SITE MANAGEMENT PLAN
VILLAGE CLEANERS
BRIGHTON POINTE SHOPPING CENTER
3410 BENGAL BOULEVARD
COTTONWOOD HEIGHTS, UTAH

Project No. 2567-001C

To:

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Division of Waste Management and Radiation Control
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1. INTRODUCTION

Wasatch Environmental, Inc., (Wasatch) has prepared this Site Management Plan (SMP) to present the planned long-term approach for managing residual chlorinated solvent impacts to soil and soil gas at the Village Cleaners "Release Site" and area immediately west of the Release Site, which exhibit residual chlorinated solvent impacts in soil gas; (herein collectively referred to as the "Restricted Property") located at 3410 Bengal Boulevard in Cottonwood Heights, Utah, within the Brighton Pointe Shopping Center retail development (herein referred to as the "Facility").

This SMP has been prepared in accordance with the requirements of R315-101 "Cleanup Action and Risk-Based Closure Standards" that establish 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. The "Owner" (as defined in the Environmental Covenant [EC]) shall comply with the SMP, including provisions relating to the Activity and Use Limitations pertaining to land use limitations, groundwater limitations, construction limitations, and disturbance limitations.

1.1 Site Description

The Restricted Property is an approximately 0.1-acre tract of real property, which comprises a portion of a 2.01-acre parcel (Tax Parcel Number: 22-35-226-033) occupied by the Brighton Pointe Shopping Center retail development (Brighton Pointe Shopping Center), located at the southwest corner of the intersection of Bengal Boulevard and 3500 East in Cottonwood Heights, Salt Lake County, Utah (as shown in Exhibit A). The legal description of the Restricted Property is:

> Part of the Northeast Quarter of Section 35, T2S, R1E, S.L.B. & M.
>
> Restricted Property Boundary
> Beginning at a point S0°08'25"E 182.82 feet along the Section Line (Basis of Bearing) and N89°51'35"W 633.25 feet from the Northeast Corner of Section 35, Township 2 South, Range 1 East, Salt Lake Base and meridian;
> thence S38°34'21"E 45.14 feet;
> thence S50°52'14"W 94.77 feet;
> thence N38°58'20"W 45.14 feet;
> thence N50°52'14"E 95.09 feet to the point of beginning. Contains 4284.59 square feet or 0.0984 acre.

1.2 Site Background

1.2.1 Initial Research

Wasatch was provided with an April 13, 2021, Phase I Environmental Site Assessment (ESA) for the Facility prepared by Intermountain Environmental Consultants (IEC). The Phase I ESA identified that Village Cleaners was a drop-off only dry-cleaning facility. Although the Facility is currently a drop-off only facility, regulatory information identifies Village Cleaners (previously Assurance Cleaners) as a Resource Conservation and Recovery Act (RCRA) very small quantity generator (VSQG), which suggests that dry-cleaning operations were formally conducted at the Facility.

Additionally, we were provided with a 1999 Phase I ESA prepared by Granite Environmental (Granite) on behalf of The Boyer Company, which confirmed that Assurance Cleaners (the predecessor of the current Village Cleaners) was previously listed as a RCRA hazardous waste generator. At the time of the 1999 site visit, Granite observed that Village Cleaners "uses significant amounts of perchloroethylene, a dry-cleaning solvent; however, the use of this solvent appeared to be in compliance with all environmental regulations, and no evidence was found which would indicate that such use would constitute a REC [recognized environmental condition] to the Property."

Wasatch was also provided with a January 13, 2000, Subsurface Investigation Report prepared by IHI Environmental (IHI) on behalf of The Boyer Company. The IHI report provided supplemental Phase I information requested by the lender to address deficiencies in the 1999 Phase I ESA report. The IHI report confirmed that dry cleaning had been conducted at the Facility since 1985. Due to the "environmentally sensitive nature of dry-cleaning activities", IHI was retained to conduct a limited Phase II subsurface investigation of the dry-cleaning facility. The IHI investigation consisted of advancing soil borings in the vicinity of the dry-cleaning machines (two dry cleaning machines were present at the time of the IHI investigation activities), chemical storage areas, floor drains, and outside the back door of Village Cleaners. IHI collected a total of seven soil samples and analyzed them for volatile organic compounds (VOCs). Tetrachloroethene (PCE) was identified in all but one of the soil samples. Concentrations of PCE ranged from 3.6 parts per billion (ppb) to 130 ppb. IHI stated that at the time of their investigation, there were no regulatory standards that were directly applicable, but that the United States Environmental Protection Agency's (U.S. EPA) Region III Risk Based Concentrations (RBCs) were used as a comparable reference. At that time, the Region III RBCs for PCE were 110,000 ppb for industrial soils and 12,000 ppb for residential soils.

The Facility is situated at the base of the Wasatch Mountain range. It has been our experience that groundwater occurs at depths greater than 400 feet below ground surface (bgs) in the vicinity of the Facility. Additionally, native soils encountered in this area typically consist of gravelly sands with cobbles and boulders in which direct-push environmental drilling methods are not suitable. It has been our experience that in geological conditions such as those present at the Facility, soil sampling alone is not a consistent indicator of releases from dry cleaning operations. Drilling conditions are difficult, and sampling methodologies required for these soil conditions often result in significant loss of volatiles during the drilling and sampling activities. The fact that IHI identified even low concentrations of PCE indicated that releases had occurred from dry cleaning activities. Therefore, Wasatch recommended sub-slab soil gas sampling as the appropriate method of investigation for a preliminary screening and to evaluate the current vapor intrusion risk associated with the release.

1.2.2 Investigation Activities

The results from the sub-slab soil gas sampling activities conducted by Wasatch in June 2021 confirmed that a release of PCE had occurred at the Facility which had resulted in the presence of PCE in soil gas beneath the tenant space at concentrations that exceed the U.S. EPA Vapor Intrusion Screening Level (VISL) Commercial Target Sub-slab and Near Source Soil Gas Concentration (TSSGC) for PCE. The soil gas data, in conjunction with the IHI soil data, suggested that the release was relatively minor and could likely be mitigated through the process of sub-slab depressurization.

Wasatch completed additional subsurface investigation activities and the installation of a sub-slab depressurization system at the Facility in July 2021. The investigation consisted of collecting one subsurface soil gas sample along the western property line, advancing four shallow soil borings to facilitate the collection of soil samples, advancing one deep soil boring to facilitate the installation of a vapor monitoring well (VMW) and the collection of soil and soil gas samples, and inspecting the sewer lines at the Release Site.

The July 2021 PCE concentrations in shallow soil were consistent with the IHI soil data collected in 2000. PCE was not detected at concentrations above the U.S. EPA RSL for Industrial Soil for PCE. The current and historical shallow soil data suggest that the release at the Facility was relatively minor.

PCE was detected at trace to low concentrations in several of the soil samples collected during the installation of the VMW. PCE was not detected in any of the soil samples collected from depths greater than 43 feet bgs. PCE was detected in a soil gas sample collected from 14 to 16 feet bgs at a concentration exceeding the U.S. EPA VISL Commercial TSSGC for PCE. PCE was also detected below the U.S. EPA VISL Commercial TSSGC for PCE in soil gas samples collected from 32 to 34 feet bgs, 57 to 59 feet bgs, and 73 to 75 feet bgs. PCE was detected in soil gas samples collected from 57 to 59 feet bgs and 73 to 75 feet bgs at trace concentrations. This evidence suggests that the PCE concentrations in soil and soil gas do not appear to extend vertically in the subsurface greater than depths of 43 feet bgs. This is evidence that the release had not impacted groundwater at the Facility.

PCE and trichloroethene (TCE) were both detected in a subsurface soil gas sample exceeding their respective U.S. EPA VISL Commercial TSSGCs. The subsurface soil gas sample was collected along the western property line. The sample location was also adjacent to a storm drain line that runs along the property line. The PCE and TCE concentrations detected in the subsurface soil gas sample were the highest detections at the Facility. These data suggested that the storm drain may be a source of the PCE impacts at the Facility, and that soil gas impacts have not been defined to the west of the Release Site.

Wasatch conducted the final phase of subsurface investigation in October 2021. Although trace to low concentrations of PCE were detected in three of the four soil samples collected from the soil along the storm sewer, no VOCs were detected at concentrations exceeding their U.S. EPA RSLs for Industrial Soil or Residential Soil. None of the soil samples collected from the Facility have exceeded the U.S. EPA RSLs for Industrial Soil or Residential Soil. Wasatch determined that there was no soil contamination at the Facility that requires remediation. No analytes were detected in the soil gas samples collected from adjacent to the residence located west of the Facility.

Depth to groundwater in nearby wells ranges from approximately 216 to 585 feet. Thus, depth groundwater at the Facility is likely between 216 and 585 feet. Wasatch documented in the subsurface investigation report dated August 4, 2021, that based on soil gas data, impacts at the Facility do not appear to extend below a depth of about 43 feet. Therefore, secondary lines of evidence indicate that groundwater at the Facility has not been impacted by the release.

Wasatch arranged for proper disposal of the investigation derrived waste at the Salt Lake County Landfill as non-hazardous waste under a “contained-out” determination from the Utah Division of Waste Management and Radiation Control (DWMRC).

Given that investigations at the Facility have revealed that soil at the Facility does not exceed the U.S. EPA RSLs for Industrial Soil or Residential Soil, groundwater at the Facility has not been impacted, vapor intrusion risk at the Facility has been mitigated, and there is no vapor intrusion risks to off-site structures; Wasatch, on behalf of our client, requested that the Facility be granted regulatory closure with a status of corrective action complete with controls (CACWC).

1.2.3 Mitigation Activities

Wasatch installed an active sub-slab depressurization system at the Release Site on July 9, 2021, in an effort to mitigate the soil gas that was accumulating beneath the floor slab at the Release Site. The system has been operating since installation.

1.2.4 Corrective Action

No corrective action was necessary to achieve regulatory closure of the release at the Facility.

2. RISK ASSESSMENT

Neither a human health risk assessment nor an ecological risk assessment were performed in conjunction with the investigation of the Facility.

3. SITE MANAGEMENT

3.1 Activity and Use Limitations

The EC to be recorded against the Restricted 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 Restricted Property is suitable for residential, commercial, and industrial use consistent with applicable local zoning laws; provided that both residential land use or commercial land use with comparable exposure risks to residential land uses (such as schools, day care facilities, managed care facilities, hospitals and any other type of business that would require a person or caretaker to reside on the Restricted Property) are restricted to above the ground floor (with a parking structure, other commercial, or industrial use on the ground floor). Planting crops or fruit trees for consumption by humans or livestock is prohibited. The operation of health care facilities, such as an urgent care facility or a doctor or dental office, are allowed if the facility does not have an exposure risk comparable to a residential exposure risk. No Director approval is necessary for any land use consistent with this paragraph.

3.1.3 Disturbance Limitations

Appropriate care shall be exercised during subsurface construction, remodeling, and maintenance activities related to human-occupied structures on the Restricted Property so as to prevent damage to any vapor mitigation measures which have been installed, and to ensure appropriate repairs are promptly made in the event damage does occur. Repairs shall be made within a reasonable period of time from the discovery of the damage.

3.1.4 Vapor Intrusion Limitations

For future 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 vapor barrier, installation of a passive or active sub-slab or sub-membrane depressurization system, or construction of occupied structures utilizing positive-pressure ventilation systems. Vapor mitigation measures for future structures shall be subject to review and written approval by the Director prior to implementation. If future data demonstrate an acceptable level of risk relative to the vapor intrusion pathway, future residential land use and commercial land uses with comparable exposures to residential use (such as schools, day care facilities, youth activity programs, managed care facilities, hospitals and any other type of business that would require a person or caretaker to reside on the Restricted Property) may be

permissible on the ground floor subject to prior notification to, and approval by, the Director; and the recording of an amendment to the EC.

3.2 Maintenance, Access, and Inspections

Under the EC, the Owner of any portion of the Restricted Property, shall be responsible for compliance with the SMP and EC.

The Holder under the EC and the Director and their respective authorized agents, employees, and contractors shall have rights of reasonable access to the Restricted 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 Holder or Director under the law.

3.2.1 Notice

Any party or person desiring to access the Restricted Property under authority of the EC shall provide notice to the then current Owner of the affected portion of the Restricted Property not less than 48 hours in advance of accessing the Restricted 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 Restricted Property requiring access as soon thereafter as is reasonably possible.

3.2.2 Disruption

To the extent that the Holder, the Director or their authorized representatives, conduct any activities on or within any portion of the Restricted Property, they will use reasonable efforts to comply with the then current Owner's business operation and 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 Restricted Property as may be reasonably possible. Any person who conducts any activities shall repair or replace any improvements or landscaping damaged on the affected portion of the Restricted 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 Restricted Property improvements or landscaping that are not repaired or replaced, the injured party may present a claim against the State of Utah in accordance with Utah law.

3.3 Environmental Covenant

An EC containing the above referenced activity and use limitations will be recorded with the Office of the County Recorder of Salt Lake County, Utah.

3.4 Monitoring Requirements

The Owner shall comply with Utah Division of Air Quality requirements for monitoring emissions, if any, resulting from vapor mitigation measures installed at the Restricted Property.

3.5 Site Management Contacts

Inquiries concerning the SMP should be directed to the following:

Brighton Pointe Partners
Agent
3780 Quarry Mountain Road
Park City, Utah 84098
(801) 560-0230

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

EXHIBIT A

Facility Location Map
Facility Feature Map
(2 pages)

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W E
S

Scale: 1-inch equals approximately 300 feet

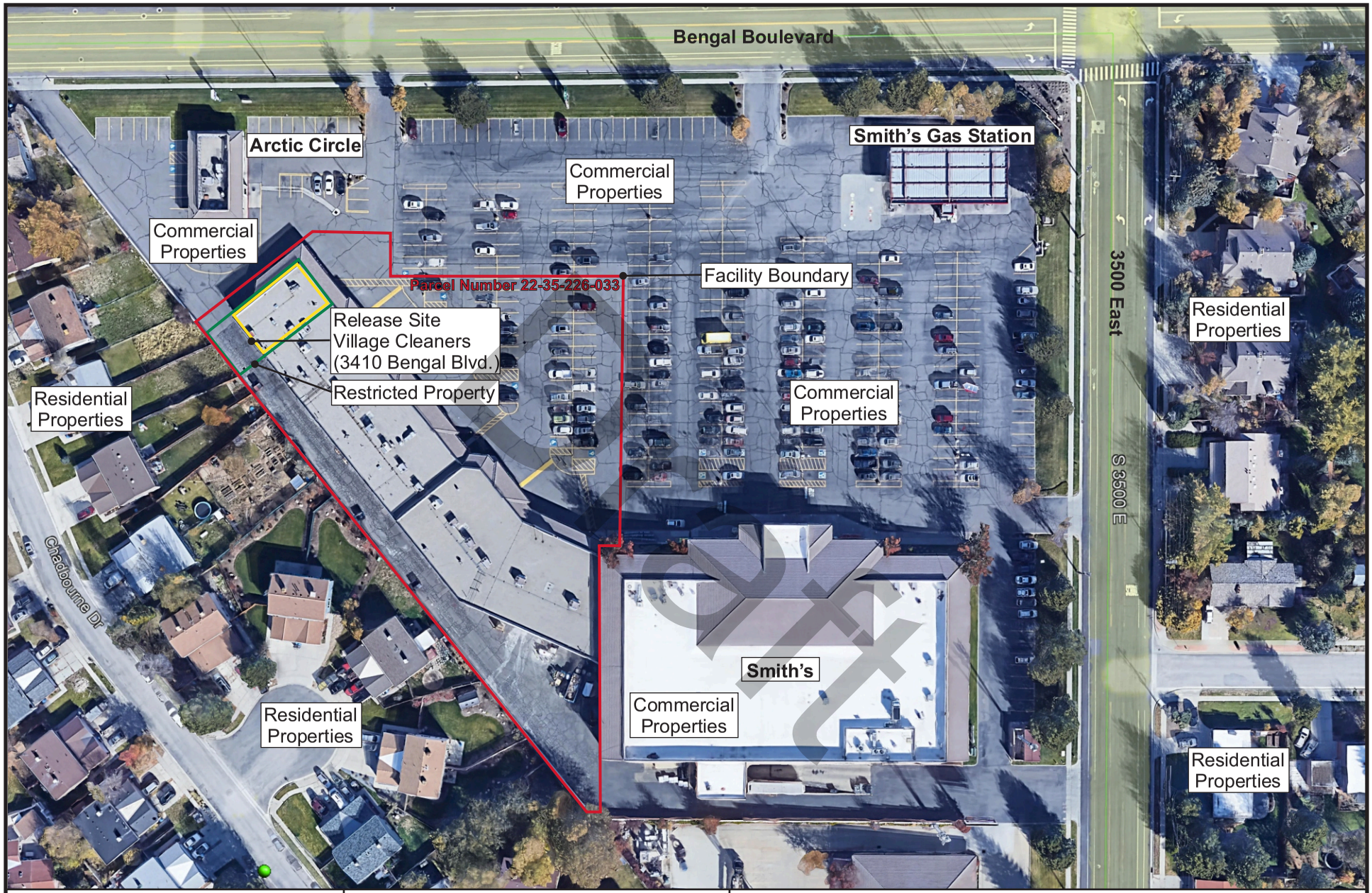
WASATCH ENVIRONMENTAL

Environmental Science and Engineering

Facility Location Map

Village Cleaners
3410 Bengal Blvd.
Cottonwood Heights, Utah

PROJECT NO.: 2567-001C	DATE: February 3, 2022	FIGURE 1



WASATCH ENVIRONMENTAL

Environmental Science and Engineering

Facility Feature Map

Village Cleaners
3410 Bengal Blvd.
Cottonwood Heights, Utah

PROJECT NO.: 2567-001C	DATE: February 3, 2022	FIGURE 2