

SCANNED

DEQ 2008-00423

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Book - 9640 Pg - 7598-7600
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
UT ST-ENVIRONMENTAL QUALITY
BY: ZJM, DEPUTY - MA 3 P.

After Recording Return to:
Utah Department of Environmental Quality
Division of Environmental Response and Remediation
Attention: Voluntary Cleanup Program Coordinator
168 North 1950 West
Salt Lake City, Utah 84116

RECEIVED

SEP 16 2008

DEQ
Environmental Response & Remediation

Amendment to Certificate of Completion to Release Site Management Plan Requirements Outlined in the Specified Land Use Section

This amendment to the Certificate of Completion ("COC") dated March 9, 2006, and recorded March 22, 2006, entry no. 9670109, book 9269, pages 9504-9508, with the office of the Salt Lake County Recorder, is made effective on the date of recording for the following property parcels, more particularly described in Attachment "A":

Parcel # 15-15-351-08 1812 South Empire Road
Parcel # 15-15-351-09 1950 South Industrial Road
Salt Lake City, Salt Lake County, Utah

RECITALS

1. WHEREAS, the COC required compliance with a Site Management Plan on file with the Utah Department of Environmental Quality (DEQ),
2. WHEREAS, among other things, the Site Management Plan required groundwater monitoring and contaminated soil management,
3. WHEREAS, Section 5 of the COC provided that the COC could be amended upon a showing that the Site Management Plan was no longer necessary,
4. WHEREAS, Associated Food Stores, Inc. has demonstrated that the Site Management Plan is no longer necessary by completing soil treatment and groundwater monitoring requirements,
5. WHEREAS, Associated Food Stores, Inc., in accordance with the terms of the COC has requested the DEQ to amend the COC to provide notice that the Site Management Plan is no longer a necessary land use restriction.

NOW THEREFORE, the COC is amended to release the Site Management Plan requirements associated with land use as follows:

1. Section 3 of the COC entitled, "Specified Land Use for Certificate of Completion" is hereby amended and restated as follows:

This COC is issued based on Associated Food Stores, Inc. representation that the Property will be used for commercial/industrial uses, consistent with the commercial/industrial worker exposure scenario described in the Risk

Attachment A
Associated Food Stores, Inc.
Legal Property Descriptions

Parcel 1

Address: 1812 South Empire Road, Salt Lake City, Utah

Property Parcel # 15-15-351-08

Beginning at the point of intersection of the east line of Industrial Road and the north line of Associated Avenue, said point being north 0°03'08" west 25.00 feet and north 89°56'52" east 25.00 feet from the Salt Lake City monument in the intersection of Industrial Road and Associated Avenue, said monument being south 89°45'30" west 1599.40 feet and north 0°03'08" west 1051.80 feet from the south quarter corner of Section 15, Township 1 south, Range 1 west, Salt Lake base and meridian; thence north 0°03'08" west 1535.53 feet along said east line to the south line of 1700 South Street; thence north 89°56'30" east 516.08 feet along said south line; thence south 0°03'08" east 267.77 feet; thence south 43°34'43" east 82.77 feet; thence south 0°03'08" east 203.44 feet to a point on the arc of a 70.09 foot radius curve to the left; thence southeasterly along said curve 82.17 feet (chord bears south 36°59'29" east 77.54 feet); thence south 65°03'06" east 58.92 feet; thence north 89°56'40" east 262.77 feet; thence south 0°03'08" east 917.51 feet to said north line of Associated Avenue; thence south 89°56'52" west 935.85 feet along said north line to the point of beginning.

Contains 27.514 acres.

Parcel 3

Address: 2010 South Industrial Road, Salt Lake City, Utah

Property Parcel # 15-15-351-09

Beginning at a point on the west line of Industrial Road, said point being north 0°03'08" west 83.51 feet and south 89°42'23" west 25.00 feet from the Salt Lake City monument in the intersection of 2100 South Street and Industrial Road, said monument being south 89°45'30" west 1599.40 feet from the south quarter corner of Section 15, Township 1 south, Range 1 west, Salt Lake base and meridian; thence south 89°42'23" west 866.61 feet to a point on the arc of a 1203.54 foot radius curve to the right, said point being on the easterly right of way line of Interstate 215; thence along said right of way the next five (5) courses and distances: Northwesterly along said curve 52.10 feet (chord bears north 36°45'15" west 52.09 feet) and north 31°28'00" west 474.36 feet to a point on the arc of a 1060.92 foot radius curve to the right and along said curve 607.07 feet (chord bears north 16°50'33" west 598.82 feet) and south line of Ingersoll Industrial Park Subdivision; thence north 89°57'04" east 899.15 feet along said south line; thence north 0°03'08" north 89°57'04" east 406.65 feet along the south line of said subdivision to the west line of Industrial Road; thence south 0°03'08" east 1328.54 feet along said west line to the point of beginning.

Contains 34.668 acres.

Assessment Guidance for Superfund, Volume I, Human Health Evaluation, Parts A and B. The commercial/industrial scenario is defined as exposure to adults to incidental ingestion and dermal contact to hazardous constituents for a duration of 25 years at a frequency of 250 days a year for eight hours a day.

This COC is not issued for use of the Property for managed care facilities, hospitals, residential use (including caretakers that reside on the Property), or for day care and school facilities. Uses that are not anticipated as stated above would be inappropriate and unacceptable for the Property. Additional investigation and possible remediation would be required, and the COC amended to allow for those uses. Since those uses were neither represented nor approved, they would nullify the release of liability and coverage of this COC described in section two above.

This COC requires no use of groundwater from the shallow aquifer located beneath the Property for drinking water or irrigation purposes.

2. Except as expressly modified herein the original COC, dated March 9, 2006, shall remain in full force and effect.
3. Final signature for Associated Food Stores, Inc. amended COC.

UDEQ Representative



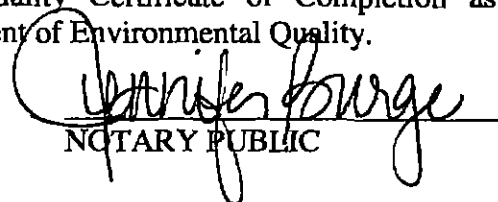
Brad T. Johnson, Director
Division of Environmental
Response and Remediation

DATE 8/26/2008

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

On this 26 day of August, 2008, personally appeared before me

Brad T. Johnson and duly acknowledged that he executed the above Amendment to the Utah Department of Environmental Quality Certificate of Completion as an authorized representative of the Utah Department of Environmental Quality.



NOTARY PUBLIC

My Commission Expires 9-11-08
Residing at: SLC, UT

