

January 9, 2014

The Honorable John W. Hickenlooper  
Governor of the State of Colorado  
136 State Capitol  
Denver, CO 80203-1792

Subject: Proposed Superfund Listing of the Eiler Heights Neighborhood, Pueblo, CO

Dear Governor Hickenlooper:

As you know, the US Environmental Protection Agency's Region 8 is actively considering the possible addition of the Colorado Smelter site in the Eiler Heights Neighborhood to the National Priority list for cleanup. A joint letter to you from our Pueblo City Council representatives and County Commissioners should have already reached your desk.

We would first like to begin by giving you a brief history of our historic neighborhood:

Our rich, multi-cultural neighborhood is currently a very vibrant, historical area. Younger people from varying backgrounds have been purchasing homes in the neighborhood and saying, "It feels like home."

The area we live in, East of I-25 and North of Northern Avenue, is also fondly known as Bojon Town. The name Bojon Town was given to the area primarily because the term, Bojon, was and still is used frequently to describe immigrants from Slovenia. Our neighborhood is the area where the Slovenian immigrants settled in the late 1800's to the mid 1900's. In fact, recently, we have seen an influx in the next generation of original owner families moving back to the neighborhood and returning to their family homes. These Slovenian immigrants were hard working people and the CF&I steel mill was the primary employer.

Currently, with the help of the City of Pueblo and a grant from History Colorado, we are doing a Historic Survey of the neighborhood recording personal, family histories and detailing architectural significance. We love our neighborhood and as representatives for the neighborhood, we feel it is imperative that you hear from residents, land owners and business owners. On Tuesday night, January 7, 2014, with the help of our district Councilwoman, and neighborhood champion, Sandy Daff, residents were contacted and encouraged to attend the Eiler Heights Neighborhood Association Meeting to address this very important issue.

We spent two hours answering questions and documenting residents' thoughts, concerns and expectations. What we learned can be summed up by saying that, "We want to minimize the negative influences of this cleanup and focus on maximizing the positive effects that only a "Total-Whole Home Cleanup" can have on the neighborhood. A "Total-Whole Home Cleanup" would ensure the health of our children and residents and encompass both the interior and exterior of our homes. A "Total Whole Home Cleanup" will result in a safe home environment for our children, a positive image and perception of our neighborhood, a strong business environment and economic stability.

Governor Hickenlooper, the only way to achieve these goals is to implement all of the concerns, thoughts and expectations that we are addressing in this letter to you. See the attached "Neighborhood Expectations and Guidelines," and original, handwritten comments from residents and business owners."

We have spent countless hours, days and months over the last year and a half asking questions and researching all the information available to help us understand and learn what the impacts of a Superfund Listing might mean. "Scary" and "Overwhelming" are the two words that come to mind in describing this process but in the end we know that what we have learned will ultimately result in the best possible outcome for the neighborhood.

Governor Hickenlooper, we know in our hearts and believe that once you have read all of our concerns, thoughts and expectations, you will be committed to help us through what will be a very difficult process that in the end will achieve a positive result we can all be proud of.

In closing, we would like to extend a personal invitation to visit our neighborhood and join us for dinner. Our next neighborhood meeting is Tuesday, February 4<sup>th</sup> at 6:30 p.m. If you are able to join us for dinner before the meeting, it would be our honor to serve the neighborhood's best ethnic dishes. We hope we have enticed you enough to join us.

Thank you so very much.

Sincerely,



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Cc: Pueblo City Council, Pueblo County Commissioners, State Senator George Rivera, State Representative Leroy Garcia and US Senator Mark Udall  
EH79

## Guidelines For The Superfund Designation "Letter to the Governor"

Eiler Heights Neighborhood Association – January 6, 2014

### Eiler Heights Neighborhood "EXPECTATIONS" to make certain our children and all residents are safe and our neighborhood is cleaned to a high standard

- Letter to the Governor needs to be focused only on health issues and solutions. Dr. Nevin-Woods was quoted in the Pueblo Chieftain on Dec. 8, 2013 "this is an all residents health issue, not a political issue", and I add, nor is it a job issue, or an economic revitalization issue.
- Either the Kids First Program, Leadville and Omaha, or the EMPACT Program, Boston and Syracuse, needs to be funded and put into place immediately. These programs, through scientific testing, determine the source of lead contamination, provides qualitative and quantitative solutions to lead exposure, and promotes education. The Pueblo City and County Health Dept., now, can only get a "feel" for where the source of contamination is coming from. Identifying the child's primary lead source will enable the Health Department to minimize exposure and result in better education, care and recovery.
- Establish an Eiler Heights Neighborhood Advisory Group as the voice of the neighborhood starting now to completion.
- Soil lead levels need to be tested and cleaned to a level that is comparable to meet the CDC's new reportable children's blood lead levels of 5 micrograms or greater, the metric that was used to substantiate a problem with the Eilers children's blood lead levels.
- Clean-up goal needs to meet the national average that Dr. Nevin-Woods quoted of 1.6% of children with lead levels greater than 5 micrograms. We agree that, "no lead level in children is acceptable". The EPA goal is less than 5% of the children with BLL's over 10 micrograms, while the national average for this level is 0.6% making a soil only clean-up useless.
- Soil clean-up is only a small part of elevated children's BLL's. Interior and exterior lead based paint, lead dust, and water lines with lead are a greater part of the risk to our children.
- Need to fund and abate entire home of lead to make our children safe, not just the soil. Funding is needed through HUD, the state of Colorado, the state health department, and the city and county health departments when not covered by EPA.
- Guarantee that no clean-up costs will ever be the responsibility of the land owner, home owners, and small business owners both during and after clean-up. Our low income demographics can't afford it.
- As promised in the December 10, 2013 city wide meeting, EPA agreed to fund and clean-up the soil irrespective of the lead source, i.e. from lead based paint.
- EPA agreed to landscape and improve yards as promised in the December 10, 2013 city wide meeting.
- EPA agreed to abate all exterior lead based paint due to the high degree of possible toxic re-contamination as promised in the December 10, 2013 city wide meeting.
- Institutional Controls need to be established and funded for now and into perpetuity to relieve homeowners, who have had their properties tested, of any responsibility for future soil remediation costs. This will guarantee that our neighborhood will not deteriorate in the future because of potential abatement costs.
- Immediately institute an education program to reduce lead exposure for the entire neighborhood.
- Immediate (tier 1) clean-up for homes with issues, high soil lead levels or with children with elevated BLLs.
- Establish perimeter boundaries for the clean-up prior to sampling.

- Establish a time line of 5 years to have the clean-up completed and removed from listing. Reference Page 57 in the EPA's Superfund Lead Contaminated Residential Sites Handbook which states that "Cleanup of up to 800 properties per year is possible. Our neighborhood includes only 400 properties. This time line is easily achievable.
- Test our children every 3 to 6 months to monitor their blood lead levels to guarantee their health and reinforce the concern for their health and the safety of the neighborhood. This will also ensure that the cleanup does not cause further exposure health problems.
- Establish a funding source for home owner mortgages (such as CHFA) and commercial and business loans so that homes and businesses can be bought and sold in our neighborhood. FHA regulations will not underwrite mortgages in Superfund neighborhoods.
- Test and clean-up Benedict Park.
- Test and clean alleys and vacant lots.
- A plan for remediation of the slag pile must have input from the Citizens Advisory Group. Slag Pile must be remediated, preferably removed, to guarantee that the most toxic pollution is gone and that no future re-contamination will occur.
- Residents need to be given review ability to any cleanup procedures and plans.
- Standard procedures need to be in place for remediation including continuous air quality monitoring, dust abatement, hauling routes, storage and disposal of contaminated soil, and confirmation of sampling procedures.
- Sampling needs to be done on each individual site upon completion to ensure no sites are re-contaminated.
- Project must have a Quality Assessment Project Plan.
- All sampling must meet EPA's "Region 8 – 2002 - Guidance to Sample Residential Yards for Lead."
- Written sampling plan for the clean, imported soil which includes all decision criteria.

**Nothing less than these "EXPECTATIONS" is acceptable since this is the only way to guarantee our children's health.**

Eiler Heights Neighborhood Association  
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