

**Meeting Summary**  
**Colorado Smelter Community Advisory Group**  
**April 14, 2015**

On April 14, 2015, the Colorado Smelter Community Advisory Group (CAG) met at the Steelworkers Center of the West. The key topics covered during the meeting included:

- Technical Assistance Needs Assessment (TANA) process;
- Updates:
  - Reports from the Economic and Community Involvement Workgroups
  - Timing to review the sampling plan and begin sampling activity;
  - Timing and review of the Community Involvement Plan; and
  - Update on sending consent letters to vacant properties.
- Next meeting topics.

This summary is not a detailed transcript of the meeting, but rather includes highlights of the discussions and decisions that occurred. It is a summary of the facilitator’s notes and is not intended to state formal EPA policy.

Attachments to this summary include:

	CAG Agenda for April 14, 2015 Meeting
Attach- ment A	<a href="#">Tana Presentation by Skeo</a>
Attach- ment B	Facilitator’s Tracking Document as of April 16, 2015
Attach- ment C	Attendance list for April 14 CAG meeting

**TECHNICAL ASSISTANCE NEEDS ASSESSMENT**

At the March 10 CAG meeting, Jasmin Guerra, an EPA Community Involvement Coordinator and Region 8’s TAG/TASC Coordinator, provided a presentation regarding technical resources available to Superfund communities. Click here to view the presentation from this past meeting: [EPA Presentation on TANA, TASC, and TAGS](#). Jasmin discussed how a Technical Assistance Needs Assessment (TANA) is typically the first step that EPA conducts at a Superfund Site to see whether and what type of technical support a community might need. At the request of the CAG, EPA invited Skeo Solutions--an EPA contractor that conducts TANAs--to the April CAG meeting to answer questions about the TANA process and begin the evaluation.

At the April 14 CAG meeting, Terrie Boguski, Senior Technical Analyst, and Krissy Russell-Hedstrom, Technical Assistance Specialist, both of Skeo Solutions, presented information about the TANA, Skeo, and the type of information that had gathered about the Pueblo community. Click here to view their presentation: [Tana Presentation by Skeo](#). In response to questions, Terrie and Krissy clarified a few items. Skeo will first complete a TANA for the CAG, EPA, and community members to review. This should be available for review at the May 2015 CAG meeting. The amount of TASC money used at a site is not capped. Money used for TASC activities does not reduce the funding available for cleanup. CAG members discussed possible technical support needs, including:

- Assistance reviewing the sampling plan;
- Information about any contaminants in the groundwater; and
- Insight into the Superfund legal and technical process so that it is possible to expedite the cleanup.

More information about TANA can be found here:

<http://www.epa.gov/superfund/community/pdfs/toolkit/tana.pdf>

Additional information about Skeo Solutions can be found here: <http://www.skeo.com/>.

## UPDATES

**Economic Workgroup.** David Webb provided an update from the Economic Workgroup. He reported that he had sought a conventional loan from 26 local lenders for purchasing property in the Colorado Smelter area. In most all of the cases, the appraisers said no--they will not lend due to the site being on the Superfund list. Rachel Shulman of Sunflower Bank agreed that this is a problem. Please note that a Pueblo Chieftain article of 16 April 2015 quoted two bank managers included within the 26 surveyed who stated that they do not have a policy against loaning in the Eiler's area and would address loan requests on a case-by-case approach.

Terry Hart stated that banks are often reluctant to loan money for contaminated property due to potential liability. He stated that Superfund is a process to cleanup property, not a cause of the contamination. EPA stated that they have not experienced loan problems at other sites. EPA and other CAG members agreed that efforts need to be made to fix the problem if buyers are being turned down for loans due to contamination or the Superfund designation. CAG members discussed how a key priority of the CAG is to ensure that the Colorado Smelter area is cleaned up as quickly as possible to address economic and human health concerns. In the meantime, CAG members discussed options for addressing potential loan problems including: clarifying EPA's lender liability policy and working with HUD, banks, congressional offices, and others. The Economic Workgroup and EPA agreed to work on these issues and report back at the next meeting.

For more information on EPA's Lender liability policy, please click on the following link:

[http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/index.cfm?action=3&sub\\_id=116](http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/index.cfm?action=3&sub_id=116)

**Public Involvement Workgroup.** The public involvement workgroup has not yet met, but agreed to consider the following topics at their next meeting:

- Work with Health Department to ensure notice is out to parents about appropriate ways to protect kids from lead/arsenic exposure during the summer;
- Same thing along the lines of gardening;
- Ways to ensure better representation on the CAG from parents of young kids and Latinos;
- Reviewing the Community Involvement Plan; and
- Newsletters to the public.

## Reports from EPA

**Sampling Plan.** Sabrina Forrest of EPA reported that the Agency plans to sample 12 properties in the community in early May and use the data from this effort to refine the Sampling Plan. An ongoing concern of EPA staff is that it will take too long to get sampling results back to the community. In hopes of addressing this issue, the agency plans to send samples from the 12 properties to the lab in the traditional way and also use a portable X-ray fluorescent (XRF) to get immediate results. The hope is that

the XRF will provide prompt, but equally accurate results and will be sufficient for all sampling. EPA plans to begin full sampling this summer.

**Community Involvement Plan.** Chris Wardell of EPA reported that he will share a draft copy of the Community Involvement Plan (CIP) with the CAG in the next week. Chris sent this document out electronically to the CAG on April 17. Additional copies can be requested by contacting Chris at [Wardell.Christopher@epa.gov](mailto:Wardell.Christopher@epa.gov) or at 303-312-6062. Please send comments to Chris at the same email address. Chris noted that the CIP is a living document, and will continuously be updated. Chris also distributed a draft postcard with some general site updates and contact info to distribute to the community and requested comments.

**Consent Letter to Vacant Lots.** Sabrina Forrest reported that EPA sent out approximately 200 letters to property owners in the area who had not previously been sent the consent letter for sampling. Initially, EPA only sent letters only to owners' who had buildings on their property since the goal is to focus on human health. After CAG members reported that many kids play on and ride their bikes through vacant lots, EPA sent out letters to these vacant property owners.

## **TOPICS FOR NEXT MEETING**

CAG members discussed the following topics for the next meeting noting that some may have to be delayed to a future meeting to be addressed sufficiently.

- Discussion of blood lead level health data for Pueblo, Joe Kocman, Eilers Neighborhood HOA and Aaron Martinez, City Health Department
- Colorado Smelter Path-from Santa Fe Bridge Culver to Redevelopment. What are the Superfund phases and how are they funded?
- Update on Sampling timeline
- Report back from Workgroups
- Discussion of Skeo's TANA report
- CAG Evaluation

# AGENDA



## **Community Advisory Group (CAG) for the Colorado Smelter**

Tuesday, April 14, 2015, 5:30 p.m. to 7:30 p.m.

Steelworks Museum

215 Canal Street, Pueblo

**5:30 p.m.**

### **Introductions, Agenda Review, and Logistics**

*Kristi Parker Celico, Rocky Mountain Collaborative Solutions*

**5:35 p.m.**

### **Technical Assistance Needs Assessment (TANA)**

- Terrie Boguski, Senior Technical Analyst, Skeo Solutions
- Krissy Russell-Hedstrom, Technical Assistance Specialist, Skeo Solutions

Terrie and Krissy will provide a brief summary of the TANA and Technical Assistance Services for Communities (TASC) programs and propose an approach for conducting a TANA in Pueblo.

Discussion to follow.

Skeo Solutions website: <http://www.skeo.com/>

**6:45 p.m.**

### **Updates**

Report from Economic Workgroup

Report from Public Involvement Workgroup

Reports from EPA

- Timing and Review of Sampling Plan and Sampling Activity;
- Timing and Review of Community Involvement Plan;
- Update on Sending Consent Letters to Properties without Buildings;

**7:20 p.m.**

### **Topics for May 12 Meeting**

- Discussion of blood lead level health data for Pueblo, Joe Kocman, Eilers Neighborhood HOA and Aaron Martinez, City Health Department
- Colorado Smelter Path-from Santa Fe Bridge Culver to Redevelopment. What are the Superfund phases and how are they funded?
- Update on Sampling timeline
- Report back from Workgroups
- CAG Evaluation

**7:30 p.m.**

### **Adjourn**

**Facilitator's Tracking Document  
As of April 29, 2015**

Date of Input	CAG Input/Decision	Government Response	Task Completed
9-9-14	Some CAG members request that EPA drop dust sampling from the consent form for now. Others request that EPA create two separate consents, one for dust sampling and one for soil sampling.	EPA altered the consent form such that there are two separate consents, one for dust sampling and one for soil sampling.	October, 2014
10-14-14	Facilitator should reach out to Latino Chamber of Commerce to see about CAG speaking to group for education purposes and to inquire about Latino community members joining the CAG	Kristi and EPA reached out to Sandy Gutierrez of the Chamber. Ms. Gutierrez will identify a time for a Chamber Colorado Smelter presentation. EPA met with Ms. Gutierrez during the week of 2/2. During February, EPA had meetings with Catholic Charities, NeighborWorks of Pueblo, and the Latino Chamber of Commerce.	February 2015
10-14-14	Request by Mr. Perko to see PWT contract.	Mr. Perko and EPA attorney discussed the issue. Mr. Perko learned that it was possible to request the contract through a Freedom of Information Act (FOIA) request. However, Mr. Perko did not make a formal request for production as he independently obtained adequate information about EPA insurance and liability policy to form an opinion as to whether or not landowners should sign	Completed 11/14

		the consent form.	
11-18-14	Facilitator work to add Police officer to CAG as an ex-officio member.	Officer Roman Castro attended the January CAG meeting and will serve as an exofficio member.	Completed 1/15
11-18-14	Pam Kocman and Terry Hart will speak to the City Council about City engagement in the CAG	John Cordova Sr. attended the January CAG meeting and will serve as a CAG member.	Completed 1/15
11-18-14	Terry Hart and Charlotte Plutt will reach out to Bessemer residents and School District 60 to encourage their engagement in the CAG.	Terry Hart has made some reached out to both and will provide an update at the February meeting.	Ongoing
11-18-14	Workgroups: The CAG requested 4 workgroups be set up to support their effort: <ul style="list-style-type: none"> <li>• Economic impact;</li> <li>• Public involvement;</li> <li>• Health; and</li> <li>• Sampling.</li> </ul>	Due to limited staff time and resources, EPA cannot support four ongoing workgroups at this time. Instead, EPA encourages the community to proceed with workgroups on their own and EPA will support as able. At this time: <ul style="list-style-type: none"> <li>• Health, Sampling, and Public Involvement issues will be addressed in the full group;</li> <li>• Charlie will continue to meet with a small sampling group to provide input on the Sampling Plan.</li> <li>• The community will lead the economic impact group with support from EPA’s Redevelopment office, as needed.</li> <li>• Small groups may be</li> </ul>	Completed 3/15

		<p>formed to discuss some public involvement efforts.</p> <ul style="list-style-type: none"> <li>• Will have public involvement and economic development workgroup at 3/10 meeting.</li> </ul>	
1-13-15	EPA or Facilitator will contact NeighborWorks and discuss CAG with new leadership.	<p>EPA met with NeighborWorks during the week of 2/2.</p> <p>Meeting with EPA occurred.</p>	Completed 2/15
1-13-15	David Webb asked that EPA provide a list of addresses that received the EPA letter asking for consent to sample. Mr. Webb stated that this information would be very valuable to real estate agents in the area so that they can inform potential buyers of the Superfund status.	<p>EPA will only be providing the map of the area where residents received letters. The Agency is not comfortable sharing personally identifiable information of home addresses and feels as though the map should provide the needed information.</p> <p>Mr. Webb submitted a Freedom of Information Act request for this information.</p> <p>On February 17, 2015, EPA responded to this request. The EPA response stated: this information is exempt from mandatory disclosure pursuant to 5 U.S.C. § 552(b)(6) (personal privacy). As a general policy, EPA doesn't provide the addresses of private citizens to others. EPA provided the CAG a map that delineates the study area for the initial phase of the remedial</p>	Completed 2/17/15

		investigation.	
2-5-15	David Webb asked EPA to provide additional information regarding what information EPA will file with the County when properties are sampled and after cleanup.	EPA provide some information on this at the 2/10/15 meeting but generally stated that these decisions will be made after more information about the contamination has been gathered.	Ongoing.
3-10-15	Harric Vander Valk requested EPA send letters of consent for sampling to property owners who do not have structures on the land.	EPA will consider this request and report back at the next meeting.	In early April, EPA sent out approximately 200 letters to vacant property owners as suggested.
3-10-15	CAG requests Skeo Solutions to come discuss conducting a TANA in the community	Skeo Solutions attended the April 2015 CAG meeting.	Complete 4/14/15
4-14-15	Economic Workgroup and EPA seek solutions for potential lender liability issues and report back at May 2015 CAG meeting.	Will report back at the May 12 CAG meeting	
4-14-15	CAG provide input to EPA regarding postcard to public by April 16.	EPA incorporated CAG input and sent out postcard.	Complete on April 16
4-14-15	EPA will send out Community Involvement Plan to CAG and other members of the public for review and comment.	EPA sent out the CIP document to CAG and community members	Complete on 4-17-15

**ATTACHMENT C  
ATTENDANCE AT APRIL 14 CAG MEETING**

<b>CAG Attendance</b>		
<b>First Name</b>	<b>Last Name</b>	<b>14-Apr-15</b>
Bob	Blazich	
Kristi	Celico	x
Merril	Coomes	
Fran	Costanzi	
Sandy	Daff	
David	Dorian	
Sabrina	Forrest	x
Karen	Fortner	
Raj	Goyal	
Jasmin	Guerra	
Terry	Hart	x
Kiera	Hatton	
Tim	Hawkins	x
Joe and Pam	Kocman	
Aaron	Martinez	x
Jeannine	Natterman	
Beritt	Odom	x
Maureen	O'Reilly	
Charlie	Partridge	
Charlotte	Plutt	x
Alissa	Schultz	x
Steve	Singer	
Alicia	Solis	x
Nadine	Triste	x
Harric	Vander Valk	x
Ross	Vincent	x
Christopher	Wardell	x
David	Webb	x
Michael	Wenstrom	
Steve	Wharton	
Ken	Williams	
Julianne and James	Williamson	
Robin	Witt	
Chad	Wolgram	

**GUESTS:**

Margaret Barber  
 Doug Fitzgerald, Congressman Tipton's Office  
 Kelly Gehlhoff, Sustainable Pueblo Environmental Working Group  
 Mellissa Ratabup  
 Rachel Shulman, Sunflower Bank