

MINUTES  
ENVIRONMENTAL POLICY ADVISORY COMMITTEE  
APRIL 7, 2016

A meeting of the Environmental Policy Advisory Committee (EPAC) was convened on Thursday, April 7, 2016, at 5:15 p.m., in the Pueblo County Department of Planning and Development Conference Room, 229 West 12th Street. Chair Kester called the meeting to order at 5:15 p.m.

ROLL CALL

Those members present were:

Bill Alt	Richard Hubler
Sherie Caffey	Nancy Keller
Becky Cortese	Doris Kester
Ted Lopez	Chad Wolgram

Member absent: Susan Finzel-Aldred (excused).

Staff present was: Sandra M. Smith, EPAC Recording Secretary.

APPROVAL OF MINUTES FROM FEBRUARY 4, 2016 MEETING

Chair Kester made the following correction to the minutes: Page 6, Other Discussion, Sentence 17, "If EPAC invites..." should be "If the 2020 Commission invites..."

Mr. Alt moved to approve the minutes of the February 4, 2016 meeting as corrected. Ms. Cortese seconded the motion. The motion carried unanimously. (Note: Messrs. Lopez and Wolgram were not in attendance at the time of the vote (arriving at 5:30 p.m.)).

CHAIR'S REPORT - DORIS KESTER

Chair Kester stated she had nothing to report. However, Mr. Alt has requested some time on the agenda to talk about erosion control along the Fountain Creek. She stated he could give a presentation after Ms. Keller's subcommittee report.

WATER QUALITY SUBCOMMITTEE – NANCY KELLER

Ms. Keller reported the City of Pueblo received their new permit for the water treatment plant. It was issued March 25, 2016. It will be effective May 1, 2016 and will expire in April 2021. The permit regulates the effluent discharge limits allowed to discharge to the Arkansas River. The limits are similar to the previous permit. Reductions in monitoring frequency are included. This is based on ambient water quality data monitoring so the State can evaluate whether the Arkansas River complies with the standards. If the facility has had any consent orders or civil or criminal actions taken, it is not eligible for reductions. If the facility is not meeting any of the standards or does not comply with the permit, it would also be ineligible. If the facility meets all of the requirements, the State looks at the data. If the facility has high quality effluent and is very consistent, the State takes the average of a plus two standard deviation. If that number is below the standard, monitoring is done less frequently. If data varies significantly, it will have a high standard deviation. When two times is added to it, the standards will be exceeded; therefore, the reductions would not be received. She stated the City's facility is so far below the standards that they have two and three times the reductions.

Ms. Keller stated that some of the new requirements of the discharge permit were temperature monitoring at the effluent, the Arkansas River at Moffat, the Runyon outlet, and the Fountain

Creek at 8<sup>th</sup> Street. The three areas are combined to determine the temperature upstream of the facility. This will show whether the Arkansas River is meeting standards, and if there is any assimilative capacity that could be discharged without pushing the Arkansas River over the standards. Monitoring of the effluent is then conducted as it passes through. The discharge data has to be submitted every month. The information will be used to determine the limits on the next permit. If the limits are not met, they will have to chill the water before it is put back into the Arkansas River.

Ms. Keller stated that selenium remains a practice-based limit because the City is under the temporary modification, and the State does not apply the limit to the discharge, but the State does apply a restriction that new industries and any non-domestic water that has selenium that exceeds the stream standards cannot be accepted. There is a 30-day average selenium concentration of 14.1 µg/l and 19.1 µg/l for a daily maximum and a 30-day average sulfate concentration of 329 µg/l. The limits are also in the ordinances so new industries are aware of the pretreatment standards.

Ms. Keller stated the permit has a compliance schedule for nutrients, which requires meeting Regulation 85 limits for total inorganic nitrogen and phosphorus by March 31, 2021. Time is given to evaluate the treatment methods and to make efforts to be in compliance before the standard goes into effect. She stated the City was ahead on the matter because the State offered \$1 million grants that did not have to be paid back, which the City applied for and received two or three years ago. Some of the work was done with that grant money. She stated there was still a little bit more to do, noting they were not far from being able to meet the requirements. She stated that in 2022 the Rate 31 nutrient limits begin, which are much lower and more expensive to meet.

#### EROSION AND FLOODING STATISTICS – BILL ALT

Mr. Alt distributed a Google Earth picture of a portion of his property. It was a depiction of the area after last year's flood in May. He pointed out a pushpin icon at the top labeled "Source" and one at the bottom labeled "Mouth". He stated it showed the development a large gully he calls the Grand Canyon of the Fountain. The gully is 1,850 feet long and 25 feet wide at the source. It averages a 6-foot depth and is 50-foot wide mouth. He stated it equated to 15,446 yards or 23,125 tons of silt being released into the Fountain Creek in that two-week period from the one gully. He stated that the gully cut into the water table and water was now seeping up as if it would in a well. He estimated that 3½-acre feet of water a day was running off into the Fountain Creek. He stated that the water from the water table was evaporating from the exposed 1,850-foot gully. He stated this was not good especially when we are trying to keep up with the problems brought on by Kansas wanting more water. He wanted to bring this to the Committee's attention, noting that these types of erosions are not unusual and are all along the Fountain Creek. He stated this was why there was an emphasis placed on erosion and sedimentation. He stated since 1999, the Fountain Creek has moved about a 1,000 feet to the west. He stated that the Piñon Bridge structure has been reinforced on the west side because the Fountain Creek moved after the bridge was built. He stated the Fountain Creek was not only moving west, but it was getting higher due to sedimentation. He stated the Arkansas Valley was significantly affected because the sediment was plugging up head gates requiring the farmers to dig deeper to get the water into the fields. He stated the silt was getting into the fields, which seals the soil making it harder for the soil to absorb water. Mr. Hubler questioned the size of the area on the Google Earth picture. Mr. Alt replied it was approximately 30 acres.

### ENVIRONMENTAL COORDINATOR (EC) REPORT – SUSAN FINZEL-ALDRED

In Ms. Finzel-Aldred's absence, Mr. Wolgram summarized the Environmental Coordinator's Report for February 2016 and March 2016 for the record, which is attached as Exhibit A. He distributed flyers for the Bessemer and Eilers Neighborhood Clean-Up scheduled for Saturday, April 23 2016; National Prescription Drug Take Back Day scheduled for Saturday, April 30, 2016; Spring Clean-up Day scheduled for Saturday, May 7, 2016, which is open to City of Pueblo residents only; Household Hazardous Waste Collection Day scheduled for Saturday, May 14, 2016, which is open to City and County Residents only; and the Pueblo Area Recycling Guide.

Mr. Wolgram invited members who may be interested in volunteering for the Household Hazardous Waste Collection Day event to call the Pueblo City-County Health Department to register. Mr. Alt questioned if there was a charge for turning in hazardous chemical waste. Mr. Wolgram replied the only charges were for electronics, tires, and appliances that use Freon. He stated they would not be collecting explosives or oil. Mr. Alt questioned the recycling of antifreeze. Mr. Wolgram stated that Ms. Finzel-Aldred would have a map at the event's exit gate showing the nearest locations that accept oil and antifreeze so that participants do not have to take it back home or dispose of it illegally.

### SOLID WASTE SUBCOMMITTEE - TED LOPEZ

Mr. Lopez stated he had nothing to report.

### OTHER DISCUSSION

Mr. Wolgram questioned if the City passed the recycling ordinance. Ms. Cortese replied yes, it passed in December. A-Affordable has set up a recycle drop-off location at their office on the west side. There are other sites proposed just as soon as the funding is available for containers. Mr. Wolgram questioned how the project was going. Ms. Cortese replied it was going well. She noted that single commodities were still down and that it was difficult to dispose of them without paying a large fee.

Mr. Alt stated he heard that China was no longer taking the plastics we were sending to them. Ms. Cortese replied that plastics were petroleum-based products, and because fuel costs were down, it was cheaper to make new plastic than it was to recycle the old. She noted that water bottle plastic was starting to get more flimsy, which does not recycle well. Manufacturers are cutting corners where they can. Mr. Alt questioned what was being done with those plastics. Ms. Cortese replied that was a good question. Mr. Lopez stated people would have to stop buying products with plastic. Ms. Cortese replied that it might come down to that as well as address manufacturer responsibility. Mr. Alt questioned if the plastic would end up in the landfill. Ms. Cortese replied yes. She stated that people would recycle the water bottles as they usually do, but once they get to the recycling facility, they would be sorted out and shipped to the landfill. She stated plastics are becoming a large problem. Mr. Alt stated we might have to go back to the glass bottles with two-cent returns. Ms. Keller stated that many states still do that.

Ms. Caffey questioned a Spring Safety Fair in the Eilers neighborhood. Mr. Wolgram replied the event would be held April 30, 2016, mainly for the superfund area. He stated the participants would be educated on the hazards and risk reduction of lead and arsenic poisoning as well as safety. Spring is coming and people are going to start gardening. Mr. Hubler questioned Ms. Caffey if CSU-Extension had a partnership for soil testing. Ms. Caffey replied that CSU-Extension has a soil testing kit. She stated she was going to have a booth at the Colorado State Fair educating the public about the risks associated with gardening. Mr. Wolgram stated the Pueblo City County Health Department (PCCHD) has the capability of testing the soil, noting that

the Environmental Protection Agency (EPA) has been conducting tests of the area. He stated the PCCHD's testing of the neighborhood would not be useful to the EPA. Mr. Hubler questioned if the PCCHD's testing was accurate. Mr. Wolgram replied yes.

Chair Kester questioned if there has been any evidence that children who grew up in that area have health problems because of the contamination, noting that lead and arsenic have been in the soil for a very long time. Mr. Wolgram replied that the problem with lead is that no physical effects are shown. Lead poisoning usually contributes to slower development of the brain and some behavioral issues. He stated tests for lead are not done that often, but Pueblo being a large smelter town, they should be. He stated that at the height of the industry, there were about seven smelters throughout the area. He stated there was not a lot of historical data on lead poisoning. He stated the PCCHD as begun some tests for lead poisoning. He stated they have a device that pokes the finger to test people for lead. If it is elevated, they are referred to their doctor or to a lab for confirmation. Conducting these tests will allow the PCCHD to gather more data. As part of the superfund testing, a health study of the area is being conducted to see if there are elevated cancer rates in certain areas.

Chair Kester questioned if the Flint, Michigan water problems had to do with lead. Mr. Wolgram replied that it was a water source issue. He stated the water source was changed and he was uncertain if the water waste tested properly. Ms. Keller stated it was a proclivity of the source water. The water is leaching lead out of houses that have old pipes because the water was corrosive.

Mr. Lopez stated there were many children from the Eilers neighborhood that played in the dumps by the smelters, noting people did not get sick. He stated there were many elderly people who lived into their eighties and nineties. He stated the question is why there is a problem now several years later. He stated he attended a meeting last October that talked about results from 30 or 90 tests, and out of all the tests, there were only six that were elevated. Mr. Wolgram questioned if it was through the Agency for Toxic Substances and Disease Registry (ATSDR). Mr. Lopez replied he believed so. He stated the commentary at the meeting was that although the readings were high they could not tie them directly to a specific neighborhood. He stated, as a child, he was bussed through the area to go to school, and he currently owns an office in the area. He stated in Salt Creek the prevailing winds were to the east or southeast and the only thing they were worried about was that the clothes would get dirty if they were hung outside on the clothesline. He stated if people did get cancer in the area, it could not be conclusive that is was because of the environment of the smelters. Ms. Keller stated that many people get cancer from unknown sources. Mr. Lopez stated it could be lifestyle rather than environmental. Mr. Wolgram stated there were a lot of old homes in the neighborhood. It would be hard to tell if it was from the soil or the lead paint. He stated the EPA grant would help pay for testing inside the homes and provide education on how to reduce the risks of lead poisoning. He stated that six out of the 39 tests was a high percentage for a small population compared to the 2½ percent national average of elevated bloodline levels. Ms. Keller stated the national average was from all types of communities, not just older communities. She questioned what the average was for communities that have older homes. Mr. Wolgram replied he was not sure. Mr. Lopez stated there was an article in the Pueblo Chieftain newspaper last week about a burnt house on Spruce Street. The City cannot do anything with it because of the designation within the boundaries of the superfund area. He stated that somebody mentioned to him that the Assumption Church property was for sale, but because it fell within the superfund boundary, the bank would not issue a loan. He stated that if he were to sell his office building, the buyer would have to have cash. He stated the superfund testing has many negative impacts. Mr. Wolgram stated that one of the problems is there is not a set boundary. Once the EPA finishes the sampling and determines a set boundary, it will exclude several properties. Chair Kester questioned if the testing area had been enlarged at one point. Mr. Wolgram replied that they were looking at about a half-mile radius around the

old smelter. Chair Kester stated that slag from the smelters was sold to the railroads to use as ballast for the tracks, noting it went all over the country. Mr. Lopez stated slag was being used as gravel in driveways all over Pueblo. Ms. Keller stated that slag was still available for that use. Mr. Alt stated that slag was cheaper than gravel.

Mr. Alt commented on the smelters being located in Pueblo. He stated the geography for the area was downhill. He stated it was much easier to use mules carrying ore uphill than it was downhill. He felt the CF&I was put where it was because it was cheaper for the railcars to come to Pueblo full and leave empty.

#### AGENDA FOR JUNE 2, 2016 MEETING

The next regularly scheduled EPAC meeting is Thursday, June 2, 2016, at 229 West 12th Street, from 5:15 p.m. to 6:30 p.m.

#### ADJOURNMENT

There being no further business before EPAC, the meeting was adjourned at 6:00 p.m.

Respectfully submitted,



Sandra M. Smith  
EPAC Recording Secretary

SMS



# PCCHD ENVIRONMENTAL COORDINATORS' REPORT

## *For EPAC Meeting 4/7/16*

February 2016

### **General Work**

Susan promoted the Colorado Association For Recycling (CAFR) annual "Recycled Poster/Calendar" contest to all Pueblo area schools, and is serving again as the coordinator for the CAFR June 2016 "Summit For Recycling" conference scholarship program for college students. Promotion was made to CSU-P and PCC, and 20 other Colorado universities.

The Environmental Coordinator assisted the County Facilities Department to upgrade the recycling programs at Fulton Heights Rec Center and th District Attorney Office. and CSU Pueblo County Extension Office. Susan made signage, delivered bins and presented three separate outreach sessions, educating 60 employees on what and where to recycle at each site.

### **Stormwater Education**

The Annual Report of *Public Education and Outreach* was written and distributed to Pueblo area MS4 (stormwater) permit partners. In 2015, 1,649 people were reached by the Environmental Coordinator through school classes, education booths and presentations on the issues of anti-littering, and pollution prevention of land and water. The Environmental Coordinator served on the planning committee for and attended the SoCO *Regional Stormwater Education Seminar*, held on Feb. 10 at the CSU-Pueblo. Other planning committee members were from City of Pueblo Stormwater Utility, Pueblo County Public Works, Pueblo West Public Works, and Canon City Stormwater Utility. Approximately 85 participants from the construction and professional engineering fields and six vendors attended the half-day seminar.

**Recycle Hotline** calls = 42 people

**Recycle Guides** mailed = 4

### **Solid Waste Assistance Program (SWAP):**

Due to unseasonable warmer weather, four cases were opened this month; two on the eastside, one on the far west side, and one near the Fairgrounds is pending. Two previous properties continued to clean in February, with one completed by curbside trash compactor service.

Environmental Coordinator attended the **following meetings:** PCCHD Work Force Development Day, CAFR Education and Outreach Committee, CAFR Summit Planning Team, Stormwater Quality Advisory Committee, and EPAC.

## March 2016

### **General Work:**

The Environmental Coordinator is assisting the Avondale Community Team with their 2016 The Colorado Trust project. The EC will partner with the team to make strides for environmental improvement that the team has identified. The first project will connect with the Household Hazardous Waste (HHW) Event on May 14. Susan will train the volunteers on safety procedures at the end of April. The Avondale team will make curbside pick-ups of old chemicals, paint, cleaners, pesticides and other specific items by appointment May 6-13. Volunteers in pick-up trucks will then 'carpool' the items to the State Fairgrounds on event day.

The final proof of the Spring 2016 *Recycle Guide* was sent to printer, and promotion of the state recycling conference was made to southern Colorado contacts and universities.

### **Education:**

The EC provided handouts at a self-service display for Heritage School Family Night March 2. Susan made signage, delivered bins and presented an outreach session at the CSU-Pueblo County Extension Office, educating 8 employees on what and where to recycle in their offices, as part of the County Facilities program.

Stormwater pollution prevention classes with a litter patrol were made to 70 South Park School 2<sup>nd</sup> graders on May 29.

Susan helped to organize a community meeting in Bessemer and Eilers Neighborhood with Councilman Ray Aguilera, that addressed upcoming clean-ups, crime prevention, and code enforcement. Over 50 residents were in attendance and received flyers on the EC events and *Recycle Guides*.

### **Events**

Susan assisted the CSU-P ENACTUS student group to perform the second waste sort at the Psych/Business Buildings and Massari Rec Center on March 8 and 9. Data from the fall waste sort will be compared with these findings, but it was apparent that considerably less paper is being trashed since the new desktide bins were distributed in each office and classroom.

Much time was spent planning advertising, arranging contractors, and ordering supplies for the April and May events: LitterBee classes, 3 City clean-ups, HHW Collection Day, and Spring Clean-Up/Discount Day at the Southside Landfill May 7.

**Recycle Hotline** calls = 87 people

**Recycle Guides** mailed =17

### **Solid Waste Assistance Program (SWAP)**

All four cases from February continue to fill their dumpsters, and a 30 yd. dumpster was awarded to a new case on the Eastside for branches, asphalt shingles, junk and lumber.

The Environmental Coordinator attended the **following meetings:** *Colorado Association For Recycling* Education and Outreach Committee, PCCHD General Staff, Sustainable Pueblo