

**Final Meeting Summary  
Colorado Smelter Community Advisory Group  
June 9, 2015**

On June 9, 2015, the Colorado Smelter Community Advisory Group (CAG) met at the Steelworkers Center of the West. The key topics covered during the meeting included:

- Updates by the Superfund Vitalization Project and the Public Involvement workgroup;
- Discussion of EPA Redevelopment Program and its potential role in the community;
- EPA update on sampling activity;
- Updating the Facilitator’s Tracking List
- Conducting a short CAG evaluation; and
- Determining next meeting topics.

This summary is not a detailed transcript of the meeting, but rather includes highlights of the discussions, and decisions that occurred. It is a summary of the facilitator’s notes and is not intended to state formal EPA policy.

Below is a list of documents referred to or handed out at the meeting and how to locate them.

Attachment A	CAG Agenda for June 9, 2015 Meeting (attached here)
Links	<p>Information about the EPA Redevelopment Program, including:</p> <ul style="list-style-type: none"> <li>• <a href="#">EPA Presentation on Redevelopment by Fran Costanzi</a></li> <li>• Top Ten Questions to Ask When Buying a Superfund Site <a href="http://www2.epa.gov/enforcement/report-top-10-questions-ask-when-buying-superfund-site">http://www2.epa.gov/enforcement/report-top-10-questions-ask-when-buying-superfund-site</a></li> <li>• North Birmingham Revitalization Action Plan <a href="http://www.epa.gov/superfund/programs/recycle/pdf/nbcc-action-plan-2015.pdf">http://www.epa.gov/superfund/programs/recycle/pdf/nbcc-action-plan-2015.pdf</a></li> <li>• A Pilot Framework for Integrating Health, Prevention and Wellness Considerations During the Superfund Reuse Assessment Process <a href="http://www.epa.gov/superfund/programs/recycle/pdf/jha-handbook-2014.pdf">http://www.epa.gov/superfund/programs/recycle/pdf/jha-handbook-2014.pdf</a></li> <li>• Reuse and the Benefit to Community - Murray Smelter Superfund Site <a href="http://www.epa.gov/superfund/programs/recycle/pdf/murray-smelter-success.pdf">http://www.epa.gov/superfund/programs/recycle/pdf/murray-smelter-success.pdf</a> <a href="http://www.epa.gov/superfund/programs/recycle/pdf/murray-smelter-success-appendix.pdf">http://www.epa.gov/superfund/programs/recycle/pdf/murray-smelter-success-appendix.pdf</a></li> <li>• 2014 Annual Report Redevelopment Agency of Midvale <a href="http://www.midvalecity.org/files/2014%20Midvale%20City%20RDA%20Annual%20Report.pdf">http://www.midvalecity.org/files/2014%20Midvale%20City%20RDA%20Annual%20Report.pdf</a></li> </ul>

Attachment B	Facilitator's Tracking Document as of June 12, 2015
Attachment C	Attendance list for June 10, 2015 meeting

## WORKGROUP REPORTS

### Public Involvement Workgroup

Kelly Gehlhoff reported that the Public Involvement workgroup is hosting a Fun Fair with educational information for the community on June 13 from 10 a.m. to 2 p.m. in Benedict Park. Educational activities will focus on reducing exposure to lead. The Health Department will set up to test toys, dishes and other items for lead. She noted that the group is not planning to have live music or a bounce house for the kids since it was impossible to set up a formal non-profit in time to receive corporate donations. Yet they are taking donations and strongly encourage the full CAG to assist on June 13.

### Superfund Vitalization Project

Pam Kocman reported on the efforts of this community group since Joe Kocman was away on essential business. She described the diversity of the group including residents, lenders, real estate agents, a County Commissioner (Terry Hart) and a member of the Public Involvement Group (Kelly Gehlhoff). She noted that the group had identified and prioritized key topics to work on including:

1. Developing methods to improve finances and funding;
2. Gathering and promoting positive testimony about the community;
3. Buying and selling of real estate;
4. Promoting homeowner pride;
5. Developing and protecting commercial businesses;
6. Improving neighborhood amenities;
7. Revitalizing Benedict Park; (Leadership Pueblo may assist with this goal); and
8. Improving neighborhood infrastructure;

Pam noted that the group meets the first Wednesday of the month at Eilers Bar from 2 to 3:30. Others noted that the group was very welcoming and extremely productive.

## SUPERFUND REDEVELOPMENT GROUP

Fran Costanzi, EPA's Superfund Redevelopment Initiative Coordinator, provided a detail overview on EPA's program, what it might mean for Pueblo, and examples of how the program has been used in other communities. The slides for this presentation can be found here:

- [EPA Presentation on Redevelopment by Fran Costanzi](#)

She noted the importance of starting the Superfund cleanup with the "end in mind" meaning that it is helpful for EPA to understand what the community envisions for the future of their neighborhood before EPA develops a full cleanup plan. Fran discussed that EPA had sought and received two "regional seeds" in the form of contractor support for the Colorado Smelter cleanup, one to help develop this community vision and a second a pilot project to engage other federal, state and local partners along with the community in identifying resources and carrying out the vision beyond what Superfund dollars are able to do. The visioning process may start as early as January 2016. Fran provided examples of what EPA has

done in other communities and promised to seek out additional examples that might be most applicable to the Colorado Smelter effort. Below are links to the documents she shared:

- Top Ten Questions to Ask When Buying a Superfund  
Site <http://www2.epa.gov/enforcement/report-top-10-questions-ask-when-buying-superfund-site>
- North Birmingham Revitalization Action  
Plan <http://www.epa.gov/superfund/programs/recycle/pdf/nbcc-action-plan-2015.pdf>
- A Pilot Framework for Integrating Health, Prevention and Wellness Considerations During the Superfund Reuse Assessment Process <http://www.epa.gov/superfund/programs/recycle/pdf/jha-handbook-2014.pdf>
- Reuse and the Benefit to Community - Murray Smelter Superfund  
Site <http://www.epa.gov/superfund/programs/recycle/pdf/murray-smelter-success.pdf> <http://www.epa.gov/superfund/programs/recycle/pdf/murray-smelter-success-appendix.pdf>
- 2014 Annual Report Redevelopment Agency of  
Midvale <http://www.midvalecity.org/files/2014%20Midvale%20City%20RDA%20Annual%20Report.pdf>

Chris Wardell of EPA offered to provide printed copies of the above documents if someone wants them. He can be reached at 303-312-6062.

The CAG expressed enthusiasm for the two regional seeds and offered suggestions on how to proceed:

- Recognize that a visioning process needs to involve a wide diversity of the community and that this effort can't be completed in a two hour session.
- Note that the Vitalization Project is moving forward quickly and that it may be necessary for the EPA effort to occur earlier than 2016.
- Consider a conference at Neighborworks.
- Ensure that HUD, CDOT, and Pueblo County Planning are invited and engaged.
- Provide a summary of ideas that EPA has implemented in other communities to help inspire the visioning process.
- Appreciate that a visioning process is not a one-time event since communities and neighbors evolve. The process must be sustained throughout implementation.
- Engage the full diversity of the community by considering different types of efforts for different parts the community; and
- Engage the CAG Community Involvement Workgroup in helping plan the visioning process;

## **EPA UPDATE ON SAMPLING**

Sabrina Forrest, the EPA Remedial Project Manager (RPM) for the Colorado Smelter site, reported that pilot sampling had occurred at 12 houses in the past month and that the samples had been sent to the lab. In the near term, EPA will be able to compare the results from the lab to the analysis done on-site. The hope is that the on-site accuracy will be equal to the lab and thus able to provide results efficiently. With information from this pilot sampling, EPA will refine their full sampling plan. They will seek input from the small CAG workgroup before finalizing.

## UPDATING THE FACILITATOR'S TRACKING LIST

Merril Coomes, a CAG member, inquired about two items on the tracking list.

He asked about clarity and progress on the 2-5-15 item that states:

*David Webb asked EPA to provide additional information regarding what information EPA will file with the County when properties are sampled and after cleanup.*

The item is marked as *ONGOING* and the current EPA response on the tracking sheet states:

*EPA provided some information on this at the 2/10/15 meeting but generally stated that these decisions will be made after more information about the contamination has been gathered.*

After some discussion it became clear that there was a misunderstanding between EPA and some of the CAG. At a public meeting in February, an EPA official noted that sometimes the agency will file information on a deed about a Superfund cleanup. This greatly concerned some at the meeting and they desired more information. Some felt the EPA was not being forthcoming on this topic.

At this June CAG meeting, EPA provided further clarification in response to Merrill's question. EPA explained that they have a variety of tools that they can use to cleanup a site and/or ensure that it is protective of human health and the environment. One set of these tools is called institutional controls, which are basically legal or administrative efforts to minimize the potential for human exposure to contaminants at the site. Examples include: building fences or encouraging local government to enact special zoning, groundwater restrictions or building codes. See this EPA link for more information about institutional controls: <http://www.epa.gov/superfund/policy/ic/>. As the EPA official said at the February public meeting, one institutional control that EPA can use is to record information about the cleanup (or lack of cleanup) on a property deed. To learn more about this option, see page 26 of this EPA Guidance on Institutional Controls: [EPA IC Guidance](#). Once the EPA determines the extent of the contamination at the Colorado Smelter site, the Agency will work with the community to determine the appropriate mechanisms for cleanup. Listing something on property deeds is one of many options that may be considered.

With this explanation, the CAG better understood why EPA couldn't now state whether the Agency intends to use this institutional control during the Colorado Smelter cleanup.

Mr. Coomes also asked about the 1-13-15 item on the Facilitator's Tracking List. This item states:

*David Webb asked that EPA provide the list of addresses that received the EPA letter asking for consent to sample. Mr. Webb stated that this information would be very valuable to real estate agents in the area so that they can inform potential buyers of the Superfund status.*

The EPA's response on 2/17/15 was:

*EPA will only be providing the map of the area where residents received letters. The Agency is not comfortable sharing personally identifiable information of home addresses and feels as though the map should provide the needed information.*

*Mr. Webb submitted a Freedom of Information Act request for this information.*

*On February 17, 2015, EPA responded to this request. The EPA response stated: this information is exempt from mandatory disclosure pursuant to 5 U.S.C. § 552(b)(6) (personal privacy). As a general policy, EPA doesn't provide the addresses of private citizens to others. EPA provided the CAG a map that delineates the study area for the initial phase of the remedial investigation.*

At the June 9, 2015 meeting, the EPA reiterated that they would not be providing personal addresses to CAG members.

## **CAG EVALUATION**

The CAG discussed methods to improve the CAG's effectiveness. A small survey had been done in advance with limited response. Suggestions during the meeting and survey include:

- Next fall discuss having CAG meetings every other month with workgroup meetings in between.
- Consider having an open session at the beginning of most meetings for members of the public to ask questions. This may be more low key and welcoming.
- After the Community Event this week, the sampling during the summer, and the Agency for Toxic Substances and Disease Registry (ATSDR) report, there is likely to be greater and broader public involvement.

## **TOPICS FOR NEXT MEETING**

CAG members discussed the following topics for the next meeting, scheduled for July 14.

- Update on Sampling timeline
- Report back from Workgroups
- Follow-up on Redevelopment discussion
- Follow-up on CAG evaluation process
- Review of Superfund Education process

# AGENDA



**Community Advisory Group (CAG) for the Colorado Smelter**  
Tuesday, June 9, 2015, 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, Rocky Mountain Collaborative Solutions*
- 5:35 p.m. Public Involvement Workgroup Report**  
*Kelly Gehlhoff, Community member*
- Report on the June 13 Public Event
  - Needs from the CAG to make this a success
- 5:55 p.m. Community Revitalization Workgroup Report**  
*Joe Kocman, Eilers Homeowners' Association*
- Report from Workgroup and discussion of next steps
- 6:05 p.m. Revitalization Planning**  
*Fran Costanzi, Superfund Redevelopment Initiative Coordinator*
- Introduction to Superfund Redevelopment Program
  - Examples of EPA efforts in other communities
  - Determination of next steps
- 6:45 p.m. Updates**
- Sampling Activity and Planning, Sabrina Forrest, EPA
  - Review of Facilitator's Tracking Document (Attachment A)
- 7:05 p.m. CAG Evaluation**
- What needs to change?
- 7:20 p.m. Topics for June 9 CAG Meeting**
- Update on Sampling timeline
  - Report backs from Workgroups
- 7:30 p.m. Adjourn**

**Attachment B**  
**Facilitator's Tracking Document**  
**Outstanding items are shaded in GRAY**  
**As of June 14, 2015**

Date of Input	CAG Input/Decision	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 and EPA reached out to Sandy Gutierrez of the Chamber. Ms. Gutierrez will identify a time for a Chamber Colorado Smelter presentation. EPA met with Ms. Gutierrez during the week of 2/2. During February, EPA had meetings with Catholic Charities, NeighborWorks of Pueblo, and the Latino Chamber of Commerce.	February 2015
10-14-14	Request by Mr. Perko to see PWT contract.	Mr. Perko and EPA attorney discussed the issue. Mr. Perko learned that it was possible to request the contract through a Freedom of Information Act (FOIA) request. However, Mr. Perko did not make a formal request for production as he independently obtained adequate information about EPA insurance and liability policy to form an opinion as to	Completed 11/14

		whether or not landowners should sign the consent form.	
11-18-14	Facilitator work to add Police officer to CAG as an ex-officio member.	Officer Roman Castro attended the January CAG meeting and will serve as an exoffico member.	Completed 1/15
11-18-14	Pam Kocman and Terry Hart will speak to the City Council about City engagement in the CAG	John Cordova Sr. attended the January CAG meeting and will serve as a CAG member.	Completed 1/15
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.	Terry Hart has made some reached out to both and will provide an update at the February meeting.	Ongoing
11-18-14	<p>Workgroups: The CAG requested 4 workgroups be set up to support their effort:</p> <ul style="list-style-type: none"> <li>• Economic impact;</li> <li>• Public involvement;</li> <li>• Health; and</li> <li>• Sampling.</li> </ul>	<p>Due to limited staff time and resources, EPA cannot support four ongoing workgroups at this time. Instead, EPA encourages the community to proceed with workgroups on their own and EPA will support as able. At this time:</p> <ul style="list-style-type: none"> <li>• Health, Sampling, and Public Involvement issues will be addressed in the full group;</li> <li>• Charlie will continue to meet with a small sampling group to provide input on the Sampling Plan.</li> <li>• The community will lead the economic impact group with support from EPA's</li> </ul>	Completed 3/15

		<p>Redevelopment office, as needed.</p> <ul style="list-style-type: none"> <li>• Small groups may be formed to discuss some public involvement efforts.</li> <li>• Will have public involvement and economic development workgroup at 3/10 meeting.</li> </ul>	
1-13-15	EPA or Facilitator will contact NeighborWorks and discuss CAG with new leadership.	<p>EPA met with NeighborWorks during the week of 2/2.</p> <p>Meeting with EPA occurred.</p>	Completed 2/15
1-13-15	David Webb asked that EPA provide a list of addresses that received the EPA letter asking for consent to sample. Mr. Webb stated that this information would be very valuable to real estate agents in the area so that they can inform potential buyers of the Superfund status.	<p>EPA will only be providing the map of the area where residents received letters. The Agency is not comfortable sharing personally identifiable information of home addresses and feels as though the map should provide the needed information.</p> <p>Mr. Webb submitted a Freedom of Information Act request for this information.</p> <p>On February 17, 2015, EPA responded to this request. The EPA response stated: this information is exempt from mandatory disclosure pursuant to 5 U.S.C. § 552(b)(6) (personal privacy). As a general policy, EPA doesn't provide the addresses of private citizens to others. EPA provided the CAG a map</p>	Completed 2/17/15

		that delineates the study area for the initial phase of the remedial investigation.	
2-5-15	David Webb asked EPA to provide additional information regarding what information EPA will file with the County when properties are sampled and after cleanup.	EPA provide some information on this at the 2/10/15 meeting but generally stated that these decisions will be made after more information about the contamination has been gathered.	Ongoing.
3-10-15	Harric Vander Valk requested EPA send letters of consent for sampling to property owners who do not have structures on the land.	EPA will consider this request and report back at the next meeting.	In early April, EPA sent out approximately 200 letters to vacant property owners as suggested.
3-10-15	CAG requests Skeo Solutions to come discuss conducting a TANA in the community	Skeo Solutions attended the April 2015 CAG meeting.	Complete 4/14/15
4-14-15	Economic Workgroup and EPA seek solutions for potential lender liability issues and report back at May 2015 CAG meeting.	Will report back at the May 12 CAG meeting	Ongoing.
4-14-15	CAG provide input to EPA regarding postcard to public by April 16.	EPA incorporated CAG input and sent out postcard.	Complete on April 16
4-14-15	EPA will send out Community Involvement Plan to CAG and other members of the public for review and comment.	EPA sent out the CIP document to CAG and community members	Complete on 4-17-15

6-14-15	CAG would like additional urban examples of EPA's Revitalization Program.		
6-14	CAG requests that EPA consider moving up the visioning work so that it doesn't get out of synch with the Superfund Community Vitalization Project work.		

**Attachment C**  
**Attendance at June 9, 2015 Meeting**

First Name	Last Name	9-Jun-15
Alex	Baca	
Bob	Blazich	
Roman	Castro	
Kristi	Celico	X
Merril	Coomes	X
John	Cordova	X
Fran	Costanzi	X
David	Dorian	
Libby	Faulk	
Sabrina	Forrest	X
Karen	Fortner	
Raj	Goyal	
Jasmin	Guerra	
Terry	Hart	X
Kiera	Hatton	
Tim	Hawkins	
Joe and Pam	Kocman	X
Aaron	Martinez	X
Jeannine	Natterman	X
Beritt	Odom	X
Maureen	O'Reilly	
Charlie	Partridge	
Charlotte	Plutt	
Alissa	Schultz	
Steve	Singer	
Alicia	Solis	X
Nadine	Triste	X
Harric	Vander Valk	X
Ross	Vincent	X
Christopher	Wardell	X
David	Webb	
Michael	Wenstrom	
Steve	Wharton	
Ken	Williams	
Julianne and James	Williamson	
Robin	Witt	
Chad	Wolgram	

**Guests:** Doug Fitzgerald, Kelly Gehlhoff, Kelsey Kennedy, Shana Lewis, Tony Perralta, Kevin Roark, Dave Telbert,