
WASATCH ENVIRONMENTAL, INC.
ENVIRONMENTAL SCIENCE AND ENGINEERING

Div of Waste Management
and Radiation Control

JUL 26 2019

SITE MANAGEMENT PLAN
FORMER GSA MOTOR POOL PROPERTY
330 EAST 200 SOUTH
SALT LAKE CITY, UTAH

DSHW-2019-007918

Project No. 2201-001G

To:

Mr. Hao Zhu, Project Manager
Utah Department of Environmental Quality
Division of Waste Management and Radiation Control
195 North 1950 West, 2nd Floor
P.O. Box 144880
Salt Lake City, Utah 84114-4880

Prepared For:

Mr. Ryan Heath
Cottonwood Residential O.P., LP
6340 South 3000 East, Suite 500
Cottonwood Heights, Utah 84121

Prepared By:

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

July 26, 2019

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**DRAFT SITE MANAGEMENT PLAN
FORMER GSA MOTOR POOL PROPERTY
330 EAST 200 SOUTH
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 chlorinated solvent impacts to groundwater at the Former GSA Motor Pool 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.

The EC was recorded by the General Services Administration (GSA), but the Property was shortly thereafter purchased by Cottonwood Residential O.P., LP, who plans to redevelop the Property with an underground parking structure and residential apartments above the parking structure.

1.1 Site Description

The Property is 1.54 acres in size and consists of one parcel (parcel number: 16-06-252-01) located at 330 East 200 South 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.

Beginning at the Northeast corner of Lot 6, Block 49, Plat "B", Salt Lake City Survey, and running thence South 20 rods; thence West 4 rods; thence South 10 rods; thence West 39.0 feet; thence South 166.4 feet to the North line of Third South Street; thence West 60.0 feet, thence North 385.4 feet; thence East 50.0 feet; thence North 34.31 feet; thence East 6.0 feet; thence North 39.03 feet; thence West 6.0 feet; thence North 202.66 feet; thence East 115 feet to place of beginning.

The Property is accessed by 200 South along the northern boundary and 300 South along the southern boundary.

A Property Location Map, a Parcel Map, and a Site Map are presented as Figures 1, -2 and -3, respectively.

1.2 Site Background

Our research indicates the Property was originally occupied by residential, church, and school structures from at least 1889 through the 1940s. Residences remained on the Property until at least 1962. GSA purchased the majority of the Property in 1965 and constructed the northern portion of the current GSA maintenance building in 1966. A southern addition to the GSA building was constructed in 1982. GSA used the Property as a fueling location for the Federal Bureau of Investigations (FBI) fleet vehicles and as an automotive service facility.

The GSA Motor Pool was a Federal Government Motor Pool, which performed vehicle maintenance and supplied fuel. The site had seven hydraulic lifts, two oil water separators, trench drains, two underground storage tanks (USTs), both initially used for the storage of fuel, however, one was used as a waste oil tank during later years of operation at the facility.

In November and December 2016, Wasatch conducted subsurface investigation activities which included the collection of numerous surficial soil, subsurface soil, and groundwater samples at the Property in areas of potential concern, features of interest, as noted by Hao Zhu, P.E., of State of Utah, Department of Environmental Quality (UDEQ), Division of Waste Management and Radiation Control (DWMRC). Soil and groundwater samples were analyzed for volatile organic compounds (VOC), semi-volatile organic compounds (SVOC), polynuclear aromatic hydrocarbons (PAH), and Total Petroleum Hydrocarbons (TPH).

After the soil removal action was completed in October 2017 and February 2018, soil analytical results indicate no areas of soil impacts remained above the United States Environmental Protection Agency (U.S. EPA) Regional Screening Levels (RSL) for residential soils.

VOCs, specifically PCE, trichloroethene (TCE), and cis-1,2 dichloroethene (cis-1,2-DCE), were detected in groundwater samples at concentrations that exceed their Federal Maximum Contaminant Levels (MCLs); however, it is Wasatch's opinion that the elevated groundwater concentrations of these compounds at the Property are likely representative of VOC concentrations in groundwater which are due to an upgradient off-site former dry cleaning facility and not the result of GSA activities at the property. DWMRC concurred with this evaluation and issued the current owner a "Comfort Letter" dated January 27, 2017.

During February 2018, the GSA, at the request of UDEQ, began the process to excavate and remove the facility subsurface equipment, hydraulic lifts, waste management apparatus, oil water separators and trench drains, and storage tanks and ancillary equipment (USTs and fuel island pad locations) and limited amount of soil, and then sampled the soil from the associated excavation. Most of the soil from each of the excavations was sampled and screened for VOCs with a photoionization detector (PID). Soil samples were analyzed for total petroleum hydrocarbons as diesel range organics (TPH-DRO), VOCs which included total petroleum hydrocarbons as gasoline range organics (TPH-GRO), SVOCs, and PAHs. Soil from the hoist location was analyzed slightly differently with HEM (O&G), metals, and VOCs to primarily be used for waste characterization.

During this process, only two features, the two former fuel island pad locations, showed signs of soil contamination (staining and/or odor). Though both of these exhibited positive VOC measurements on the PID, only the northern location had significant odor and staining. From the two former fuel island location excavations, GSA removed and disposed over 600 tons of primarily TPH contaminated soil.

Since the primary source of visible contamination was from a former fuel island pad, GSA and Wasatch contacted the UDEQ leaking underground storage tank (LUST) program to ensure the Property would be closed under this program as well. Though there were detections of PAHS, TPH-DRO, VOCs (primarily TPH-GRO, PCE, and methyl tertiary butyl ether (MTBE)), for soils which remain on-site, all but the MTBE were below either the LUST Program Initial Screening Level (ISL) or U.S. EPA RSLs for residential soils. MTBE has been analyzed in soil and groundwater with over 100 samples and has only one detection of (0.35 mg/kg) which exceeds the ISL of 0.3 mg/kg. GSA received a No Further Action letter for the petroleum hydrocarbon release.

2. RISK ASSESSMENT

No formal human health risk assessment or ecological risk assessment have been performed for the Property. However, the US EPA Vapor Intrusion Screening Level (VISL) calculator was used in assessing the potential vapor intrusion risk at site as a result of the presence of volatile organic compounds (VOCs) detected in groundwater at the site.

Detected VOCs at the site consisted of the chlorinated solvents (PCE, TCE, cis-1,2-DCE and vinyl chloride). Concentrations of VOCs in groundwater at some monitoring well locations exceeded the U.S. EPA MCLs as well as the groundwater VISL values for both residential and commercial/industrial dwelling.

PCE concentration in monitoring wells ranged from 1,000 micrograms per liter (ug/L) in MW-3 to <2.00 ug/L in monitoring wells MW-6 and MW-7. Monitoring well MW-3 is located along the eastern boundary of the property and is hydraulically down-gradient from the former dry-cleaning facility which was located on the adjoining east property.

Using the maximum detected PCE and TCE concentrations of 1000 ug/l and 23.0 ug/l respectively in MW-3 as input into the VISL calculator indicates an indoor air PCE concentration of 724 ug/m³ and TCE indoor air concentration of 9.26 ug/m³. The cumulative inhalation cancer risk under residential dwelling, due to the presence of the two VOCs indoor, is 8.6x10⁻⁵. The Hazard Index for PCE indoor air non carcinogenic risk in MW-3 was 22. Since this value is greater than one, corrective action or the use of post-construction site specific data to calculate indoor air concentrations and resulting inhalation risk will be conducted.

Maximum TCE concentration in MW-5 was 120 ug/l, while MW-1, MW-6, and MW-7 reported concentrations less than 2.0 ug/l. MW-5 is located hydraulically down-gradient of MW-3. Maximum PCE concentration in MW-5 was reported at 526 ug/l. At these concentrations, calculated indoor TCE concentration was 48.3 ug/m³ and PCE indoor concentration was 381ug/m³.

The cumulative residential inhalation cancer risk due to the presence of PCE and TCE in indoor air was calculated to be 1.4x10⁻⁴. MW-5 is the only well on site with VOC concentrations exceeding indoor inhalation cancer risk of 1x10. The Hazard Index for PCE indoor air non carcinogenic risk from MW-5 was 32. Since this value is greater than one, corrective action or additional assessment of vapor intrusion pathway, including the use of post-construction site specific data to calculate indoor air concentrations and resulting risk will be conducted.

The Hazard Index for Commercial land use indoor air for PCE and TCE in MW-3 was 5 and for MW-5 was approximately 8. Since this value is greater than one, corrective action or further assessment of vapor intrusion pathway, including the use of post-construction site specific data to calculate indoor air concentrations and resulting risk will be conducted.

3. SITE MANAGEMENT

3.1 Activity and Use Limitations

The EC recorded against the Property imposes the following activity and use limitations on the Restricted Property:

3.1.1 Site Management Plan

The Owner shall comply with this SMP.

3.1.2 Land Use Limitations

The Property is suitable for residential, commercial and industrial use consistent with applicable local zoning laws; provided that residential land use and land use involving sensitive populations is restricted to areas located above the parking structure, or a vapor mitigation system. Planting crops or fruit trees for consumption by humans or livestock is prohibited.

3.1.3 Groundwater Limitations

Groundwater from the shallow unconfined aquifer shall not be used for drinking water, irrigation, or bathing purposes. Other uses of groundwater from the shallow unconfined aquifer on the Restricted Property shall be subject to review and approval by the Director prior to implementation.

3.1.4 Disturbance Limitations

Appropriate care shall be exercised during construction, remodeling, and maintenance activities related to human-occupied structures in direct contact with site soils (not above the parking structure) as to prevent damage to any installed vapor mitigation measures which have been installed, and to ensure appropriate repairs are promptly made in the event that damage does occur.

3.1.5 Construction Dewatering Limitation

Dewatering conducted to facilitate construction on the Restricted Property may require that the groundwater be treated to reduce contaminant concentrations prior to discharge. Prior to commencement of dewatering activities, appropriate permit(s) shall be obtained for discharge to either the stormwater system (under a Utah Pollutant Discharge Elimination System permit obtained from the Utah Division of Water Quality) or to the sanitary sewer (under a Wastewater Discharge Permit obtained from the sewer district). Testing and/or treatment of the groundwater may be required by the receiving facility.

3.1.6 Vapor Intrusion Limitations

Engineering controls will consist of an underground parking structure which is open to the atmosphere and properly ventilated and construction of a vapor mitigation system in any areas with commercial use which are constructed directly above site soil. Current construction plans call for a leasing office located at the south portion of the property which will be constructed directly on soil.

For non-residential enclosed structures intended for human occupancy on the ground floor, appropriate vapor intrusion mitigation measures are required to mitigate exposure risks from the vapor intrusion pathway. Appropriate vapor mitigation measures may include but are not limited to installation of a suitable chemical resistant vapor barrier, installation of a passive or active sub-slab or submembrane depressurization system, or construction of occupied structures using positive pressure ventilation systems. Additionally, the parking structure must have an adequate ventilation system to prevent vapor intrusion (as well as vehicle exhaust). Vapor mitigation measures shall be subject to review and approval by the Director prior to implementation. If future sampling data demonstrate an acceptable level of exposure risk relative to the vapor intrusion pathway, future residential land use and land use involving sensitive populations on the ground floor may be permissible subject to prior notification to, and approval by the Director.

3.1.7 Groundwater Monitoring Requirements

The Owner is currently in discussions with DWMRC to meet requirements for on-going groundwater monitoring groundwater at the Property. Discussions include the frequency of monitoring the number of groundwater monitoring wells to be sampled and location of the wells. A groundwater monitoring plan will be submitted to DWMRC for approval prior to commencement of the monitoring.

Groundwater monitoring shall be performed using low-flow sampling techniques to facilitate the collection of geochemical parameters including temperature, pH, specific conductivity, dissolved oxygen, oxidation reduction potential, and turbidity. Initial groundwater samples shall be analyzed for a full list of VOCs using the U.S. EPA Method 8260C. Groundwater monitoring reports shall be provided to the Director within a reasonable period following the completion of each groundwater monitoring event. After the first year of groundwater monitoring has been completed, the groundwater monitoring program may be re-evaluated, and appropriate adjustments made to the monitoring well network, analytes to be reported, sampling frequency, and sampling methods. Modifications to the groundwater monitoring program shall be subject to the review and approval of the Director.

3.1.8 Indoor Air Monitoring Requirements

The Owner is currently in discussions with DWMRC to meet requirements for post construction indoor air monitoring in the areas constructed above a vapor intrusion mitigation system. The purpose of this monitoring is to measure the effectiveness of the mitigation system, calculate indoor air concentrations, and calculate resulting risk. An indoor air monitoring plan will be submitted to DWMRC for approval prior to commencement of the post construction monitoring.

4. CONSTRUCTION MANAGEMENT

The following procedures will apply during site construction activities.

4.1 Discovery of Unknown Contamination During Construction

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

1. If contamination is discovered or suspected during redevelopment activities, the subcontractor will notify a Cottonwood Residential O.P., LP, construction manager. The Cottonwood Residential manager shall retain an environmental professional to properly assess the potential contamination and to contact DWMRC to discuss the nature of discovery, actions to be taken, and results of the sampling data.
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 properly sampled and characterized.
4. If the analytical results of the sampling indicate all detected concentrations are below applicable U.S. EPA RSLs, a soil excavated during construction 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 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 and must be made available to the Utah DWMRC within 30 days of a request for the records.

4.2 Management of Groundwater During Construction

The floor of the underground parking structure was designed to be at an elevation approximately four feet above the highest groundwater elevation observed in the groundwater monitoring wells. At elevator pit

number 3, which will be located at the northern-most portion of the Property, the bottom sump is located 1.5 feet below than the highest groundwater elevation observed in MW-1. This elevator pit will be sheet water-proofed and an alarm will be installed to notify maintenance personnel if any water is present in the sump. Maintenance staff will contact Wasatch if the alarm sounds. Groundwater sampling in this area (GP-1) did not identify groundwater impacts by chlorinated solvent compounds. However, if groundwater is encountered during construction activities or in the elevator pits during post construction, the groundwater should be assumed to be impacted with VOCs and the following guidelines apply to groundwater management:

1. Dewatering conducted to facilitate construction on the Property may require that the groundwater be treated to reduce contaminant concentrations prior to discharge. Prior to commencement of dewatering activities, appropriate permit(s) shall be obtained for discharge to either the stormwater system (under a Utah Pollutant Discharge Elimination System permit obtained from the Utah Division of Water Quality) or to the sanitary sewer (under a Wastewater Discharge Permit obtained from the sewer district). Testing and/or treatment of the groundwater may be required by the receiving facility.
2. All groundwater pumped during dewatering will be containerized on-site in a Baker tank and will be sampled and characterized to identify proper off-site disposal or treatment options.
3. No groundwater is to be discharged or leave the Property without being sampled and characterized and the results are submitted to DWMRC for consultation and concurrence on water disposal options. Dewatering may require that the groundwater be treated to reduce contaminant concentrations prior to discharge.
4. If after consultation and concurrence with DWMRC, groundwater treatment and discharge is an option, the Utah Division of Water Quality must be contacted and a permit to treat and discharge groundwater must be obtained. Prior to commencement of dewatering activities, appropriate permit(s) shall be obtained for discharge to either the stormwater system (under a Utah Pollutant Discharge Elimination System permit obtained from the Utah Division of Water Quality) or to the sanitary sewer (under a Wastewater Discharge Permit obtained from the sewer district). Testing and/or treatment of the groundwater may be required by the receiving facility. This process may take several weeks to obtain a permit.
5. Groundwater sample results used to make groundwater management decisions will be with consultation and concurrence of DWMRC (off-site disposal, treatment and discharge, etc.). All sampling data and correspondence with DWMRC and any other regulatory agency will be maintained by the Owner and must be made available to the Utah DWMRC within 30 days of a request for the records.
6. The Owner shall comply with Utah Division of Air Quality requirements for monitoring emissions, if any, resulting from the vapor mitigation measures installed at the Property.

4.3 Construction Worker Health and Safety

Construction workers at the Property, particularly those working in contact with shallow soil or groundwater, should be notified of the 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.

5. 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.

5.1 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.

5.2 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.

5.3 Environmental Covenant

An EC containing the above referenced institutional controls, was filed for recording in the same manner as a deed to the property, with the Salt Lake County Recorder's Office. A copy of the recorded EC is attached as Appendix A.

6. SITE MANAGEMENT CONTACTS

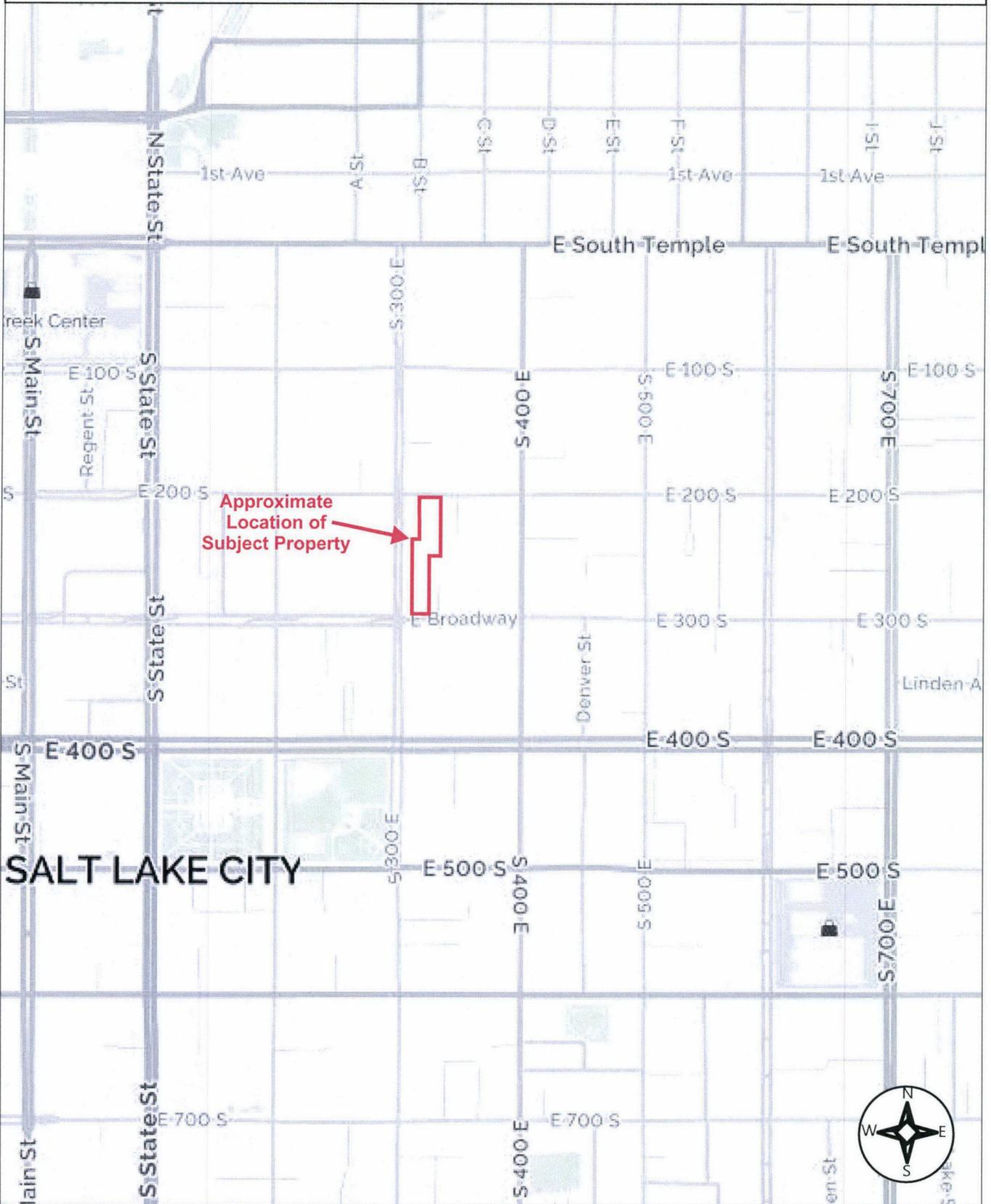
Inquiries concerning the SMP should be directed to the following:

Cottonwood Residential O.P., LP
6340 South 3000 East, Suite 500
Cottonwood Heights, Utah 84121
(801) 278-0700

And

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

FORMER GSA MOTOR POOL WEI 2201-001G



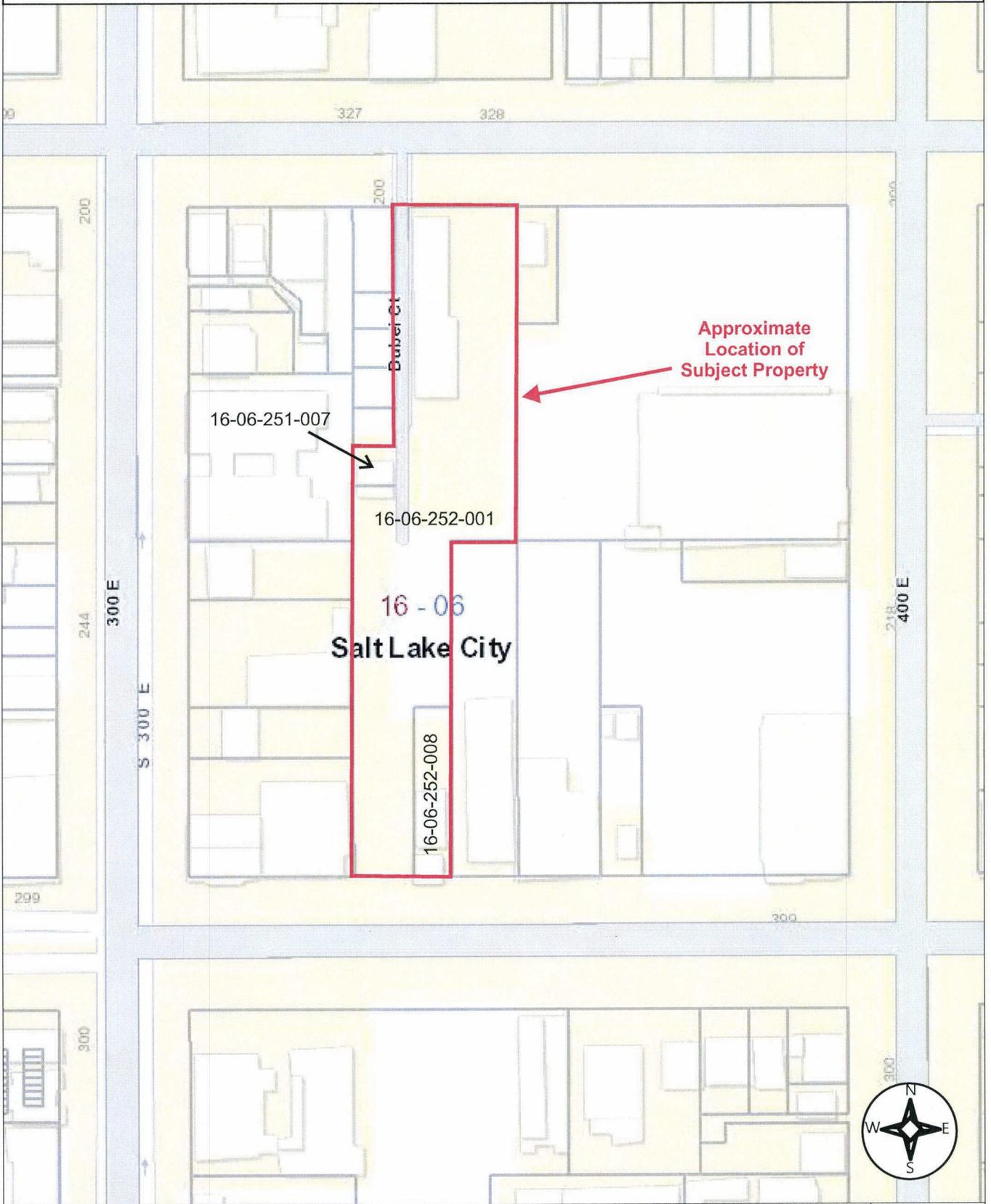
Approximate
Location of
Subject Property

SALT LAKE CITY

Property Location Map

Figure 1

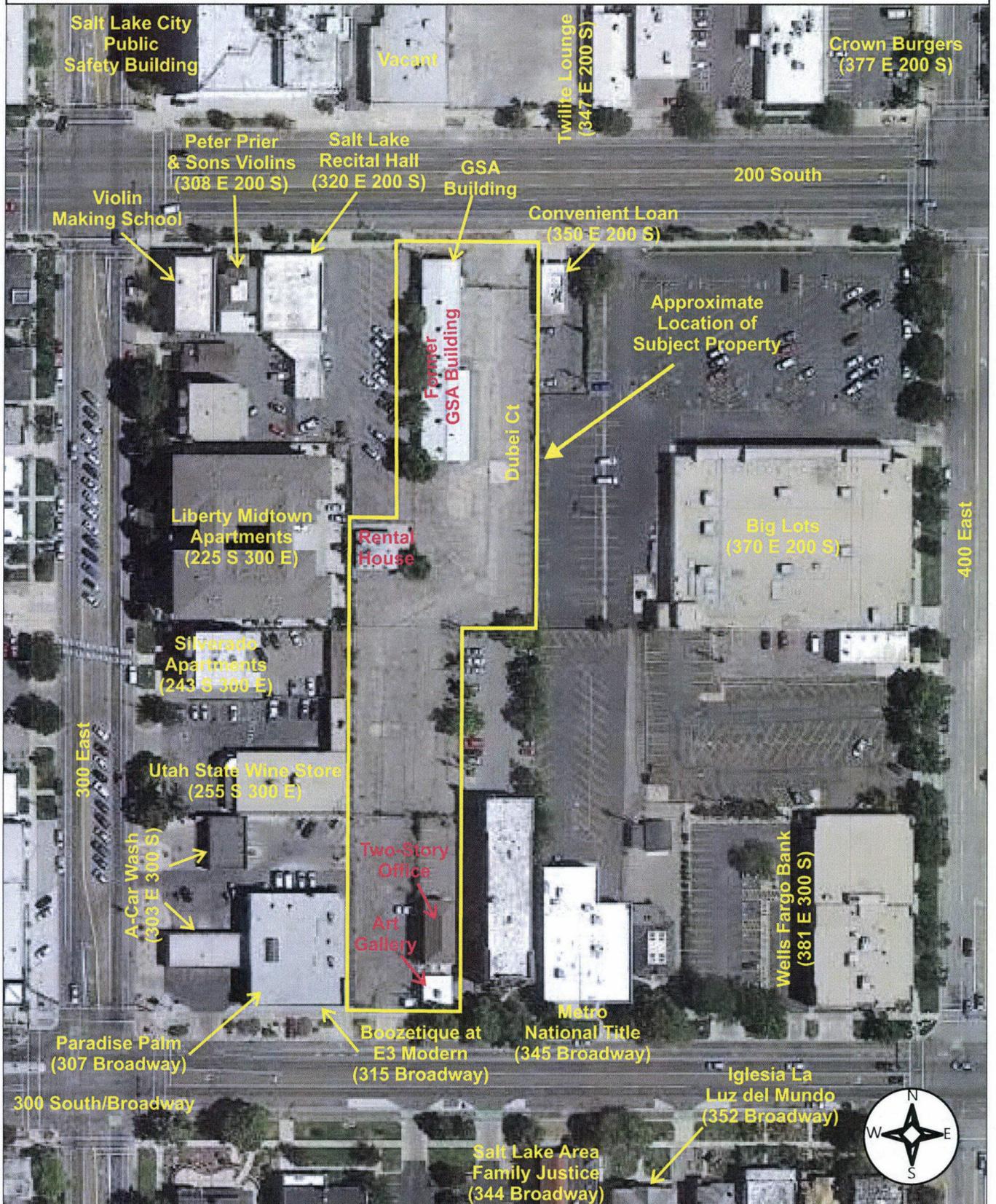
FORMER GSA MOTOR POOL WEI 2201-001G



Parcel Map

Figure 2

FORMER GSA MOTOR POOL WEI 2201-001G



Site Map

Figure 3

Appendix A
Environmental Covenant



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF WASTE MANAGEMENT
AND RADIATION CONTROL
Scott T. Anderson
Director

October 9, 2018

Silas Campbell
General Services Administration
Public Buildings Service
Denver Federal Center, Building 41
Denver, Colorado 80225

RE: Environmental Covenant
Former General Services Administration Motor Pool Maintenance Shop
330 East 200 South, Salt Lake City, Utah

Dear Mr. Campbell:

Please find enclosed a copy of the signed and notarized Environmental Covenant for the Former General Services Administration Motor Pool Maintenance Shop. Please provide the Division with a date-stamped copy of the recorded covenant within 30 days of recordation.

If you have any questions, please call Brad Maulding at (801) 536-0205.

Sincerely,

Scott T. Anderson, Director
Division of Waste Management and Radiation Control

STA/BCM/al

Enclosure: Environmental Covenant

c: Gary Edwards, MS, Health Officer, Salt Lake County Health Dept.
Royal DeLegge, MPA, EHS, Environmental Health Director, Salt Lake County Health Dept.
Ryan Heath, Cottonwood Residential

SEP 27 2018

To be recorded with County Recorder—
Utah Code Ann. § 57-25-108

DSHW-2018 - 009450

When Recorded Return To:
Cottonwood Residential
6340 South 3000 East, Suite 500
Salt Lake City, Utah, 84121

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

ENVIRONMENTAL COVENANT

1. This environmental covenant is entered into by The United States of America, acting by and through the Administrator of General Services ("GSA") ("Owner"), and the Director, Utah Division of Waste Management and Radiation Control (Director), pursuant to Utah Code Ann. §§ 57-25-101 et seq., for the purpose of subjecting the Property described in Paragraph 2 to the activity and use limitations set forth herein ("Environmental Covenant").

PROPERTY

2. The property encumbered by this environmental covenant is parcel 16-06-252-01, located at 330 East 200 South located in Salt Lake City, Utah ("Property"). The legal description of the parcel affected by this Environmental Covenant is:

Beginning at the Northeast corner of Lot 6, Block 49, Plat "B", Salt Lake City Survey, and running thence South 20 rods; thence West 4 rods; thence South 10 rods; thence West 39.0 feet; thence South 166.4 feet to the North line of Third South Street; thence West 60.0 feet, thence North 385.4 feet; thence East 50.0 feet; thence North 34.31 feet; thence East 6.0 feet; thence North 39.03 feet; thence West 6.0 feet; thence North 202.66 feet; thence East 115 feet to place of beginning.

ENVIRONMENTAL RESPONSE PROJECT

3. The Environmental Response Project is referred to as the former GSA Motor Pool Facility, 330 East 200 South, Salt Lake City, Utah. The project administrative records are maintained and managed by the Division of Waste Management and Radiation Control ("DWMRC"), and the Records Center or State Archives, in accordance with the Division's Documents Retention Schedule. Paragraphs 4 through 8 below summarize the investigations conducted to evaluate the potential for soil and groundwater contamination at the site. Additional details about site investigation and the remedial work performed at the site is available in the administrative record.

4. The GSA Motor Pool was a Federal Government Motor Pool, which performed vehicle maintenance and supplied fuel. The site had 7 hydraulic lifts, 2 oil water separators, trench drains, two underground storage tanks ("USTs"), both initially used for the storage of fuel, however, one was used as a waste oil tank during later years of operation at the facility. The site is located about mid street at 330 East 200 South, Salt Lake City, Utah (as depicted on Figure 1 of Appendix A, attached hereto). The GSA Motor Pool consists of one parcel (16-06-252-01) occupying a total of 1.54 acres, with originally one building which was expanded to the south in 1982, which has subsequently been demolished, as depicted on Figure 2 of Appendix A).

5. In November and December 2016, Wasatch Environmental, Inc. ("Wasatch") conducted subsurface investigation activities which included the collection of numerous surficial soil, subsurface soil, and groundwater samples at the site in areas of potential concern. Soil and groundwater samples were analyzed for volatile organic compounds ("VOC"), semi-volatile organic compounds ("SVOC"), polynuclear aromatic hydrocarbons ("PAH"), and Total Petroleum Hydrocarbons ("TPH").

6. Based on the analytical results of the investigation, no areas of soil impacts above the United States Environmental Protection Agency ("U.S. EPA") Regional Screening Levels ("RSL") for Residential Soil were identified which remain in place; however, there were isolated detections of arsenic, tetrachloroethene ("PCE") and PAHs which were subsequently removed as part of the soil removal action in October 2017 and February 2018.

7. VOCs, specifically Cis-1,2-DCE, PCE, TCE, were detected in groundwater samples, at concentrations that exceed their Federal Maximum Contaminant Level ("MCL"); however, it appears that the elevated groundwater concentrations of these compounds at the site are likely representative of VOC concentrations in groundwater which are due to upgradient, offsite sources and are not elevated due to past or current uses of the facility.

8. During February 2018, GSA began the process to excavate and remove the facility subsurface equipment, hydraulic lifts, waste management apparatus, oil water separators and trench drains, and storage tanks and ancillary equipment (USTs and fuel island pad locations) and limited amount of soil, and then sample the soil from the associated excavation. Most of the soil from each of the excavations was sampled and screened for VOCs with a photoionization detector ("PID"). Soil samples were analyzed for TPH-DRO, VOCs which included TPH -GRO, SVOCs and PAHs. Soil from the hoist location was analyzed slightly differently with HEM ("O&G"), Metals, and VOCs to primarily be used for waste characterization.

During this process, only 2 features, the two former fuel island pad locations, showed signs of soil contamination (staining and/or odor). Though both of these exhibited positive VOC measurements on the PID, only the northern location had significant odor and staining. From the two former fuel island location excavations, GSA removed and disposed over 600 tons of primarily TPH contaminated soil.

Since the primary source of visible contamination was from a former fuel island pad, GSA and Wasatch contacted the UDEQ LUST program to ensure the site would be closed under this program as well. Though there were detections of PAHS, TPH-DRO, VOCs (primarily TPH -GRO, PCE, and MTBE), for soils which remain on-site, all but the MTBE were below either the LUST Program Screening Level Criteria (SLC) or U.S. EPA RSLs for residential soils. MTBE has been analyzed in soil and groundwater with over 100 samples and has only one soil detection of (0.35 mg/kg) which exceeds the LUST SLC of 0.3 mg/kg.

COVENANT

9. Now therefore, Owner and the Director agree to the following:

10. Environmental Covenant. This Environmental Covenant is developed and executed pursuant to Utah Code Ann. §§57-25-101 et. seq. The Environmental Covenant shall run with the land.

11. Property. This Environmental Covenant applies to Property located at 330 East 200 South located in Salt Lake City, Utah: Parcel Number 16-06-252-001, consisting of approximately 1.54 acres of real property. The legal description of this property is provided in Paragraph 2 above.

12. Owner. An "Owner" of the Property is a person who controls, occupies, or holds an interest (other than this environmental covenant) in the Property at any given time. Consistent with Paragraph 15 ("Running with the Land") of this Environmental Covenant, the obligations of the Owner are imposed on assigns and successors in interest, including any Transferee. The term "Transferee" as used in this Environmental Covenant, includes the future of any interest in the Property or any portion thereof, including, but not limited to, owners of an interest in fee simple, mortgagees, easement holders, or lessees.

13. Holder. Owner is the holder of this Environmental Covenant.

14. Activity/Use Limitations and Maintenance Requirements: As part of the Site Management Plan ("SMP"), Owner hereby imposes and agrees to comply with the following activity and use limitations at the Property:

- a. The land uses at the Property may be residential or industrial/commercial, provided that, for any inhabitable space not built above a parking structure, an active or passive vapor mitigation system is designed and installed into any building constructed on the Property. Should any residential use not built above a parking structure be proposed for development on the Property without installing the foregoing mitigation system, the developer shall, prior to the development of the proposed residential use, demonstrate to the Director's approval that an alternative method adequately mitigates vapor intrusion risk. Any system approved to mitigate the vapor intrusion concern will be described in the SMP.
- b. The drilling of drinking water wells at the Property, or the use of groundwater from the shallow aquifer beneath the Property for drinking water purposes, is prohibited.
- c. Contaminated groundwater generated from site during construction activities shall be properly managed in accordance with all applicable state and federal laws. Groundwater management will follow procedures described in the approved SMP.
- d. Contaminated soil generated from construction shall be properly managed in accordance with all applicable state and federal laws. Soil management will follow procedures described in the approved SMP.
- e. Site Management Plan (SMP). If development of the property or disturbance of soil in any manner is proposed to be undertaken, Owner shall submit a SMP for the Director's approval. The Owner shall comply with all site management requirements detailed in the SMP during construction and post construction activities. No soil disturbing activities may occur until the SMP is approved by the Director.

15. Running with the Land: This Environmental Covenant shall be binding upon the Owner and all assigns and successors in interest, including any Transferee, and shall run with the land, pursuant to Utah Code Ann. § 57-25-105, subject to amendment or termination as set forth herein. The term "Transferee," as used in this Environmental Covenant, shall mean any future owner of any interest in the Property or any portion thereof, including, but not limited to, owner(s) of an interest in fee simple, mortgagees, easement holders, and/or lessees.

16. Compliance Enforcement. Compliance with this Environmental Covenant may be enforced pursuant to Utah Code Ann. § 57-25-111. Failure to timely enforce compliance with this Environmental Covenant or the activity and use limitations contained herein by any Party shall not bar subsequent enforcement by such Party and shall not be deemed a waiver of the Party's right to take action to enforce any non-compliance. Nothing in this Environmental Covenant shall restrict the Director or his/her successor from exercising any authority under applicable law.

17. Rights of Access. Owner hereby grants to the Director, its agents, contractors, and employees the right of reasonable access to the Property for implementation or enforcement of this Environmental Covenant, subject to the constitutional limitation on warrantless searches and seizures. Nothing in this Environmental Covenant shall be construed as limiting or expanding any access and inspection authorities of the Director under State law.

18. Notice Upon Conveyance. Each instrument hereafter conveying any interest in the Property or any portion of the Property shall contain a notice of the activity and use limitations set forth in this Environmental Covenant and provide the recorded location of this Environmental Covenant. The notice shall be substantially in the following form:

THE INTEREST CONVEYED HEREBY IS SUBJECT TO AN ENVIRONMENTAL COVENANT, DATED _____, 201_, RECORDED IN THE DEED OR OFFICIAL RECORDS OF THE _____ COUNTY RECORDER ON _____, 201_, IN [DOCUMENT _____, or BOOK _____, PAGE _____]. PARAGRAPH _____ OF THE ENVIRONMENTAL COVENANT (ACTIVITY AND USE LIMITATIONS) IS INCORPORATED HEREIN, IN ITS ENTIRETY, BY REFERENCE.

Owner(s) shall notify the Director within ten (10) days after each conveyance of an interest in any portion of the Property. Owner's notice shall include the name, address, and telephone number of the Transferee/Successor in Interest, a copy of the deed or other documentation evidencing the conveyance, and an unsurveyed plat that shows the boundaries of the property being transferred.

19. Representations and Warranties. Owner hereby represents to the other signatories hereto that:

- A. Owner is the sole owner of the Property;
- B. Owner holds fee simple title to the Property which is free, clear, and unencumbered;
- C. Owner has identified all other persons that own an interest in or hold an encumbrance on the Property, and notified such persons of the Owner's intention to enter into this Environmental Covenant;
- D. This Environmental Covenant will not materially violate or contravene or constitute a material default under any other agreement, document, or instrument to which the Owner is a party or by which the Owner may be bound or affected; and
- E. Owner has the power and authority to enter into this Environmental Covenant, to grant the rights and interests herein provided, and to carry out all obligations hereunder.

20. Amendment or Termination. This Environmental Covenant may be amended or terminated by written consent pursuant to Utah Code Ann. § 57-25-110 and other applicable law. The term "Amendment" as used in this Environmental Covenant shall mean any changes to the Environmental Covenant, including the activity and use limitations set forth herein, or the elimination of one or more activity and use limitations when there is at least one limitation remaining. The term "Termination" as used in this Environmental Covenant, shall mean the elimination of all activity and use limitations set forth herein and all other obligations under this Environmental Covenant.

21. Severability. If any provision of this Environmental Covenant is found to be unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired.

22. Governing Law. This Environmental Covenant shall be governed by and interpreted in accordance with the laws of the State of Utah.

23. Recordation. Within thirty (30) days after the date of the final required signature upon this Environmental Covenant, Owner(s) shall file this Environmental Covenant for recording, in the same manner as a deed to the Property, with the County Recorder's Office.

24. Effective Date. The effective date of this Environmental Covenant shall be the date upon which the fully executed Environmental Covenant has been recorded as a document of record for the Property with the County Recorder.

25. Distribution of Environmental Covenant. The Owner shall distribute a file-and date-stamped copy of the recorded Environmental Covenant to the Director within 30 days of recordation.

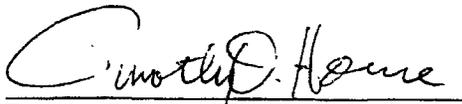
26. Notice. Unless otherwise notified in writing by or on behalf of the current Owner or the Director, any document or communication required by this Environmental Covenant shall be submitted to:

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

The undersigned Owner's representative certifies that he/she is authorized to agree to the conditions and obligations contained herein and to execute this Environmental Covenant.

IT IS SO AGREED:

**UNITED STATES OF AMERICA, acting by and
through the Administrator of General Services**



Timothy O. Horne
Regional Commissioner
Public Buildings Service
Rocky Mountain Region

9-25-2018
Date

Environmental Covenant
GSA and DWMRC
330 East 200 South, SLC, UT
Page 6

State of Colorado)
)
County of Jefferson) ss:

Before me, a notary public, in and for said county and state, personally appeared Timothy O. Horne, a duly authorized representative of the U.S. General Services Administration, who acknowledged to me that he did execute the foregoing instrument on behalf of the United States of America acting by and through the authority of the Administrator of General Services.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal this 25TH day of September, 2018.

Michael J Smith
Notary Public

MICHAEL J SMITH
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19904003367
MY COMMISSION EXPIRES JANUARY 24, 2017
2021

Division of Waste Management and Radiation Control

Scott T. Anderson
Scott T. Anderson, Director

20 October 2018
Date

State of Utah)
)
County of Salt Lake) ss:

Before me, a notary public, in and for said county and state, personally appeared Scott T. Anderson, Director of the Division of Waste Management and Radiation Control, who acknowledged to me that he did execute the foregoing instrument on behalf of the State of Utah, Division of Waste Management and Radiation Control.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal this 2nd day of ~~September~~ October, 2018.

Arlene R. Lovato
Notary Public

ARLENE R. LOVATO
Notary Public State of Utah
My Commission Expires on
August 17, 2020
Comm. Number: 689993