

Colorado Smelter OU2 Future Use Work Session Summary

Date: Wednesday, January 31, 2024

Time: 1:00 – 3:00PM (Mountain)

Location: Hybrid Meeting – in-person at the Pueblo Department of Public Health and Environment (PDPHE) and online via Zoom

Introduction

At Superfund sites, EPA's responsibility is to ensure the protection of human health and the environment. EPA considers current and future land use when making decisions during the cleanup process to maximize options for the future. EPA's Superfund Redevelopment Program (SRP) supports redevelopment planning for sites by bringing stakeholders to the table, understanding the community's land use goals, and integrating those changes into the cleanup process as the site allows. Considering future use informs EPA's remedy and ensures that the cleanup is compatible with the community's desired outcome for the site post-cleanup. EPA Region 8 requested assistance from SRP to conduct a reuse assessment for Operable Unit (OU) 2 Former Smelter Area of the Colorado Smelter Superfund site, in Pueblo, Colorado.

Beginning in early 2023, SRP's contractor, Skeo Solutions, worked with EPA Region 8 to convene several reuse focused discussions and conduct land use research and analysis to identify reasonably anticipated future land use for OU2 Former Smelter Area.

Based on the information provided in these initial discussions, EPA convened a future use work session on January 31, 2024, to share a draft reuse analysis and discuss potential future use options and considerations. The work session agenda topics are listed below:

- Welcome, Meeting Overview, and Introductions
- Overview of Operable Unit 2
- Roles of EPA and City in Future Land Use
- Overview of Property Owner Goals and Community Revitalization Goals
- Discussion of Future Land Use Considerations
- Opportunities and Challenges Moving Forward
- Next Steps

Meeting Participants (listed alphabetically by first name)

Name	Role/organization	Virtual or in-person
Aaron Martinez	Lead Program Manager, PDPHE	In-person
Alisa Wilson	Facilitator, Skeo	In-person
Amanda Bartley	RPM, EPA Region 8	In-person
Beritt Odom	Principal Planner, City of Pueblo Planning Department	In-person
Charles Van Otten	CIC, EPA Region 8	In-person
Dan Brown	Son of OU2 Property Owner, Cecil Brown	Virtual
Desiree Mondragon	Environmental Health Specialist Lead, PDPHE	In-person
Eva Cosyleon	Metropolitan Planning Organization Manager, City of Pueblo	In-person
Fran Costanzi	Superfund Redevelopment Coordinator, EPA Region 8	Virtual
Harric Vander Valk	CAG	In-person
Jeannine Natterman	State public involvement coordinator, CDPHE	Virtual
Joe Deheart	Resident Engineer, CDOT	Virtual
Joe Kocman	BEGIN member	Virtual
John Starr	OU2 Property Owner	Virtual
Pam Kocman	BEGIN member	Virtual
Paul Wrenfree	CAG	In-person
Sabrina Forest	RPM, EPA Region 8	Virtual
Sarah Rae	Site Attorney, EPA Region 8	Virtual
Scott Hobson	Acting Director, City of Pueblo Planning Department	Virtual
Terry Hart	Former County Commissioner, CAG	In-person
Tiara Shahril Anwar	Tech/Logistics, Skeo	In-person
Velma Campbell	Doctor, Mothers Out Front	Virtual

OU2 Former Smelter Area Overview

The historic Colorado Smelter was a silver and lead smelter that operated in the Eilers and Bessemer neighborhoods from 1883 to 1908. The Colorado Smelter historical footprint is bound by Santa Fe Avenue to the east, Mesa Avenue to the south, Interstate 25 to the west, and the Arkansas River to the north. The Bessemer, Eilers, and Grove neighborhoods are adjacent to the former Colorado Smelter site, which now consists of building remains and an approximately 700,000-square-foot slag (waste) pile.

EPA listed the site on the National Priorities List in December 2014, due to the high levels of arsenic and lead (metals) identified in smelter slag and neighborhood soils. EPA then divided the site into two operable units (OUs), OU1 (Community Properties) and OU2 (Former Smelter Area). (See Figure 1)

Since 2015, EPA has conducted sampling at OU2. Investigation of the area's surface water, pore water (water contained in soil, sediment, or rock), and sediment began in 2019 and nearing completion.

As EPA nears the end of remedial investigation for OU2, the next step will be to conduct a feasibility study to evaluate cleanup options and alternatives. EPA anticipates finalizing a Record of Decision for Operable Unit 2 in 2027, although this timeline is subject to change.

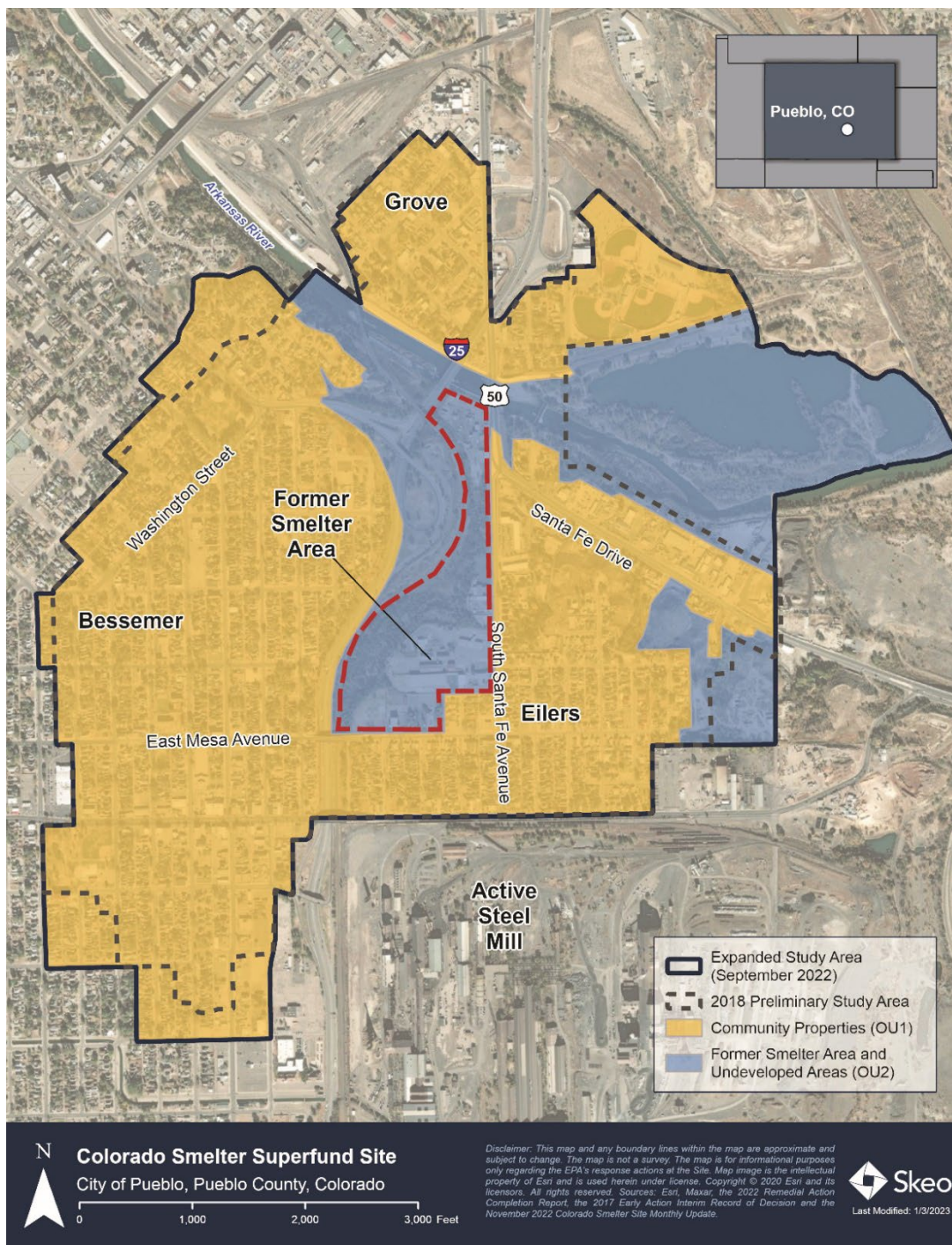


Figure 1. The future use work session and reuse assessment focuses on OU2 Former Smelter Area

Future Use Work Session Summary

The future use session was kicked off by EPA Remedial Project Manager, Amanda Bartley, who described the purpose of the meeting and provided a site status update for OU2. Alisa Wilson, Skeo Solutions, facilitated a discussion with work session participants around future use goals, land use considerations and potential next steps. The main discussion themes are summarized below.

- *Current Private Property Owners:* The majority of private property owners plan to continue to use their properties for light industrial or business purposes. Property owners would like to be aware of any future reuse discussions but generally see future use remaining consistent with current industrial/light industrial zoning.
- *Alignment with Colorado Smelter Revitalization Plan:* Interest in future use of OU2 alignment with the community's revitalization plan for the larger area. Community members expressed broader concerns related to securing funding to advance the goals of the community's revitalization plan and addressing the unhoused situation at OU2.
- *I-25 Realignment:* Proposed I-25 alignment is not anticipated to move forward until 2030-2050 and should not be a driver of reuse. The current Environmental Impact Statement for the realignment will likely need to be updated when the planning process begins again and include another public comment period. It was noted that public institutions (such as a school) increase the amount of taxpayer money needed for a CDOT buyout.
- *Zoning and Local Land Use Policy:* The area is currently zoned industrial and designated light industrial in the comprehensive plan. There was general agreement that the area would likely stay light industrial or commercial and uses such as a grocery store would be better suited in other areas of the neighborhood.
 - A change in land use would require a zoning change application or special use permit with the city depending on the use. The City of Pueblo Planning Department reviews any development plans or requests brought to their attention.
 - Participants discussed whether a special use, zoning overlay or flex district to allow for business zoning may be an interim step to support redevelopment in the area.
- *Future Land Use:* While there is interest in a trail and green space through the vegetated, undeveloped area of OU2 to connect the neighborhoods to outdoor space and the Arkansas River, there is not a clear path or funding options to support next steps. The City of Pueblo may not be interested in acquiring the property at this time due to concerns of Superfund liability and limited capacity or resources to maintain and provide safe and secure trail access through the area. Based on the discussion, significant land use changes are not anticipated for OU2 at this time.
 - If future use of an area is anticipated to change, there are City processes in place to amend the comprehensive plan, obtain a special use permit or amend zoning. Rezoning requires an application and public hearing process. The application is reviewed by the City's Planning & Zoning Commission, and ultimately approved by the Pueblo City Council.
 - EPA considers future use when evaluating clean up options and can revisit anticipated future land use during the remedial process or as new information becomes available.

Anticipated Future Land Use

Based on information provided to date, the anticipated future land uses for OU2 former smelter area are:

- A. Mesa Avenue properties are likely to continue with current community uses of Benedict Park and St. Mary's Church (unless disrupted by I-25 realignment).
- B. Santa Fe Avenue properties are likely to continue as light industrial/commercial.
- C. Due to steep slopes, poor access, wetland features, and the current extent of slag, the future use in the undeveloped areas may be most suitable for open space; limited access uses such as storage; or infrastructure if the I-25 road alignment proceeds.

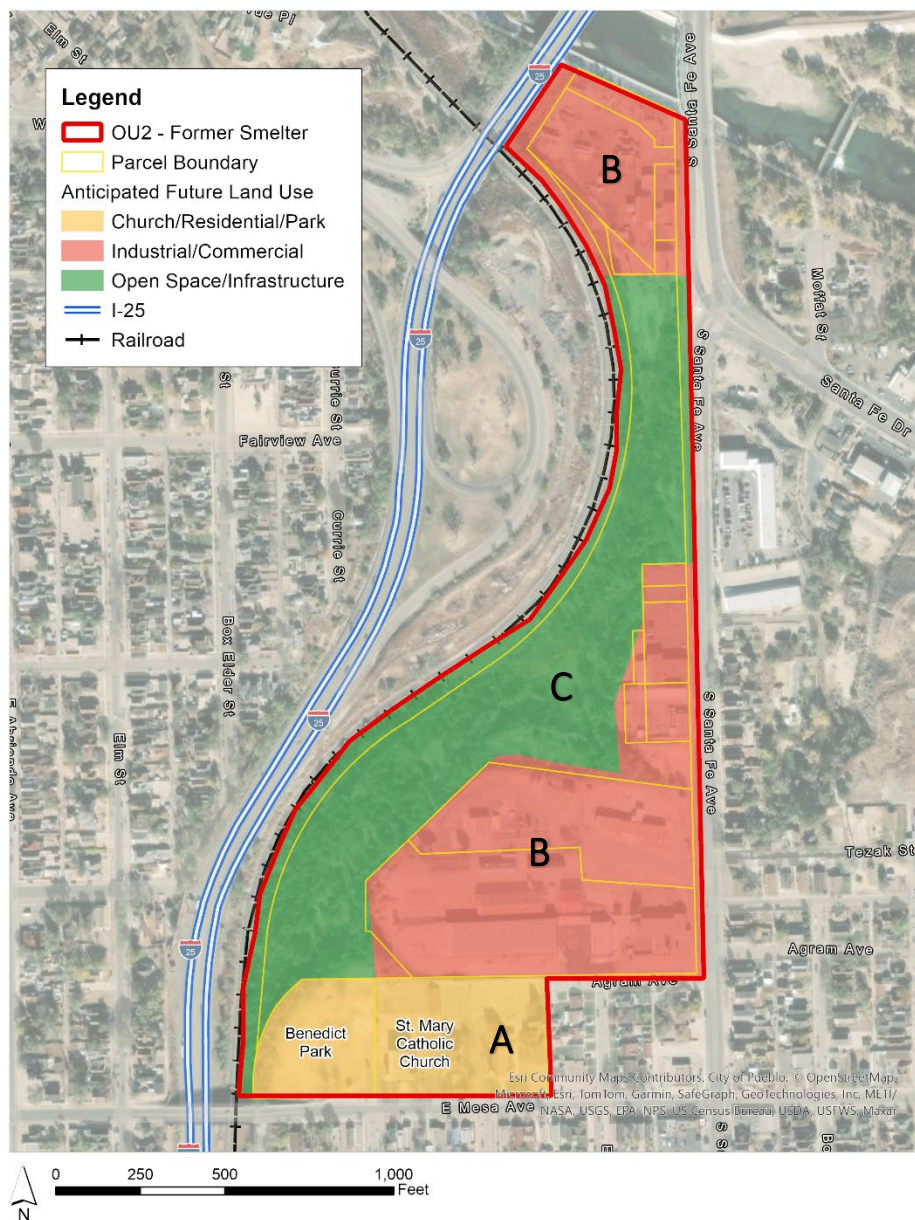


Figure 2. Anticipated Future Land Uses

Recommended Next Steps

Workshop participants discussed the following recommendations and next steps.

- The first step is to develop alternatives to address the growing unhoused population. Due to the contamination present, there is concern about the exposure to the people living on OU2. There is also concern about the trash, needles, and possible cross contamination people track into Benedict Park from the undeveloped area. Lastly, there is concern of trespassing and damage to the private properties.
- Additional funding and support are needed to continue moving forward with the community's broader revitalization goals.
- Participants recommend waiting until there is more sampling and cleanup related information about OU2, such as the Remedial Investigation/Feasibility Study, to convene additional meetings about future use or engaging the broader community.
- The OU2 reuse assessment will be updated based on the information from the work session and provide a framework for any discussions in the future about anticipated future use of the former smelter area.