



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF ENVIRONMENTAL
RESPONSE AND REMEDIATION

Brent H. Everett
Director

ERRC-161-18

December 18, 2018

Brandy Farmer, President
Centro Civico Mexicano
155 South 600 West
Salt Lake City, Utah 84101

Re: Centro Civico Mexicano (VCP #C087), Salt Lake City, Salt Lake County, Utah

Dear Ms. Farmer:

Please find enclosed a Certificate of Completion (COC) for the Centro Civico Mexicano, Parcel B (Centro) Voluntary Cleanup Program (VCP) site. The COC was issued per the Voluntary Cleanup Agreement (VCA) signed April 14, 2016, and amended December 3, 2018.

The applicant requested that site remediation proceed in phases to meet the current project schedule. Remedial work was conducted on Parcel B of the site in 2017 and a Site Management Plan (SMP) and Environmental Covenant (EC) were finalized in August and early September 2018 respectively. A No Further Action (NFA) letter was subsequently issued September 6, 2018, for the work conducted on Parcel B.

After the NFA letter was issued, Centro requested a COC for Parcel B. The Division of Environmental Response and Remediation (DERR) agreed to the request since this portion of the overall site was addressed, as noted in the September 2018 NFA letter, and the applicant represented Parcel A of the site will be addressed when it is redeveloped in the future. The VCA was amended to reflect new VCP boundaries consistent with the remedial work conducted on Parcel B, and the aforementioned SMP, EC, and NFA letter.

With the activities conducted to date, Centro has completed the terms and conditions of the VCA, as amended, except for compliance with the on-going requirements in the COC and coverage of the DERR's administrative costs. The DERR commends Centro's proactive approach toward the VCP and appreciates its efforts to help return this property to beneficial use. As noted in previous discussions, Centro will need to submit a new application to address Parcel A of the site through the VCP.

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If you have any questions regarding this letter or the COC, please contact Joe Katz of my staff at (801) 536-4100.

Sincerely,



Brent H. Everett, Director
Division of Environmental Response and Remediation

BHE/DTU/JHK/kb

Enclosure: Certificate of Completion

cc: Peter Corroon, Corroon Company
Christina Wilson, U.S. Environmental Protection Agency, Region VIII
Gary L. Edwards, M.S., Director, Salt Lake Valley Health Department (w/o enclosure)

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 B Voluntary Cleanup Program Site (VCP #C087)
Salt Lake City, Salt Lake County, Utah**

CERTIFICATE OF COMPLETION

1. Compliance with Terms of Voluntary Cleanup Program

The Executive Director of the Utah Department of Environmental Quality (“UDEQ”), through his undersigned designee below, has determined that Centro Civico Mexicano, Centro Civico GP, LLC, and Centro Civico Housing Company, LLC, hereinafter collectively referred to as “Applicant,” have completed a UDEQ 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 April 14, 2016 and amended on December 3, 2018. 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 a release of 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 releases 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 Property will be developed for residential land use. The Property may be used for these purposes subject to the Site Management Plan ("SMP") dated August 27, 2018, as may be amended from time to time, and that certain Environmental Covenant ("EC") recorded with the Salt Lake County Recorder on September 4, 2018, Book #10709, pages 3324-3335.

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

- a. No residential land use below grade or at ground level unless a Division of Environmental Response and Remediation ("DERR") approved vapor mitigation plan is implemented;
- b. Impacted material to be managed if generated during construction and future use;
- c. Workers to be notified and follow health and safety requirements if they come in contact with impacted soil;
- d. Groundwater not to be accessed for drinking water, bathing or irrigation purposes;
- e. Continued reimbursement to the DERR for its oversight of the EC and SMP; and
- f. 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 contaminated soils remain 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.

6. Availability of Records

All documents discussed in this COC are on file and may be reviewed at the UDEQ/DERR office located at 195 North 1950 West, Salt Lake City, Utah.

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

Dated this 18th day of December 2018.

Brent H. Everett

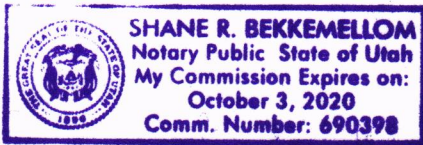
Brent H. Everett, Director
Division of Environmental Response and Remediation
And Authorized Representative of the
Executive Director of the Utah
Department of Environmental Quality

STATE OF UTAH)

:SS.

COUNTY OF SALT LAKE)

On this 18th day of December, 2018, 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.



Shane R. Bekkellom
NOTARY PUBLIC

Residing At: Salt Lake County,
Utah

My Commission Expires October 3, 2020

Attachments: Attachment A: Legal Property Description

ATTACHMENT A

**Centro Civico Mexicano, Parcel B
Legal Property Description**

Tax ID#: XXXXXXXXXX

Legal Property Description, Centro Civico Mexicano, Parcel B Site:

**CENTRO CIVICO SENIOR HOUSING PARCEL
PARCEL 'B' DESCRIPTION**

BEGINNING AT A POINT ON THE EASTERLY LINE OF 600 WEST STREET LOCATED N 00°01'00" W 395.00 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) 458.96 FEET AND N 89°56'52"E 71.93 FEET FROM THE MONUMENT IN THE INTERSECTION OF 600 WEST AND 200 SOUTH STREETS; THENCE THE FOLLOWING 4 COURSES: N 89°56'52" E 165.00 FEET (EAST 165 REC) TO THE WESTERLY LINE OF McCARTHEY'S SUBDIVISION (BK. #2015P, PG. #128); THENCE ALONG SAID LINE THENCE N 00°00'50"W 100.00 FEET (N 00°00'25"W REC.); THENCE S 89°56'52" W 165.08 FEET (WEST 165 REC) TO THE EASTERLY LINE OF 600 WEST STREET; THENCE S 00°01'00" E 100.07 FEET TO THE POINT OF BEGINNING.

**CONTAINING 16,505 SQ.FT
OR 0.378 ACRE**