

**EXPLANATION OF SIGNIFICANT DIFFERENCE  
Mountain View Mobile Home Estates  
Globe, Arizona**

**May 2015**

**I. INTRODUCTION**

This Explanation of Significant Difference (“ESD”) #1 updates the U.S. Environmental Protection Agency’s (“EPA”) signed Record of Decision (“ROD”) for the final remedy at the Mountain View Mobile Home Estates Superfund Site (“Site”) in Globe, Arizona. Specifically, this ESD documents that the ROD now requires Institutional Controls (“ICs”) on the Site, and memorializes the fact that EPA and the Arizona Department of Environmental Quality (“ADEQ”) have already implemented this requirement by recording a Declaration of Environmental Use Restriction (“DEUR”) in the chain of title for the Site.

On June 2, 1983, EPA signed the ROD for the Site. The selected remedy required “abandonment of the site by permanent relocation of the residents”, on-Site burial of mobile homes, and Site closure by capping, fencing and maintenance. EPA was the lead agency for selection of the remedy, including the Remedial Investigation/Feasibility Study (“RI/FS”) and the Remedial Action (“RA”) phases. The ADEQ has been responsible for the Operations and Maintenance (“O&M”) of the Site since it signed the Original Superfund State Contract in October 1984. A First Amended Superfund State Contract was signed in November 2007 extending the terms of the contract and assuring implementation and enforcement of the ICs in the form of a DEUR.

This ESD #1 is provided in accordance with Section 117(c) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (“CERCLA”), as amended by the Superfund Amendment and Reauthorization Act of 1986 (“SARA”), 42 U.S.C. Section 9617(c), and Section 300.435(c)(2)(i) (55 Fed. Reg. 8666, 8852 (March 8, 1990)) of the National Oil and Hazardous Substances Pollution Contingency Plan (“NCP”). This ESD #1 documents a significant change to a portion of the remedy selected in the ROD for the Site.

This remedy change is summarized below.

The protectiveness of the Site’s ROD has been enhanced by requiring ICs on the Site. The DEUR satisfies this remedial requirement because it is an environmental restrictive covenant, incorporated into the Site’s deed, restricting the Site to non-residential use and requiring the Owner of the Site, among other things, to:

- Assure that the Site is not subject to residential use as defined by A.R.S. § 49-151,
- Maintain the Site as specified in the 1986 revised Operation and Maintenance Plan and in any subsequent updates to this Plan, including the following:
  - Conduct semi-annual inspections of the site; and
  - Maintain the fencing, open and subsurface storm water channels, and site vegetation to prevent penetration of the filter fabric cap and to reduce fire danger.
- Retain the engineering control and the institutional control in place to prevent exposure to buried asbestos and asbestos-contaminated soils and materials; and obtain written ADEQ approval to modify or cancel the engineering control or institutional control.
- Grant access to the Site to ADEQ and its representatives, authorized agents, attorneys, investigators, consultants, advisors, and contractors at all reasonable times,
- Incorporate the terms of the DEUR in any lease, license or other agreement that grants rights with respect to the Site,

- Demonstrate financial assurance pursuant to A.R.S. Section 49-152.91 (B) within 30 days of the sale or the transfer of the Property to cover the cost of maintaining the engineering controls at the Site for 30 years and restoring the engineering control if it fails.
- Conduct an annual inspection of the engineering controls and institutional controls at the Site and submit a written report to ADEQ within thirty days of the inspection.

A complete copy of the 2007 DEUR is included as an attachment to this ESD.

Consistent with Section 117(c) of CERCLA, 42 U.S.C. Section 9617(c), and Section 300.435(c)(2) of the NCP, any change or modification to the Site's remedy or implementation of the remedial action, including the engineering controls and/or institutional controls, must be approved by EPA.

This ESD #1 becomes part of the Administrative Record for the Site. The complete Administrative Record for the Site is available at the following locations:

Arizona Department of Environmental Quality  
Phoenix Main Office  
1110 W. Washington Street  
Phoenix, Arizona 85007

U.S. EPA Records Center  
75 Hawthorne Street, Suite 4035  
San Francisco, California 94105

The EPA has provided a fifteen (15) working-day comment period to the ADEQ. The ADEQ comments on this ESD are summarized in Section IV of this document, and included in the Site Administrative Record file. Pursuant to 40 C.F.R. Section 300.435(c)(2)(i), a formal public comment period is not required for this ESD, though the ESD will be available to the public in the Site Administrative Record and information repository, and a notice and brief summary of the ESD will be published in a major local newspaper of general circulation.

## **II. BACKGROUND**

The following provides a brief background of the Site, and a short summary of the original 1983 ROD and 1984 RA. Additional background information can be found in the ROD and the Site's Administrative Record.

### **A. Site Location**

The Site is a 17-acre parcel located within the city limits of Globe, Arizona, about 90 miles east of Phoenix in Gila County. The current land use for the surrounding area is a mixture of residential and non-residential use. The Site is adjacent to the U.S. Forest Service property, former asbestos and copper milling operations, a light industrial manufacturing plant, a storage facility and one private residence.

### **B. Site Description/History**

The Site was a 17-acre residential subdivision of about 130 people that was built in 1974 on graded asbestos mill tailings and contaminated soil, located 2 miles east of the center of the City of Globe. Prior to 1974 the Site was the Metate Asbestos Corporation mill, which processed asbestos ore from 1953 until it was closed in 1974 by permanent injunction of the Gila-Pinal Counties Air Quality Control District for failure to meet air quality standards. The mobile home development contained about 45 mobile homes with paved roads, landscaping, a sewage treatment plant and lagoon, and miscellaneous improvements, including concrete patios, walls and storage sheds.

The subdivision became a concern of the officials at the State of Arizona Health Department in 1979 following discovery of asbestos contamination in the underlying soils. In January 1980, the U.S. Center for Disease Control ("CDC") issued an advisory declaring that the subdivision should be evacuated.

The Site was added to the amended Interim NPL under Superfund in July 1983 as Arizona's highest priority site. In January 1983, Superfund monies were allocated for an RI/FS. EPA completed the final draft RI/FS report on May 6, 1983. On June 2, 1983, EPA signed the ROD selecting permanent relocation of the residents and subsequent Site closure, capping and maintenance as the remedy for the Site. In 1991, 1999 and 2005, EPA conducted Five-Year

Reviews (with technical support from ADEQ in 2005) that concluded that the remedy remained effective and protective.

The basis for action at the Mountain View Mobile Home Estates was the exposure of the residents to chrysotile asbestos fibers from the contaminated soil and the graded tailings. The exposure exceeded the national urban background levels and was associated with significant human health risks. The major concern was the resident children who were observed playing directly with asbestos tailings. Their life expectancy exceeded the prolonged latent period for asbestos-related disease (i.e., 30-40 years).

### C. Selected Remedy/Remedial Action

Abandonment of the Mountain View Mobile Home Estates was chosen as the most practicable and economical method of dealing with the asbestos contamination at the Site. The permanent relocation of all subdivision residents eliminated the need for any extensive future air monitoring programs, while the on-Site burial of mobile homes and all other physical structures (1) simplified the overall cleanup process, (2) economized Site cleanup costs, and (3) achieved a greater degree of total decontamination.

The remedy called for on-Site demolition and burial of all physical structures, posts, buildings and mobile homes. Their on-Site containment, as well as the on-Site containment of asbestos particles and fibers present in the soil, was accomplished with a permanent cap. The cap was constructed by first clearing and leveling the Site, adding a fiber fabric liner on top of the level Site to prevent re-exposure through erosion of the cover, placing 21 inches of clean fill on top of the liner that was compacted to a minimum density of 90 per cent. On top of this compacted layer was placed three inches of coarse (two-inch) aggregate rock compacted to 95 percent density.

Storm drainage passing through the Site property was a major concern since the property contained three major washes and two of these drainages were relatively steep grades as they passed through the Site. Drainage studies were performed to determine the stormwater runoff that would be anticipated. Two new underground drainage pipelines and one new open drainage channel were designed to carry storm runoff to reduce the likelihood of overflow and erosion.

The 1983 ROD did not identify any specific form of ICs to be implemented at the Site. Nevertheless, a de facto IC was implemented through the State Superfund Contract between EPA and the State of Arizona. The 1984 Original State Superfund Contract contained requirements that the integrity of the cap be protected and established maintenance and inspection requirements so that any potential exposure to asbestos was abated. The subsequent 2007 First Amended State Superfund Contract contains these same provisions.

The current long-term monitoring and maintenance activities according to the March 1984 Operation and Maintenance Manual (revised November 1986) are conducted by the ADEQ with oversight by the EPA. The primary activities associated with O&M include the following:

- Visual inspection and taking corrective actions with regard to erosion, settlement, stability, etc.
- Repair of fence damage resulting from vandalism or animals;
- Removal of debris that accumulates along the perimeter fence;
- Removal of built-up silts or debris from the drainage channel or inside drainage pipes; and
- Replacement or repainting of warning signs on the perimeter fence.

### III. DESCRIPTION OF SIGNIFICANT DIFFERENCE

After reviewing the protectiveness of the Site remedy, EPA decided to require that enforceable ICs be placed on the Site to ensure that the existing remedy will continue to be protective of human health and the environment in the long-term. Without enforceable ICs, the original remedy was not protective for all uses: the use and access to the Site needed to be controlled and the remedy needed to be maintained. The Site was not and is not suitable for residential use. Barring further remedial action, the original remedy only would be protective for non-residential, commercial, or industrial use if such users covenanted to maintain the integrity of the current landfill cap. ICs are instruments that minimize the potential for human exposure to contamination. The purpose of implementing ICs on the Site was to maintain the integrity of the landfill remedy components (landfill cap) and to protect human health

and the environment by controlling potential exposure to the buried asbestos-contaminated soils and to prevent down-gradient migration of surface water that could erode and compromise the integrity of the cap. The specific IC mechanism that was selected and has been implemented is a DEUR.

A DEUR was implemented in November 2007, according to the Arizona Revised Statutes ARS §49-152.C. The DEUR was implemented by the landowner, the State of Arizona, and was attached to the property's deed. The DEUR is a covenant that runs with the land and therefore, provides notification to future landowners of use restrictions to assure maintenance and integrity of the landfill cap and to prevent human exposure to the landfill contamination. The DEUR is enforced by ADEQ against current and future property owners. Five-year reviews and maintenance of the landfill cap will be required *ad infinitum*. Monitoring and inspection reports will be sent annually by ADEQ to EPA. If any person desires to cancel or modify the DEUR in the future, a prior written approval must be obtained from the ADEQ and EPA. In order for the DEUR to be canceled, the Site would require clean up to unlimited use and unrestricted exposure or those areas of the Site to be developed for future use would have to maintain or improve the condition of the existing cap to a level determined to be protective or more protective than the current cap. The DEUR was recorded with the Gila County Recorder's Office by the landowner, the State of Arizona.

#### IV. SUPPORT AGENCY COMMENTS

The ADEQ concurred with the proposed ESD in a memo or letter dated April 20, 2015, and provides approval of the final ESD via signature below.

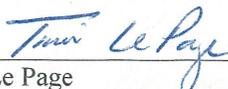
#### V. AFFIRMATION OF STATUTORY DETERMINATIONS

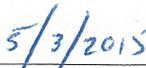
This ESD modifies the selected remedy by requiring ICs, in this case a DEUR, which is a vehicle to implement ICs, and documents that EPA and ADEQ have already implemented this requirement by recording a DEUR in the chain of title for the Site. EPA believes that by these changes, the selected remedy for the Mountain View Mobile Home Estates Site will remain protective of human health and the environment, will continue to comply with the applicable or relevant and appropriate federal and state requirements for this remedial action, and will continue to be cost-effective. The modified remedy satisfies CERCLA Section 121.

#### VI. PUBLIC PARTICIPATION COMPLIANCE

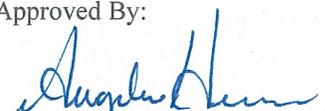
EPA has presented these changes to the remedy in the form of an ESD because the changes are significant but not fundamental in nature. No public comment period is required for this ESD because the changes are not fundamentally altering the selected remedy. EPA has provided ADEQ with a fifteen (15) working-day comment period on this ESD. In accordance with 40 C.F.R. Section 300.435(c) (2) (ii), this final ESD and all documents will be contained in the Administrative Record for the Mountain View Mobile Home Estates Site.

Approved By:

  
\_\_\_\_\_  
Tina Le Page  
Manager, Remedial Projects Section, Waste Programs Division  
Arizona Department of Environmental Quality

  
\_\_\_\_\_  
Date

Approved By:

  
\_\_\_\_\_  
Angeles Herrera  
Assistant Director, Superfund Division  
U.S. EPA, Region IX

  
\_\_\_\_\_  
Date

Gila County, AZ  
Linda Haught Ortega, Recorder  
12/20/2007  
10:25AM  
Doc Code: DRES

Doc Id: 2007-02051  
Receipt #: 51487  
Rec Fee: 14.00

ARIZONA DEPARTMENT OF ENVIRONM



When recorded, return to:

Arizona Department of Environmental Quality  
Attention: Samantha L. Roberts  
1110 West Washington  
Phoenix, AZ 85007



Gila County, AZ

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Page: 1 of 11  
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**DECLARATION OF ENVIRONMENTAL USE RESTRICTION  
FOR PROPERTY WITH ENGINEERING CONTROL  
AND NON-RESIDENTIAL RESTRICTION**

*CERCLA National Priorities List (NPL) Site  
Mountain View Mobile Home Estates  
Globe, Arizona*

This Declaration of Environmental Use Restriction ("Declaration"), when recorded, is a covenant that runs with and burdens the Property, binds all owners and owners' heirs, successors and assigns, and inures to the benefit of the Arizona Department of Environmental Quality ("Department") and the State of Arizona.

This Declaration is executed and recorded by Louis B. Trammell, Director, Arizona Department of Emergency Management ("Owner").

DECLARATION

Owner covenants and agrees as follows:

A. Presence of Contamination. Environmental contaminants are present on all of real property located at the Mountain View Mobile Home Estates located on the north side of State Route 70 (SR 70) at the intersection of SR70 and SR77 in Globe, Arizona ("Property")

B. Warranty of Title. Owner is the only owner of, and holds equitable and legal title to, the Property and has authority to execute and record this Declaration.

C. Legal Description. Owner's deed setting forth the legal description of the Property at which the contamination is located is attached and marked "Exhibit 1. The Gila County Assessor parcel numbers for the property are 102-28-014-A and 102-28-014-B.

D. Maps. The location of the Property identified in "Exhibit 1" is depicted on a map attached and marked as "Exhibit 2".

E. Completion of Remediation. The date that remediation, remedial action, corrective action or response action was completed: January 7, 1986.

F. Environmental Contaminant Information. Complete the attached form "Exhibit 3, Environmental Contaminant Information," by providing a description of each environmental contaminant subject to a



remediation, remedial action, corrective action or response action, and the remaining contaminant concentrations. If this is being accomplished pursuant to Title 18, Chapter 7, Article 2, Arizona Administrative Code, Exhibit 3 need include only those concentrations that are above the predetermined residential soil remediation levels in Appendix A, referenced in R18-7-205. For risk assessments, provide the resulting site-specific cumulative excess lifetime cancer risk and hazard index. Indicate exposure pathways which have been eliminated or reduced.

G. Engineering/Institutional Control Statements. Because Owner is using an engineering control and an institutional control to satisfy the requirements of A.R.S. §§ 49-152 or 49-158, Owner agrees to the following:

1. The institutional control limits the use of the Property to non-residential use as defined in A.R.S. § 49-151 where natural persons are not reasonably expected to be in frequent contact with the soil. The engineering control consists of the following:
  - Permanent relocation of subdivision residents;
  - Burial of contaminated mobile homes and other site structures;
  - Fencing of the perimeter of the site;
  - Provide signs identifying the site as restricted to public access;
  - Provide for drainage of storm water thru the site;
  - Grading and consolidation of contaminated soil and asbestos tailings;
  - Capping of contaminated soil, tailings and contaminated structures with a filter fabric liner and two (2) to ten (10) feet of clean fill
2. The engineering control was constructed on January 7, 1986
3. The maintenance requirements of the institutional control are that Owner assure that the restricted area not be subject to residential use as defined in by A.R.S. § 49-151. The maintenance requirements of the engineering control are described in the Operation & Maintenance Plan dated November 1986. Owner agrees to maintain the specified maintenance requirements and implement the procedures outlined in the plan which include the following:
  - Conduct semi-annual inspections of the site and after rainfall events of greater than one inch during a twenty-four hour period;
  - Fence maintenance;
  - Storm water open channel maintenance;
  - Storm water subsurface channel maintenance;
  - Maintenance of site vegetation to prevent root penetration of the filter fabric and to reduce fire danger;
4. In order to protect the public health and the environment, the engineering control and the institutional control must remain in place because contaminant levels exceed residential soil standards, and because:
  - To prevent exposure to the buried asbestos, asbestos-contaminated soil, asbestos tailings and asbestos-contaminated structures buried on site;
  - The Centers for Disease Control (CDC) has determined that chrysotile asbestos is both fibrogenic and carcinogenic and is a hazard to human health. Exposure to the contaminated soil and other materials exceeds a  $1 \times 10^{-5}$  excess cancer risk;
  - Air quality sampling conducted on the un-capped site exceeded air quality standards



for asbestos;

- In April 1983 the CDC issued a public health advisory for the Mountain View Mobile Home Estates

5. If any person desires to cancel or modify the engineering control or institutional control in the future, the person shall obtain the Department's prior written approval. Any modification of the engineering or institutional control without the Department's prior written approval is void and a violation of this Declaration.

6. Owner hereby grants to the Department and its representatives, authorized agents, attorneys, investigators, consultants, advisors, and contractors the right of access to the Property at all reasonable times to verify that the engineering control and institutional control are being maintained. The Department's right of access is continuing and runs with the land. If access to the Property is restricted, Owner shall have any barrier to entry opened or removed at the Department's request.

7. Owner shall incorporate the terms of this Declaration into any lease, license or other agreement that is signed by Owner and that grants a right with respect to the Property. The incorporation may be in full or by reference.

8. Owner agrees to provide a copy of the Engineering Control Plan document dated November 1986 (Operation & Maintenance Plan dated November 1986) to the subsequent purchaser of the property. Additional copies can be obtained through the *ADEQ Remedial Projects Section*.

H. Engineering Control Plans/Financial Assurance. The engineering control plan and financial assurance mechanism is prescribed pursuant to A.R.S. § 49-152.01. The financial mechanism approved by the Department shall remain in place until an alternate mechanism has been approved by the Department. A subsequent owner shall demonstrate financial assurance pursuant to A.R.S. § 49-152.01(B) within 30 days of the sale or the transfer of the Property. The financial assurance mechanism shall be sufficient to cover the cost of maintaining the engineering control for 30 years and restoring the engineering control if it fails.

I. Periodic Inspections and Reports. Because Owner has elected to use an engineering control and institutional control to satisfy the requirements of A.R.S. §§ 49-152 or 49-158, Owner shall maintain the controls to ensure that they continue to protect public health and the environment, and shall inspect the engineering control at least once each calendar year or more in accordance with the Engineering Control Plan Document (*Operation & Maintenance Manual dated November 1986*). Within thirty days after each inspection, Owner shall submit to the Department a written report that:

1. Describes the condition of the engineering control and the status of the institutional control and uses the inspection checklist contained in the Operation & Maintenance Manual dated November 1986;
2. States the nature and cost of all restoration made to the engineering control during the calendar year;
3. Includes current photographs of the engineering control; and
4. Describes the status of the financial assurance mechanism prescribed by A.R.S. § 49-152.01, and a certification that the financial assurance mechanism is being maintained.



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Page. 4 of 11

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J. Additional Information. More detailed information on the remediation is maintained and available at the Arizona Department of Environmental Quality, located at 1110 W. Washington Street, Phoenix, Arizona 85007.

K. Release of this Declaration. Request for the release of this Declaration pursuant to A.R.S. §§ 49-152(D) or 49-158(L) may be filed by owners holding all equitable and legal title to the Property or having legal authority to file the request. The release portion of the fee specified in R18-7-604 was ~~not~~ was *circle one* paid for this Declaration. If Owner elected, pursuant to R18-7-605, not to pay the release portion with the original fee, a release will not be granted until the Department receives payment of the release portion of the fee specified in R18-7-604, which is in effect at the time of the release request.

L. Sale or Transfer of the Property. At least five working days before the sale or other transfer of title to or an interest in the property or any portion of the property, the Owner and buyer or transferee shall provide written notice and written commitment as required by A.R.S. §49-152.01(C).

M. Failure to Comply. If Owner fails to comply with this declaration or to implement the Engineering Control Plan document dated November 1986 (Operation & Maintenance Manual dated November 1986), the Department shall give Owner written notice by certified mail of the failure. If Owner fails to take the action specified in the Department's notice, the Department may issue an order pursuant to A.R.S. §§ 49-152.02 and 49-158(I) and take any other action allowed by law.

N. Related Rules. If this Declaration is being used to comply with R18-12-263.01(B)(4)(d), the remaining information required by that rule is attached as Exhibits: *Not Applicable*

ARIZONA DEPARTMENT OF EMERGENCY MANAGEMENT,  
an agency of the State of Arizona,

by: *Louis B. Trammell*  
Louis B. Trammell, Director  
Arizona Department of Emergency Management  
5636 East McDowell Road  
Phoenix, Arizona 85008

This Declaration of Environmental Use Restriction was subscribed and sworn before me this 30<sup>th</sup>  
day of October, 2007, by Louis B. Trammell, Director of the Arizona Department of  
Emergency Management.



**ROBERT E. ROONEY**  
Notary Public - Arizona  
Maricopa County  
Expires 04/15/2011

*Robert E. Rooney*  
Notary Public

My commission expires: 4/15/2011



ARIZONA DEPARTMENT OF ENVIRONMENTAL  
QUALITY, an agency of the State of Arizona,

by: *Amanda E. Stone*  
Amanda E. Stone  
Director, Waste Programs Division  
Arizona Department of Environmental Quality

This Declaration of Environmental Use Restriction was subscribed and sworn to before me this 1<sup>st</sup>  
day of November, 2007, by Amanda E. Stone, Director of the Waste Programs Division,  
on behalf of Arizona Department of Environmental Quality:

*Felicia M. Krzywicki*  
Notary Public



My commission expires: Jan 19, 2009



Gila County, AZ

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Page 7 of 11

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EXHIBIT 1

Legal Description:

That portion of Section 5, Township 1 South, Range 16 East, Gila and Salt River Meridian (Unsurveyed), Gila County, Arizona, patented as Mineral Survey No. 4523, Arizona, on July 13, 1962, known as Central, Central No. 1 and Central No. 2 mill sites, and containing the following parcels of land:

Lots 1 – 44 and tracts A, B and D, Mountain View Mobile Home Estates, according to map No. 486, records of Gila County, Arizona.

Lots 45 – 50, replat of Tract C of Mountain View Mobile Home Estates subdivision, according to map 556, records of Gila County, Arizona.

That portion of Lot 1 of said Section 5 recorded in docket 637, page 243, records of Gila County, Arizona, described as follows:

Beginning at the southwest corner of said Lot 1,  
Thence North 20°44'28" East along the West line of said Lot 1, a distance of 214.75 feet;  
Thence South 58°28'58" East, a distance of 152.68 feet;  
Thence South 20°44'28" West, parallel to the aforesaid West line, a distance of 192.75 feet to the South line of said Lot 1;  
Thence North 67°26'21" West along said South line, a distance of 50.14 feet;  
Thence North 66°25'21" West along said South line, a distance of 100 feet to the point of beginning.

That portion of Lot 1 of said Section 5 recorded in docket 625, page 100, records of Gila County, Arizona, described as follows:

Commencing at the Southwest corner of said Lot 1,  
Thence North 20°44'28" East along the West line of said Lot 1, a distance of 296.49 feet to a point on a nontangent curve having a radius of 995.65 feet, said point being the point of beginning;  
Thence Easterly along said curve, a distance of 150.57 feet;  
Thence South 20°44'28" West, parallel to the aforesaid West line, a distance of 98.92 feet;  
Thence North 58°28'58" West, a distance of 152.68 feet to the aforesaid West line;  
Thence North 20°44'28" East along the aforesaid West line, a distance of 81.74 feet to the point of beginning.

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STATE OF ARIZONA, County of Gila, ss:  
I do hereby certify that the within instrument was filed and recorded at the request of Gila County Board of Supervisors  
Date May 11, 1982 Time 3:10 P. M. Docket 563 Official Records Page 346  
Records of Gila County, Arizona.

RECEIVED  
AUG 30 2007  
By \_\_\_\_\_

WITNESS my hand and official seal the day and year first above written.  
INDEXED GILA County Recorder: MARY V. DE PAOLI,  
-AGED By Jean Lipsword, Deputy

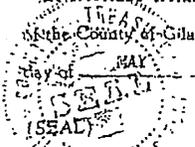
# Treasurer's Deed

Know All Men by These Present:

WHEREAS, on the 21st day of January, 19 82  
notice according to law was published in the ARIZONA SILVER BELT  
a newspaper published in the County of Gila, State of Arizona, that application for a Treasurer's Deed to the premises  
assessed to METATE ABSESTOS CORP & NEAL hereinafter described had been made by the Grantee named  
CAPPER REAL LAND & DEV. CORP herein, and that, unless redemption be had before the 10th day of MAY, 19 82,  
a Treasurer's Deed will issue to the said Grantee, and

WHEREAS, said property has not been redeemed from such sale, I therefore, pursuant to said notice and in conformity with the law have conveyed, and do hereby convey, unto said STATE OF ARIZONA

the following described premises situated in the County of Gila, State of Arizona, to-wit:  
PARCEL NUMBER 102-30-045 Mountain View Mobile Home Estate Tract A.

IN WITNESS WHEREOF, I, PRISCILLA M. L. KNUCKEY Treasurer  
of the County of Gila, State of Arizona, by virtue of Law, have hereunto set my hand and seal this 11th  
day of MAY, 19 82.  
  
Priscilla M. L. Knuckey  
Treasurer of Gila County

STATE OF ARIZONA, |  
County of Gila, | ss.  
This instrument was acknowledged before me this 11th day of

May, 19 82, by Priscilla M. L. Knuckey  
as Treasurer of the County of Gila, State of Arizona, who then and there stated to me that he executed the same for the purposes and consideration herein expressed.

My Commission Expires January 7, 1985

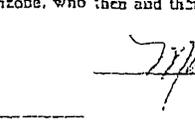
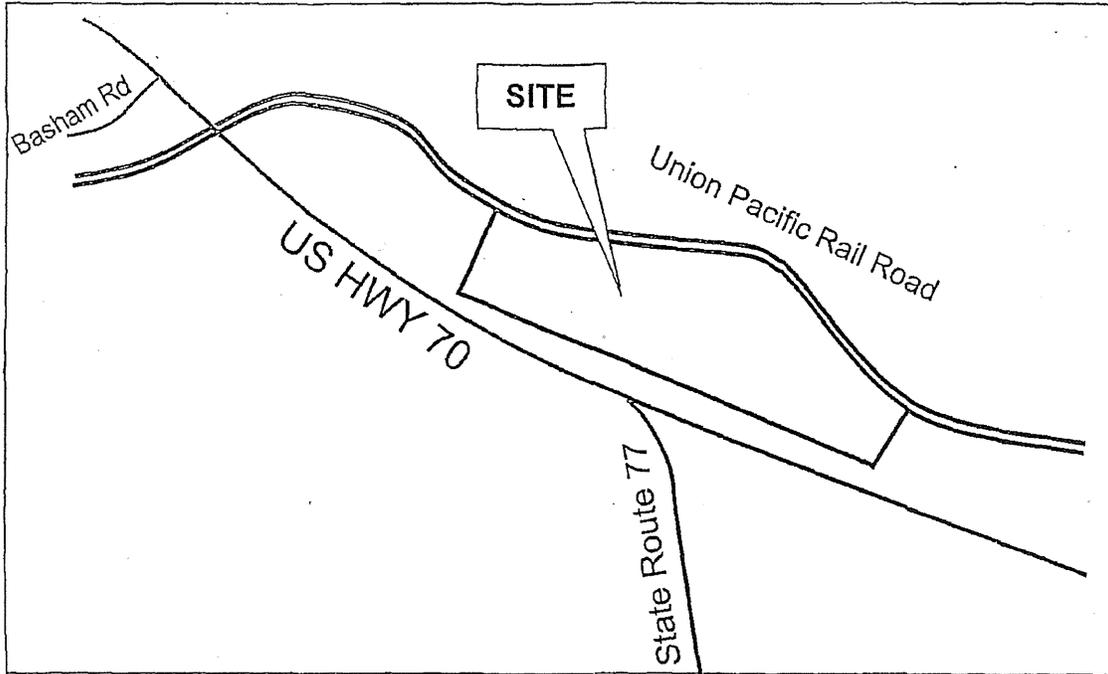
  
Michael E. Miller  
Public



Exhibit 2



**MOUNTAIN VIEW MOBILE HOME ESTATES**

LOTS 1-44, TRACTS A, B AND D, MOUNTAIN VIEW MOBILE HOME ESTATES, ACCORDING TO MAP 486, RECORDS OF GILA COUNTY, ARIZONA; LOTS 45-51, TRACT C OF MOUNTAIN VIEW MOBILE HOME ESTATES SUBDIVISION, ACCORDING TO MAP 556, RECORDS OF GILA COUNTY, ARIZONA; TOGETHER WITH GILA COUNTY ASSESSOR'S PARCEL NUMBERS 102-28-014A AND 102-28-014B, LOCATED IN SECTION 5, T1S, R16E (UNSURVEYED) OF THE GILA AND SALT RIVER MERIDIAN, GILA COUNTY, ARIZONA



**EXHIBIT 3**

ENVIRONMENTAL CONTAMINANT INFORMATION

Contaminant Name	Chemical Abstract No.	Concentration(1)	Exposure Pathway(s)(2)	Non-residential(3)		Residential(4)	
				Carc	Non-carc	Carc	Non-carc
Chrysotile and other forms of Asbestos	12001-29-5	>600,000 mg/kg 44 subsurface samples ranging from 50,000 to >600,000 mg/kg asbestos	*				
Chrysotile and other forms of asbestos	12001-29-5	86 surface samples ranging from 10,000 mg/kg to >200,000 mg/kg asbestos	*				
Total							

*\* all exposure pathways have been eliminated through the engineering control cap*

- (1) Units are mg/kg. The concentration is the maximum detected at the property, or the statistically determined value representative of the site-specific contaminant distribution in the area of concern. This value is not the exposure point determined by risk assessment methodology.
- (2) Indicate all applicable complete exposure pathways as "O" for oral ingestion, "D" for dermal contact, and "I" for inhalation. One or more pathways may be eliminated by an institutional control, other than a restriction to non-residential uses. All three pathways are considered complete when the only restriction is limiting use of the Property to non-residential use.
- (3) If a risk assessment has been conducted, list the calculated non-residential risk or hazard quotient for each contaminant. At the bottom of the carcinogen (carc) column, provide the cumulative excess lifetime cancer risk. At the bottom of the non-carcinogen (non-carc) column, provide the hazard index.
- (4) Optional information, unless one of the following conditions occur:
  - (a) A risk assessment evaluation for residential uses is required by the program;
  - (b) A risk assessment evaluation is conducted for residential use which requires implementation of any land use controls; or
  - (c) The Property use may change from non-residential to residential in the reasonably foreseeable future, and no risk assessment was conducted for residential use. Standard default residential exposure assumptions must be used to determine values for this column.



Janet Napolitano  
Governor

ARIZONA  Gila County, AZ  
OF  
ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007  
(602) 771-2300 • www.azdeq.gov



Stephen A. Owens  
Director

2007-020517  
Page: 11 of 11  
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14 00

December 19, 2007

RPU08:192

Hand Delivered

Judy Smrdel  
Office Manager for the Gila County Recorder  
1400 E. Ash St.  
Globe, AZ 85501

Re: Recording of Declaration of Environmental Use Restriction for Mountain View in Globe Arizona.

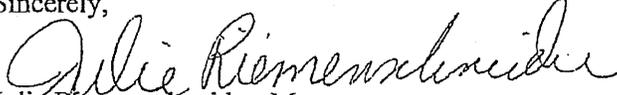
Dear Ms. Smrdel,

The Arizona Department of Environmental Quality (ADEQ) has enclosed the signed Declaration of Environmental Use Restriction (DEUR) for the Mountain View site located on the north side of State Route 70 (SR70) at the intersection of SR70 and SR77 in Globe, Arizona.

On December 18, 2008, ADEQ's contractor submitted the new surveyed plat map for this area to the Gila County Recorder's office for recording. The new plat became Map 790. Please note this new map was a replat of Lot 1-44 of Plat Map 486, and Lots 45-51 and Tract C of Plat Map 556. Therefore, this signed DEUR is for the area known as Map 790 which use to be Lot 1-44 of Plat Map 486, and Lots 45-51 and Tract C of Plat Map 556.

Thank you very much for your time and effort in recording this DEUR for ADEQ. Should you have any questions or concerns please fill free to contact me at 602-771-4411.

Sincerely,

  
Julie Riemenschneider, Manager  
Remedial Projects Unit, ADEQ

Northern Regional Office  
1801 W. Route 66 • Suite 117 • Flagstaff, AZ 86001  
(928) 779-0313

Southern Regional Office  
400 West Congress Street • Suite 433 • Tucson, AZ 85701  
(520) 628-6733

