



State of Utah

SPENCER J. COX  
Governor

DEIDRE HENDERSON  
Lieutenant Governor

Department of  
Environmental Quality

Kimberly D. Shelley  
Executive Director

DIVISION OF ENVIRONMENTAL  
RESPONSE AND REMEDIATION

Brent H. Everett  
Director

ERRC-127-22

September 30, 2022

Rashelle Hobbs  
Salt Lake County Recorder  
2001 South State Street, N1-600  
Salt Lake City, Utah 84190

**RE: Centro Civico Mexicano, Parcel A Voluntary Cleanup Site #C101  
Located at 155 South 600 West, Salt Lake City, Salt Lake County, Utah**

Dear Ms. Hobbs:

Please find attached a Certificate of Completion (COC) for the Centro Civico Mexicano, Parcel A Voluntary Cleanup site. It is requested that the County record the COC on the distinct legal description set forth in the COC, Attachment A. The property tax identification number for the property is 15-01-108-036.

It is my understanding that, as the COC is for the sole benefit of the State of Utah acting by and through the Department of Environmental Quality, Division of Environmental Response and Remediation, any filing fees associated with the recording of the COC are waived.

If you have any questions, please contact me (801) 536-4100.

Sincerely,

Joseph Katz, Project Manager  
Division of Environmental Response and Remediation

JHK\lg

Enclosure(s): Certificate of Completion

ecc: Amy Austin, Terracon  
Peter Corroon, Corroon Company  
Melisa Devincenzi, U.S. Environmental Protection Agency, Region VIII  
Angela Dunn, MD, MPH, Executive Director, Salt Lake County Health Department

14027483 B: 11378 P: 2691 Total Pages: 7  
10/10/2022 09:37 AM By: zjorgensen Fees: \$0.00  
Rashelle Hobbs, Recorder, Salt Lake County, Utah  
Return To: UDEQ / DERR  
PO BOX 144840 SALT LAKE CITY, UT 841144840

When recorded return to:  
Utah Department of Environmental Quality  
Division of Environmental Response and Remediation  
Attention: Voluntary Program Coordinator  
Post Office Box 144840  
Salt Lake City, Utah 84114-4840

**RE: Centro Civico Mexicano, Parcel A Voluntary Cleanup Program Site (VCP #C101)  
155 South 600 West, Salt Lake City, Salt Lake County, Utah  
Tax ID#: 15-01-108-036**

## **CERTIFICATE OF COMPLETION**

### **1. Compliance with Terms of Voluntary Cleanup Program**

The Executive Director of the Utah Department of Environmental Quality (“DEQ”), through her undersigned designee below, has determined that Centro Civico Mexicano, hereinafter referred to as “Applicant,” has completed a DEQ supervised voluntary cleanup of the real property described in Attachment A (“Property” or “Site”), in accordance with sections 19-8-108 and 19-8-110 of the Utah Code Ann. and the Voluntary Cleanup Agreement entered into on September 2, 2020 and amended on March 9, 2021. The Applicant is granted this Certificate of Completion (“COC”) pursuant to section 19-8-111, subject to the conditions set forth in Section 3 below.

### **2. Acknowledgment of Protection from Liability**

This COC acknowledges protection from liability provided by section 19-8-113 of the Utah Code Ann. to an Applicant who is not responsible for the contamination under the provisions listed in subsection 19-8-113(1)(b) at the time the Applicant applies to enter into a Voluntary Cleanup Agreement, and to future owners who acquire the Property covered by this COC, and to lenders who make loans secured by the Property covered by the COC.

As set forth in section 19-8-113, this release of liability is not available to an owner or lender who was originally responsible for contamination, or to an owner or lender who changes the land use from the use specified in Section 3 of the COC, if the changed use or uses may reasonably be expected to result in increased risks to human health or the environment, or to an owner or lender who causes further contamination on the Property. Also, there is no release from liability if the COC is obtained by fraud, misrepresentation, or the knowing failure to disclose material information.

Finally, protection from liability is limited to contamination identified in the documents related to the investigation and cleanup of the Property.

### **3. Specified Land Use for Certificate of Completion**

The future land use of this Property will be mixed use commercial/industrial with residential allowed above the ground floor. Uses of the ground floor and below will be 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. The commercial/industrial worker exposure scenario is described as: exposure to adults to incidental ingestion, dermal contact, and inhalation to hazardous constituents for a duration of 25 years at a frequency of 250 days per year for 8 hours per day. Future uses of the Property will be limited to industrial/commercial uses.

Uses that include managed care facilities, hospitals or any type of business that would require a caretaker to reside on the facility are not approved as future uses on the ground floor or below. Commercial uses that would expose children to hazardous constituents at the site for extended periods of time (such as day care, school, and playground/play area facilities) are also not approved at ground level or below. Residential land use is prohibited below grade or at the ground level of the Property. Uses that are not approved as stated above would be inappropriate and unacceptable for this Property. Additional investigation and possible remediation would be required and the Voluntary Cleanup Agreement/COC amended before the Property could be used for uses that are not currently approved.

The Property is subject to the Site Management Plan (“SMP”) dated March 29, 2022, as may be amended from time to time, and that certain Environmental Covenant (“EC”) recorded with the Salt Lake County Recorder on April 25, 2022, Entry # 13938575 Book 11331 Pages 8588 - 8597.

This COC is issued based on compliance with the SMP and EC. Among other requirements, the SMP or EC or both require:

- a. An asphalt surface completion or other hardscape surface covering the Site, including the building, must remain in a condition such that soils at the Site are not exposed;
- b. Continued operation and maintenance of the sub slab depressurization system (“SSDS”);
- c. Groundwater will not be accessed for drinking water, irrigation or bathing purposes;
- d. Impacted material will be appropriately managed if encountered or generated during future use or maintenance activities;
- e. Workers to be notified and follow health and safety requirements if they come in contact with impacted soil;
- f. Inspections to verify land use and the effectiveness of institutional and engineering controls;
- g. Reporting of site management activities to the Division of Environmental Response and Remediation (“DERR”);
- h. Continued reimbursement to the DERR for its oversight of the EC and SMP; and
- i. Continued consent to access by the DERR to monitor compliance with the EC and SMP.

#### **4. Unavailability of Release of Liability**

Use of the Property that is not consistent with Section 3 including failure to comply with the SMP and/or EC and provisions of this COC shall constitute a change in land use expected to result in increased risks to human health and the environment making the release of liability in Section 2 above unavailable.

#### **5. Amended Certificate of Completion**

There is no expectation that compliance with the SMP and EC will cease to be a condition of this COC so long as contamination remains on the Site above levels protective for unrestricted land use. Further remediation under the VCP would be needed to qualify for a new or amended COC that does not include compliance with the SMP and EC as a condition of land use.

Operation of the SSDS may be discontinued, as outlined in the SMP and EC, if contaminants in soil gas are demonstrated to no longer exceed the established cleanup levels. Discontinuing the SSDS operation will not occur without DERR's express written permission.

#### **6. Availability of Records**

All documents discussed in this COC are on file and may be reviewed at the DEQ/DERR office located at 195 North 1950 West, Salt Lake City, Utah. The documents can also be viewed online using the DEQ EZ-Search utility at <http://eqedocs.utah.gov/> .

**7. Final Signature for Centro Civico Mexicano, Parcel A Certificate of Completion**

Dated this 22<sup>nd</sup> day of September 2022.

Brent H. Everett

Brent H. Everett, Director  
Division of Environmental Response and Remediation  
And Authorized Representative of the  
Executive Director of the Utah  
Department of Environmental Quality

STATE OF UTAH )

:SS.

COUNTY OF UTAH )

On this 22<sup>nd</sup> day of September, 2022, personally appeared before me, Brent H. Everett who duly acknowledged that he signed the above Certificate of Completion as an authorized representative of the Executive Director of the Utah Department of Environmental Quality.



Arlene Rendon Lavato  
NOTARY PUBLIC

Residing At: SC County

My Commission Expires Aug. 28, 2024

Attachments: Attachment A: Legal Property Description

# **ATTACHMENT A**

## **Centro Civico Mexicano, Parcel A Legal Property Description**

## CENTRO CIVICO MEXICANO PARCEL 'A' DESCRIPTION

BEGINNING AT A POINT ON THE EASTERLY LINE OF 600 WEST STREET LOCATED N 00°01'00" W 173.25 FEET FROM THE SOUTHWEST CORNER OF BLOCK 64, PLAT "A", SALT LAKE CITY SURVEY; SAID POINT ALSO BEING LOCATED N 00°01'00" W ALONG THE MONUMENT LINE OF 600 WEST (BASIS OF BEARING) 237.24 FEET AND N 89°58'19"E 71.93 FEET FROM THE MONUMENT IN THE INTERSECTION OF 600 WEST AND 200 SOUTH STREETS; THENCE THE FOLLOWING 4 COURSES: N 89°58'19" E 165.00 FEET TO THE WESTERLY LINE OF McCARTHEY'S SUBDIVISION (BK. #2015P, PG. #128); THENCE ALONG SAID LINE N 00°00'50"W 221.82 FEET (N 00°00'25"W REC.) ; THENCE S 89°56'52" W 165.00 FEET TO THE EASTERLY LINE OF 600 WEST STREET; THENCE S 00°01'00" E 221.75 FEET TO THE POINT OF BEGINNING.

(CONTAINING 36,595 SQ.FT OR 0.840 ACRE)

**Tax ID#:** 15-01-108-036