

AGENDA

Community Advisory Group (CAG) for the Colorado Smelter
Tuesday, September 9, 2014
5:30 p.m. to 7:30 p.m.
Steelworks Museum
215 Canal Street

5:30 p.m.

Introductions and Agenda Review

Kristi Parker Celico, Facilitator, Rocky Mountain Collaborative Solutions

- CAG members will be invited to say a few sentences on why they wanted to serve on the CAG and what they hope the CAG will accomplish
- Logistics

5:50 p.m.

Update

Sabrina Forrest, Remedial Project Manager, Environmental Protection Agency (EPA)

- Overview of EPA Colorado Smelter schedule
- Current actions on fence, signs, and NPL listing

6:10 p.m.

Sampling Process

Sabrina Forrest, EPA

- Current plan, schedule, prioritization, and letters of consent (Attachment A)
- Discussion of Sampling Demonstration Event

6:35 p.m.

The Future

Fran Costanzi, EPA Region 8 Superfund Redevelopment Initiative Coordinator

- Brief description of the Superfund Redevelopment Initiative

6:45 p.m.

Functioning of the CAG

Kristi Celico

- Finalize CAG Goal Statement (Attachment B)
- Finalize CAG Membership (Attachment C)
- Meeting Times/Place (Attachment D)

- CAG Operating Rules
- CAG Education Process

7:15 p.m.

Review of Action Items and Next Steps

- Action item list (Attachment E)

Possible Future Topics

(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

Consent Letter from EPA

Note from Sabrina to CAG: The site team greatly appreciates all the community members' input on the Consent for Access Form and Cover Letter. We heard the concerns raised regarding the language used in the documents; therefore, much work was been done over the course of the last weeks to revise the form and cover letter. We were able to include softer language and provide more explanation regarding the work that EPA and our contractor's will doing in the near future, while still meeting our EPA requirements. It is also very important to keep the remedial investigation moving. We will be sending out the attached documents in the near future. The site team is excited to work with the community and thanks everyone for the energy they are putting toward this important project.

Letter and consent form attached in separate file

Attachment B
Draft CAG Mission Statement
(As drafted by the Steering Committee with proposed editing changes by the
facilitator)

The Colorado Smelter Community Advisory Group (CAG) is an independent, non-partisan group consisting of a balance of diverse interests affected by and concerned about the Colorado Smelter and its cleanup process. Participants include:

- **A diversity of the community**, including representatives from the Eilers ~~and Bessemer~~ neighborhoods and their associations, parents of small children, homeowners, renters, rental owners and business owners;
- **Local government**, including City Council and County Commissioners, Health Department, ~~and Police Department~~; and others as needed;
- **Other interested community members from various organizations** such as the from the Saint Mary's and Saint Joseph's parishes, Better Pueblo, and the Sierra Club; and
- **Other interested community members with important expertise and knowledge** such as backgrounds in real estate, environmental cleanup, environmental law, environmental health, community organizing, community integration and many others.

The overarching goal of the CAG is to have an effective cleanup completed by 2019.
The CAG defines an effective cleanup as:

- Not causing health damage to residents or animals, regardless of their age or desire to play in the parks, garden in their yards, or dig for pirate treasure in the neighborhood;
- Restoring the environment to its natural state;
- Promoting the economic vitality of the neighborhood; and
- Revitalizing and preserving the historical assets of the neighborhood.

The CAG intends to assist in achieving this goal of an effective cleanup by 2019 by:

- Providing input to the EPA and the other government entities that play a role in the cleanup to improve decision-making for all;
- Sharing information, ideas, and concerns; and
- Serving as a conduit to the larger community.

Attachment C

CAG Members

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

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

State and Federal Government Members (Ex-officio)

1. Sabrina Forrest, EPA
2. Chris Wardell, EPA
3. Jasmin Guerra, EPA
4. Other EPA staff as needed
5. Alisa Schultz and Jeannine Natterman, CDPHE
6. David Dorian, ATSDR, as needed
7. Raj Goyal, CDPHE, as needed

Backgrounds/skills represented on the CAG

Tenants in neighborhood
Homeowners in neighborhood
Public historian
Environmental journalism
Legal background
Networking skills
State and federal government roles
Community organizing
Chemist
Ability to listen and solve problems
Chemical engineer
Environmental health background
Policy Analyst
Bilingual (English/Spanish)
Public interest advocate
Lobbying skills
Communications skills
MBA
Analytical skills
Research and report writing skills
Elected local official
Office in community
Great at knocking on doors
Urban Planning skills
Home Renovation Enthusiast

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

Attachment D

Proposed Future Meeting Times (5:30 to 7:30 p.m.)

- October 14
- November 18** please note this is the 3rd Tuesday of the month due to Veterans' Day on the 2nd Tuesday
- December 9
- January 13
- February 10
- March 10
- (Will re-evaluate meeting time/date for future)

Proposed Locations:

- Steelworks Museum
- Bessemer Academy

How to advertise meetings?

Possible Operating Rule Topics

- Mission/Goals
- Background
- Decision-Making Process—Consensus? Response from Feds and State
- Role of EPA and State
- Role of Facilitator
- Membership issues—additions, absences
- Agenda setting
- Public Comment Period at meetings
- Media Contact
- Working Groups
- No Surprises Rule?
- Evaluation and Termination of the CAG

ATTACHMENT E

CAG Steering Committee Recommendations
As of [September 6, 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. [Comments added since the July meeting are underlined.](#)

Date	Request	Agency Response	Action
5/1/14	<p><u>Warning Signs and Fence.</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><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>7/24/14. Suggestion that EPA have a higher fence behind third base and/or add netting such as that used on a golf driving range.</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>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</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> <p>July 2014 See ppt for 3 signs’ language: Fence 6 foot chainlink – similar to existing only taller 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. Coordination and Consent for Access from the City and conversations with Posada (homeless services) an early August objective. Plan for repair/replacement being considered, but we need to see how it goes.</p> <p>Input needed Re: Balls over the fence – How frequently is the park used by</p>

		and to EPA.	<p>individuals or organized groups? Are adults often there with kids? An unlocked gate would defeat the purpose of the fence.</p> <p><u>EPA requested information about the netting idea and forwarded it to the removal program. They determined it was not within the scope of what they could do.</u></p> <p><u>Possible solution – could the City Parks and Recreation Dept. help put that netting up?</u></p>
5/1/14	<p>1. <u>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><u>7/24/14. CAT Steering Committees provided the</u></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</p> <p>6/24/14. Yes,</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,</p>

	<p><u>following input on the EPA draft letter of consent:</u></p> <ul style="list-style-type: none"> • <u>A more simple explanation is needed;</u> • <u>Include a draft sketch of likely activities.</u> • <u>Check the readability level of this document;</u> • <u>Ensure EPA and community members verbally discuss this document with the community;</u> • <u>Do a sample demonstration to help reduce fears;</u> • <u>Clarify that there will be no cost to owners to sample;</u> • <u>Ensure that renters know that landowners must sign the consent;</u> • <u>Explain that there will be internal sampling later;</u> • <u>Explain the external lead paint issue and how it will be addressed;</u> • <u>Clarity that EPA won't disturb cement sidewalks; and</u> • <u>Inform residents that EPA will repair any damage done to property.</u> 	<p>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>refine, then share QAPP with CAG (maybe – September – October).</p> <p>e. After QAPP finalized, sampling will begin. CONSENT for ACCESS critical to moving quickly. Several teams will conduct sampling: it will take several months 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 2014 sampling completion is unlikely.</p> <p>f. EPA/PWT/State preliminary data review to select samples for bioaccessibility analyses</p> <p>f.i. data validation</p> <p>f.ii. validated data results to each homeowner sampled, then discussed with CAG</p> <p>f.iii Validated data will be used to draft the human health risk assessment and draft remedial investigation report (dates unknown).</p> <p>f.iv. On a separate/later track, PCCHD will do the paint, water, consumer pdts sampling using field XRF.</p> <p>g. As validated data are plotted, we hope to begin to see the site boundary; however, this will take time.</p> <p>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.</p>
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			Consent for Access form and cover Letter significantly revised and available to discuss at 9/9/14 meeting.
5/1/14	<u>Increasing Police.</u> The Police Department should increase patrols in the area.	5/1/14. Sergeant Taylor agreed to seek increased patrols.	5/29/14. Taylor 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.	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.
5/29/14	EPA should organize a tour of the site for the CAG and/or community. 7/24/14 EPA should consider making a video of the site instead of organizing a tour. This may be cheaper, safer, and avoid needing to organize new tours for future CAG	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.	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. Video still under

	members.		consideration, but EPA is working on other contracting needs first so that PWT can being work.
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.	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.
7/24/14	Add Joe DeHeart (DOT) and Congressional delegates to the mailing list for the CAG	Kristi is working with Terry Hart and Sandy Daff to add state and national congressional delegates. Working on sending a formal letter and identifying correct staffers.	9/8/14. Joe is already on the list.
7/24/14	Advertise CAG meetings in the Pueblo Chieftain in English and Spanish.		For the September meeting, ads will be placed in the paper. For the September meeting that ad was only in English. For future meetings, the ad will be in Spanish language papers also.
7/24/14	Ensure that the EPA archive kept in order for this site and that the CAG is informed of how to access.	EPA is in charge of updating the archive. Kristi has added this topic to the list of issues for informing the CAG.	
7/24/14	Survey the CAG to determine the best time for meetings	Kristi surveyed the CAG in July	The second Tuesday of the month from 5:30 to 7:30 p.m. was determined to be the best time. The CAG will try this time for the first six months and

			evaluate suitability at that time.
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