

**Meeting Summary**  
**Colorado Smelter Community Advisory Group**  
**November 18, 2014**

On November 18, 2014, the Colorado Smelter Community Advisory Group (CAG) met at the Steelworkers Center of the West. Materials distributed at the meeting are attached to the end of this summary, including the Agenda for the meeting and Attachments A through C, which were distributed. 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 key topics covered during the meeting include:

- CAG education about the Superfund process
  - Role of the various agencies involved
  - Technical Assistance Grant (TAG) and Technical Assistance Services for Communities (TASC) information
  
- Functioning of the CAG
  - Protocols;
  - CAG due dates; and
  - CAG tracking document.
  
- Updates
  - Fence and Sign schedule
  - Sampling Update
  - National Priorities Listing (NPL) process.
  
- Next Steps

Attachments to this summary include:

Attachment A	Draft Protocols for the CAG (October 13 version)
Attachment B	CAG Meeting Information Due Dates
Attachment C	Facilitator's Tracking Document (as of November 18, 2014)
Attachment D	CAG and Guest Attendance for November 18, 2014 Meeting
Attachment E	CDPHE Role in Superfund
Attachment F	PCCHD Role in Superfund
Attachment G	TAGS, TASC, and Technical Experts
Attachment H	Revised Protocols (December 8, 2014 version)
Attachment I	Facilitator's Tracking Document (as of December 8, 2014)

## **Agencies involved in the Cleanup Process.**

Agencies at the federal, state and local level will play key roles in the Colorado Smelter cleanup. Three staff from each level provided a short presentation on their agency's likely role.

**Federal Role.** Chris Wardell of EPA provided an overview of the EPA process.



Chris discussed the chart above as a general outline of the steps. Chris emphasized how the CAG and the general community will be involved throughout the process. A detailed description of the various steps can be found here on EPA's website: <http://www.epa.gov/superfund/cleanup/>. The cleanup for this site is a fund-lead site, meaning EPA will be paying for the cleanup.

**State Role.** Alissa Schultz is the Colorado Department of Public Health and Environment's (CDPHE's or state health department's) Project Manager for the Colorado Smelter. Alissa noted that although EPA serves as the lead for the site, the state health department partners with EPA on many key elements. Her presentation can be found in Attachment E at the end of this summary. In evaluating what remedy to select for cleanup, Alissa noted that EPA and the state health department look to 9 specific criteria:

- overall protection of human health and the environment;
- compliance with Applicable or Relevant and Appropriate Requirements (ARARs);
- long-term effectiveness and permanence;
- reduction of toxicity, mobility, or volume;

- short-term effectiveness;
- implementability;
- cost;
- state acceptance; and
- community acceptance.

Jeannine Natterman of the state health department provided a brief overview of the interviews that EPA and the state health department conducted in the community this fall. This information will be compiled and available in a Community Involvement Plan (CIP) for public comment in late winter or early spring. There will be ample time for CAG and general public to provide input into the Community Involvement Plan.

**Local Role.** Chad Wolgram is a Program Manager at Pueblo City-County Health Department (PCCHD or the local health department). Chad stated that EPA provided the local health department with a grant to do lead testing inside and outside of homes around the Colorado Smelter historical footprint. The first year of the grant was used to train staff for lead testing and to help educate the public about how to reduce their lead exposure. Year 2 of the Grant will include public meetings, educating the public about risk, partnering with the Board of Waterworks to do lead testing, screening of kids' blood lead levels, and other activities. Chad's slides can be found at Attachment F.

### **Technical Assistance for Communities**

EPA has two types of technical assistance mechanisms available to communities with Superfund sites: Technical Assistance Grants (TAGs) and Technical Assistance Services for Communities (TASC). Jasmin Guerra, a Community Involvement Coordinator with EPA provided a detailed description of these two programs, which can be found in Attachment G. More information regarding TAGs can be found on the EPA website at: <http://www.epa.gov/superfund/community/tag/>. More information regarding TASCs can be found at: <http://www.epa.gov/superfund/community/tasc/>.

### **Functioning of the CAG**

**Draft Protocols.** CAG members reviewed the draft protocols as revised at the October 13, 2014 meeting (Attachment A). The changes discussed at the November 18 meeting are shown in Attachment H. This draft will be reviewed at the January CAG meeting and hopefully finalized. During this discussion, the group noted the need to expand CAG membership in the following ways:

- Add an officer of the Pueblo Police Department as an ex officio member as needed. Kristi Celico will contact them.
- Add a City Councilmember and/or a staff person from the City Manager's office as CAG members. Terry Hart and Pam Kocman will reach out to them.

- Add a person from School District 60 (Bessemer) as a CAG member. Terry Hart and Charlotte Plutt will reach out to them.

**CAG Due Dates.** Attachment B was reviewed and approved as is by the CAG.

**Tracking Document for CAG Action Items.** Attachment C was reviewed and approved as is by the CAG.

## **Updates**

**Fence and Signs.** Sabrina Forrest of EPA reported that the signs will all be complete by early December. EPA will be installing the signs on Mr. Starr's property in December 2014 and January 2015. EPA has a written request into the City of Pueblo to have access to Benedict Park for placing signs and working on the fence. As summer vegetation has died and fallen away from the fence, EPA realizes that the fence behind Bessemer Park is in even worse shape than previously realized. EPA stated that the intent of the fence is to temporarily stop kids from going into the area.

**Sampling Update.** Sabrina Forrest of EPA reported that EPA's contractor sent out 2,600 letters to residents who live within a ½ mile of the smelter slag pile requesting permission to sample their property. By November 18, over 300 people had said yes to yard sampling and 250 had said yes to sampling inside and outside. Only six responders had said no to both tests. She noted that EPA needs approval from both homeowners and tenants before sampling. EPA will continue to provide the CAG with updates on sampling responses.

**City Involvement in CAG.** Both of the above two topics led to a broader discussion regarding the lack of engagement in the CAG by the elected and administrative officials of the City of Pueblo. Many noted that the fence and sign locations had been discussed and approved for months by the CAG. Others stated that if the City is unwilling to have its property sampled, this will send out a very negative signal to residents. It was noted that the City Council has hired environmental legal counsel to represent it. Terry Hart and Pam Kocman stated that they would go (as individuals, not as CAG members) to the City Council and note the need for the City to be directly involved in the CAG.

Others noted the need for a CAG workgroup to address the economic impacts of the Superfund cleanup given the diversity of mixed messages sent out from the City, realtors, mortgage companies and others.

**Overview of the 11/12/14 Sampling Workgroup Meeting.** Pam Kocman provided a brief update on the Sampling Workgroup meeting and asked other workgroup members to comment. A summary of this workgroup meeting is available separately.

**NPL Process and Public Briefing Process.** Chris Wardell of EPA reported that they anticipate the site will be formally placed on the National Priorities List (NPL) in

November. He clarified that this action takes place at EPA Headquarters and the announcement will be made through a Federal Register notice. The EPA will issue a press release and the final listing package and response to comments support document will be available at regulations.gov. Chris stated that EPA will host formal public meetings to announce that the Colorado Smelter is on the NPL list and use the meetings to begin to educate the broader public about the process and type of input needed from the community.

The CAG watched copies of two videos demonstrating how outside sampling would be done at residences near the Pueblo Smelter. EPA plans to have these videos available to the general public soon.

The group asked the facilitator to share a copy of the KOAA coverage with the CAG. The November 13, 2014 story included a variety of errors, so the CAG asked that EPA provide a brief summary of the errors to help inform the CAG members. Unfortunately, the news clip is no longer available.

### **Next Steps and Next Meeting**

Next steps are recorded in Attachment I.

The CAG agreed to cancel its December 9 meeting, so the next formal CAG meeting will occur on January 13 at the Steelworks Museum from 5:30 to 7:30. Suggested topics for this meeting include:

Updates:

- HUD grant
- Workgroup updates
- Discussions with City Council
- Map of consent forms
- Health department consent forms

Finalize CAG Protocols

CAG Education:

- Health issues. What we know and don't know.
- Further information about the role of a TASC contractor

# AGENDA



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

Tuesday, November 18, 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, Facilitator, Rocky Mountain Collaborative Solutions (RMCS)*
- 5:35 p.m.            CAG Education**  
Overview of Superfund Steps, Chris Wardell, Environmental Protection Agency (EPA)
- EPA Role, Chris Wardell, EPA
  - Colorado Department of Public Health and the Environment (CDPHE) Role, Alissa Schultz, CDPHE
  - Pueblo City-County Health Department (CCHD) Role, Chad Wolgram, CCHD
- Technical assistance for communities, Jasmin Guerra, EPA
- 6:15 p.m.            Functioning of the CAG**  
*Kristi Parker Celico, RMCS*
- Finalize CAG Protocols (Attachment A)
  - CAG monthly due dates (Attachment B)
  - Tracking Document for CAG Action Items (Attachment C)
- 6:45 p.m.            Review of Action Items and Updates**  
Review of Action Items (Attachment C)  
Updates:
- Fence and Signs schedule, Sabina Forrest, EPA

- Sampling Update
  - Consent Form Responses to Date, Sabrina Forrest, EPA
  - Sampling on City Property, Sabrina Forrest, EPA
  - Overview of 11/12/14 Sampling Workgroup, Pam Kocman (CAG member) and others
- NPL Process and Public Briefing Process, Chris Wardell, EPA

**7:15 p.m.**

**Next Steps**

- Next Steps for Health Workgroup
- Next Steps for Public Outreach
- Possible Topics for the December 9<sup>th</sup> meeting:
  - Update on HUD grant
  - Update on sampling consent forms
  - Updates by Workgroups
  - Superfund Education: What we know and don't know about health risks from the Colorado Smelter

**7:30 p.m.**

**Adjourn**

For those who would like to stay after the meeting, we will play a video that shows a demonstration of the soil sampling process. The video is less than 10 minutes.

**ATTACHMENT A**  
**Proposed Revisions Based on Comments at the October 13 CAG meeting and afterwards**

**Please note: This document has handed out and discussed at the November 18 CAG meeting. To see the recommended changes from this discussion, please refer to Attachment H below.**

**Proposed Protocols for the Colorado Smelter Community Advisory Group**

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 Eiler’s neighborhood and its association, parents of small children, homeowners, renters, rental owners and business owners;
- **Local government**, including City Council and County Commissioners, and Health 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.

**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 unacceptable health risk 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;
- Promoting the economic vitality of the neighborhood;
- Preserving the historical structures and integrity 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:

- 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) reported on 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 potential effects of higher levels of lead in children are hearing problems, lower IQ scores and delays in development. On May 12, 2014, the EPA proposed adding 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 interests 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.

**Input and Decision Making Process**

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 some cases, the non-governmental 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. Similarly, the agencies will respond during CAG meetings as to whether or not they will accept the advice. If they decide not to

accept the advice, they will provide a rationale for the CAG. 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. Meeting 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. EPA will include all major critical decisions on this timeline regardless of whether or not the CAG will provide input on the topic.
- CAG Meeting Agenda and Attachments. The facilitator will provide CAG members with a copy of the meeting agenda and attachments at least three days in advance of meetings.
- 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 general agency responses

### **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 process and policy questions to individual government CAG members if the topic can be addressed with the full CAG, 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 CAG meetings rather than preparing written responses.

### **Interactions with the Media**

All CAG members are free to speak about their own views and the views of their organizations with the media. CAG members should 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.

<b>CAG Membership as of October 16, 2014</b>
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1. Andrew Baca, Neighbor
2. Merril Coomes, Background in Superfund, risk assessment, and project planning
3. Sandy Daff, 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 public outreach
10. Nadine Triste, Community organizing
11. Tim Hawkins, Steelworks Center of the West
12. Terry Hart, County Commissioner
13. Harric VanderValk, Neighbor
14. Ross Vincent, Sierra Club, Chemical Engineer
15. David R.G. Webb, Pueblo Association of Realtors, tenant and owner in neighborhood
16. James and Julianne Williamson, Neighbors, Parents
17. Aaron Martinez, Alicia Solis, and 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**  
**CAG Meeting Information Due Dates –**  
**Assuming CAG Meetings Continue to be Held on Second Tuesday of the Month**

- **2<sup>ND</sup> Tuesday of month: CAG Meeting**
- Monday after CAG meeting: Draft meeting summary sent out
- Tuesday before next CAG meeting: EPA, State, and Kristi hold a conference call to discuss draft agenda for upcoming meeting
- Friday before CAG meeting: Kristi send out agenda and materials, finalized meeting summary from prior month.

**ATTACHMENT C**  
**Facilitator's Tracking Document**  
**(As of November 18, 2014)**

Date of Input	CAG Input	Government Response	Topic 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 reached out to Sandy. Waiting on response. Will follow-up again.	
10-14-14	Request by Mr. Perko to see PWT contract.	Mr. Perko and EPA attorney have discussed this issue.	

## ATTACHMENT D

### CAG Attendance and Guests at the November 18, 2014 Meeting

First Name	Last Name	9-Sep-14	10-Oct-14	18-Nov-14
Bob	Blazich	x	x	
Kristi	Celico	x	x	x
Merril	Coomes	x	x	
Fran	Costanzi	x		
Sandy	Daff	x		
David	Dorian			
Sabrina	Forrest			x
Karen	Fortner	x	x	x
Raj	Goyal			
Jasmin	Guerra	x	x	x
Terry	Hart	x	x	x
Kiera	Hatton	x		
Tim	Hawkins	x	x	
Joe and Pam	Kocman	x	x	x
Aaron	Martinez	x	x	x
Jeannine	Natterman	x	x	x
Beritt	Odom	x	x	
Maureen	O'Reilly			
Charlie	Partridge			
Charlotte	Plutt	x	x	x
Alissa	Schultz	x		x
Steve	Singer			
Alicia	Solis	x	x	x
Nadine	Triste			x
Harric	Vander Valk	x	x	
Ross	Vincent	x	x	
Christopher	Wardell		x	x
David	Webb		x	x
Michael	Wenstrom	x		
Steve	Wharton			
Ken	Williams			
Julianne and James	Williamson			
Robin	Witt			
Chad	Wolgram	x	x	x

Guests at meeting: Sara Stakaly, Doug Fitzgerald, Aaron Martinez, Margaret and David Barber, Greg McCain, Tony Perko, Barbara Nabors, Tony Percoitte, Dave Talbert

## ATTACHMENT E

Slides Presented by Alissa Schultz Regarding CDPHE Role in Superfund

### Colorado Dept of Public Health and Environment Role in EPA-lead Colorado Smelter Site Partnership Process

- Ultimate goal of Protecting human health and environment
- Supporting role to EPA – oversight assistance
  - State environmental standards or other requirements
- Help determine:
  - Remedial Action Objectives
  - ARARS – Applicable or Relevant and Appropriate Requirements
  - Remedy Selection
  - Concur on site deletion from National Priorities List

### Colorado Dept of Public Health and Environment Role in EPA-lead Colorado Smelter Site

- Work closely with EPA
  - Review and comment on key site documents
  - Consult on remedy selection – state support of remedy is one of two modifying criteria in remedy selection nine criteria analysis
  - Provide assurance that state will provide statutorily required:
    - 10% cost share on remedial action
    - 100% of future Operation & Maintenance costs

**Colorado Dept of Public Health and Environment  
Role in EPA-lead Colorado Smelter Site**

- **Work closely with community**
  - **Ensure substantial and meaningful public participation in decision making throughout Superfund process**
    - Superfund formal public involvement milestones
    - Ongoing dialogue individually and small groups
    - Community meetings and availability sessions

**Attachment F**  
Slides Regarding PCCHD Role in Superfund Cleanup

**Public Health Practice:  
Lead Characterization and Risk  
Reduction through Education in  
Pueblo County**

Pueblo City-County Health Department  
Environmental Health Division  
101 W 9<sup>th</sup> Street  
Pueblo CO 81003-4103  
(719) 583-4307  
[www.pueblohealthdept.org](http://www.pueblohealthdept.org)



**Approximate area  
of interest  
surrounding the  
Colorado Smelter  
site:**

- Arkansas River  
(Santa Fe Bridge  
culvert was where  
initial discharge  
was identified)  
(North)
- E. Northern Ave.  
(South)
- School St. (East)
- E. Abriendo Ave.  
(West)

## **Focus Areas - Grant Year 1 & 2**

- Public Outreach and Education
- Lead testing and characterization
- Staff Education
- Professional Outreach and Education
- Medical and Developmental Screenings and Follow-ups

- Create and provide education materials describing:
  - risks, proper cleaning methods, exposure reduction and upcoming testing opportunities
- Disseminate information directly to the community through:
  - partnerships, organizations, media outlets, social media, kiosk
- Partner with Colorado Legal Services
- Partner with Pueblo Board of Water Works
- Discuss hosting an Event

## **Public Outreach and Education**

- Partner with EPA to develop forms for
  - lead characterization of homes
  - indoor and outdoor home access
- Follow-ups with families that have been reported to PCCHD with elevated blood lead levels will occur
- Educational kits will be assembled
- Testing of homes and BLL



### Lead Testing and Characterization

- PCCHD Environmental Health staff will:
  - Complete Training and Certification of lead safety for renovation, repair and painting
  - Complete Training to utilize XRF for lead characterization
    - Indoor (paint, consumer products)
    - Outdoor (paint)



### Staff Education

- PCCHD staff and interns will partner with CDC/ATSDR, EPA and CDPHE to develop educational materials and tools for physicians and others in the medical profession
- Information will be presented to and disseminated to the medical community within Pueblo County



### Professional Outreach and Education

- PCCHD will set up a database to track medical and developmental screening results and follow-ups
- Clinical staff will conduct home visits with individuals identified in the initial investigations and those referred to PCCHD as well as provide care coordination



### Medical & Developmental Screenings & follow-up

**Environmental Health Division**

<b>Division Director</b> Kenneth Williams (719) 583-4330 <a href="mailto:ken.williams@co.pueblo.co.us">ken.williams@co.pueblo.co.us</a>	<b>Program Manager</b> Chad Wolgram (719) 583-4339 <a href="mailto:chad.wolgram@co.pueblo.co.us">chad.wolgram@co.pueblo.co.us</a>
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<b>Environmental Health Specialist II</b> Aaron Martinez (719) 583-4341 <a href="mailto:martinezaa@co.pueblo.co.us">martinezaa@co.pueblo.co.us</a>	<b>Environmental Health Specialist I</b> Alicia Solis (719) 583-4333 <a href="mailto:solisa@co.pueblo.co.us">solisa@co.pueblo.co.us</a>
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 Pueblo City-County Health Department  
101 W 9<sup>th</sup> Street  
Pueblo CO 81003-4103  
(719) 583-4307  
[www.pueblohealthdept.org](http://www.pueblohealthdept.org)

ATTACHMENT G  
Presentation by Jasmin Guerra, EPA

12/7/14



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## TAGS....GRANT

- **PROGRAM** - SUPERFUND SITES ON NATIONAL PRIORITY LIST
- **ELIGIBILITY** - INCORPORATED NON-PROFITS THAT MEET SUBPART M
- **FUNDING** - \$25k/WAIVERS UP TO \$80K  
MATCH REQUIREMENT 20%
- **PROCESS** - SUBMIT LETTER OF INTENT (LOI) TO TAG COORDINATOR  
TIMING - APX. 12 WEEKS (FROM DETERMINED ELIGIBILITY)
- **TECHNICAL ADVISOR** - SELECTED BY TAG BOARD VIA PROCUREMENT REGS



## TAGS...

- TYPES OF ACTIVITIES COVERED BY TAG:
  - A TECHNICAL ADVISOR
  - COMMUNICATE SITE INFO TO THE PUBLIC
  - GRANT ADMINISTRATOR ASSISTANCE
  - ONE-TIME HEALTH AND SAFETY FOR TA
- PROGRAM SPECIFIC - UNALLOWABLE ACTIVITIES:
  - NO NEW DATA, TRAINING, TRAVEL, LOBBYING OR LITIGATION ALLOWED



## TASC....CONTRACT

- **PROGRAM** - ANY EPA PROGRAM, EXCEPT BROWNFIELDS
- **ELIGIBILITY** -COMMUNITY NEEDS COVERED BY AN EPA PROGRAM AND ELIGIBLE TASC ACTIVITES.
- **FUNDING** - ONLY IF AVAILABLE
- **PROCESS** - REQUEST VIA EMAIL OR MAIL TO TASC COORDINATOR.
  - TIMING - 6-8 WEEKS
- **TECHNICAL ASSISTANCE SELECTION** - EPA CONTRACTORS.



## TASC....

- **TYPES OF ACTIVITIES COVERED BY TASC:**
  - COMMUNITY TRAINING.
  - EDUCATIONAL PRESENTATIONS.
  - TECHNICAL ASSISTANCE NEEDS ASSESSMENTS.
  - REVIEWING AND EXPLAINING TECHNICAL INFORMATION.
  - HELPING COMMUNITIES FORM COMMUNITY ADVISORY GROUPS AND FACILITATING COMMUNITY MEETINGS.
  - DEVELOPING INFORMATION MATERIALS FOR COMMUNITIES.



## TECHNICAL EXPERTS...

- AGENCY EXPERTS
- COMMUNITY EXPERTS
- NEED
- AVAILABILITY
- COORDINATION



QUESTIONS?  
IDEAS?

**ATTACHMENT H**  
**Draft Protocols**  
**(As of December 8, 2014)**

**Please note: This document shows changes proposed at the November 18, 2014 meeting.**

**Proposed Protocols for the Colorado Smelter Community Advisory Group**

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 Eiler's and Bessemer neighborhoods and its association, parents of small children, homeowners, renters, rental owners and business owners;
- **Local government**, including City Council and County Commissioners, and representatives from the Pueblo City-County Department and Pueblo 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.

**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 unacceptable health risk 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;
- Promoting the economic vitality of the neighborhood;
- Preserving the historical structures and integrity 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:

- 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) reported on 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 potential effects of higher levels of lead in children are hearing problems, lower IQ scores and delays in development. On May 12, 2014, the EPA proposed adding the former Colorado Smelter to the National Priorities List (NPL) of Superfund sites. The site was formally added to the list in December 2014. 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 interests 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 Ex-Officio CAG Participants:**

- 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 law or policy.
- Not use the CAG as the sole source of public input.
- A full list of ex-officio members can be seen at the end of this document.

**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.

<b>Input and Decision Making Process</b>
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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 non-governmental CAG members may choose to make consensus recommendations. Consensus does not necessary 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. Similarly, the agencies will respond during CAG meetings as to whether or not they will accept the advice. If they decide not to accept the advice, they will provide a rationale for the CAG. 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 regular basis as needed and be open to the public. Meeting 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. EPA will include all major critical decisions on this timeline regardless of whether or not the CAG will provide input on the topic.
- CAG Meeting Agenda and Attachments. The facilitator will provide CAG members with a copy of the meeting agenda and attachments at least three days in advance of meetings.
- 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 key discussion points, commitments, and recommendations.
- Tracking Tool. The facilitator will produce a document for tracking key recommendations and general agency responses

### **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 process and policy questions to individual government CAG members if the topic can be addressed with the full CAG, 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 CAG meetings rather than preparing written responses.

### **Interactions with the Media**

All CAG members are free to speak about their own views and the views of their organizations with the media. CAG members should 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 November 18, 2014**

Merril Coomes, Background in Superfund, risk assessment, and project planning  
Karen Fortner, Neighbor  
Kiera Hatton, Better Pueblo  
Joe Kocman, Neighbor, Eilers Heights Neighborhood Association  
Pam Kocman, Neighbor, Eilers Height Neighborhood Association  
Beritt Odom, Neighbor, City of Pueblo, Planner  
Charlotte Plutt, Community public outreach  
Nadine Triste, Community organizing  
Tim Hawkins, Steelworks Center of the West  
Terry Hart, County Commissioner  
Harric VanderValk, Neighbor  
Ross Vincent, Sierra Club, Chemical Engineer  
David R.G. Webb, Pueblo Association of Realtors, tenant and owner in neighborhood  
James and Julianne Williamson, Neighbors, Parents  
\_\_\_\_\_, Bessemer Resident  
\_\_\_\_\_, City Council member or City Manager  
\_\_\_\_\_, School District 60 representative

### **Government Membership (Ex-officio) as of November 18, 2014**

Sabrina Forrest, EPA  
Chris Wardell, EPA  
Jasmin Guerra, EPA  
Charlie Partridge, EPA, as needed  
Alissa Schultz, CDPHE  
Jeannine Natterman, CDPHE  
Raj Goyal, CDPHE, as needed  
Aaron Martinez, Alicia Solis, and Chad Wolgram, Pueblo City-County Health Department  
David Dorian, ATSDR, as needed  
\_\_\_\_\_, Pueblo Police Officer, as needed

**ATTACHMENT I**  
**Facilitator's Tracking Document**  
**(As of December 8, 2014)**

Date of Input	CAG Input	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 reached out to Sandy. Waiting on response. Will follow-up again.	
10-14-14	Request by Mr. Perko to see PWT contract.	Mr. Perko and EPA attorney have discussed this issue.	
11-18-14	Facilitator work to add Police officer to CAG as an ex-officio member.		
11-18-14	Pam Kocman and Terry Hart will speak to the City Council about City engagement in the CAG		
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.		
11-18-14	Need to establish an economic impact workgroup		