



R. McConnell Group PLLC

**VIA EMAIL**

Bill Rees  
Utah Department of Environmental Quality  
Division of Environmental Response and Remediation  
195 North 1950 West  
Salt Lake City, Utah 84116

September 17, 2026

*Re: Bonanza Park Five-Acre Site, 1665 Bonanza Drive, Park City, Utah—Voluntary Cleanup Program file; request for records and for confirmation of review*

Dear Mr. Rees:

We represent the owners of twenty-two businesses at or near the Bonanza Park Five-Acre Site, which Park City Municipal Corporation owns and has enrolled in the Voluntary Cleanup Program. Eleven of them occupy Park City Plaza, across Bonanza Drive from the Site. One occupies The Emporium, the building at the Site's west property line: Auntie Em's Baked Goods, a food manufacturer. One is at 1640 Bonanza Drive. Two are at 1940 Prospector Avenue to the south, one of them lodging, two are on Sidewinder Drive, two are in Prospector Square, two are in Old Town, and one is in Park Meadows. Thirteen of the twenty-two prepare or serve food.

Park City has applied to its own Planning Commission to redevelop the site with seven buildings, 106 residential units, and an underground garage. The Commission held a work session on the applications on September 9, 2026, and its staff report for that meeting sets a public hearing and possible final action for October 14, 2026. We filed written comments with the Commission on September 2 and September 17, 2026. We enclose the September 17 comment, which supplements and reasserts the earlier one.

In its FY2026 Brownfields Cleanup Grant application to the Environmental Protection Agency, the City states that "over 28,000 cubic yards of contaminated fill is present at the site, with concentrations of arsenic as high as 585 milligrams per kilogram (mg/kg), lead as high as 15,700 mg/kg, and mercury as high as 286 mg/kg, far exceeding EPA Regional Screening Levels." It reports groundwater containing trichloroethene and chloroform "above EPA Residential Vapor Intrusion Screening Levels (VISLs) but below maximum contaminant levels (MCLs)." It budgets the removal of 23,135 tons of soil. It states that the site "has been enrolled in the UDEQ DERR VCP" and that the City intends to obtain closure from your Division.

The City also represented that it "will exercise appropriate care with hazardous substances found at the site by maintaining a vacant and capped site until site remediation is complete," and that "[m]aintaining the site as vacant until cleanup avoids vapor intrusion risk related to VOCs identified

previously in groundwater at the site.” It states that “PCMC will obtain site closure from UDEQ DERR using brownfield funds,” and that “[t]he economic viability of the Bonanza Park project hinges on public funding of the cleanup.” EPA’s list of selected FY2026 recipients does not include Park City.

The materials Park City has published for the Planning Commission do not appear to include this information. The Land Management Code requires an applicant whose property lies within the Park City Soils Ordinance Boundary to submit a soil remediation mitigation plan. LMC § 15-6-5(L). The June 24, 2026 staff report states that the applicant “will coordinate with the City’s Property and Environmental Services Manager to meet the requirements of Municipal Code of Park City Chapter 11-15.” We have not located a remediation plan in the published packets. Those packets do not appear to state an excavation volume, a dewatering analysis, a haul route, a disposal facility, a dust control or perimeter monitoring plan, or any measure addressed to the adjoining businesses. The City may have materials it has not published.

Under the Government Records Access and Management Act we request the Division’s Voluntary Cleanup Program file for this site: the Phase I and Phase II environmental site assessments, the draft Analysis of Brownfields Cleanup Alternatives, the enrollment correspondence, and correspondence between the Division and Park City or its consultants. Utah Code Ann. § 63G-2-201. We respectfully request the Division’s response on four further matters.

- Whether the Division has reviewed the development plans now before the Planning Commission, including the below-grade parking structure and the five-foot landscape edge at the west property line.
- Whether a Remedial Action Plan exists for this site, and whether the Division has approved it.
- That the Division notify the undersigned when the final Analysis of Brownfields Cleanup Alternatives, the Remedial Action Plan, and any site management plan or environmental covenant become available.
- Whether the Division has a position on the installation of vertical geothermal boreholes, or of a district-scale thermal energy network, on a site where groundwater contains trichloroethene and chloroform above residential vapor intrusion screening levels. Park City’s sustainability memorandum of August 12, 2026 states that the City has contracted for a second-phase feasibility study of district-scale thermal energy networks for this neighborhood, and the September 9, 2026 staff report lists geothermal among the energy features under consideration for this project. That memorandum does not mention the soil, the fill, or the remediation.

The applicant proposes a five-foot landscape edge along the west property line, inside a setback of forty feet two inches. We have found nothing in the published record that states how close to that line the excavation of lead-, arsenic-, and mercury-bearing fill will be, or at what depth. On the other side of that line is a food manufacturer. Eleven more of these businesses are across Bonanza Drive. The City told EPA that “[i]n the event that access becomes necessary to the west adjoining property, PCMC does not anticipate difficulties obtaining access agreements to these properties.” The west adjoining land is two properties, The Emporium and Com-Park Plaza. One of our clients operates in The Emporium. We are not aware of any request for access to it.

Please direct any response to the undersigned. If the Division has assigned another member to this site, please forward this letter to that person.

Best regards.

Very truly yours,

A handwritten signature in blue ink, appearing to be "RJML", written in a cursive style.

Ryan D. McConnell (Utah Bar 20650)  
Matthew S. Boyden (Utah Bar 20701)

Enclosure: Comment filed with the Park City Planning Commission, September 17, 2026