

Ent 122262 Bk 965 Pg 75 -81  
Date: 04-AUG-2014 9:43:34AM  
Fee: None  
Filed By: DH  
LOUISE C JONES, Recorder  
SAN JUAN COUNTY CORPORATION  
For: UTAH DEPT OF ENVIROMENTAL QUA  
LITY

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: Recapture Metals, Inc. (VCP #C067)  
1877 East Harris Lane, Blanding, San Juan County, Utah**

## CERTIFICATE OF COMPLETION

RECEIVED  
AUG 06 2014

Environmental Response &  
Remediation

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

The Executive Director of Utah Department of Environmental Quality ("UDEQ"), through her undersigned designee below, has determined that Recapture Metals, Inc., hereinafter referred to as "Applicant," has 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 Annotated and the Voluntary Cleanup Agreement entered into on April 23, 2009. The Applicant is granted this Certificate of Completion ("COC") pursuant to section 19-8-111, subject to the conditions set forth in section three below. A figure depicting the Site is included in Attachment B.

### 2. Acknowledgment of Protection from Liability

This COC acknowledges protection from liability provided by section 19-8-113 of the Utah Code Annotated 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 or 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 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.

SCANNED

DERR - 2014-012766

AD

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

The future land use of this Site will be limited to uses consistent with the industrial/commercial worker exposure scenario as described in the Risk Assessment Guidance for Superfund, Volume I, Human Health Evaluation, Parts A and B. The industrial/commercial worker exposure scenario is described 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 per year for 8 hours per day.

Industrial/commercial 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 of the Property. Industrial/commercial industries that would expose children to hazardous constituents for extended periods of time, such as day care and school facilities, are also not approved as future uses of the Property. Residential uses are not approved. 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.

This COC is issued based upon the Applicant's representation that groundwater will not be accessed via wells, pits or sumps for drinking water, bathing and/or irrigation purposes.

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

Use of the Property that is not consistent with Section 3 shall constitute a change in land use expected to result in increased risks to human health and the environment making the release of liability described in Section 2 unavailable.

### **5. Availability of Records**

All documents discussed in this COC are on file and may be reviewed at the UDEQ/Division of Environmental Response and Remediation ("DERR") office located at 195 North 1950 West, Salt Lake City, Utah.

6. Final Signature

Dated this 29<sup>th</sup> day of July 2014.

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 \_\_\_\_\_)

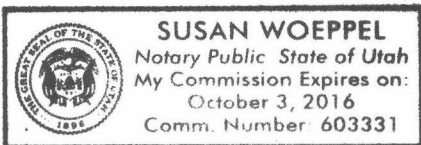
:SS.

COUNTY OF Salt Lake \_\_\_\_\_)

On this 29<sup>th</sup> day of July, 2014, personally appeared before me, Brent H. Everett  
who duly acknowledged that he signed the above Certification of Completion as an authorized  
representative of the Executive Director of the Utah Department of Environmental Quality.

Susan Woepfel  
NOTARY PUBLIC  
Residing At: 195 North 1950 West  
Salt Lake City, Ut. 84116

My Commission Expires October 3, 2016



**SAN JUAN COUNTY  
RECORDING RECEIPT**

Date: AUG 04, 2014 9:43:34AM  
Req By: UTAH DEPT OF ENVIROMENTAL QUALITY  
Filed By: DH

Entry	Book	Page(s)	Fee
122262	0965	0075-0081	\$0.00C

Document Count: 1

**ATTACHMENT A.**

**Legal Property Description**

## **Recapture Metals, Inc. VCP Site**

**1877 East Harris Lane, Blanding, San Juan County, Utah**

### **Legal Property Description:**

The following provides a legal description of the Recapture Metals, Inc. Site enrolled in the Voluntary Cleanup Program by Recapture Metals, Inc. The Site consists of approximately 4.14 acres located on Parcel 36S22E361800/PIN 6305 (40 acres) owned by Recapture Metals, Inc.

A tract of land within Section 36, Township 36 South, Range 22 East, SLB&M, County of San Juan, State of Utah, more particularly described as follows: Beginning at a point on the west line of the SE1/4 NE1/4 of said Section 36, said point being located N89°46'55"W 1320.30 feet along the C1/4 section line of said section 36, and N00°02'28"E 32.17 feet along the 1/16 section line of said section 36 to the true point of beginning; thence N00°02'28"E 466.83 feet along said 1/16 section line, thence S89°28'31"E 266.85 feet, thence S00°02'12"E 159.87 feet, thence S89°45'16"E 106.81 feet, thence N00°09'22"E 14.64 feet, thence S89°50'38"E 74.89 feet, thence S00°17'01"W 318.50 feet, thence West 447.44 feet to the point of beginning, and containing 4.14 acres more or less. Basis of bearings for this description is N88°07'W between the E1/16 corner and the N1/4 corner between sections 36 and 25, T36S, R22E, SLB&M.

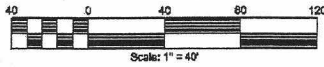
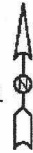
**Tax ID#: 870457445**

**Affects: 36S22E361800**

**ATTACHMENT B.**

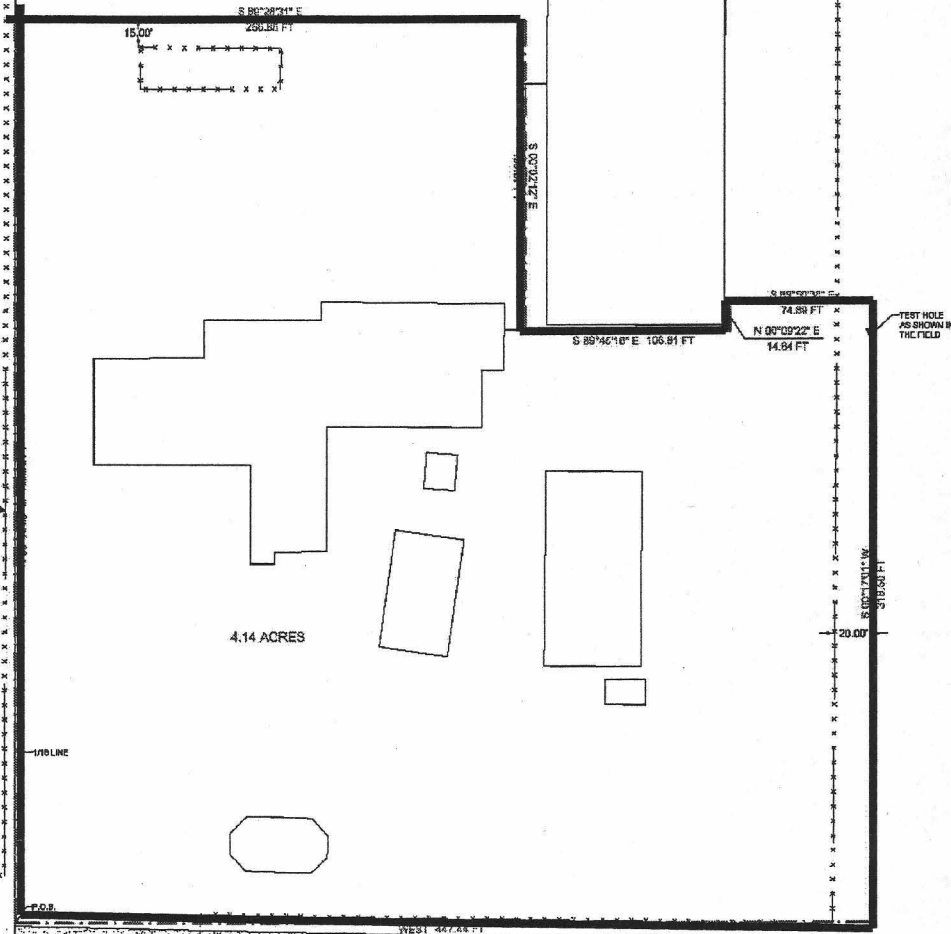
**Site Map**

SITUATION MAP  
 FOR  
 RECAPTURE METALS  
 1877 East Harris Lane, Blanding Utah 84511



VCP Boundary

Harris Lane AKA  
 SJC Road 282



CATTLE GUARD - CH4 LINE

SE1/8 CORNER  
 IRONS AND CAP

1/4 CORNER SECTION 36  
 2" DISC IN CONCRETE

SITUATION MAP  
 FOR  
 RECAPTURE METALS  
 WITHIN THE SE1/4 NE1/4 OF SECTION 36, T36S, R22E, SLB&M

**BUNKER ENGINEERING**

64 NORTH 100 EAST, MONTICELLO, UTAH 84535  
 P.O. BOX 432 MONTICELLO, UTAH 84535 PHONE: 435-459-9152

DRAWN BY: B.D. BUNKER	DATE: FEBRUARY 2012	SCALE: 1" = 40'	SHEET: 1 OF 1
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DRAWING NAME: SURVEY REFERENCE #BE513