

2/25/2022

Tribbett, Katherine (Kate)

3:52 PM

From: connie@chkinglaw.com
Sent: Friday, February 25, 2022 3:52 PM
To: R8 Hearing Clerk; Tribbett, Katherine (Kate)
Cc: Rae, Sarah; Baum, Christina (she/her/hers); 'Dan Brown'; 'Brandice Eslinger'
Subject: Brown - Colorado Smelter Superfund Site, Pueblo, Colorado, Superfund Lien - February 24th proceeding - Attachment 13
Attachments: Attachment 13 - 03-27-19 All-Phase Env Consultants Memo re Mtg - EPA Superfund OU2 Remedial Investigation Plan.pdf

Received by
EPA Region VIII
Hearing Clerk

Dear Ms. Stephanie Talbert,

Regarding the Colorado Smelter Superfund Site, Pueblo, Colorado, Superfund Lien – In the matter of 1045-1049, 1103 South Santa Fe Avenue, City of Pueblo, Colorado; Docket No.: CERCLA-08-2022-0003, as we discussed yesterday (February 24th) during the proceeding to address the EPA's basis to perfect the liens, on behalf of Cecil H. Brown, I am submitting Attachment 13 which is the March 27, 2019 memo that Brandice Eslinger, President, All-Phase Environmental Consultants, Inc., described during the proceeding.

Please don't hesitate to contact me if you have any questions or comments. Thanks very much for your consideration.

Connie

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Meeting: EPA Superfund OU2 Remedial Investigation Plan

Date: March 27, 2019

Parties at Meeting:

All-Phase Environmental Consultants Inc. – Brandice Eslinger

Owner – Cecil Brown

Art Hilvitz

Pacific Western Technologies – Driller Travis Austin

EPA Region 8 Representative



Summary:

The following is with regards to the EPA Superfund Smelter investigation and clean-up in Pueblo, CO. The specific area related to this phase of work is Colorado Smelter OU2 Proposed Borehole Locations. This letter is in reference to the property owned by 1000 S Santa Fe LLC (Cecil Brown) as identified by the Pueblo County Assessor as Parcel 1501400002 with an address of 1000 S Santa Fe Ave. in Pueblo City and County.

On March 27, 2019 the aforementioned parties “walked” the property and visually inspected the areas for the proposed testing and drilling. The EPA rep. stated that the scope of work could vary and is dependent on several factors including suspected contamination sources, types of suspected contamination, groundwater gradient, etc. Additionally, the exact locations of the proposed soil boring/groundwater monitoring wells could vary due to locations of underground and aboveground utilities, accessibility, man-made obstacles, fences, underground storage tanks, etc.

The construction of the wells would only temporarily impede access to certain areas of the site (property owned by Cecil Brown). The wells would be located at grade and finished to match the surrounding surface type, concrete, asphalt or dirt. There would also be a temporary, albeit, minimal disturbance during the sampling event(s). During both drilling and installation of the wells as well as any additional sampling events the owner(s) would be notified in advance. (Exact time frame not given).

Results of the sampling event would be reported to the owner; however they would also be reported to applicable regulatory agencies if deemed necessary. The “contamination” would be evaluated, if found, and subsequently categorized as related to the Superfund project or not. If not, the various other appropriate regulatory agencies would be notified and potentially other responsible parties may be identified that are NOT supported or associated with the Superfund project. Therein, lies a potential cradle to grave issue. Ultimately there are many unknowns with regards to the findings of the sampling. If contamination is found, that is not related to the Superfund project, as determined by the EPA...then other potential responsible parties may be identified to “clean-up” that contamination. The cost(s), timeframes and magnitude of this are all variables.

Ultimately, the EPA will be getting back with the property owner to determine the next steps. These are notes as interpreted by Brandice N Eslinger, Environmental Scientist, Industrial Engineer on the date mentioned above. If you should have any other questions please feel free to contact my office.

Sincerely,

A handwritten signature in blue ink that reads "Brandice Eslinger". The signature is written in a cursive style and is positioned above a horizontal line.

Brandice Eslinger, President

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