Treasure Mountain Environmental Overview

1. Purpose

The purpose of this environmental report is to provide a clear, chronological account of asbestos documentation, monitoring, and abatement at the former Treasure Mountain Junior High School; identify how groundwater was encountered during site excavation; and describe how that groundwater was managed through settling systems, private storm conveyance, and, for a limited duration, direct discharge to Silver Creek.

The report also consolidates information from multiple sources, including historical asbestos management binders and addenda, pre-demolition asbestos surveys, state regulatory interpretation, internal documentation, and public reporting.

The objective is to define what is firmly supported by documented environmental records, clarify areas where regulatory agencies are continuing their internal evaluations, and identify environmental information that can responsibly be communicated to district leadership, the Board of Education, and the broader community without misstating conditions or pre-judging regulatory outcomes.

This report is designed to improve clarity, strengthen environmental understanding, and ensure that public communication remains accurate, measured, and technically supported.

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2. Asbestos Management History and Documentation

2.1 Original asbestos management plan

- The former junior high school operated for many years under a formal asbestos management plan created by a certified asbestos consultant. This plan was established when asbestos was first identified in the building, and it enabled the school to remain safely occupied.

- The plan included a baseline asbestos survey that identified where asbestos was located, what types of materials were affected, whether the asbestos was friable or non-friable, and whether any prior abatement had occurred. Once the baseline plan was established, the district entered ongoing compliance, which required a full three-year reinspection, six-month periodic visual surveillance, and written documentation of any disturbances, damage, maintenance, or abatement events. All of this recordkeeping

existed in physical paper form and was stored in binders, rather than a digital environmental archive.

2.2 Intended function of the binders

- Originally, the management system involved multiple physical copies, but today only two asbestos binders exist, and neither is currently held by the district.

- The first binder was the school's original working binder. This lived in the building for decades and served as the operational compliance record. Custodial staff and district personnel used it to store all asbestos-related documents.

    - Every six months, a trained staff member conducted visual surveillance, completed a one-page surveillance sheet, and handed it to administrative support staff to be inserted into the binder.

    - Over time, this process produced a binder that was very large, heavily used, and increasingly disorganized. Pages were loose, handwritten notes were inserted without indexing, inspection sheets were filed inconsistently, and formatting varied widely.

    - Despite its condition, it served as the complete historical record of asbestos monitoring and compliance while the school was occupied.

- This original binder was physically removed from the school before demolition began so it would not be lost or destroyed. It was originally provided to the demolition contractor in order to file their 10 day notice with the state DAQ (Department of Air Quality). Subsequently it was provided to the State of Utah DAQ by the demolition contractor when the state requested the school's full asbestos management history during its investigation. The state now possesses this binder as part of its regulatory review.

- The second binder is a working technical copy held by Cripple Creek Consulting and Environmental. After the state became involved, the district provided a full copy of all asbestos records to Cripple Creek so that it could be reformatted into a professionally organized working binder suited for regulatory analysis.

- Cripple Creek's binder contains the same historical information, but is structured in a way that enables chronological reconstruction, interpretation of survey decisions, and communication with regulators. This binder is now being used as the primary technical file for ongoing environmental review.

2.3 What the binder actually contained (years and addenda)

- During review discussions, several key dated documents from the binders were identified. These include a 2009 version of the asbestos management plan, which appears to be the baseline document the state references when evaluating historical compliance. A three-year reinspection was completed in 2012, documenting the condition of asbestos materials at that time.

- In 2013, a detailed asbestos specification addendum was issued to guide larger-scale abatement activities. This document reads like a technical construction specification, setting out requirements for containment, removal, disposal, and worker protection.

- Between and after these reports, six-month surveillance forms were inserted as inspections occurred. Some were handwritten, others typed, and formatting was inconsistent, but together they provide proof of ongoing monitoring and compliance.

2.4 How the confusion happened

- The survey error arose because the pre-demolition surveyor interpreted information inside the historical binder as confirmation that certain shower and bathroom areas had been previously abated. Based on that interpretation, the surveyor did not resample those materials before demolition.

    - Under asbestos regulations, historic paperwork or assumptions cannot substitute for current sampling. Regardless of what earlier documents indicate, all suspect materials must be physically tested before demolition begins.

- After demolition was underway in other parts of the building, a complaint was filed with the state. The state inspected the site, took fresh samples from the shower rooms, and confirmed asbestos remained.

    - This led to a determination that the survey was incomplete, and those areas should have been sampled. It also triggered a requirement for immediate corrective reinspection and abatement.

- It is also likely that initial confusion was compounded by the state's early access to only partial documentation rather than the full school binder. Reviewing incomplete excerpts may have obscured the historical context of what had been monitored in place versus physically abated.

2.6 What was done to resolve the issue

- Once asbestos was confirmed in the shower rooms, demolition in those locations immediately stopped. Full containment with negative air pressure was installed, and state licensed abatement crews returned to the site. Remaining asbestos was properly removed, cleaned, and disposed of under regulatory protocol. The state reinspected

those areas after abatement and cleared them.

- Importantly, no airborne asbestos was detected outside the demolition areas, and no students or district staff were present in the building during demolition.

2.7 How the state responded

- The state determined that the issue was a survey completeness failure, not a failure of demolition control or exposure prevention. Enforcement was directed toward the pre-demolition surveying firm, not the district. The state prepared a compliance advisory to the consultant, emphasizing that all suspect materials must be sampled regardless of what historical paperwork suggests. This advisory functions as a professional strike against the surveyor, not against the district.

- Asbestos enforcement actions are not anticipated for the district. The state has indicated that the survey issue was corrected, the remaining asbestos was removed under proper containment, and with the structure now demolished and no ongoing exposure risk, the matter is considered resolved from a regulatory standpoint.

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3. Air monitoring and safety context

3.1 Purpose and scope of air monitoring

- During demolition, the district's environmental air consultant conducted routine perimeter air monitoring around the outside of the building. The purpose of this monitoring was to confirm that demolition activities did not result in airborne contaminants escaping the controlled work zone and entering surrounding areas, including occupied school spaces or neighborhood property lines.

    - The monitoring program included scheduled sampling events and laboratory analysis designed to detect lead, asbestos, and general airborne particulates associated with construction or building removal.

- Perimeter monitoring is not required for every demolition project, but it is a best-practice precaution when an older building is being removed and asbestos-related concerns have been raised. These tests are conducted outside the building to serve as a protective verification that demolition debris or dust did not migrate offsite at unsafe levels.

3.2 What materials were monitored and why

- The consultant ran two primary categories of testing. First, perimeter air samples were collected and analyzed for airborne asbestos using whole-air analytical methods capable of detecting even very low concentrations. Second, the consultant monitored for lead-in-air, which is a common element in dust generated by demolition of older structures, particularly those constructed before modern lead-free building standards.

- The intent of these tests was not to confirm that all materials being demolished were free of asbestos or lead inside the building, but rather to determine whether demolition activities were releasing measurable airborne contaminants outside the work zone where school occupants or the public could be affected.

3.3 Air monitoring methodology

- Air sampling devices were positioned around the exterior perimeter on all cardinal directions of the demolition site and operated during active work periods. The samples were collected on filtration media and subsequently analyzed by a certified laboratory. Whole-air asbestos analysis is designed to detect airborne fibers at concentrations far below health-based action thresholds, allowing environmental specialists to confirm whether demolition activity was generating detectable airborne releases.

- Lead-in-air is assessed similarly, with air filters analyzed for the presence and concentration of lead particulates. Along with daily site lead monitoring, low-level detection of lead dust can be typical for demolition work involving older buildings, and the regulatory emphasis is on whether levels rise to a threshold that would require corrective action or containment adjustments.

3.4 Monitoring results and interpretation

- All perimeter asbestos tests returned results showing no elevated or unsafe asbestos concentrations. At no point did perimeter sampling detect airborne asbestos above regulatory thresholds or at levels suggesting offsite exposure. This confirmed that demolition activities in the shower rooms, classrooms, or other impacted areas were not resulting in asbestos releases beyond the controlled workspace or into publicly accessible areas.

- Perimeter lead tests showed detectable lead particulates, which is expected when an older building is being demolished. Detection alone does not indicate hazard, as regulatory focus is on action thresholds. None of the lead measurements reached levels that required corrective action, suspension of work, or modifications to containment or dust suppression practices.

- In summary, monitoring confirmed that demolition operations did not create measurable airborne risk to students, district employees, nearby residents, or the surrounding environment.

3.5 Workplace safety complaint and agency response

- A workplace safety agency received an anonymous complaint alleging that district employees might have been exposed to unsafe demolition conditions. The district reported that, once demolition began, the building was treated as an active construction site with restricted access.

- No district personnel or students entered the demolition area after construction mobilization. Demolition and abatement work were performed exclusively by state licensed contractors operating under industry-standard protocols, including negative air containment in asbestos-specific areas.

- The district clarified that its employees were not present in demolition zones, and the demolition site was controlled through fencing, gate control, and construction boundary procedures. Following receipt of this clarification and documentation of restricted access, the workplace safety agency did not open a formal investigation.

3.6 Safety conclusion

- The external air monitoring program functioned as an environmental verification measure and demonstrated that the demolition of the former junior high did not result in airborne asbestos contamination or elevated lead particulates at the perimeter.

- Demolition activities were confined to contractor crews, the building was not occupied by staff or students, and airborne contaminant monitoring did not identify any offsite or public exposure concerns.

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4. Groundwater discovery and characterization

4.1 Unexpected groundwater conditions

- During subgrade excavation for new utilities, construction crews encountered groundwater beneath the former sports fields ground elevation. The presence of groundwater was not fully anticipated at the depth encountered. When excavation reached this soil horizon, water entered the excavation zones and needed to be

controlled to allow work to continue safely. The groundwater was not artesian or pressurized, but it was sufficient to require active pumping to maintain work conditions.

- Groundwater discovery during construction is not unusual for legacy school sites, especially those built over older municipal or mining corridors. The presence of groundwater does not automatically indicate contamination, and characterization must be conducted to determine safe handling and discharge options.

4.2 Environmental characterization

- The district's environmental consultant sampled groundwater from the excavation area both for initial screening and regulatory interpretation. Laboratory analysis classified the water as non-hazardous under the applicable environmental definitions. In this context, "non-hazardous" means that the water does not require hazardous waste handling, does not require specialized containment or treatment for disposal, and can be handled through different standard construction dewatering pathways.

- It is important to emphasize that "non-hazardous" is a regulatory classification for handling purposes, not a statement that the water meets drinking water quality standards. Drinking water numeric standards are significantly more stringent than construction-related handling standards, and water does not need to meet potable thresholds to be handled safely through construction dewatering systems.

4.3 Dewatering requirements and consultant guidance

- Following sampling reporting, the environmental consultant provided several allowed pathways for groundwater management. These options included using a settling tank to remove suspended solids, infiltration onto district-controlled land, hauling, or discharge into storm or sewer conveyance infrastructure if proper pretreatment occurred.

- The recommended approach for this particular excavation was to install a settling tank adjacent to the excavation. The purpose of the tank was to allow sediment to settle prior to discharge, reducing turbidity before releasing water into the district-controlled private storm system.

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5. Settling tank dewatering into the private storm system

5.1 Dewatering system installation and function

- A settling tank was installed as directed. Excavated groundwater was pumped into the tank, allowing suspended sediments to drop out under gravity. Overflow from the tank

was directed into a stormwater conveyance system located on district property. This stormwater line is owned and controlled by the district and does not connect directly to the municipal stormwater grid at the discharge point examined during the project.

- The intent was to manage groundwater in a controlled manner, reduce sediment loading, and prevent uncontrolled discharge into surface waters. This configuration is consistent with standard dewatering practices for construction sites where groundwater has been classified as non-hazardous.

5.2 Basis for using the storm line

- Because the storm system in question was district-owned and not part of the municipal stormwater network, the contractor and consultant interpreted the dewatering activity as permissible under standard construction rules without a state-issued surface water discharge permit. The regulatory requirement for permitting typically applies when water is discharged into public waters or municipal-owned conveyances, or when sediment or contaminants exceed action levels.

- The excavation groundwater had been classified as non-hazardous and treated through a settling tank prior to discharge. Under this interpretation, the use of the private storm line was considered consistent with consultant guidance and conventional practice.

5.3 Duration and performance

- Settling tank dewatering operated over a period of days while groundwater continued to enter the excavation. No odors, discoloration, or acute conditions were observed during handling. Dewatering through the settling system was performed for operational control and safety not for surface discharge or surface water release.

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6. Creek discharge incident

6.1 Nature of the incident

- On a later day, groundwater pumps were repositioned and connected directly to hoses that discharged water from the excavation area into a surface creek without first entering the settling tank or stormwater conveyance. This bypass did not utilize pretreatment or sediment removal prior to entering the creek.

- The duration of this creek bypass was limited to the period in which pumps were running in the altered configuration. Once environmental oversight became aware of the bypass, the discharge stopped immediately.

6.2 Reporting and escalation

- An environmental professional observed the bypass and initiated communication with Utah environmental regulators. There was an initial written characterization that referenced discharge lasting “a month or over a month,” but internal clarification during the meeting indicated that this was a confusion between the settling tank-to-storm system dewatering (which had occurred over a longer period) and the direct creek bypass discharge (which was short-term and immediately corrected once discovered).

6.3 Sampling results and interpretation

- State regulators took water samples related to the bypass event. Early laboratory results showed the presence of metals, including lead, consistent with site and watershed background conditions. The creek and surrounding watershed have historic mining impacts, and background levels of metals are naturally elevated. Numeric exceedances of lead in creek samples may reflect watershed conditions, not necessarily incremental impact from this short-term bypass.

- The creek is classified as 1C for regulatory purposes, which means numeric standards align with drinking water thresholds, even though the water is not consumed directly and is treated before use downstream. The classification makes interpretation sensitive, and the state needed time to determine whether the bypass created measurable incremental impact in context with natural mining background conditions.

6.4 Outcome of the bypass

- Once clarified, the incident was treated as a regulatory handling concern related to discharge location and permitting interpretation, not as an emergency exposure event. The bypass was halted, and no ongoing surface discharge continued after environmental staff became aware of it.

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7. Regulatory complexity and jurisdictional interpretation

7.1 Overlapping authorities

The site falls within multiple regulatory domains:

- Asbestos regulation and demolition oversight
- Construction dewatering oversight
- Surface water quality enforcement
- Historical mining watershed conditions

- Private versus municipal storm conveyance distinctions
- Potential drinking water numeric standards

Each of these regulatory frameworks is administered by different entities within the state, and this led to internal complexity, overlapping interpretations, and slower alignment on enforcement posture.

7.2 Permit interpretation complexity

- The key question is whether the initial settling tank-to-private-storm dewatering constituted a discharge requiring a surface water permit. The private nature of the storm conveyance, the non-hazardous groundwater classification, and the consultant's recommended handling method suggest that a permit may not have been required initially. Regulatory perspectives on this point varied once the creek bypass was identified.

- The state is still working internally to determine how the regulatory frameworks apply to the combination of historic mining watersheds, construction groundwater, and private storm conveyance.

7.3 Current regulatory posture

- No water quality enforcement letter has been finalized
- No penalties or fines have been issued
- Regulators are still analyzing how to interpret incremental risk, if any
- Long-term environmental contamination is not indicated
- The primary issue appears to be discharge handling and interpretation, not exposure or hazard

Regulators acknowledged the site's preexisting mining watershed complexity and elevated background metals, which makes numeric comparison challenging.

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8. Media interpretation and clarification

8.1 Overview of the TownLift reporting

- TownLift published an article indicating that groundwater associated with demolition was discharged into a storm drain conveying water toward Silver Creek, along with a separate period of direct creek discharge. The article presented the total volume of water handled at the demolition site as a large unpermitted release and emphasized early sample results showing metals, including lead and arsenic. It also stated that Utah regulators are withholding documents related to the incident, citing an active

enforcement process and the possibility of litigation.

- The article referenced historic mining impacts in the area and noted that the watershed has previously been subject to environmental agreements and remediation efforts. While factually correct, the presentation combines multiple historical conditions and current construction activity into a single contamination narrative.

8.2 Factual alignment with site activity

- Groundwater was encountered during excavation. A settling tank was installed to remove sediment, and overflow from this tank was directed into a private storm line owned and controlled by the district. For a limited period, groundwater bypassed the settling system and was discharged into Silver Creek before the bypass was stopped. Metals were detected in water samples, which is plausible in a mining-impacted watershed.

- Environmental regulators are currently reviewing documentation, sampling results, and compliance interpretations. Certain records are temporarily withheld by regulators due to ongoing analysis, enforcement deliberation, or potential legal proceedings. Withholding documentation during active regulatory evaluation is a normal administrative practice and does not itself indicate adverse findings.

8.3 Key differences between published reporting and technical conditions

- The article treats the total groundwater volume as if it all entered Silver Creek without authorization. In reality, two different types of water handling occurred:

    - Treated water passed through a settling tank and was discharged into a district-owned private storm conveyance, an approach consistent with handling non-hazardous groundwater.

    - A short-term bypass discharged water directly into Silver Creek and was halted upon identification.

- Conflating these conditions suggests a continuous unregulated creek discharge that does not reflect actual on-site sequencing.

- The article also asserts that the discharge was unpermitted. Whether the tank-to-private-storm handling method required a public permit is still under regulatory consideration. Permit applicability may depend on the groundwater classification, ownership of conveyance infrastructure, and interpretation of construction-related dewatering rules. No final determination has been issued.

- The reporting on metals implies a new contamination event without acknowledging that Silver Creek and its watershed are historically influenced by mining-related metals and sediments. Elevated metals in surface water cannot be attributed solely to recent construction activity without differentiating background concentrations from incremental discharge effects.

8.4 Regulatory interpretation and enforcement posture

- Environmental regulatory agencies continue to review the incident, sampling data, potential incremental impacts, and permit interpretation. No final enforcement action has been announced. Regulators may choose to issue corrective recommendations, compliance advisories, or enforcement letters depending on findings. None have been publicly finalized or issued.

- Document withholding is occurring due to ongoing regulatory review and the potential for legal or enforcement implications. This withholding reflects procedural caution rather than an established conclusion of wrongdoing.

8.5 Litigation context

- The state has withheld certain records under provisions allowing nondisclosure when documents relate to enforcement evaluation or possible litigation. This indicates that regulatory agencies are preserving records and legal posture while they determine how to interpret the discharge, background watershed conditions, and permit requirements.

- Withholding records in anticipation of possible litigation does not itself establish liability or environmental harm. It reflects the state's desire to avoid prejudicing enforcement decisions before factual determinations are complete.

- Litigation remains a possibility when regulatory determinations involve environmental discharge interpretation. However, no lawsuit has been filed by the state and no enforcement penalties have been issued. The reference to litigation in public reporting should be treated as a procedural indication that regulators are retaining legal discretion, not a conclusion that the district or its contractors violated environmental laws.

8.6 Clarifying asbestos narrative in relation to reporting

- Some articles make it sound like asbestos, water discharge, and demolition were all one big environmental problem, when in reality they were separate issues.

- The asbestos situation was not caused by demolition. The problem started because the original asbestos survey missed certain rooms that should have been sampled before demolition.

- When those rooms were re-tested, asbestos was found, but only inside the building where demolition was planned.

- Those rooms were immediately sealed off and abated using proper containment, just like any other regulated asbestos removal.

- The state inspected the abatement and officially cleared the rooms, confirming it was done correctly.

- Air monitoring around the exterior of the building showed no airborne asbestos, meaning:
    - Asbestos never escaped the controlled work area,
    - There was no risk to the public,
    - No students or district staff were ever exposed, because they were not inside the construction zone.

- All asbestos exposure risk ended once the building was demolished, and nothing remains today.

8.7 Narrative distinctions essential for external communication

- Environmental clarification should emphasize the following distinctions to avoid confusion:

    - Two groundwater pathways existed:
        - Settling tank to private storm line;
        - Short-term creek bypass.

    - The bypass event was limited in duration and stopped when identified.

    - Metals may reflect watershed background conditions associated with historic mining, not solely recent construction.

    - Regulatory review is ongoing, and enforcement outcomes have not been finalized.

    - State document withholding reflects active evaluation and possible litigation posture, not a concluded environmental violation.

    - Asbestos concerns were addressed through controlled abatement, state clearance, and perimeter air monitoring without public exposure.

- These clarifications help separate confirmed technical conditions from interpretive environmental narratives in public reporting.