

**Final Meeting Summary  
Colorado Smelter Community Advisory Group  
October 14, 2014**

On October 14, 2014, the Colorado Smelter Community Advisory Group (CAG) met at the Steelworkers Center of the West. Materials distributed at the meeting are attached to this summary, including the Agenda and Attachments A through C. An attendance list from the meeting is included as Attachment D. This summary is not intended as a detailed transcript of the meeting, but rather to highlight the decisions and discussions that occurred. It represents a summary of the facilitator's notes and is not intended to state formal EPA policy or decisions.

The topics on the agenda included:

- Functioning of the CAG
  - CAG protocols;
  - CAG membership;
  - CAG meeting times; and
  - CAG workgroups.
- Updates
  - Sampling, consent letters, and demonstration process
  - Interviewing of the community; and
  - National Priorities Listing (NPL) process.
- Next Steps

**Functioning of the CAG**

**CAG Protocols**

The group agreed to develop protocols to ensure all members have a common understanding for how the CAG will function. Attachment A, included here, was drafted by the facilitator for the CAG to use as a starting point. CAG members made a number of suggestions for improvements. Based on this input, the facilitator edited the protocols. These edits are included in Attachment E. This revised document will be discussed at the November CAG meeting. Because Sabrina Forrest of EPA was unable to attend the meeting, Attachment E includes additional suggestions for change from Sabrina. These comments indicate they are from Sabrina.

**CAG Membership**

The Steering Committee that formed the CAG developed a membership process that included asking interested parties to complete an "expression of interest" form. The Steering Committee worked hard to get the word out to a wide diversity of community members and business owners in the Eilers and Bessemer neighborhoods. In the end, 17

individuals completed the form. The Steering Committee decided that the process should be as inclusive as possible and agreed that all 17 individuals would become members. They also decided that once the CAG was formed, that these 17 would determine if additional members were needed.

At the October 14 meeting, the CAG reviewed Attachment B, which summarizes the diversity of groups that the current CAG represents. The CAG discussed that the current group still does not represent the Latino community well nor the renter community. Suggestions for improvement include:

- Kristi contacting the Latino Chamber of Commerce and seeing about the CAG making a presentation.
- EPA continuing to reach out through the churches.
- Recognizing that the CAG is just one means of community outreach and that other mechanisms will be used to reach other parts of the community such as one-time meetings, newsletters, and going door-to-door.

### **CAG Meeting Times**

The CAG agreed to the meeting schedule set forth in Attachment C. If available, the CAG will be meeting at the Steelworks Center of the West. The group is grateful to the Museum and Tim Hawkins for graciously providing this facility to the group at no cost.

### **CAG Workgroups**

The CAG agreed it is important to establish some workgroups, including

- A sampling and analysis workgroup;
- Health education workgroup; and
- Community outreach workgroup.

The facilitator will draft possible goals for each of these groups for the CAG to consider. CAG members signed up for workgroups and this list is included as Attachment F. Please contact Kristi at [kcelico@gmail.com](mailto:kcelico@gmail.com) if you would like to be part of any workgroup. Non-CAG members are welcome.

### **EPA Updates**

#### **Sampling, Consent Forms and Demonstration Process**

Chris Wardell of EPA stated that EPA plans to send out the consent forms for sampling to the community within the next few weeks. The target date is currently October 28. EPA's contractor, PWT, will be preparing and sending the letters but the mailing envelope will include an EPA logo on the outside. The envelope will include a letter explaining the sampling process, a fact sheet, and the consent form. All materials will be in English and Spanish and will be sent to homeowners and renters.

He noted that the Agency is very grateful for all the input the CAG provided for improving the letter and form. He believes it is much more user friendly now. Also,

Chris stated that the form now allows for recipients to agree to have their soil sampled or the dust in the house sampled or both. Specifically, the language says, “Dust sampling is not required, but is recommended.” He believes that EPA has never before allowed such community input on a legal document such as this and appreciates the improvements. Having said this, Chris also stated that EPA is done soliciting input on this form. He knows that some CAG members would like additional changes, but stated that he and others at EPA believe it is most important to get the letters out so that sampling can begin as soon as possible.

In response to questions, Chris noted a couple of things:

- It is not necessary to have 100 percent of all properties in the community sampled internally or externally to delist the site.
- If an adequate number of consent forms is not received within 2 weeks, EPA and PWT have a number of options to increase the number – including going door-to-door. It is unlikely that EPA would change the consent form to improve response.
- EPA will send an electronic copy of the letter to all CAG members as soon as the mailing is ready.
- PWT is preparing a video to demonstrate the process of indoor dust and exterior soil sampling. Also, Harric VanderValk offered to allow EPA to use his property to do a demonstration event for the community.
- A community member requested a copy of PWT’s contract. Chris said he would look into the possibility, but thought it was not likely since such documents contain industry protected information.

Chris acknowledged that additional questions remain regarding the sampling process and agreed to schedule a workgroup meeting to address these issues as soon as possible. Facilitator note: It appears this meeting will be scheduled for November 12.

### **Community Involvement Plan Interviews**

Chris reported that EPA and CDPHE, with the help of PCCHD staff were in Pueblo last week conducting community interviews to develop the Community Involvement Plan (CIP). He stated that information from the interviews would be included in the CIP. If others would like to be interviewed for the CIP, please contact Chris at 303-312-6062.

### **NPL Process**

Chris stated that EPA hopes that the decision to list the site on the NPL will occur by the end of October. However, he noted that EPA headquarters in Washington, D.C determines much of the timing. EPA will hold a public meeting after any NPL announcement to brief the community as well as brief elected officials.

## **Pueblo City County Health Department Update**

The local health department will be sending “lead in the household” education materials out to the community. These materials will be going out after the PWT consent for access forms are mailed out.

### **Adjournment**

CAG members requested that the following topics be on the agenda for next meeting:

- Update on sampling process/consent forms, including total number of letters sent out and responses to date.
- Begin Superfund 101, including a focus on TAG and TASC.
- Update on HUD grant/next steps.
- Opportunity to review the sampling plan, and associated timeline, and standard operating procedures.

The next CAG meeting is scheduled for November 18 at 5:30.

# AGENDA

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**Community Advisory Group (CAG) for the Colorado Smelter**  
**Tuesday, October 13, 2014**  
5:30 p.m. to 7:30 p.m.  
Steelworks Museum  
215 Canal Street

- 5:30 p.m. Introductions, Agenda Review, and Logistics**  
*Kristi Parker Celico, Facilitator, Rocky Mountain Collaborative Solutions*
- 5:40 p.m. Functioning of the CAG**  
*Kristi Celico*
- Discuss and Refine CAG Protocols (Attachment A)
  - Finalize CAG Membership (Attachment B)
  - Clarify Meeting Times (Attachment C)
  - Assign CAG working groups
- 7:00 p.m. Updates**  
*Chris Wardell, Community Involvement Coordinator, EPA*
- Sampling process and consent letters,
  - Sampling demonstration process?
  - Conference call or workgroup meeting desired?
- 7:15 p.m. Review of Action Items and Next Steps**  
November 18: Next CAG meeting
- Update on sampling process/consent forms
  - Superfund 101
  - Update on HUD grant/next steps
- 7:30 p.m. Adjourn**

**Attachment A**  
**FACILITATOR DRAFT**

**Proposed Protocols for the Colorado Smelter Community Advisory Group**  
**(As of September 30, 2014)**

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~~ neighborhood and ~~its~~~~their~~ associations, parents of small children, homeowners, renters, rental owners and business owners;
- **Local government**, including City Council and County Commissioners, ~~and~~ Health Department, ~~and local police~~; 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.

**CAG Goal**

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.

**Background**

The Colorado Smelting Company smelter (also known as Colorado Smelter, Boston Smelter, Boston & Colorado Smelter, and Eiler's Smelter) began operating in 1883. It was constructed on a mesa and dumped waste slag into a ravine between Santa Fe

Avenue and the Denver & Rio Grande railroad tracks. The smelter operated eight blast furnaces, two calcining furnaces, one fusing furnace and twenty kilns.

In 2011, Environmental Protection Agency (EPA) and the Colorado Department of Public Health and Environment (CDPHE) found elevated levels of lead and arsenic in residential soils and large slag piles in the vicinity of the site. Health effects linked with being around arsenic for a long time are an increased risk for some types of cancer such as skin, lung, bladder, kidney, and liver cancers. The possible effects of higher levels of lead in children are hearing problems, lower IQ scores and delays in development. On November \_\_\_\_, the EPA added the former Colorado Smelter to the National Priorities List (NPL) of Superfund sites. Superfund is the federal program that investigates and cleans up the most complex, uncontrolled or abandoned hazardous waste sites to protect public health and the environment.

In the summer of 2014, community members and local government leaders worked with EPA and the CDPHE to form the CAG. All interested parties were invited to participate and a large effort was made to reach out into the community in engage a diversity of those affected or likely to be affected by the Colorado Smelter and its cleanup.

### **CAG Membership**

It is the responsibility of the CAG to ensure that its membership reflects the concerns and interest of the community and the regulatory authorities. New CAG members can be added to the group, after a demonstrated commitment of attending three consecutive meetings. CAG members who miss three consecutive meetings will be dropped from the CAG list.

### **Roles**

#### **Responsibilities of All CAG Participants:**

- Abide by these established Protocols and allow the facilitator to enforce them.
- Provide an explanation for all objections and propose an alternative.
- Avoid destructive language and personal attacks.
- Assume personal responsibility for staying informed about CAG activities, particularly if meetings are missed.
- Respect the time and efforts of the CAG work to date and productively build on this work.
- Proactively work to keep constituents, colleagues, and managers informed about the work of the CAG.
- Avoid surprises. To the extent possible, avoid surprising other CAG members with news regarding major policy decisions, lawsuits, media releases, protests, etc.
- Explicitly inform other CAG participants of any conflicts of interests.

#### **Responsibilities of State and Federal Agency CAG Participants:**

- Serve as ex-officio members of the CAG.

- Work closely with the full CAG to assist in achieving its goals, but abstain from participating in the CAG decision-making process.
- Provide information and resources to the CAG as reasonable.
- Immediately inform the CAG of any options the group is considering that conflict with federal or state law or policy.
- Not use the CAG as the sole source of public input.

**Role of Subcommittees:**

- Evaluate specific issues and make recommendations to the full CAG.

**Role of the Facilitator:**

- Work for the entire CAG.
- Assist the CAG in accomplishing its goals in a timely fashion.
- Ensure an efficient and fair process.
- Make the process and issues understandable to all participants.
- Address all logistical needs.
- Remain impartial towards the substance of the issues under discussion.

<p><b>Input and Decision Making Process</b></p>
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The creation of the CAG does not reduce or alter the legal decision-making authority of any agencies or organizations participating in this effort. The CAG is an advisory group that provides input but is not the decision-maker. However, EPA and the State value the knowledge and expertise of the CAG and fully understand that CAG support is likely to lead to better decisions that are publicly supported.

EPA and the State shall inform the CAG of key decisions that are upcoming in the CERCLA process in sufficient time for the CAG to learn about and provide input into the decisions. The government entities will state the timeline for input. Because all CAG participants appreciate the need for expediency in this process, government actions will not be delayed awaiting CAG input.

In most cases, the non-governmental CAG members will provide individual input to the EPA and State. In some cases, the nongovernmental CAG members may choose to make consensus recommendations. Consensus does not necessarily mean unanimity. Some parties may strongly endorse a particular solution while others may accept it as a workable agreement. If there are issues the CAG members cannot resolve through consensus decision making after participating in a good faith effort, the facilitator will summarize the issues and document the remaining differences. The implementing agencies will use this summary to advance their decision-making.

In most instances, CAG input and consensus recommendations will be heard by the implementing agencies at CAG meetings. This feedback will also be documented in meeting summaries. In very rare instances, the nongovernmental entities may choose to write a formal letter to EPA and/or the State to emphasize their recommendation. In these cases, the EPA/State will respond to the CAG in writing stating the Agency decision and reasoning, if requested by the CAG.

## **Meetings**

CAG meetings shall normally occur on a monthly basis and be open to the public. Meetings will be held in or near the community. All meetings will have opportunity for public comment.

## **CAG Tools**

The CAG will use the following tools to track its work:

- Timeline. EPA will develop a detailed short-term timeline and a general overall timeline of major anticipated decisions and actions for the site.
- Input Requests. Government agencies requesting CAG input will indicate the following for each request: type of input desired, non-negotiables, and due date.
- Meeting Summaries. The facilitator will produce meeting summaries noting the made discussion points, commitments, and recommendations.
- Tracking Tool. The facilitator will produce a document for tracking key recommendations and agency actions.

## **CAG Communication**

Most communication between CAG members will happen at CAG meetings. Documents that CAG members would like shared with the full CAG should be sent to the facilitator to ensure distribution to the most updated mailing list. Unless specifically requested otherwise, the facilitator will share substantive communication with the full CAG to ensure a common level of understanding. CAG members are discouraged from sending emails on policy questions to individual government CAG members as this creates an uneven level of knowledge within the CAG. Due to limited time and resources, government staff will generally respond to questions during the CAG meeting rather than preparing written responses.

## **Interactions with the Media**

The CAG may appoint two members to serve as liaisons with the media. Other members contacted by the media should encourage the media representative to seek information from the designated media liaison. All CAG members are free to speak about their own views and the views of their organizations. Other than the liaisons, CAG members should be careful to present only their own views and avoid trying to characterize the views of others or the deliberations of the CAG itself.

## **Evaluation and Termination of the CAG**

It is the responsibility of all CAG members to notify the facilitator of concerns regarding or suggestions for improving the activities of the CAG. Each September, the CAG will evaluate its success and usefulness to the community and government agencies. At this time, the CAG will evaluate the need for continuing the activities of the CAG.

## **CAG Membership as of October 10, 2014**

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, Better Pueblo
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

<b>State and Federal Government Membership (Ex-officio) as of October 10, 2014</b>
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1. Sabrina Forrest, EPA
2. Chris Wardell, EPA
3. Jasmin Guerra, EPA
4. Charlie Partridge, EPA, as needed
5. Alissa Schultz and Jeannine Natterman, CDPHE
6. David Dorian, ATSDR, as needed
7. Raj Goyal, CDPHE, as needed

## Attachment B

Backgrounds/skills represented on the CAG
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<p>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</p>	<p>Pueblo County Commissioners          Jac-X-Pres</p>
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CAG member will be able to reach out to the following groups
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<p>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</p>	<p>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</p>
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## **Attachment C**

<b>Proposed Future Meeting Times (5:30 to 7:30 p.m.)</b>
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- October 14
- November 18\*\* please note this is the 3<sup>rd</sup> Tuesday of the month due to Veterans' Day on the 2<sup>nd</sup> Tuesday
- December 9
- January 13
- February 10
- March 10
- (Will re-evaluate meeting time/date for future)

Attachment D  
Attendance of CAG Members

Column1	Column2	Column3	Column4
		9-Sep-14	10-Oct-14
Andrew	Baca		
Bob	Blazich	x	x
Kristi	Celico	x	x
Merril	Coomes	x	x
Fran	Costanzi	x	
Sandy	Daff	x	
David	Dorian		
Sabrina	Forrest		
Karen	Fortner	x	x
Raj	Goyal		
Jasmin	Guerra	x	x
Terry	Hart	x	x
Kiera	Hatton	x	
Tim	Hawkins	x	x
Joe and Pam	Kocman	x	x
Aaron	Martinez	x	x
Jeannine	Natterman	x	x
Beritt	Odom	x	x
Maureen	O'Reilly		
Charlie	Partridge		
Charlotte	Plutt	x	x
Alissa	Schultz		
Tom	Simmons		
Steve	Singer		
Alicia	Solis	x	x
Nadine	Triste		
Harric	Vander Valk	x	x
Ross	Vincent	x	x
Christopher	Wardell		x
David	Webb		x
Michael	Wenstrom	x	
Steve	Wharton		
Ken	Williams		
Julianne and James	Williamson		
Robin	Witt		
Chad	Wolgram	x	x

Guests			9-Sep-14	14-Oct-13
	Column1	Column2	Column3	Column4
Pam	DiFatta		x	x
Demetri	Barton			x
Doug	Fitzgerald			x
Larry	Flari		x	
Richard	Koetting			x
Chris	Messer		x	x
Tony	Percoitte		x	x
Tony	Perko		x	x
George	Rivera			X
Phyllis	Sowell			x
Dave	Talbert		x	x
Rose Mary	Zupanai Flari		x	

## Attachment E

### Proposed Revisions Based on Comments at the October 13 CAG meeting

#### Proposed Protocols for the Colorado Smelter Community Advisory Group (As of October 16, 2014)

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- **Local government**, including City Council and County Commissioners, and Health Department; and others as needed;
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The CAG defines an effective cleanup as:

- Not causing ~~unacceptable health risk~~ ~~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 habitat and preventing future ecological risk; Restoring the environment to its natural state;~~
- Promoting the economic vitality of the neighborhood; ~~and~~
- ~~Revitalizing and Pp~~preserving the historical ~~structures and integrity of -assets of-~~the neighborhood; ~~and~~
- ~~Limiting personal liability related to the smelter remediation. -~~

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

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7. Pam Kocman, Neighbor, Eilers Height Neighborhood Association
8. Beritt Odom, Neighbor, City of Pueblo, Planner
9. Charlotte Plutt, Community ~~public outreach~~ coordinator
- ~~10.~~ ~~Pueblo City County Health Department~~
- ~~11.~~ ~~10.~~ Nadine Triste, Community organizing
- ~~12.~~ ~~11.~~ Tim Hawkins, ~~Steelworks Center of the West~~ Bessemer Historical Society
- ~~13.~~ ~~12.~~ Terry Hart, County Commissioner
- ~~14.~~ ~~13.~~ Harric VanderValk, Neighbor
- ~~15.~~ ~~14.~~ Ross Vincent, Sierra Club, Chemical Engineer
- ~~16.~~ ~~15.~~ David R.G. Webb, Pueblo Association of Realtors, ~~Real estate agent,~~ tenant and owner in neighborhood
- ~~17.~~ ~~16.~~ James and Julianne Williamson, Neighbors, Parents
- ~~18.~~ ~~17.~~ Aaron Martinez, Alicia Solis, and Chad Wolgram, Pueblo City-County Health Department

### **State and Federal Government Membership (Ex-officio) as of October 10, 2014**

8. Sabrina Forrest, EPA
9. Chris Wardell, EPA
10. Jasmin Guerra, EPA
11. Charlie Partridge, EPA, as needed
12. Alissa Schultz and Jeannine Natterman, CDPHE
13. David Dorian, ATSDR, as needed
14. Raj Goyal, CDPHE, as needed

Attachment F  
CAG workgroups

Consent and Sampling

Dave Talbert\*  
Ross Vincent  
Terry Hart\*  
Merril Coomes  
Joe Kocman  
Karen Fortner  
Pam Kocman  
Beritt Odom  
David Webb  
Chad Wolgram

Public Outreach

Dave Talbert\*  
Terry Hart\*  
Charlotte Plutt  
Beritt Odom\*  
Chad Wolgram and/or Alicia Solis

Health Education

Dave Talbert\*  
Terry Hart\*  
Merril Coomes  
Joe Kocman  
Charlotte Plutt  
Chad Wolgram  
Tim Hawkins