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DSHW-2017-001328

February 13, 2017  
Kleinfelder Project No.: 20162400.001A

Utah Department of Environmental Quality  
Division of Waste Management and Radiation Control  
195 North 1950 West  
Salt Lake City, Utah 84114

**ATTENTION: Mr. Brad Maulding**  
**Corrective Action Manager**

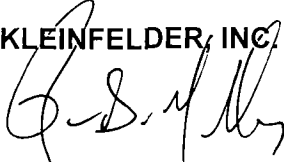
**SUBJECT: Revised Site Management Plan**  
**Martin Resources PAX Facility**  
**580 North 1300 South**  
**Salt Lake City, Utah**

Dear Mr. Maulding:

On behalf of Miller Family Real Estate, L.L.C. (MFRE), Kleinfelder, Inc., (Kleinfelder) is submitting the enclosed revised Site Management Plan (SMP) for the PAX facility property located at 580 North 1300 South, Salt Lake City, Utah. This SMP revision is being submitted in response to a request by the Utah Department of Environmental Quality Division of Waste Management and Radiation Control's in its email dated February 2, 2017. The email stated that language should be inserted relating to the use of groundwater beneath the property. The groundwater language has been inserted into Section 6, Part d of the revised SMP.

We appreciate the opportunity to provide this cover letter to the DWMRC with the attached revised SMP for the PAX facility. A corresponding revised environmental covenant will be submitted under separate cover. We respectfully request final approval of the revised SMP as soon as possible. If you have any questions or comments concerning this letter or the SMP, please contact us at 801.261.3336.

Sincerely,

**KLEINFELDER, INC.**  
  
Ryan Merkley, P.G.  
Utah Area Manager

cc: Mr. Greg Flint, Miller Family Real Estate, L.L.C. Project Manager  
Mr. Bradley R. Cahoon, Snell & Wilmer L.L.P.

**Attachment: Revised Site Management Plan**

## SITE MANAGEMENT PLAN

PAX Facility  
580 West 1300 South  
Salt Lake City, Utah  
January 2017

1. This Site Management Plan (“**SMP**”) pertains real property parcel numbered 15-12-353-003 owned by Miller Family Real Estate, L.L.C., located at approximately 580 West 1300 South, in Salt Lake City, Utah, and is more particularly described in **Exhibit A**, and depicted on **Figure 1**, to this SMP (“**Property**”). The Director-Division of Waste Management and Radiation Control (“**Director**”) maintains, at 195 North 1950 West, Salt Lake City, Utah, the administrative records relating to the Property.

### Background

2. Beginning in the 1950s, the Property operated as an agricultural products mixing facility. Early operations included the offloading of arsenic from railroad cars onto the ground for movement into the facility. Arsenic impacted soils and groundwater within the Property and on neighboring railway property. Investigation confirmed arsenic-impacted soil and groundwater at concentrations that exceed the EPA characteristic of toxicity threshold in an area of roughly 4,150 square feet in the vicinity of the former arsenic holding area and along the western perimeter of the former process building (“**Area 1**”). Additionally, arsenic impacts to soil were identified at concentrations exceeding the Utah Department of Environmental Quality (“**UDEQ**”) generally accepted  $10^{-4}$  risk-based screening level of 300 mg/kg within a roughly 20,150 square-foot area in the northern portion of the former building and extending east into the former parking area (“**Area 2**”).

3. An environmental response project, referred to as the Work, Sampling, Analysis and Redevelopment Plan, Martin Resources PAX Facility, 580 West 1300 South, Salt Lake City, Utah, was completed within the Property (“**Project**”). The Project administrative records are maintained and managed by the UDEQ, Division of Waste Management and Radiation Control (“**DWMRC**”). After asbestos containing material was removed, the buildings on the Property were razed. After removal of the buildings, approximately 1,204 tons of arsenic-impacted soil in Area 1 was excavated to a depth of approximately 5 feet below existing surface and was transported for disposal to the Clean Harbors Grassy Mountain facility. Roughly 5,307 tons of arsenic-impacted soil in Area 2 was excavated to an approximate depth of 5 feet below existing surface and was transported to the E.T. Technologies Soils Regeneration Site. The bottoms and sidewalls of the excavation pits for Area 1 and Area 2 were sampled. Residual arsenic soil concentrations ranged from 13.5 milligrams per kilogram (mg/kg) to 59,800 mg/kg in Area 1 and from 8.67 mg/kg to 417 mg/kg in Area 2. The excavation and sampled area within Area 1 and Area 2 is collectively referred to as the “**Restricted Area**,” is more particularly described in **Exhibit B**, and is shown on Figure 1, to this SMP. A ground cloth fabric was placed within the Restricted Area at approximately 5 feet below existing grade and was buried with clean fill material up to the existing grade.

4. This SMP includes activity and use limitations and other controls that are needed to

ensure that residual levels of arsenic remaining in soils and groundwater within the Property are adequate for protection of human health and the environment. Controls will be implemented for the Property pursuant to this SMP and the Environmental Covenant that has been or shortly will be recorded against the Property at the Salt Lake County Recorder's office.

### Site Management

5. The following management requirements pertain to and shall be implemented within the Property pursuant to Utah Code Ann. § 19-6-108.3.

6. Contaminated Soils or Ground Water. The following steps shall be taken during maintenance, construction, utility, or de-watering activities (i) within the Restricted Area below the buried fabric at approximately 5 feet below existing grade and (ii) if suspected contamination is encountered in soils or ground water on the Property during maintenance, construction, utility, or de-watering activities, the following steps shall be taken:

- a. The activities will cease and sampling of suspect media will be done as necessary to properly characterize the material.
- b. If contamination is identified that exceeds EPA Regional Screening Levels for soils or maximum contaminant levels for ground water, DWMRC will be provided with the sample results.
- c. Contaminated material that is excavated or removed will be managed and/or disposed of in a lawful and protective manner, and appropriate care will be taken with the contaminated material.
- d. With exception of environmental sampling, groundwater from beneath the property will not be accessed for any other use without further evaluation.
- e. If requested by DWMRC, coordination will be required with DWMRC along with payment of its oversight costs.

7. Site Management Contacts. Inquiries concerning the SMP should be directed to the following:

Miller Family Real Estate, L.L.C.  
9350 South 150 East, Ste 1000  
Sandy, UT 84070

Mr. Scott T. Anderson, Director  
Utah Division of Waste Management and Radiation Control  
P.O. Box 144880  
Salt Lake City, Utah 84114-4880

The Director shall be notified promptly in writing of any change in the contact information. The Director shall promptly provide notice of any change in his contact information.

8. References.

- *Letter dated April 20, 2016 from DWMRC to Miller Family Real Estate, L.L.C. re Response to Request for Comfort Letter.*
- *Work Plan, Sampling and Analysis Plan, and Site Redevelopment Plan, Martin Resources PAX Facility, 580 West 1300 South, Salt Lake City, Utah, Kleinfelder Project # 20162400.001A, dated June 3, 2016.*
- *Letter dated June 13, 2016 from DWMRC approving Work Plan, Sampling and Analysis Plan, and Site Redevelopment Plan, Martin Resources PAX Facility, 580 West 1300 South, Salt Lake City, Utah, Kleinfelder Project # 20162400.001A, dated June 3, 2016.*
- *Enforceable Written Assurance Letter dated June 20, 2016, from UDEQ, Executive Director to Miller Family Real Estate, L.L.C.*
- *Redevelopment Activities Report, Former Pax Facility, 580 West 1300 South, Salt Lake City, Utah, Kleinfelder File No. 20162400.001A, dated October 18, 2016.*
- *Letter Dated December 5, 2016 from DWMRC to Miller Family Real Estate approving Redevelopment Activities Report, Former Pax Facility, 580 West 1300 South, Salt Lake City, Utah, Kleinfelder File No. 20162400.001A, dated October 18, 2016.*

***[Exhibits A & B and Figure 1 to the SMP follow this page]***

**Exhibit A**  
**to Site Management Plan**

**[Legal description of the Property]**

Beginning at a point which is 22.71 feet North 00°00'37" West along the lot line from the Southwest corner of Lot 1, Block 25, Five Acre Plat "A", Big Field Survey, which point is 790.13 feet South 89°56'37" West along the monument line and 47.39 feet North 00°00'37" West along said lot line and projection thereof from a Salt Lake City standard brass cap monument at the intersection of 1300 South Street and 500 West Street and running thence North 00°00'37" West 479.33 feet along said lot line; thence North 89°56'47" East 309.08 feet; thence South 00°00'29" East 479.32 feet; thence South 89°56'40" West 309.06 feet to the point of beginning. The basis of bearing is South 89°56'37" West along the monument line in 1300 South Street between 500 West Street and 900 West Street, as shown on the Salt Lake City Surveyor's Monument Map, "West of 1700 East, Sunnyside to 1700 South".

**FIRST TOGETHER WITH EASEMENT:**

A perpetual easement over and across the following described tract of land for the purpose of ingress and egress:

Beginning at a point which is North 00°03'23" West 47.39 feet and North 89°56'40" East 308.82 feet of a monument of Salt Lake City located at 1300 South Station 4754.96 feet West of the center line of Main Street; thence North 25 feet; thence South 45°00'00" East 35.25 feet; thence South 89°37'01" West 8.88 feet; thence South 89°56'40" West 16.07 feet to the place of beginning.

**SECOND TOGETHER WITH EASEMENT:**

A perpetual easement for the purpose of maintenance of a drainage system over the West ten (10) feet for a distance of 60 feet from the Southwest corner of the following described tract of land in Salt Lake County, State of Utah:

Beginning 26.8 rods North and 82 rods East and 501 feet 10 1/2 inches North of the Southwest corner of the Southwest quarter of Section 12, Township 1 South, Range 1 West, Salt Lake Base and Meridian and running thence West 450 feet; thence South 479.32 feet; thence Easterly 450 feet to a point South 476.76 feet from the point of beginning; thence North 476.76 feet to the place of beginning.

**THIRD TOGETHER WITH RIGHT-OF-WAY AND SIGN EASEMENT** for ingress and egress over the following:

Beginning at a point 26.8 rods North and 82 rods East and 501 feet 10 1/2 inches North and South 00°01'01" East 160.00 feet from the Southwest corner of the Southwest quarter of Section 12, Township 1 South, Range 1 West, Salt Lake Base and Meridian, said point being South 89°56'37" West 31.00 feet and North 00°01'01" West 367.18 feet from a Salt Lake City monument in the intersection of 1300 South and 500 West Street and running thence South 89°56'40" West 320.00 feet; thence South 00°01'01" East 84.00 feet; thence South 89°56'40" West 130.00 feet; thence South 00°01'01" East 30.00 feet; thence North 89°56'40" East 178.00 feet; thence North 00°01'01" West 84.00 feet; thence North 89°56'40" East 272.00 feet; thence North 00°01'01" West 30.00 feet to the point of beginning, also beginning at the same point and running thence North 00°01'01" West 10.00 feet; thence South 89°55'40" West 12.00 feet; thence South 00°01'01" East 10.00 feet; thence North 89°56'40" East 12.00 feet to said point of beginning, a perpetual easement for purpose of erection and maintenance of a sign.

**Exhibit B**  
**to Site Management Plan**

**[Legal description of the Restricted Area]**

A part of Lots 1, 3, and 20, Block 25, Five acre Plat "A" Big Field Survey within the Southwest Quarter of Section 12, Township 1 South, Range 1 West, Salt Lake Base and Meridian, U.S. Survey in Salt Lake County, Utah:

Beginning at a point located 59.10 feet North 0°00'39" West along the Lot Line, and 0.52 feet South 89°53'10" East from the Southwest Corner of Lot 1 of said Block 25 of Five Acre Plat "A" of the Big Field Survey; and running thence North 0°01'00" West 359.89 feet; thence North 2°32'58" West 79.85 feet; thence South 76°52'05" East 23.72 feet; thence South 2°12'16" West 67.99 feet; thence North 87°20'21" East 93.78 feet; thence South 3°06'42" West 74.50 feet; thence South 84°30'22" East 68.05 feet; thence South 4°50'34" West 44.10 feet, thence North 88°53'52" West 119.11 feet; thence South 7°13'23" West 48.84 feet; thence South 74°30'45" East 37.40 feet; thence South 5°12'00" East 84.40 feet, thence South 85°56'28" West 74.34 feet, thence South 1°15'33" West 100.44 feet; thence North 89°53'10" West 12.59 feet to the point of beginning.



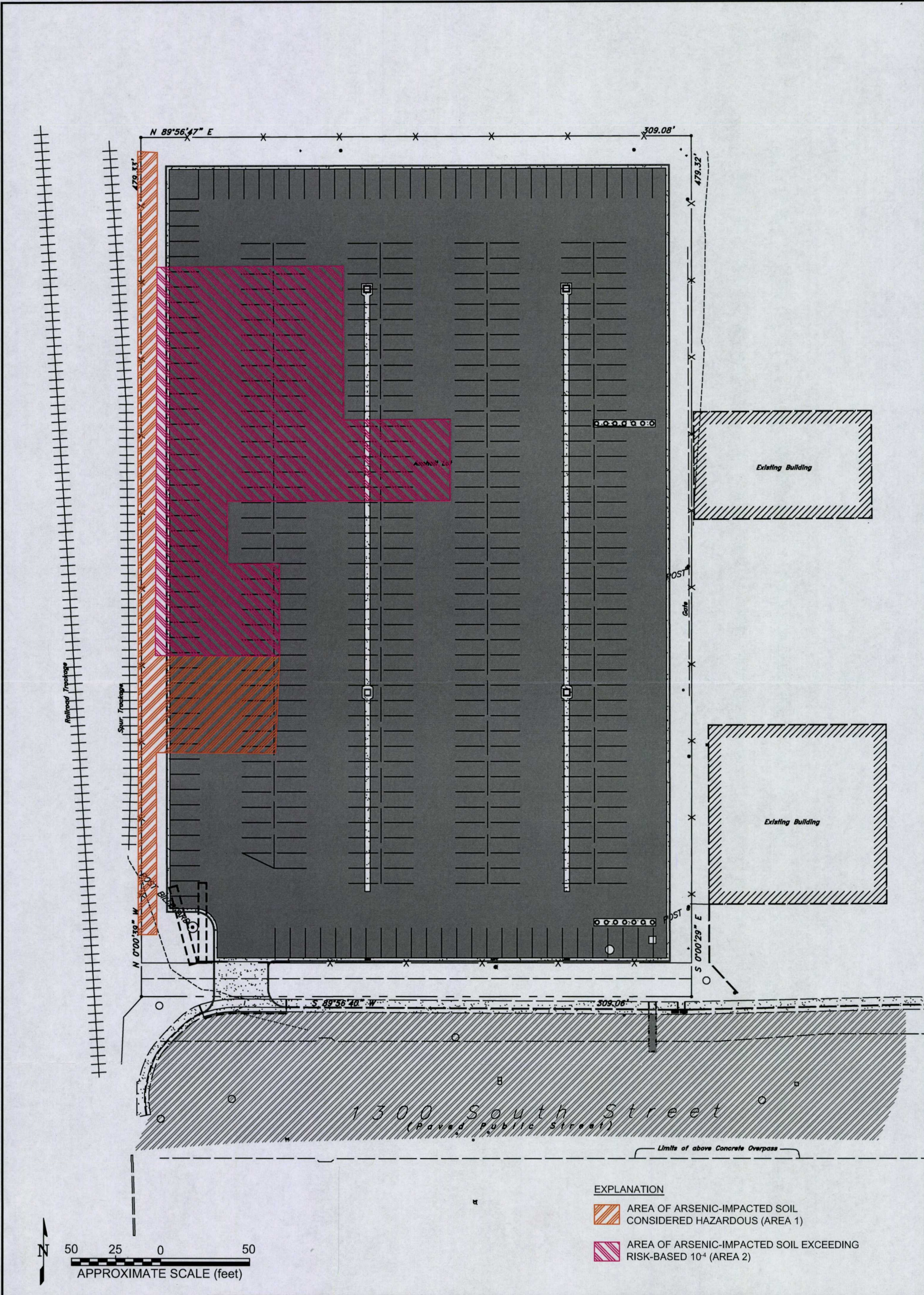


Figure  
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