

AGENDA

**Formation meeting of the
Community Advisory Group (CAG) for the Colorado Smelter
July 24, 2014**

5:30 p.m. to 7:30 p.m.
Bret Kelly Room A, 1st Floor, Rawlings Library
100 East Abriendo Avenue

- 5:30 p.m. Introductions and Agenda Review**
- Kristi Parker Celico, Facilitator, Rocky Mountain Collaborative Solutions
- 5:40 p.m. Updates**
- Review EPA summer schedule and introduce Pacific Western Technologies (PWT), Sabrina Forrest, EPA
 - National Priorities List status, Chris Wardell, EPA
- 5:50 p.m. Discuss Membership of CAG**
- Becoming an Official CAG, Chris Wardell, EPA
 - Review CAG Application of Interest (See Attachment B)
 - Is Anyone Missing?
 - Next Steps
 - First meeting of the CAG—August 28?
 - Meeting location
 - Meeting topics
- 6:20 p.m. Construction Plans and Schedule for Fence and Signs Around Park**
Sabrina Forrest, EPA
- *See Attachment C for planned signs*
- 6:30 p.m. Schedule and design of Sampling Plan. Seeking input from Steering Committee**
Sabrina Forrest, EPA
Dorthea Hoyt, Steve Singer, and Robin Witt, PWT

7:00 p.m. Discussion of Draft Access Agreement and Plan for Implementation

Sabrina Forrest, EPA

- See Attachment D for proposed letter and agreement.

7:20 p.m. Review of Action Items and Next Steps

- See Attachment D.

**Possible Future Topics after CAG established:
(Suggested by participants at prior meetings)**

- Finalize mission statement
- Draft operating procedures
- Education process
- Tour of site
- Sampling data to date
- Health concerns
- Superfund process
- Collaborative Decision making
EPA timeline
Testing:
 - Expedited testing?
 - Priority of testing—health concerns?
 - Review sampling of schoolCleanup Issues:
 - How soon will a site boundary be drawn?
 - Will a cap be used to remediate?
 - Health issues for neighbors during cleanup?Financial Issues:
 - Support to homeowners, businesses?
 - Will CDOT appraisals be based on current house values?

7:30 p.m. Adjourn

Attachment A (As of July 23, 2014)

Proposed CAG Members

(Facilitator added the organization or description of the person to show diversity of the group. It does not mean that they will formally represent the entity at the CAG. If you would like your descriptor changed, please contact Kristi at kcelico@gmail.com)

1. Merrill Coomes, Background in Superfund, risk assessment, and project planning
2. Sandy Daff, City Council Member, NeighborWorks
3. Kiera Hatton, Community organizing, lobbying, communications
4. Joe Kocman, Neighbor, Eilers Heights Neighborhood Association
5. Pam Kocman, Neighbor, Eilers Height Neighborhood Association
6. Beritt Odom, Neighbor, City of Pueblo, Planner
7. Charlotte Plutt, Community coordinator
8. Pueblo City-County Health Department
9. Nadine Triste, Community organizing
10. Tim Hawkins, Bessemer Historical Society
11. Terry Hart, County Commissioner
12. Harric VanderValk, Neighbor
13. Ross Vincent, Sierra Club, Chemical Engineer
14. David R.G. Webb, Real estate agent, tenant and owner in neighborhood
15. James and Julianne Williamson, Neighbors, Parents
16. Chad Wolgram, Pueblo City-County Health Department

Proposed Ex-officio members:

Sabrina Forrest, EPA
 Chris Wardell, EPA
 Other EPA staff as needed
 Alisa Schultz and Jeannine Natterman, CDPHE
 David Dorian, ATSDR, as needed
 Raj Goyal, CDPHE, as needed

List of Individuals who expressed interest in serving on a Workgroup:

1. Terry Hart, depends on committees established
2. Joe Kocman health, cleanup (specifically level of testing and cleanup and institutional controls)
3. Tony Perko, Legal operatic Nature of Superfund process with focus on actual implementation procedures.
4. Charlotte Plutt, public outreach, cleanup networking, paper/computer work

Backgrounds/skills represented on CAG

Public historian	Lobbying
Environmental journalism	Communications
Legal background	MBA
Network	Analytical skills
State and federal government	Research and report writing
Community organizing	Elected local official
Chemist	Office in community
Listen and solve problems	Knocking on doors
Chemical engineer	Urban Planning skills
Environmental Health	Home Renovation Enthusiast
Policy Analyst	Tenant in neighborhood
Bilingual (English/Spanish)	Homeowner in neighborhood
Public interest advocate	

CAG member will be able to reach out to the following groups

Teachers in both districts
Catholic churches
American Cancer Society
Relay for Life
Strides Against Breast Cancer
Sangre de Cristo Hospice Volunteers
Pueblo County Government
Sierra Club
Colorado Counties, Inc.
Pueblo County Democratic Party
2020 Commission
Sustainable Pueblo
Better Pueblo
Pueblo County Planning Commission
Pueblo County Commissioners
Jac-X-Pres
ReVolt Pueblo
Pueblo City-County Health Department
City Council
NeighborWorks
PURA Board Meetings
Planning and Zoning Commission
Zoning Board of Appeals
East Side neighborhood meetings
Historic Preservation Commission (City of Pueblo)
Historic Pueblo, Inc.
Pueblo Association of REALTORS

Comments on time of meeting

- Prefer daytime meetings.
- Tuesday would work better.
- Not the first Tuesday of the month.
Third Thursday is always a conflict.

ATTACHMENT B

Attachment C

7/23/14

CAUTION

COLORADO SMELTER SITE
HAZARDOUS LEVELS OF LEAD AND ARSENIC
AVOID BRINGING CONTAMINATION HOME
NO BIKING AND NO WALKING THROUGH AREA

 **-KEEP OUT-** 

For More Information Call the US
Environmental Protection Agency
800-227-8917 ext. 312-6484

PRECAUCIÓN

EL SITIO DE LA COLORADO SMELTER
NIVELES PELIGROSOS DE ARSÉNICO Y PLOMO
EVITE EL TRAER DE CONTAMINACIÓN A SU
CASA
NO SE PERMITE EL CAMINAR NI EL CAMINAR A
TRAVÉS DEL ÁREA

 **-NO ENTRE-** 

PARA MÁS INFORMACIÓN LLAMA A:
La Agencia de Protección Ambiental
de EE.UU.
800-227-8917 ext. 312-6508

NO TRESPASSING
Pursuant to Municipal Code
Sec. 11-1-406

PROHIBIDO EL PASO
El código municipal
Sec. 11-1-406

ATTACHMENT C
Draft EPA Letters for Access Agreements



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

Ref: 8ENF-RC

CERTIFIED MAIL: RETURN RECEIPT REQUESTED

Mr./Mrs./Ms. Property Occupant
Address
Pueblo, CO 81006

Re: Consent for Access

Dear Mr./Mrs./Ms. Property Occupant:

I am writing to let you know that the United States Environmental Protection Agency (EPA) is investigating and evaluating potential response actions to address possible soil contamination on the property where you live. The EPA has also contact the property owner to get approval for these activities.

As part of the EPA's work at the Colorado Smelter Site, the EPA would like to conduct environmental sampling on your property. The EPA appreciates your cooperation and assistance in helping us determine whether there are high levels of metals on your property and that of your neighbors in the Eiler Heights and Bessemer communities.

Once signed, please return the enclosed consent for access form in the enclosed stamped envelope to me (Sabrina Forrest, 1595 Wynkoop Street, Mailcode: 8EPR-SR, Denver, Co 80202). The EPA or authorized representatives of EPA, including the Pueblo County Department of Health, will notify you approximately two weeks in advance of sampling your property. You do not need to be home when outdoor soil samples are collected by the EPA or their representatives, but if you would like to be, we will attempt to schedule sampling when you are available. You may also use the comment section on the consent for access form to provide convenient times for you and/or special information about your property (for example, "I have a dog in the back yard").

Once the analysis of the soil samples is complete, the EPA will mail individual results to each property owner. Before the EPA takes a response action on your property, the EPA or authorized representatives of the EPA will contact you to discuss the steps involved in any potential excavation and restoration of your yard.

If you have questions about the environmental sampling or need more information to feel comfortable signing the consent for access form, please call me at (303) 312-6484 or Christopher Wardell, Community Involvement Coordinator, at (303) 312- 6062.

Sincerely,

Sabrina Forrest
Remedial Project Manager

Enclosure

cc: Sharon Abendschan, 8ENF-RC
Laurianne Jackson, 8ENF-L
Chris Wardell, 8OC



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION 8
 1595 Wynkoop Street
 DENVER, CO 80202-1129
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CONSENT FOR ACCESS TO PROPERTY

Name of Property Owner: _____ DRAFT DOCUMENT _____

Name of Property Occupant: _____ DRAFT DOCUMENT _____

Location of Property: _____ DRAFT DOCUMENT _____

I hereby give my consent to officers, employees, and authorized representatives of the United States Environmental Protection Agency (EPA) entering and having continued access to the above referenced property for the following purposes:

1. Conducting field inspections and investigations;
2. Taking samples of soil, surface water, ground water, air or any materials stored on or disposed of on the property as may be determined to be necessary;
3. Other actions related to the investigation of surface or subsurface contamination; and
4. Taking a response action.

I recognize that these actions are undertaken by the EPA pursuant to its responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9601 etseq., as amended.

_____ DRAFT DOCUMENT _____
 Signature of Property Owner Date Phone Number

 Signature of Property Occupant Date Phone Number

I would like EPA to provide me with a portion of the sample, called a "split sample," for my own analysis. I will provide sample containers for split sample analysis.

_____ I would like to be present during sampling. My daytime phone number is _____.

_____ I would like a copy of the sampling results mailed to is the following address



Comments:

If you have questions, please contact Sabrina Forrest of EPA at 303-312-6484 or toll free at 1-800-227-8917, ext. 312-6484.

ATTACHMENT D

CAG Steering Committee Recommendations As of July 23, 2014

Given that the group is in the formation stages, many of these are individual requests at this time as oppose to formal requests of the CAG Steering Committee. Items marked in yellow highlight have been added since the last update.

Date	Request	Agency Response	Action
5/1/14	<p><u>Warning Signs.</u> EPA should include the city ordinance for trespassing and the word “DANGER”. Signs should be in English and Spanish. 5/29/14. Add a picture of a person walking a dog.</p>	<p>5/29/14. EPA will include language on no trespassing. This will be on a separate sign due to space limitations and municipal code is inappropriate for placement on EPA signs. Signs will be in English and Spanish. EPA cannot include the word “DANGER”, but can use “CAUTION.” There will be a picture of a person walking a dog. EPA hopes to have installed by mid to late summer.</p>	<p>July 2014 See ppt for 3 signs’ language: CAUTION/PRECAUCIÓN will be used. A separate No Trespassing sign will be added as a 3rd sign at each location in English/Spanish. Still on track for summer installation.</p>
5/1/14	<p><u>1. Sampling and Site Boundary.</u> EPA should conduct sampling and establish a site boundary as quickly as possible. Request repeated on 5/29/14.</p> <p>2. Can the community provide input into the sampling plan? (6/12/14)</p> <p>3. Take community members with you to request permission to sample, particularly when knocking of the doors of elders. (6/12/14)</p> <p>4. Coordinate the number of times you need to go door-to-door to the community. (6/12/14)</p> <p>5. When will the sampling plan be done?</p> <p>6. How deep will you sample?</p>	<p>1. 5/29/14. EPA reported that they are in the process of hiring a contractor to conduct sampling. Anticipate sampling will be conducted in mid to late summer. Sampling information is necessary to develop a site boundary.</p> <p>2. 6/12/14 EPA said that the community could comment on any major concerns regarding the sampling plan, but there are various rules and requirements that EPA must adhere to.</p> <p>3. and 4 6/24/14. Yes, EPA will appreciate having community members when going door-to-door, whenever coordination is possible.</p> <p>5. 6/24/14. EPA aims to have the sampling plan started in late summer.</p> <p>6. 6/24/14. Depth of sampling will be determined by the sampling plan.</p>	<p>1. – 5. 7/9/14. Pacific Western Technologies (PWT), the Remedial Action Contractor (RAC) officially working on Operable Unit 1 – Community Properties. Next Steps: a. Internal Scoping mtg – done 7/18/14 b. Site Walk 7/24/14 (community members’ site walk - must be ok’d with landowner (liability) and EPA wrt Health and Safety considerations) c. Work Plan/Cost Estimate and narrative to EPA early August 2014 – helps define number of people and hours to do planned work (Confidential Business Info) d. PWT draft Quality Assurance Project Plan (includes Sampling and Analysis Plan) d.i. EPA mail Consent for Access forms; do follow up where Consent not received. d.ii. EPA and State review, refine, then share QAPP with CAG (maybe – September – October). e. After QAPP final, sampling will begin. CONSENT for ACCESS critical to moving quickly.</p>

			<p><u>About 8 teams of 2 will conduct sampling; it could take 50 – 90 days to complete soil, indoor dust, and attic dust sampling, then more time to fill in data gaps where access has not been granted. Late summer completion is unlikely.</u></p> <p><u>f. EPA/PWT/State preliminary data review to select samples for bioaccessibility analyses</u></p> <p><u>f.i. data validation</u></p> <p><u>f.ii. validated data results to each homeowner sampled, then discussed with CAG</u></p> <p><u>f.iii Validated data will be used to draft the human health risk assessment and draft remedial investigation report (dates unknown).</u></p> <p><u>f.iv. On a separate/later track, PCCHD will do the paint, water, consumer pds sampling using field XRF.</u></p> <p><u>g. As validated data are plotted, we hope to begin to see the site boundary; however, this will take time.</u></p> <p><u>6. Depth of sampling will be outlined in the QAPP, but depending on site conditions, may need to change over time. Typically depth is 18 inches below ground surface.</u></p>
5/1/14	<p><u>Removal Actions.</u> EPA priorities should be public education, warning signs, than perhaps fence. This work should not slow down the sampling or cleanup process. This was modified on 5/29/14 to advise to do all if funding is possible.</p>	<p>5/29/14. EPA believes it has funding to move forward with all three, with a focus on public education and warning signs, but a fence around Benedict Park was important to several attendees <u>and to EPA.</u></p>	<p><u>July 2014 See ppt for 3 signs' language; Fence 6 foot chainlink – similar to existing only taller</u></p> <p><u>Administrative work and legal review in progress. Then the Environmental Restoration contractor will put the work out for bid (local companies a priority). The OSC thinks August installation possible; however, given administrative work, it could take longer.</u></p> <p><u>Coordination and Consent for Access from the City and conversations with Posada (homeless services) an early August objective. needed. Plan for repair/replacement being considered, but we need to</u></p>

			<p><u>see how it goes.</u></p> <p><u>Input needed Re: Balls over the fence – How frequently is the park used by individuals or organized groups? Are adults often there with kids? An unlocked gate would defeat the purpose of the fence.</u></p>
5/1/14	<u>Increasing Police.</u> The Police Department should increase patrols in the area.	5/1/14. Sargent Taylor agreed to seek increased patrols.	5/29/14. Sargent stated that patrols had been increased in the area.
5/29/14	EPA should provide the group with possible contractor names prior to hiring so the community can ask about their reputations with other Superfund communities.	5/29/2014. EPA will do this to the extent appropriate with federal contracting law. EPA has contracted with Pacific Western Technologies. EPA has a limited number of contractors available to them. More information can be provided about this if desired.	<u>July 2014 - EPA will do this to the extent allowable and appropriate with federal contracting law. This is not possible for the RAC, or removal contractors, who compete and are selected by EPA on a national or regional basis. Subcontracting locally for some work/tasks will be likely, however, EPA must comply with the Federal Acquisition Regulation (FAR). The purpose of the FAR is to provide "uniform policies and procedures for acquisition." Among its guiding principles is to have an acquisition system that satisfies customer's needs in terms of cost, quality, and timeliness; minimize administrative operating costs; conduct business with integrity, fairness, and openness; and fulfill other public policy objectives.</u>
5/29/14	EPA should organize a tour of the site for the CAG and/or community	5/29/2014. EPA will do this once the CAG is formed. There will be various health and safety guidelines and EPA has learned the RAC can help get this done.	<u>EPA has spoken with the landowner, who must be ok with regard to his potential liability. He is thinking about it. If he agrees, EPA can work with PWT wrt Health and Safety considerations for a site walk.</u>
5/29/14	Can ATSDR do more testing of residents?	5/29/14. No. ATSDR does not have the funds. However, the Pueblo City-County Health Department will.	<u>This is part of the objectives under PCCHD's grant from EPA. It will take time for PCCHD to get this up and running, but Alissa Schultz is working with PCCHD and the Lake County Community Health Program (Leadville) to bring PCCHD staff to their facilities.</u>