Message

From: Fronczak, David [Fronczak.David@epa.gov]
Sent: 4/17/2019 1:30:40 PM
To: Aviles, Jesse [Aviles.Jesse@epa.gov]
Subject: Re: Following up to December 12 CAG meeting

Sounds good. I'm out of the office today, but will be in tomorrow.

From: Aviles, Jesse
Sent: Wednesday, April 17, 2019 7:26 AM
To: Fronczak, David
Subject: RE: Following up to December 12 CAG meeting

Hello David:
I wasn't at the office yesterday. Let's talk when you get a chance.
Jesse

From: Fronczak, David
Sent: Tuesday, April 16, 2019 07:34
To: Aviles, Jesse <Aviles.Jesse@epa.gov>
Subject: Re: Following up to December 12 CAG meeting

Hey Jesse, I assume you are referring to the 1 year time frame? At this point what I can do is have CDPHE complete these ASAP.

Sent from my iPad

On Apr 12, 2019, at 8:17 AM, Aviles, Jesse <Aviles.Jesse@epa.gov> wrote:

> Let me know when you have a chance to talk. It seems that we are not complying with the time frame under § 300.420.
>
> ---
>
> **From:** Fronczak, David
> **Sent:** Monday, April 8, 2019 07:26
> **To:** Aviles, Jesse <Aviles.Jesse@epa.gov>
> **Subject:** RE: Following up to December 12 CAG meeting
>
> Hey Jesse: the state has the two preCERCLA screens on their work plan for this year. I anticipate they will be completed prior to the end of FY2019.
>
> Thanks,
> David
>
> David Fronczak
> Site Assessment
> US EPA Region 8
> 1595 Wynkoop Street

Denver, CO 80202
(303) 312-6096

From: Aviles, Jesse
Sent: Friday, April 5, 2019 9:10 AM
To: Fronczak, David <Fronczak.David@epa.gov>
Subject: RE: Following up to December 12 CAG meeting

Hello David:
Did you had a chance to check with CDPHE?
Jesse

From: Fronczak, David
Sent: Monday, March 11, 2019 08:07
To: Aviles, Jesse <Aviles.Jesse@epa.gov>
Subject: RE: Following up to December 12 CAG meeting

Hey Jesse: CDPHE has been extremely short handed in site assessment, but I'm having a planning meeting at the end of the month, so hope to know more on these future preCERCLA screens.
Thanks,
David

David Fronczak
Site Assessment
US EPA Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6096

From: Aviles, Jesse
Sent: Tuesday, March 5, 2019 11:01 AM
To: Fronczak, David <Fronczak.David@epa.gov>
Subject: RE: Following up to December 12 CAG meeting

Hello David:
Did the State finish their review?
Thanks,
Jesse

From: Fronczak, David
Sent: Monday, July 30, 2018 12:56
To: Aviles, Jesse <Aviles.Jesse@epa.gov>; Ketellapper, Victor <Ketellapper.Victor@epa.gov>
Subject: RE: Following up to December 12 CAG meeting

Hi Jesse: I'll check in with the State and let you know what I hear.

Thanks,
David

David Fronczak
Site Assessment
US EPA Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6096

From: Aviles, Jesse
Sent: Monday, July 30, 2018 12:42 PM
To: Ketellapper, Victor <Ketellapper.Victor@epa.gov>; Fronczak, David <Fronczak.David@epa.gov>
Subject: RE: Following up to December 12 CAG meeting

Hello Victor:
Can you give me an update on this?
Jesse

From: Ketellapper, Victor
Sent: Wednesday, March 7, 2018 09:54
To: Fronczak, David <Fronczak.David@epa.gov>
Cc: Aviles, Jesse <Aviles.Jesse@epa.gov>
Subject: FW: Following up to December 12 CAG meeting

David,

I talked to Jesse this morning about two chlorinated solvent plumes within the VBI70 Superfund Site. We determined the next step would be to conduct a pre-CERCLA screen on these sites, with a focus on evaluating the vapor intrusion pathway. I would like to see this work completed in the next couple of months. Could you discuss with CDPHE to see if they would like to take the lead. If not, lets discuss whether or not we should task Weston to do this work. There is a web link below to two reports prepared by Denver on these two sites. Jesse has a couple more reports on that have chlorinated solvent data that he will provide to you.

Victor

From: Aviles, Jesse
Sent: Monday, February 26, 2018 7:49 AM
To: Ketellapper, Victor <Ketellapper.Victor@epa.gov>
Subject: RE: Following up to December 12 CAG meeting

Thanks for the response Victor. I don't have a preference. Let's talk so I can understand a little better the options. I can also provide information about the VBI70 site and see what is the best fit. I am available today except between 10-11. Tomorrow I am available all day.

From: Ketellapper, Victor
Sent: Friday, February 23, 2018 14:41
To: Aviles, Jesse <Aviles.Jesse@epa.gov>
Subject: RE: Following up to December 12 CAG meeting

Jesse.

Sorry about taking so long to respond to your email. It somehow got buried in my inbox.

As this is a different contaminated then that addressed by the VBI70 Site, there are two options to further evaluate the PCE plume.

1. I could request that CDPHE evaluate the PCE plume under the Site Assessment program for vapor intrusion. Since there are just a few homes located within the boundaries of the plume, the site would likely not be eligible for the NPL. So the site would be referred to another program, likely the State Voluntary Cleanup Program or the EPA Removal Program
2. The site could be referred to the EPA removal program for evaluation and possible further assessment.

Any preferences on how you would like to proceed?

Victor

Victor Ketellapper, PE
Team Leader, Site Assessment Program
USEPA Region 8

From: Aviles, Jesse
Sent: Wednesday, February 14, 2018 9:26 AM
To: Ketellapper, Victor <Ketellapper.Victor@epa.gov>; Wharton, Steve <Wharton.Steve@epa.gov>
Cc: Guy, Kerry <Guy.Kerry@epa.gov>; Thomas, Rebecca <Thomas.Rebecca@epa.gov>
Subject: FW: Following up to December 12 CAG meeting

Victor:

Did you had a chance to look at the request below? Or is this Steve's or someone else responsibility?

Jesse

From: Aviles, Jesse
Sent: Tuesday, January 2, 2018 14:33
To: Wharton, Steve <Wharton.Steve@epa.gov>; Ketellapper, Victor <Ketellapper.Victor@epa.gov>
Subject: FW: Following up to December 12 CAG meeting

Steve, Victor:
Below is response to a CAG member request to reopen VBI-70 OU1 or create a new OU because of the presence of new contaminants. The CAG member, Ms. Kim Morrison, did not provide any information regarding the type and location of the contaminants she mentions. In

my response to her I looked at environmental reports for two city projects: the National Western Complex (https://www.denvergov.org/content/dam/denvergov/Portals/771/documents/EQ/EULD/Phase%20IIESARev3Terraconcomp.pdf) and the 39th Avenue Greenway report (https://www.denvergov.org/content/dam/denvergov/Portals/771/documents/EQ/EULD/PinyonSoilInvestigation.pdf). Below is my response to her about lead and arsenic.

These reports and other reports from work done at OU2 show concentrations of tetrachloroethylene and other chlorinated solvents. The National Western Complex report shows a tetrachloroethylene plume that is defined in its downstream edge but not on the upstream. The highest concentration in this plume is 57 µg/L. The 39th Avenue Greenway report mentions that "A known PCE plume is present in the area of the 2424 East 40th Avenue property. PCE concentrations are within groundwater standards and the offsite source was not identified." No more information about the PCE was provided in the report. Data collected by PWT in 2012 and a 2015 data summary report from the City and County of Denver show concentrations of tetrachloroethylene ranging from not detectable to 52 µg/L at eight different sampling locations. The data was collected as part of the activities at OU2. These numbers are above the MCL of 5 µg/L and the vapor intrusion target groundwater concentration of 15 µg/L.

Following on my response to Kim, I am forwarding this summary for your evaluation. Most likely she and other CAG members will want a response on her request. Let me know if you have any questions or comments.

Jesse

From: Aviles, Jesse
Sent: Thursday, December 28, 2017 12:39

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Kim:

Your request for reopening OU1 was clear. Based on previous communications, this is what I understood you are asking for. You are worried about possible contaminants in OU1. You want those possible contaminants addressed by Superfund. You also want that I, as the EPA, ask Denver to stop all construction work along 39th Avenue.

There is no form or instructions to reopening an operable unit or to establish an operable unit. The following link explains the site discovery process. https://www.epa.gov/superfund/superfund-site-assessment-process. The reports I mention below do not have information to reopen OU1. Other compounds besides lead and arsenic were included in those reports. I will look into the additional compounds analyzed for in those reports. Superfund is not the only program that deals with environmental contamination. Brownfields, state voluntary or mandatory cleanup programs, and the Resource Conservation and Recovery Act (RCRA) program, to name a few, deal with environmental cleanups and land reuse. Any of these programs can manage the investigation in a more efficient manner or in a statutorily required way. The Superfund program can not stop the activities that Denver is performing along 39th Avenue.

Jesse

From: K Morse [mailto:Kimberly.morse@outlook.com]
Sent: Wednesday, December 27, 2017 13:09

Ex. 6 Personal Privacy (PP)

Subject: Re: Following up to December 12 CAG meeting

Jesse,

My apologies if I was not clear in my request. I would like to know what the process is for a resident to request the expansion or addition of an operating unit within an existing superfund site. Please send me the instructions or appropriate form.

The Pinyon report shows 3 samples, just 3 borings along 39th Avenue in Cole. This area, if you are not familiar with it, is the closest to residential homes of any part of the Platte to Park Hill project. As I've shared with you and our fellow CAG members, this project is in such close proximity to homes that the contractor will be taking down my neighbor's fence during construction.

In addition to the smelters we've had commercial industrial active along this corridor for decades. Given the significant discrepancies between testing and actual excavation results at GLO, I hardly feel comfortable with your 'assumption' of what the contractor will find as they excavate 39th Avenue and the scrap yards.

Denver residents are paying a hefty price tag financially for this project and some residents are paying with more than just their tax dollars. We have a right and an expectation that our environmental agencies will act under their charge to protect human health and the environment. Without a full environmental study of 39th, particularly in the residential area, we don't know what risks exist and we cannot be assured of our protection.

So I am asking you again to please send me the form or instructions for getting an OU status for 39th Avenue.

Regards,

Kimberly

From: Aviles, Jesse <Aviles.Jesse@epa.gov>
Sent: Wednesday, December 27, 2017 10:52 AM
To: AE; Apostolopoulos, Fonda; Aviles, Jesse; Bridget Walsh; Candi CdeBaca; Celia Vanderloop; Chergo, Jennifer; Christine O'Connor; Chy Montoya; Cliff Lind; Drew Dutcher; Elizabeth Suarez; Emily Lapel; Gene Hook; Jack Paterson; Jacqui Lansing; jeannine.natterman@state.co.us; Jeff Allen; Jennifer Luthi (Denver); Jim Garcia; Joan Seeman; Kenia Abeyta; Jones, Kerra M. - DEH COM Communications; Kim Morse; Lloyd Burton; Meghan Hughes; Mike Dugan; Roberto Eaton; Rodolfo Rodriguez; Ron Rohr; Stephen Eppler; Vernon Hill; Wharton, Steve; Zach Clayton
Subject: RE: Following up to December 12 CAG meeting

Kim:

Currently, there is no basis to expand the scope of OU1 to include commercial/industrial properties. The soil sampling results from commercial/industrial properties conducted as a part of the nearby Asarco Globe site investigation did not indicate significant risk, and were assumed to be representative of what would be obtained at commercial properties within OU1.

I reviewed the report for the National Western Complex. You can find it at: https://www.denvergov.org/content/dam/denvergov/Portals/771/documents/EQ/EULD/Phase%20IIESARev3Terraconcomp.pdf. Terracon collected about 124 soil samples. Only one sample, with a concentration of 875 mg/kg, was above the industrial risk based criteria of 800 mg/kg for lead. Seven samples, including the previously mentioned sample, were above the numerical cleanup criteria, 400 mg/kg, used in the OU1 Record of Decision for residential properties. No sample was above the arsenic numerical cleanup criteria of 70 mg/kg established at OU1. I also reviewed the 39th Avenue Greenway report. You can find it at: https://www.denvergov.org/content/dam/denvergov/Portals/771/documents/EQ/EULD/PinyonSoilInvestigation.pdf. Pinyon collected about 32 samples. None of the samples had arsenic or lead concentrations above the values presented above.

You can send me any data you have available.

Jesse

From: K Morse Ex. 6 Personal Privacy (PP)
Sent: Wednesday, December 27, 2017 07:15
To: Aviles, Jesse <Aviles.Jesse@epa.gov>
Subject: Fwd: Following up to December 12 CAG meeting

Begin forwarded message:

From: K Morse <kimberly.morse@outlook.com>
Date: December 27, 2017 at 7:12:42 AM MST

Ex. 6 Personal Privacy (PP)

Subject: Re: Following up to December 12 CAG meeting

Celia, Jesse, Jon, Andrew,

Good morning.

I'm following up on a few action items, several of which you committed to, from previous meetings.

Celia- Mr. Froebel committed to providing us with liner documentation specific to our questions 2 months ago. Will you please obtain this documentation and provide it before or by the January 9th CAG meeting?

Jesse- Please send us documentation/instructions for either re-opening and expanding the scope of OU1 or for adding another OU to the VB/I-70 superfund site before or by the January 9th CAG meeting.

Andrew, John- Please send us the reports on water and the landscape pre and post construction as we'd requested at the last meeting before the January CAG meeting.

Celia- Following up on my request to you and Brett earlier this week please also send the following reports:

The Globeville Landing Outfall Final Design Report mentions that Laboratory Analysis will be part of the excavation and disposal budgets, found in items A.4 and B.5 of Table 5. Will you please provide me with a copy of all of the laboratory analyses and all field notes associated with the samples to date?

Additionally, Table 5 of the Final Design Report estimates that 535 tons of hazardous waste will be excavated from the Coliseum parking lot and another 1,340 tons of hazardous waste will be excavated from Globeville Park. Will you please also provide me with the records related to the amount of hazardous waste removed and disposed of to date along with the characteristic/compositional analyses that established them as hazardous waste?

Thank you.

Kimberly

On Dec 15, 2017, at 1:41 PM, K Morse **Ex. 6 Personal Privacy (PP)** wrote:

> Andrew, Jon, Ian, Jennifer C.,
>
> I am following up to request a timely response to my questions.
>
> Kimberly
>
> ---
>
> **From:** K Morse
> **Sent:** Wednesday, December 13, 2017 8:15 AM
>
> **Ex. 6 Personal Privacy (PP)**

Ex. 6 Personal Privacy (PP)

Cc: Janet Feder; Ed Armijo
Subject: Re: Following up to December 12 CAG meeting

I forgot a question.

Will recycled water flow from the golf course flow down 39th Avenue on its way to the GLO and the Platter?

From: K Morse
Sent: Wednesday, December 13, 2017 8:13 AM
To: Jones, Kerra M., DEU COM Communications, Montana, Chu, City

Ex. 6 Personal Privacy (PP)

Cc: Janet Feder; Ed Armijo
Subject: Following up to December 12 CAG meeting

Jon, Andrew, Ian,

Thank you for taking time to present on ground and surface water last night.

Attached is the outline of what we were seeking for your presentations to cover. It was presented to Kerra at the November meeting. I wanted to make sure you received it in advance of the January meeting as our group will be asking questions related to the subject matter in this outline.

As Public Works was directly involved with the design and planning for the GLO project please bring the appropriate Public Works employee to the January meeting to help with our questions.

In the interim, I have several questions specific to your presentations that I would like you to answer before the January meeting. They are as follows:

Ground water:

- Where is the ground water coming from within the GLO site?
- If ground water moves at the rate of a foot per year, WHY is there 10 times or so the amount of water moving through the site as compared to what was anticipated during the planning for this project?
- Why did Ian's presentation include simulated water levels rather than actuals? Where is the data?

- We would like to receive the reports/documentation that your team has used in projecting/planning for the project and subsequent reporting after the project got under way.

Surface water:

- Your presentation stated there is no routine flow monitoring done on the stormwater conveyance system. How do you determine the baseline of flow in 'normal' years versus high rain fall years and the resulting impact the change in flow will have on the river?

- We would like to receive the reports/documentation your team has used in the planning for the GLO project and for last night's presentation.

GLO specific:

The P to P GLO website states:

"A new open channel design will help clean storm water naturally when possible and will move the water to its ultimate destination, the South Platte River."

- What is the intended cleaning method?
- How much of the water is expected to be cleaned?
- How will we know if the 'cleaning' is successful? How will it be monitored? Where will it be reported?

- What is the risk to the river, wildlife (water bound and not), humans due to uncleaned water entering the river?

Additional action items:

- Celia will follow up with Mr. Frobel to obtain the documentation he promised at the November meeting.

- Jennifer Chergo will advertise the next CAG in the Nickel Saver and the Your Hub section of the Denver Post.

- Please provide instruction for requesting that either OU1 be re-opened to include 39th Avenue and the industrial areas that were previously excluded, but which reside within the interior of the 4.5 square mile VB/I-70 superfund site or for requesting that a new OU be added to the site.

- CAG members request that the OU1 FAQ that was recently distributed NOT be added to the record as there is some incorrect or questionable information within. CAG members would like to weigh in on this before it is added to the record.

Thank you.

Kimberly Morse