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Title: PCSD statement regarding February 6, 2023, KPCW's "[Park City School District working with state to address soil code violations](#)"

February 15, 2023

The Park City School District (PCSD) wishes to clarify statements made on the February 6, 2023, KPCW report "[Park City School District working with state to address soil code violations](#)" regarding communication between the PCSD and other state and local jurisdictions about soil management at Treasure Mountain Junior High (TMJH).

Additional context is necessary to provide accurate and transparent information, especially regarding student safety and PCSD compliance with regulatory entities.

Above all, PCSD stands with our dedicated, hardworking, and competent employees, some of whom were negatively impacted by the portrayals in this and previous stories.

- The article **correctly** detailed the history of the soil piles located behind Treasure Mountain Junior High and the communication records informing PCSD of regulatory requirements for the movement and storage of contaminated soils so prevalent in this area.

- The article **accurately** captures the reassurances that the PCSD has always followed required best management practices for the safety of students, employees, the community, and the environment.

For accuracy and transparency, PCSD provides the following additional information and context:

1. The article states: "**In an interview with KPCW, school district Operating Officer Mike Tanner said he believes the first violation notice is a mistake on the DEQ's part because the soil mentioned is not under city jurisdiction.**"

Mr. Tanner correctly delineates the jurisdiction over soil mitigation of the Department of Environmental Quality (DEQ) and Park City Municipal, as the line between the two runs down the middle of Comstock Avenue. As TMJH is under the DEQ's authority, Park City Municipal's codes cited in the letter would not be



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relevant. Additionally, the letter was incorrectly identified as a “first violation notice,” insinuating that a citation was issued.

2. It is also true that the covenant signed in 2017 between the PCSD and the DEQ was not widely known internally in PCSD. This has been traced as much as possible and has been attributed not to anything ill-intended, but simply to oversight likely due to personnel changes. The soil piles behind TMJH have been in place since 2017 and will continue to be treated in accordance with application of best management practices. PCSD continues to pragmatically progress forward in willing compliance with all requirements that the DEQ has clarified in these past months, not with a backward view toward assessing blame.
3. Letters received on December 9th and 22nd from the DEQ to PCSD were posted to the PCSD website for transparency. Additionally, the subsequent meetings with the jurisdictional entities were positive, professional and solutions focused. PCSD has continually sought guidance and clarification, particularly as jurisdictional details and regulations came to light.
4. The discussion around the disposal of the soil piles behind Treasure Mountain Junior High has renewed conversations about the future use of the building and land. A solution of moving the soils into the potential hole created by the demolition of TMJH was initially considered for its cost-effectiveness. The article accurately captures the options that were being considered at the time of the interview, with a few exceptions. For example, the article states, **“If the community agrees to demolish the junior high campus, the district could put the dirt piles into the giant hole that will remain - with the state’s permission.”**
 - A. While many consider “dirt” and “soil” synonymous, there are definite distinctions in the construction world. The term “soil” is appropriate, as “dirt” suggests that the material is in the incorrect place or is problematic.
 - B. This spring, PCSD will launch an effort to bring together community discussions and eventually weigh in on top suggestions for the future of the TMJH campus; however, the PCSD Board of Education will make the ultimate decision. Public input is essential and prioritized, but unlike a bond, the Park City community will not be voting or agree on the specific options. As discussions with state entities



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continue, indications are more likely pointing to off-site removal of the soil this upcoming summer.

5. The article stated: **The covenant was signed in December 2016 by then-superintendent Ember Conley, then-school board president Tania Knauer, Todd Hauber and Lorie Pearce. Hauber served as business administrator for the Park City School District for more than six years after that, until leaving last October. Pearce is still at the district serving as executive assistant to Superintendent Jill Gildea.**

PCSD expresses particular concern for mentioning Lorie Pearce by name, especially because the reporter was notified through email on January 13 that Ms. Pearce was not a signatory on the covenant but rather the notary verifying the signatures. For clarification, notaries verify the signature, not the document. A notary should not read the documents they notarize because it could violate the signer's privacy. Therefore, including Lorie Pearce's name in this article was unnecessary and personally inflammatory. Other notaries in the PCSD expressed concern that they too, may be targeted simply for verifying signatures.

Further, the same article stated: **"Tanner said it could have been an oversight that Hauber didn't flag the covenant during the years long master planning process. Pearce signed it as a notary public and Tanner said she may not have known what was in it."** Referring to the January 13 email, Mr. Tanner clarified Ms. Pearce's role as a notary stating, *"Lorie likely signed it as the BOE secretary. I would not expect her to have any knowledge of what the covenant contained."* The article implies that a document was signed without knowledge of the context, suggesting irresponsibility, which could not be further from the truth. We resent the tone and implication suggested by the inclusion and naming of the employee serving as a notary public.

Please direct additional inquiries to Lorie Pearce, lpearce@pcschoools.us