

VB/I-70 Superfund Community Advisory Group (CAG) Meeting Notes

Date of Meeting: Tuesday, April 17, 2018

CAG Members Present: Kim Morse, Lloyd Burton, Bridget Walsh, AE, Stephen Eppler (alternate), Jim Garcia, Drew Dutcher, Mike Dugan, Jacqui Lansing (alternate)

Ex-officio present: Celia VanDerLoop, Jack Paterson, Kerra Jones, Andrew Ross, Ryan Crum, Jesse Aviles, Jennifer Chergo, Fonda Apostolopoulos

Facilitator: Elizabeth Suárez

Introduction: Ms. Suárez invited everyone at the table to introduce themselves with their affiliations. Each CAG member received the monthly folder with printed materials. Ms. Suárez briefly reviewed the agenda for the night's meeting.

Ms. Suarez noted that she is allowing more time at the end for community discussion. There was clarification from AE that more time was needed to discuss adding new members.

Approval of February and March Meeting Notes:

February and March meeting minutes were approved.

Construction Scorecard Update: (Mr. Ross and Mr. Crum)

The scorecard discussed at this meeting covered the February 2018 time period. 1,518 cubic yards of solid waste or asbestos containing soils were removed during the month of January. Ongoing water treatment continues, totaling to almost 28.5 million gallons of water as of February 28th. No upset conditions were identified. There were no air quality exceedances of PM10 or of lead or arsenic in February. The February air monitoring report is on DDPHE's website.

Andrew Ross noted that the liner installation in the open channel area was completed in March 2018 without incident.

Bridget Walsh relayed questions from Adrian Brown from his reading of POLREP 32. Per Table 1 of POLREP 32, February 2018 Construction Summary, Bridget stated that Adrian noted that there were zero days of excavation, although 1,518 CY are shown as being excavated in February 2018. Andrew Ross said he would follow up regarding this question. The second question relating to Table 1, noted that 1,439,500 gallons of water was transported for treatment to the McDonald Farms treatment facility and that 1,356,933 gallons of water was treated and discharged to the South Platte. Adrian did not understand the delta of 82,567 gallons. Andrew Ross said he would have to get back to Bridget regarding that question. The final question from Bridget Walsh on behalf of Adrian Brown: what type of permit does the project have for construction dewatering? Andrew Ross stated that the project has a surface water discharge permit from the Colorado Department of Public Health and Environment, information regarding the permit is available in the CAG notebook materials from previous meetings, and available on-line.

Kim Morse asked why the March air quality data were not available. Andrew Ross explained that it takes time to get the previous month's air quality data due to the lab turnaround time on the filter-based samples. Andrew noted that once the air monitoring data are available for the prior month the City provides that data to the CAG via the city's website.

Ryan Crum provided an update on the liner installation showing pictures of the installation. He noted that the electrical leak location testing will be completed by the end of the week. Jacqui Lansing asked Ryan what type B soil meant and he indicated that is related to the construction specifications for the soil. Ryan also discussed the compaction specifications for the soil above the liner.

Bridget Walsh asked whether there would be a liner in the storm water open channel along 39th Ave. Ryan Crum responded that that channel will not be lined. Bridget did not understand why this channel would not be lined. Celia VanDerLoop explained that the GLO liner is being placed in an area over waste materials on the OU2 Superfund Site. Celia explained that an environmental investigation has been conducted for 39th Ave and a materials management plan is in place. She noted that investigation indicated there were minimal environmental impacts within the 39th Ave construction area. Bridget asked whether the City of Denver took groundwater samples within the 39th Ave construction area. Fonda Apostolopoulos responded that the purpose of the liner in OU2 is to protect the storm water being conveyed over solid waste. He explained that the storm water conveyed along 39th Ave is not being conveyed over solid waste. Andrew Ross noted that groundwater along 39th Ave is approximately 40 feet below ground surface and that it is extremely unlikely for groundwater to reach the elevation of the storm water channel.

Jacqui Lansing asked about the extent of the electrical leak testing. Ryan Crum described the testing grid set up on top of the soil throughout the lined open channel area. Jacqui asked about the grid spacing. Ryan did not have that information on hand.

Remedial Investigation Findings: (Ms. Vanderloop and Mr. Ross)

Celia VanDerLoop discussed the 2009 OU2 Remedial Investigation (RI) including contaminant results for soils and waste materials. Celia noted that Stantec will be updating the OU2 RI to incorporate environmental investigation data collected subsequent to the RI, and that this presentation is only about the approximately 13 investigations conducted prior to and as a part of the 2009 RI. Celia provided an overview of the Superfund process. Investigation work was done pursuant to a 2008 Administrative Settlement Agreement and Order on Consent to determine the nature and extent of contamination with the OU2 site boundary, to address soil contamination at the site. Celia showed a depiction of the OU2 site with a shaded area denoting landfilling of municipal solid waste. Celia discussed the extent of contamination in soils and showed a depiction of areas with arsenic greater than 15 ppm. Stephen Eppler noted that the range of values the City obtained for arsenic and lead are considerable. He asked if Celia had any comments about areas that had much higher concentration of both lead and arsenic and how that was handled. Celia explained common practices for disposal of municipal solid waste at the time, and that this is an area where solid waste material is likely mixed with metals-contaminated soils and slag remnants. Stephen Eppler asked why soils with high concentrations of lead and arsenic weren't removed. Celia explained that these concentrations may represent small pieces of slag dispersed throughout the landfill area. Fonda Apostolopoulos explained that the City was conducting a Remedial Investigation and not a Removal Action in 2009. Celia noted that there were many OU2 investigations aggregated in the 2009 RI report ranging over a 10 year or greater timeframe.

Bridget Walsh asked if there was soil sampling for chemicals in addition to arsenic and lead. Celia indicated that RCRA (Resource Conservation and Recovery Act) eight metals, volatile organic compounds, and semi-volatile organic compounds, polycyclic aromatic hydrocarbons samples were taken in soils. These compounds were screened out from further analysis as levels found were below levels of concern.

Celia discussed the extent and types of solid waste found in the landfill area.

Andrew Ross discussed the extent of groundwater contamination at the site. He explained that there are five groundwater and four cooling water wells on site. Due to the low concentrations of contaminants detected in groundwater in prior investigations, EPA did not require additional investigation of groundwater in 2009. Surface water and sediment sampling results for locations that there were upstream and downstream of the site showed no significant difference between the upstream and downstream locations. Thus, no further investigation was required in 2009 for surface water and sediments. He noted that the same contaminants of concern investigated in soils were also investigated in groundwater. Andrew explained that the next steps in the Superfund process includes updating the Remedial Investigation and the Feasibility Study (RI/FS). Andrew stated that EPA completed a Human Health Risk Assessment in 2006 and he does not anticipate that the Risk Assessment will need to be updated. The City will provide a draft technical memorandum outlining the proposed scope for updating the Remedial Investigation around September / October 2018. It was noted that the documents will be provided to EPA as drafts, at which time they are public records. EPA can make them available to the community for review at that time.

Kara Edeward was introduced as the City and County of Denver Project Manager for OU2.

Lloyd Burton asked if there was a comprehensive health assessment done in combination with the 2009 RI/FS. Andrew and Celia noted that there was a human health risk assessment done by EPA's contractor in 2006, and there also was an ecological risk assessment. Lloyd stated that the intended use of the site at the time the risk assessment was done was industrial. He indicated that the intended property use is likely changing, and an updated assessment will be needed for this changing use. Andrew stated that we have more data now than we had in 2009 and that that information will be included in the updated Remedial Investigation. The City will submit that to EPA to determine if the current data adequately characterizes the site. Lloyd asked whether an updated risk assessment would be done. Jesse Aviles noted that the need for an updated risk assessment depends on the data. He also explained that draft RI documents would be posted to the EPA One Drive for CAG review.

Stephen Eppler brought up the potential change in land use in the OU1 area from industrial to residential. Jesse Aviles stated that the OU1 site was investigated and remediated to residential standards. Stephen asked if contractors want to turn industrial properties into residential properties in OU1, what are the requirements for investigation? Fonda Apostolopoulos stated that Phase I and Phase II Environmental Site Assessments are required for potentially contaminated properties before they can get development financing. If recognized environmental conditions are found, the contractor will have to remediate those areas to residential standards prior to development. Jesse Aviles confirmed that he had received sampling data from houses in OU1 that had previously opted out of sampling. Drew Dutcher requested confirmation that a Phase II is done prior to development. Fonda noted that potentially contaminated sites are characterized per a Phase I and/or a Phase II before construction can

begin. He also stated that a materials management plan is also required for sites with recognized environmental conditions.

Lloyd Burton asked what residents should do if they see potential threats from construction sites (e.g., dust blowing around). Andrew Ross noted that they should call the City and County of Denver, call 311. Fonda stated that they can call him as well if they have a complaint. AE indicated that there is a City planning process and approvals required for changing zoning. She mentioned that she went out to see the liner installation per EPA's invitation and drove around the area, including the National Western campus area and the Globeville Landing Outfall area during the high winds occurring today and had been impressed that dust was not blowing from Globeville Landing Outfall construction areas. AE noted she was in favor of further discussion on the human health risk assessment.

Bridget Walsh asked if the Phase II data that is collected on potentially contaminated sites is available to the public. She wanted to know what the verification process is to ensure the data are adequate. Celia VanDerLoop noted that there is a City review process for development applications which includes an engineering, regulatory and environmental review. Thus, there is both a City and a State review of environmental data and cleanup actions taken prior to development, depending on the project. Fonda stated that records are made public for properties in the voluntary cleanup program.

Drew Dutcher asked if dust flying around in the Superfund site is a problem. Fonda stated that it is often hard to identify where the dust is coming from. He said that air monitoring in the areas has shown background levels for metals. Contractors and regulators do the best they can to ensure the proper safeguards are in place. He noted contractors are often the ones calling to note other contractors in the area are not implementing dust control mitigation measures appropriately.

Membership Changes and Additions:

Lloyd Burton had three members additions he brought forward. New members included Sandra Luis, Jorge Merida, and Armando Payan. These three new members were voted in by the CAG.

AE noted an inconsistency in the CAG membership by-laws relating to members removed through their lack of attendance in CAG meetings. She indicated this should be corrected.

Jesse Aviles stated that the focus of this Superfund CAG is the Vasquez Boulevard / I-70 Superfund Site.

Kim Morse nominated Ray G. Ray was voted in by the CAG. Ray stated he works with Groundwork Denver on air quality monitoring.

AE asked if it was possible to get support for childcare. Kerra Jones and Celia VanDerLoop stated that that request would have to be reviewed and approved by the City. The City will report back in the May meeting.

Each new CAG member made a statement. Jorge Merida stated he thought that bureaucrats needed to spend time in the community to care about people who live there. Fonda Apostolopoulos responded that he had spent significant time working in the community for over 20 years, and had volunteered significant amounts of time, and requested that comments be respectful of all participants, including agency representatives. Sandra Luis stated she has concerns about dust, potentially coming from the demolition of the Colonial Manor Motel. Fonda Apostolopoulos stated residents can contact Fonda with a site address and he can investigate. Celia stated that residents should call 311 as soon as they have

concerns related to construction activities. Lloyd asked who is approving demolitions. Celia stated that asbestos inspections are required for any building demolitions. If asbestos is found, it must be mitigated as a part of the City granting approval for any building demolition. The Colonial Manor Motel is in Operable Unit 1. CDOT evaluated the Colonial Manor Motel for recognized environmental conditions as part of the property acquisition process.

AE recommend residents call 311 or City direct numbers to report dust concerns.

Topics for the May Meeting:

Lloyd Burton does not believe the OU2 air quality monitoring is adequate, in part because he says that the contractor may know the date/time of air sampling. He requested daily random air sampling for a month. He would like this daily sampling to be compared to previous data collected to establish trust in the accuracy of data. Jesse Aviles stated that EPA sampled in addition to the City in May 2017 and did not find any exceedances. Lloyd wanted to know the sampling method and over what period and frequency did the sampling occur. Elizabeth Suárez suggested Lloyd refer to the June 2017 section of the binder. Jesse stated that EPA followed noted procedures for the air monitoring.

Stephen Eppler stated that CPFAN has a technical expert, Chuck Norris, that will be able to attend in May. He would like to have time set aside in May to address his questions related to water quality and the liner. Celia requested that the City be provided with additional details related to Chuck's questions so the City can provide the appropriate experts. Stephen said he will provide additional clarification in advance.

Kim Morse wanted to know if electrical testing would be completed and addressed next month. This information will be covered as part of the construction scorecard update.

Sandra Luis has concerns about the Swansea Elementary air monitoring and soil data. Celia noted she would be able to discuss those results with Sandra. She noted that CAG conversations regarding air quality monitoring need to be focused on air monitoring as it relates to the Superfund site. The Swansea air monitoring station is related to the larger community and not the Superfund site. Lloyd contested that if arsenic is present in the data then the sampling is related. Bridget Walsh would like to hear the information that is provided to Sandra regarding air and soil sampling. Armando Payan said that he met with Michael Olgletree yesterday. Armando noted that Michael stated that all the air monitoring data at the Swansea elementary meets EPA standards. He stated that asbestos monitoring is done through particulate monitoring and is not measured separately. Armando stated his belief that Lisa Cicutto from National Jewish disagreed with Michael's approach to air monitoring. Armando suggested that the representative from National Jewish be asked to speak. Jorge Merida would also like the Swansea sampling data presented to the CAG.

Stephen Eppler would like to get an update on the OU2 operations and maintenance manual.

Jesse stated that the Removal Action is anticipated to be completed in July. Once that is completed, the CAG meetings will move to quarterly from an EPA and City sponsorship perspective. The CAG can still meet monthly without EPA or City sponsorship. CAG members questioned this. Jesse Aviles explained that EPA, CDPHE, and/or CCoD representatives would participate if requested to present site-related information. The CAG members were generally disappointed with the news and questioned the CCoD's

intent. Celia VanDerLoop explained that CCoD had agreed to administer the CAG during the Removal Action and the Removal Action is expected to be operationally complete in July. CAG members have previously made clear that they would like to hear less from the CCoD at CAG meetings. CCoD would participate to present OU2 RI/RS-related information subsequent to July.

Open Community Discussion:

Nelda, community member, indicated she is more interested in coming and would like the City and EPA to change its mind regarding moving to quarterly meetings. She has questions regarding the plastic liner. Kerra Jones indicated she can send the liner presentation material to Nelda.

Christof Kheim, Forney Transportation Museum, stated that Celia VanDerLoop did not contact him regarding the Museum's location on the Vasquez Boulevard/I-70 Superfund Site. Celia responded that the Forney Museum was named as a Potentially Responsible Party for the site, that the CCoD had contacted the Forney Museum multiple times, that the CCoD's Superfund site project manager had met with Mr. Kheim regarding the site and he had given the CCoD's site representative a tour, that EPA had previously contacted Mr. Kheim about the site, and that Michael Sapp of CCoD had set up a meeting with him for the previous week to discuss the site, which the Forney Museum had canceled. He denied any knowledge of a city-initiated meeting. Andrew Ross stated the City will try again to set up a meeting with Christof. Jesse Aviles also indicated he had visited the Forney Museum and left information for Mr. Kheim, but that Mr. Kheim never called him back. Mr. Kheim acknowledged receipt of the EPA letter designating the Forney as a Potential Responsible Party, and offered the Forney Museum as a place for the CAG to meet.

Jennifer Chergo, EPA Community Involvement Coordinator for the site, stated that EPA took soil samples at every elementary school within the OU1 Superfund boundary and those samples indicated there were no threats to human health. Armando Payan asked if indoor air sampling had been done and Jennifer said she could not answer that question.

Meeting concluded at 7:47 pm.