

CDPHE Emails

Fri, Mar 10,
3:00 PM

Apostolopoulos - CDPHE, Fonda
<fonda.apostolopoulos@state.co.us> Fri,
Mar 10, 3:00 PM

to me, Douglas, Jeannine,
Jennifer

Sharon.

I had seen some preliminary data of the site characterization (soil, groundwater and surface water) a couple of months back, and asked them for some more data where they had some anomalous readings (from ground penetrating radar and one soil sample) and told them they (the contractor) needed to go back and further investigate those areas with some additional test pits.

Once they have completed the site characterization, the developers will be submitting an application to the Voluntary Cleanup Program along with setting up a "meeting" (not sure where or how) with the neighborhood to go over the results and their development plans. Please understand that the state will only be looking at soil, groundwater and surface water data to determine if the development plans will be protective of human health and the environment. The state will have no say in the zoning or development plans on the site, as this will fall onto the City of Arvada.

As far as timing for the submission of the application, I have had no contact with the consultant or developer of the site indicating when they will be submitting.

Fonda

Sat, Feb 11,
10:48 AM

Apostolopoulos - CDPHE, Fonda
<fonda.apostolopoulos@state.co.us> Sat,
Feb 11, 10:48 AM

to me

Sharon.

Adequate groundwater characterization is a key indicator of what's inside a landfill. Adequate characterization includes soil samples, groundwater/surface water samples, test pits, and ground penetrating radar. After that has been performed, it will give us a very good idea of what we're dealing with.

After the last round of characterization of the site, groundwater, surface water and soil samples came back fairly inert except for one area on the upgradient side of the landfill; they will dig a test pit to further characterize. The ground penetrating radar came back with an "anomalous" reading, where they will also dig a test pit to further analyze the area.

Nothing has been formally submitted to our offices. Once that happens, we have notified the applicant that they will have to present the findings at a public meeting, where they will have to reply to all of the resident's concerns.

Until I see an application, I won't have much else to report.

Fonda

Apostolopoulos - CDPHE, Fonda
<fonda.apostolopoulos@state.co.us> Fri,
Feb 10, 5:06 PM

Fri, Feb 10,
5:06 PM

to me

Sharon.

I wanted to reply so you could have something for the weekend.

Couple of things:

1. The Kilmer landfill is not a Superfund Site and redevelopment options depend on what kind of cleanup might be necessary.
2. In this situation (as an example of possible redevelopment), the state would never allow residential development on a landfill for many reasons (primarily due to methane production), and would require complete removal of the solid waste.
3. My understanding is that the current owner is going to propose a similar redevelopment plan, as the previous applicant (outside and building storage), and it would require methane mitigation for the buildings, armoring of the embankment of the adjacent stream, and a Materials Management Plan for possible soil removal.

I'm still waiting for final soil and groundwater/surface water results before we can determine what remediation may be needed.

Without the final characterization of the site, redevelopment options would be purely speculative.

I hope this helps.

Fonda

Date: December 1, 2022 at 11:54:01 AM MST

Subject: RE: Kilmer Landfill, Arvada CO

Dear Mr. Gerbatsch,

Thank you for your October 12 email. We've spent some time reviewing the information contained in your email, as well as conferring once again with the Colorado Department of Public Health and Environment (CDPHE).

The following information is offered in response to your questions and requests concerning:

1. The details of additional sampling and assessment activities that will be undertaken by the VCUP applicant to ensure that bordering communities, the environment, and the ecology are not harmed;
2. Historical site data are better qualified, and
3. Opportunities for public engagement related to future testing and assessment activities

1. Details of Additional Sampling/Assessment Activities Agreed to by the Applicant EPA understands that the Voluntary Cleanup (VCUP) applicant withdrew their application on September 2nd. The CDPHE will require any future VCUP applicant to generate current data on the property to include surface water and groundwater to evaluate potential runoff or leachate of contaminants. The specific details of the future sampling and assessment activities are to be determined, pending submittal of a VCUP application to the CDPHE.

2. Historical Site Data We've reviewed the May 10, 2022 email attached to your October 13 email and are familiar with the reports included with that email, which are dated between 1982 – 1995. While the data included in those reports provides historical insight, it will be important to collect current site data. As mentioned above, the CDPHE requires that VCUP applicants conduct site characterization activities. Characterization efforts will be designed with consideration of site history and previous data. The results of that future site characterization will be reviewed by the State. If site characterization indicates cleanup actions are necessary, CDPHE will identify specific actions the applicant must conduct to certify that cleanup of the property is complete.

3. Opportunities for Public Engagement The CDPHE will require that any future applicant hold a public meeting to address the concerns raised by the public. The public meeting will be followed by a public comment period for a minimum of 30-days, during which time the public and residents living near the site may provide comments regarding any new applicant's plans for the property. Please be assured that the CDPHE, as the lead regulatory agency, will continue to provide programmatic oversight for any future VCUP applicant all throughout the process of cleanup, in order to ensure compliance with environmental laws, appropriate land use, and established environmental standards.

The best contact at CDPHE for questions concerning the Kilmer Landfill is Mr. Fonda Apostolopoulos, fonda.apostolopoulos@state.co.us.

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