concentrations exceeding applicable U.S. EPA Regional Screening Levels (RSLs) for Industrial Soil in subsurface soil and U.S. EPA Maximum Contaminant Levels (MCLs) in shallow groundwater at the Property; however, it was Wasatch's opinion that the SVOC concentrations in groundwater were due to the turbidity of the groundwater samples that were collected by direct push drilling techniques. At that time, it was Wasatch's opinion that the impacts to soil were likely constrained to the fill material of unknown origin present at the Property, and that the fill material was likely the source of the SVOC impacts and not the past activity uses of the Property. A Phase II ESA - Subsurface Investigation report dated April 24, 2018, documenting the sampling activities was completed by Wasatch.

In May 2018, at the request of Price Realty Group, Wasatch notified the Utah DWMRC of the impacts at the Property and requested oversight by the Utah DWMRC to guide the Property to a No Further Action determination. At this time, both the Phase I ESA and Phase II ESA were provided to DWMRC for review. Price Realty Group notified DWMRC that they would like to obtain a "Comfort Letter" indicating that Price Realty Group was not the responsible party of the documented release/impacts prior to the purchase of the Property. Upon review of the aforementioned documents and based on a meeting with Wasatch and DWMRC personnel, the Utah DWMRC requested that Wasatch author a Sampling and Analysis Plan (SAP), collect additional discrete soil samples, install and sample five groundwater monitoring wells, and analyze soil samples for RCRA D-list metals and polynuclear aromatic hydrocarbons (PAHs) to better evaluate the Property and move the Property to a No Further Action determination.

Given the request from DWMRC to collect additional data at the Property, Wasatch supervised the completion of 10 additional soil borings at the Property. Five of the soil borings were converted into groundwater monitoring wells which were properly developed and sampled. Wasatch completed a Subsurface Investigation report dated July 30, 2018, which identified PAH impacts to soil were restricted

#### Site Management Plan

to the 5 to 7 feet of fill material of unknown origin located at the Property and verified that dissolved PAHs impacts to groundwater do not exceed the applicable U.S. EPA Maximum Contaminant levels (MCLs). Arsenic and lead impacts to soil were present at concentrations exceeding their applicable U.S. EPA Regional Screening Level (RSL) for Industrial Soil. Additionally, arsenic in groundwater was present at concentrations exceeding its applicable U.S. EPA MCL. See Figures 3 through 6 for site boring and monitoring well locations, soil exceedances, and groundwater flow direction maps.

In conjunction with the additional sampling activities, Wasatch completed a Human Health Risk Evaluation (HHRE) given the detected arsenic, lead, and PAHs concentrations in soil. See Section 2 for further details.

## 2. RISK ASSESSMENT

A HHRE, was completed for the Property as part of the July 30, 2018, report. The HHRE determined that the observed concentrations in soil exceed the residential risk assessment target levels of  $1 \times 10^{-6}$  for carcinogens and 1.0 for non-carcinogens as defined in UAC R315-101. For the industrial and construction worker risk assessments, risk was within the Utah target levels of  $1 \times 10^{-6}$  for carcinogens in soil and below the target level of 1.0 for non-carcinogens in soil.

As documented in the July 30, 2018, report, it is Wasatch's opinion, that the observed concentrations of arsenic in groundwater were likely within typical background ranges for the Salt Lake Valley area. This opinion was supported by the HHRE. The Utah DWMRC agreed with this ascertain when they approved the July 30, 2018, report.

The specific land use of the Property is planned to be commercial or industrial.

The Property is entirely paved; therefore, an ecological risk waiver, was submitted to the Utah DWMRC with the July 30, 2018, report. DWMRC approved the ecological risk waiver with the July 30, 2018, report and determined further evaluation of ecological risk is not required.

Following the HHRE, the Utah DWMRC distributed a "Comfort Letter" dated September 26, 2018, to Price 633 North, LLC (the Property owner), and associated business entity of Price Realty Group. The letter stipulated that an EC and SMP would need to be completed for the Property. Additionally, the EC and SMP would need to address the following:

- A map showing the location of all contaminated soil at the Property. The map must also indicate areas of exposed soil at the Property. This requirement is addressed in Figures 4 and 5 of this SMP.
- A soil management plan addressing use of soil on the Property and addressing removal and proper management of soil leaving the Property. This requirement is addressed in Section 3.2 of this SMP.
- Any contamination not previously identified that is encountered during redevelopment must be properly characterized and managed appropriately. This requirement is addressed in Section 3.1 of this SMP.
- Information addressing how requirements in the SMP and EC will be tracked. This requirement is addressed in Section 3 of this SMP.

DWMRC has agreed that future groundwater monitoring programs are not required for the Property.

DWMRC requested that all groundwater monitoring wells be properly abandoned. These wells were abandoned by Wasatch on December 19, 2018. See Appendix A for a copy of the Well Abandonment Report. All well abandonment activities followed applicable regulations, procedures, and standards outlined in the Utah Division of Water Rights State - Utah Well Handbook, Section R655-4-12.

The Utah Division of Environmental Response and Remediation (DERR) also granted an "Enforceable Written Assurance" to Price 633 North, LLC., dated November 14, 2018 regarding the documented impacts at the Property.

#### 3. SITE MANAGEMENT

Price 633 North, LLC, shall implement the following management requirements within the Property pursuant to Utah Code R315-101-6.

#### 3.1 Discovery of Unknown Contamination

The following guidelines apply to the discovery of unknown contaminants during potential redevelopment activities conducted at the Property:

- 1. If unknown contamination is discovered or suspected during redevelopment activities, the subcontractor should notify a Price 633 North, LLC., manager. The Price 633 North, LLC., manager shall retain an environmental professional to properly assess the potential contamination.
- 2. The environmental professional shall inspect the suspected contamination and determine if environmental samples shall be collected to properly characterize the potential contamination. If environmental samples are collected, the environmental professional must properly collect the samples using industry standard collection techniques and use appropriate laboratory analytical methods.
- 3. No soil suspected of being contaminated and originating from the Property is to leave the Property without being sampled and characterized.
- 4. If the analytical results of the sampling indicate all detected concentrations are below applicable U.S. EPA RSLs and U.S. EPA Dilution Attenuation Factor of 20 (DAF-20) screening levels, any soil that was excavated during future reconstruction activities will be placed back into the excavation they originated from upon completion of the required construction activities, or the soils may be transported off-site for disposal and/or other re-use options.
- 5. If the analytical results indicate analyte concentrations above applicable U.S. EPA RSLs or U.S. EPA DAF-20 screening levels, the data will be provided to DWMRC to provide regulatory oversight of disposal options required to complete the redevelopment activities.
- 6. Soil suspected of being contaminated that is to be transported off-site should be stockpiled on visqueen as close as possible to the point of generation and sampled and characterized.
- 7. Even after testing, no soil is to be transported off-site and used as fill for residential, schools, daycare, or long-term care facilities.
- 8. Sample results used to make soil and waste management decisions (disposal, beneficial reuse, etc.) will be maintained by the Owner for at least five years, and must be made available to the Utah DWMRC within 30 days of a request for the records.

#### 3.2 Management of Soil

The following guidelines apply to soil management of the impacted soil fill material located beneath all paved surfaces of the Property:

- All soil fill material located beneath the paved areas of the Property that is excavated during future reconstruction activities will be placed back into the excavation they originated from upon completion of the required construction activities, or the soil fill material will be sampled and characterized to identify proper off-site disposal and/or re-use options.
- 2. No soil fill material originating from beneath the paved surfaces at the Property is to leave the Property without being sampled and characterized.

- 3. Soil fill material that is to be transported off-site should be stockpiled on visqueen as close as possible to the point of generation and sampled and characterized.
- 4. Even after testing, no soil fill material is to be transported off-site and used as fill for residential, schools, daycare, or long-term care facilities. If the analytical results indicate analyte concentrations above applicable U.S. EPA RSLs or U.S. EPA DAF-20 screening levels, the data will be provided to DWMRC to provide regulatory oversight of disposal options required to complete the redevelopment activities.
- 5. Sample results used to make soil fill material and waste management decisions (disposal, beneficial reuse, etc.) will be maintained by the Owner for at least five years, and must be made available to the Utah DWMRC within 30 days of a request for the records.

#### 3.3 Construction Worker Health and Safety

Construction workers at the Property, particularly those working with shallow soil, should be notified of the arsenic, lead, and PAH impacts that are present, and provided with information regarding how to minimize their exposure to the contaminants. Additionally, all construction workers should be operating under a site-specific health and safety plan.

## 3.4 Institutional Controls

Based on the arsenic, lead, and PAHs concentrations detected in soil at the Property that exceed applicable screening levels, and as part of the corrective action at the Property, the "Owner", Price 633 North, LLC, defined in the EC, will comply with activity and use limitations placed on the Property as outlined in the EC that will be recorded on the Property with the Salt Lake County Recorder's Office.

#### 3.4.1 Site Management Plan

Except as specifically set forth in the EC, the Holder shall comply with the SMP submitted to the Utah DWMRC and contained in the Administrative Record described above as it affects the Property.

#### 3.4.2 LearnKey Facility Restrictions

The following restrictions apply to the LearnKey facility Property:

#### 3.4.2.1 Land Use Restrictions

The land use within the Property located at the LearnKey facility is limited to commercial/industrial uses consistent with the commercial/industrial worker exposure scenario as described in the Risk Assessment Guidance for Superfund, Volume I, Human Health Evaluation, Parts A and B. Uses that include managed care facilities, hospitals or any type of business that would require a caretaker to reside on the Property are not approved uses. Uses that would expose children to contaminants at the Property for extended periods of time (such as day care and school facilities) are also not approved. Residential uses are prohibited.

Future Development or Disturbances. If activities are undertaken that access or disturb the soil fill material under the Property, on-site workers and/or construction workers may be exposed to arsenic, lead, or PAHs contaminated soil and the Owner and/or Holder shall insure that steps are taken to prevent worker exposure to contamination. Management and disposal of impacted media from the Property must be consistent with all pertinent federal and state environmental laws.

#### 3.4.3 Maintenance, Access, and Inspections

Under the EC, the Owner of any portion of the Property, shall be responsible for the continued maintenance of any engineering controls implemented under this SMP and EC, on the portion of the Property which they own.

The Holder under the EC and the Director of the DWMRC (Director) and their respective authorized agents, employees, and contractors shall have rights of reasonable access to the Property at any time after the effective date of the EC for inspections and monitoring of the compliance with the EC, and for complying with the terms and conditions of the EC and this SMP. Nothing in this SMP shall be construed as expanding or limiting any access and inspection authorities of the DWMRC and Director under the law.

#### 3.4.3.1 Notice

Any party or person desiring to access the Property under authority of the EC shall provide notice to the then current Owner of the affected portion of the Property not less than 48 hours in advance of accessing the Property, except in the event of an emergency condition which reasonably requires immediate access. In the event of any such emergency condition, the party exercising this access right will provide notice to the then current owner of the affected portion of the Property requiring access as soon thereafter as is reasonably possible. The DWMRC, the Director, and their authorized officers, employees, or representatives may, at any reasonable time and upon presentation of appropriate credentials, have access to the Property.

#### 3.4.3.2 Disruption

To the extent that the Holder, the Director or their authorized representatives, conduct any activities on or within any portion of the Property, they will use reasonable efforts to comply with the then current Owner's security needs and requirements, and will conduct such activities so as to cause the least amount of disruption to the use of the affected portion of the Property as may be reasonably possible. Any person who conducts any activities shall repair or replace any improvements damaged on the affected portion of the Property by such activities. The Director will determine what needs, requirements, and activities are reasonable. Should the Director's activities cause damage to the affected portion of the Property improvements, the injured party may present a claim against the State of Utah in accordance with Utah law.

#### 3.4.4 Environmental Covenant

An EC containing the above referenced institutional controls, will be filed for recording in the same manner as a deed to the property, with the Salt Lake County Recorder's Office.

#### 3.5 Site Management Contacts

Inquiries concerning the SMP should be directed to the following:

Price 633 North, LLC Manger 230 East South Temple Salt Lake City, Utah 84111 (801) 557-6068

And

## Site Management Plan

Utah Department of Environmental Quality Division of Waste Management and Radiation Control Director P.O. Box 144880 Salt Lake City, Utah 84114-4880 (801) 536-0200

Figures













Appendix A

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Well Abandonment Report



Mr. Ken Rudy Vice President of Construction and Development Price Realty Group 230 East South Temple Salt Lake City, Utah 84111 December 19, 2018 Project No. 1995-013C

SUBJECT: Monitoring Well Abandonment Report LearnKey Facility 633 North 400 West Salt Lake City, Utah

#### INTRODUCTION

In accordance with the Utah Division of Waste Management and Radiation Control (DWMRC) request, Wasatch Environmental, Inc., (Wasatch) completed groundwater monitoring well abandonment activities at the LearnKey facility located at 633 North 400 West in Salt Lake City, Utah.

#### MONITORING WELL ABANDONMENT ACTIVITIES

At the request of the DWMRC, monitoring wells MW-1 through MW-5 were properly abandoned. Following monitoring well abandonment, paved surfaces were patched with concrete.

On December 19, 2018, Wasatch personnel Stephen Strehl completed monitoring well abandonment activities of the five monitoring wells (MW-1 through MW-5) located at the LearnKey facility. The monitoring well locations are presented on Figure 1. All monitoring wells were less than 30 feet deep in total depth; therefore, a licensed well driller was not required to complete the well abandonment activities.

All monitoring wells were set in a paved areas; therefore, at each location the circular vault lid was removed. The casing was then cut down to 1 foot below ground surface. The monitoring wells were then filled with medium bentonite chips and hydrated with 5 gallons of potable water to seal the monitoring well. The remainder of the surface completion was then filled with concrete.

See Appendix A for a photographic log of well abandonment activities.

#### CONCLUSIONS

The DWMRC requested well abandonment activities have been completed.

Our services consist of professional opinions and recommendations made in accordance with generally accepted environmental engineering principles and practices. This warranty is in lieu of all other warranties either expressed or implied.

Should you have any questions, please do not hesitate to contact us.

2410 WEST CALIFORNIA AVENUE • SALT LAKE CITY, UTAH 84104 PHONE (801) 972-8400 • FAX (801) 972-8459 Website: www.wasatch-environmental.com • e-Mail: wei@wasatch-environmental.com Sincerely,

\_

WASATCH ENVIRONMENTAL, INC.

Blake Downey, P.G. Project Hydrogeologist

# **FIGURE**

Figure 1 - Abandoned Monitoring Well Location Map

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# **APPENDIX**

Appendix A – Photographic Log

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Appendix A Photographic Log

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Photo 1 – MW-4 prior to well abandonment



Photo 2 – MW-4 casing



Photo 3 – MW-4 filled with medium bentonite chips then hydrated



Photo 4 – MW-4 post well abandonment



Photo 5 – MW-3 post well abandonment



Photo 7 – MW-2 post well abandonment



Photo 6 – MW-1 post well abandonment



Photo 8 – MW-5 post well abandonment