

# RICO COLORADO TOWNSITE

## ADDITIONAL COMMENTS

- Lawn watering and maintenance will be the responsibility of the property owner. Existing irrigation systems, if any, will be re-installed.
- Soil removal will stop at the drip line of trees and shrubs to protect these plantings.
- Excavated soil will be transported to the Rico Soil Lead Repository for disposal.
- Excavated soils will be covered or adequately wetted in the haul vehicle to prevent fugitive dust emissions.
- Upon completion of cleanup work, the property owner will be asked to sign a Statement of Completion stating that remediation work has been completed in an acceptable manner and in accordance with the ISWP.
- AR will locate a source of clean backfill material. It will be tested to confirm it meets project specifications.

If you have a question, please contact:

**Mike Mc Anulty**  
Atlantic Richfield  
(406) 723-1822  
[mcanumc@bp.com](mailto:mcanumc@bp.com)

**Jesse Schwarzrock**  
Pioneer Technical Services  
(406) 697-0949  
[jschwarzrock@pioneer-technical.com](mailto:jschwarzrock@pioneer-technical.com)

**Chauncey McCarthy**  
Rico Town Manager  
(970) 967-2863  
[townmanager@ricocolorado.gov](mailto:townmanager@ricocolorado.gov)

**Mark Rudolph**  
CDPHE  
Superfund and Brownfields Program  
(303) 916-2179  
[mark.rudolph@state.co.us](mailto:mark.rudolph@state.co.us)


## SOILS VOLUNTARY CLEANUP PROGRAM (VCUP)



# VCUP PROCESS

The primary purpose of soil sampling and analyses is to provide data describing the lead concentrations in soil at individual properties in a manner that can be used to determine whether, and where, soil remediation is needed to address surface soil with lead concentrations greater than the site-specific action levels.

## A SOIL SAMPLING



**Sample Access Agreement**


- Must be signed prior to sampling by homeowner or authorized representative.

**Sample Collection Tools**

- Hand Tools & disposable sampling equipment.


**Collecting Surface Soils (0-2")**

- Anticipated between 2024-2025
- All samples tested for lead




3-4 hrs  
Pending Lot Size

## B INDIVIDUAL SITE WORK PLAN (ISWP)



The Individual Site Work Plan will detail required clean up work based on soil sampling data collected from that property.

## C REMEDIAL ACTION (RA) CONSTRUCTION



**Construction Access Agreement**


- Must be signed prior to sampling by homeowner or authorized representative.

**Cleanup Work**

- Summer Months.

**Construction/Cleanup Work Equipment**

- Conventional track hoes, backhoes, small bobcat-type loaders or excavators, and hand tools.



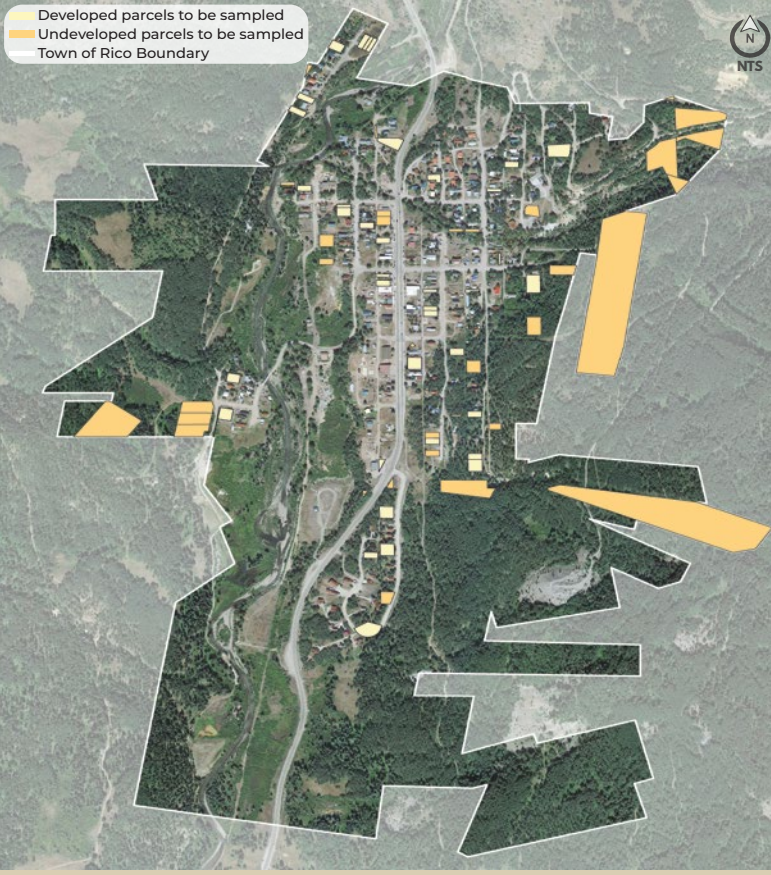
1 Week  
Pending Lot Size

## A SOIL SAMPLING

### RESIDENTIAL SOIL SAMPLING PROCESS

- To test individual properties soil to determine whether, and where, soil remediation is needed due to exceed lead-in-soil concentration levels.
- Minimum of one-week notification prior to testing
- Property owners do not need to be present

### SOIL SAMPLING ELIGIBILITY



## B INDIVIDUAL SITE WORK PLAN (ISWP)

- AR representatives will meet with the owner of the property to identify any property-specific factors to be considered.
- The ISWP will detail proposed site cleanup details by combining soil sampling results with landowner feedback and site specific conditions.

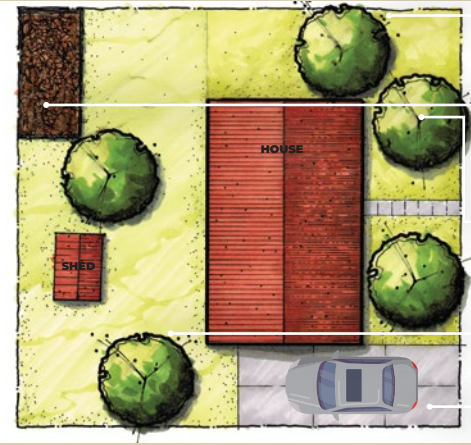
## C VCUP PROCESS CONTINUED

To remove or cover surface soil from locations in the Town of Rico where lead-in-soil concentrations are above the CDPHE approved risk-based action levels.

- ISWP walk through to be complete prior to construction
- Minimum of one-week notification prior to construction
- Property owners do not need to be present
- Cleanup work is anticipated to be completed over a 3 to 4 year period
- Moving personal property is to be done by property owners prior to cleanup & construction

### RA ELIGIBILITY

- Fifty two previously sampled properties along with those that qualify for cleanup based on 2024-2025 soil sampling activities.



**Sod Replacement:**

- 12" Soil removal - 12" backfill soil on geotextile fabric

**Garden**

- 18" Soil removal - 18" backfill soil on geotextile fabric. No revegetation

**Existing tree location to stay**

- Unless, replacement requested by property owner and approved by AR

**Native yard seeding**

- 12" Soil removal - 12" backfill soil on geotextile fabric

**Existing gravel drive**

- No action required



RICO COLORADO TOWNSITE

SOILS VOLUNTARY CLEANUP PROGRAM (VCUP)

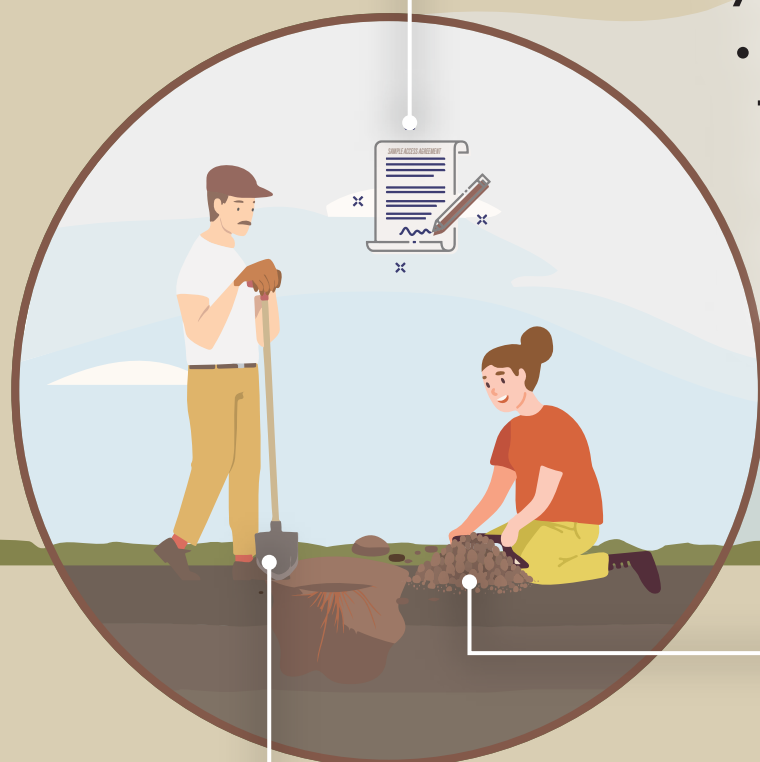
DRAFT

VCUP PROCESS

The primary purpose of soil sampling and analyses is to provide data describing the lead concentrations in soil at individual properties in a manner that can be used to determine whether, and where, soil remediation is needed to address surface soil with lead concentrations greater than the site-specific action levels.

A

SOIL SAMPLING



Sample Access Agreement

- Must be signed prior to sampling by homeowner or authorized representative.

Pending Lot Size

Collecting Surface Soils (0-2")

- Anticipated between 2024-2025
- All samples tested for lead

Sample Collection Tools

- Hand Tools & disposable sampling equipment.

B


INDIVIDUAL SITE WORK PLAN (ISWP)



The Individual Site Work Plan will detail required clean up work based on soil sampling data collected from that property.

C

REMEDIAL ACTION (RA) CONSTRUCTION



Construction Access Agreement

- Must be signed prior to beginning clean up work.

Pending Lot Size

Cleanup Work

- Summer Months.

Construction/Cleanup Work Equipment

- Conventional track hoes, backhoes, small bobcat-type loaders or excavators, and hand tools.

A

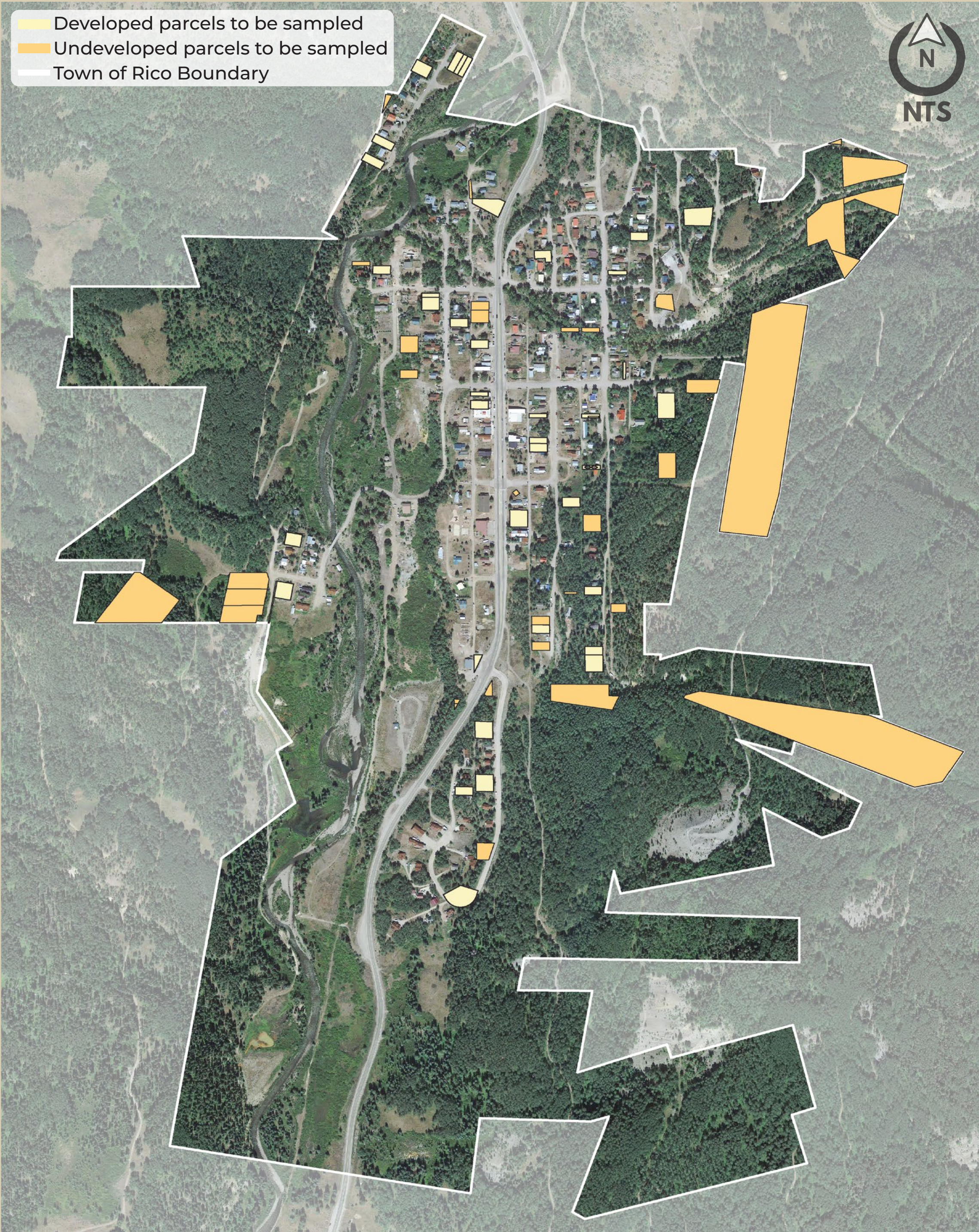
SOIL SAMPLING

RESIDENTIAL SOIL SAMPLING PROCESS

To test individual properties soil to determine whether, and where, soil remediation is needed due to exceed lead-in-soil concentration levels.

- Minimum of one-week notification prior to testing
- Property owners do not need to be present

SOIL SAMPLING ELIGIBILITY



Developed parcels to be sampled

Undeveloped parcels to be sampled

Town of Rico Boundary

N

NTS

B

INDIVIDUAL SITE WORK PLAN (ISWP)

- AR representatives will meet with the owner of the property to identify any property-specific factors to be considered.
- The ISWP will detail proposed site cleanup details by combining soil sampling results with landowner feedback and site specific conditions.





RICO COLORADO TOWNSITE

SOILS VOLUNTARY CLEANUP PROGRAM (VCUP)

DRAFT

VCUP PROCESS CONTINUED

The objective of soil remediation is to remove or cover surface soil from locations in the Town of Rico where lead-in-soil concentrations are above the CDPHE-approved risk-based action levels.

C

REMEDIAL ACTION (RA) CONSTRUCTION

CLEANUP & CONSTRUCTION PROCESS

To remove or cover surface soil from locations in the Town of Rico where lead-in-soil concentrations are above the CDPHE approved risk-based action levels.

- ISWP walk through to be complete prior to construction
  - Minimum of one-week notification prior to construction
  - Property owners do not need to be present
- Cleanup work is anticipated to be completed over a 3 to 4 year period
  - Moving personal property is to be done by property owners prior to cleanup & construction

RA ELIGIBILITY

Fifty two previously sampled properties along with those that qualify for cleanup based on 2024-2025 soil sampling activities.

EXAMPLE OF REMEDIATION CONCEPT FOR RESIDENTIAL PROPERTY

Sod Replacement:  
•12" Soil removal - 12" backfill soil on geotextile fabric

Garden  
•18" Soil removal - 18" backfill soil on geotextile fabric. No revegetation

Existing tree location to stay  
•Unless, replacement requested by property owner and approved by AR

Native yard seeding  
•12" Soil removal - 12" backfill soil on geotextile fabric

Existing gravel drive  
•No action required

ADDITIONAL COMMENTS

- Lawn watering and maintenance will be the responsibility of the property owner. Existing irrigation systems, if any, will be re-installed.
- Soil removal will stop at the drip line of trees and shrubs to protect these plantings.
- Excavated soil will be transported to the Rico Soil Lead Repository for disposal.
- Excavated soils will be covered or adequately wetted in the haul vehicle to prevent fugitive dust emissions.
- Upon completion of cleanup work, the property owner will be asked to sign a Statement of Completion stating that remediation work has been completed in an acceptable manner and in accordance with the ISWP.
- AR will locate a source of clean backfill material. It will be tested to confirm it meets project specifications.

If you have a question, please contact:

Mike Mc Anulty  
Atlantic Richfield  
(907) 355-3914  
mcanume@bp.com

Jesse Schwarzrock  
Pioneer Technical Services  
(406)-697-0949  
jschwarzrock@pioneer-technical.com

Chauncey McCarthy  
Rico Town Manager  
(970)-967-2863  
townmanager@ricocolorado.gov

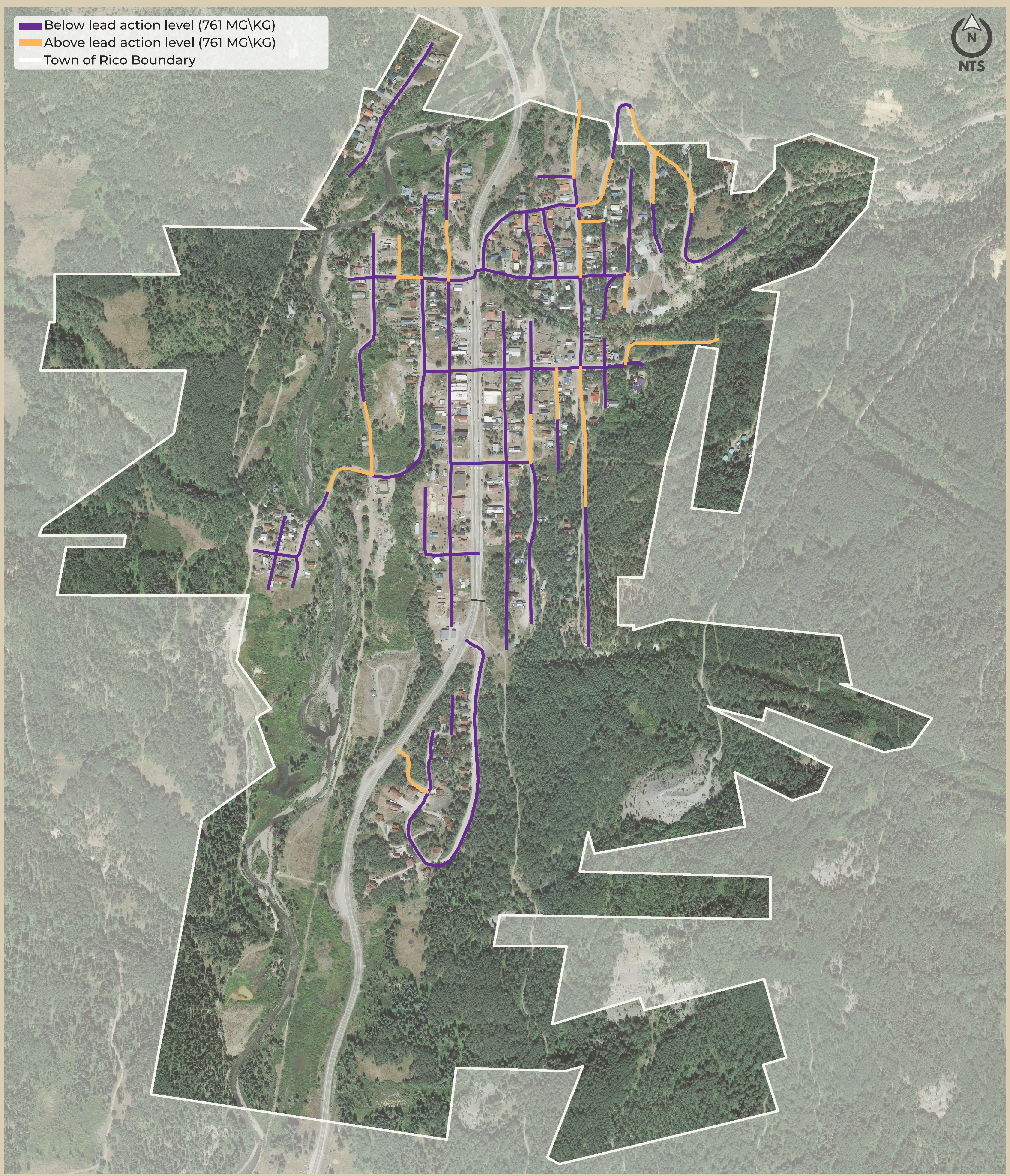
Mark Rudolph  
CDPHE  
Superfund and Brownfields Program  
(303)-916-2179  
mark.rudolph@state.co.us



# RICO COLORADO TOWNSITE ROAD SAMPLING

DRAFT

## 2023 LEAD CONCENTRATIONS IN UNPAVED ROAD AND ALLEY SAMPLES 0 - 2" DEPTH





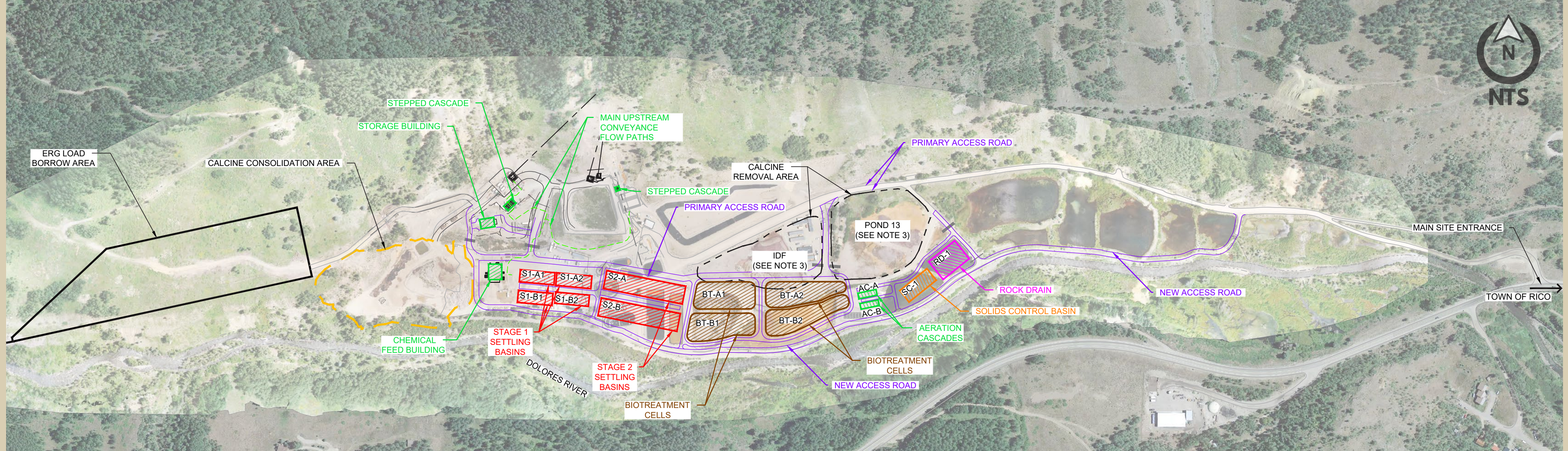
# CERCLA REMOVAL ACTION ST. LOUIS TUNNEL

## WHAT AND WHY?

US Environmental Protection Agency (EPA) and Atlantic Richfield Company entered into a CERCLA Administrative Order on Consent for Removal Action (AOC) in December 2021. It requires:

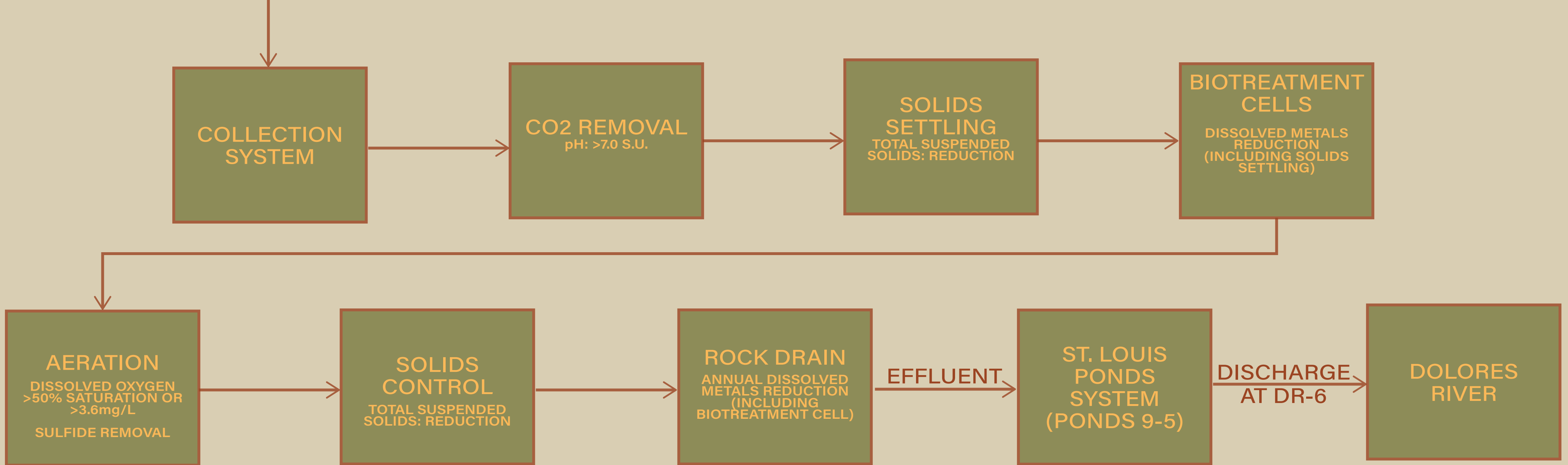
- Enhanced hydraulic controls of water inside the St. Louis Tunnel (completed additional relief well, additional evaluation ongoing);
- Expanding the water treatment system to capture and treat more of the St. Louis Tunnel water (construction in 2023 - 2025); and,
- Continued solids management (treatment solids).

## THE EXPANDED WETLAND TREATMENT SYSTEM



## HOW THE SYSTEM WORKS

### ST. LOUIS TUNNEL WATER FLOW



## WATER TREATMENT SYSTEM CONSTRUCTION

- The expanded wetlands water treatment system treats flows up to 1,250 gpm and will replace the demonstration scale treatment system that has been treating up to 550 gpm.
- This expanded wetlands water treatment system will utilize semi-passive technologies similar to those used successfully at the Site since 2014 but at a larger scale.
- Additional site infrastructure including buildings and a new improved access road along the western edge of the Site will also be constructed. Landowner access will be maintained through the Site.
- Completed additional relief well to better control water levels inside the St. Louis Tunnel.
- Water quality is routinely monitored and measures implemented to protect the Dolores River during construction.
- Construction is anticipated in 2023 - 2025.

If you have a question, please contact:

**Steve Ferry**  
Atlantic Richfield  
(406) 723-1818  
steve.ferry@bp.com

**Kevin Pfeifer**  
Alloy Group  
(775) 443-7149  
kpfeifer@alloygroup.com





## **What is the Rico Townsite Soils VCUP?**

Colorado created the VOLUNTARY CLEANUP AND REDEVELOPMENT PROGRAM (VCUP) in 1994 to facilitate the cleanup and redevelopment of contaminated properties. The Colorado Department of Public Health & Environment (CDPHE) has overseen over 1,500 VCUP projects throughout Colorado since the program's inception in 1994. It is a very common way to manage contamination in Colorado.

The Rico Townsite Soils VCUP (Rico VCUP) will continue to protect public health and the environment by reducing exposure to lead soils. As with other VCUPs, CDPHE will oversee the Rico VCUP. The Rico VCUP will provide public health benefits while minimizing disruption.

### **How will the Town benefit from the Rico VCUP?**

Under the Rico VCUP, Atlantic Richfield (AR) will conduct soil sampling and analysis; remediate developed lots with elevated lead levels; provide funding, technical assistance, and materials for Town residents to remediate property at the time future development occurs and maintain remediated lots; provide access to a repository for disposal of lead-contaminated soil; and pay for remediation of Town roads with elevated lead levels and associated stormwater diversion.

### **How will the Rico VCUP affect me?**

As part of the Rico VCUP, the Town will incorporate soil management regulations into its Land Use Code that will apply to property owners digging or excavating 1 cubic yard or more of soil on their property. AR will reimburse the additional costs property owners incur to comply with these regulations. Reimbursement amounts will be determined prior to the start of the program and are referred to as "incremental costs." If your property requires cleanup under the VCUP, when the cleanup work is finished, you will receive a no further action (NFA) determination from CDPHE confirming that no additional remediation is needed to protect human health and the environment.

### **What are the details of the Rico VCUP?**

The Rico VCUP will proceed in three phases. In Phase I, AR will conduct soil sampling and analysis at previously unsampled properties. AR will remediate all developed properties where Phase I or other prior testing confirms that lead concentrations exceed the CDPHE-approved lead action level. AR will also work with property owners and the Town to obtain NFAs from CDPHE for remediated properties. If property owners refuse access to AR, those properties will not be



sampled or remediated during this phase. Phase I will also include remediation of road segments that contain elevated levels of lead and construction of drainage features needed to maintain road remediation. The lead action level (761 mg lead/kg soil) for road segments will be the same as the lead action level used for residential and commercial properties in Town.

Phase II will start at the same time as Phase I. In Phase II, an AR contractor will help property owners comply with the soil management regulations during initial development of un-remediated properties and soil-disturbing activities on developed properties (remediated and un-remediated). Phase II will continue for 3 years after completion of Phase I or until 15 previously undeveloped properties are remediated, whichever is later.

In Phase III, the Town will oversee the contractor helping property owners comply with the soil management regulations, with continued funding provided by AR.

Throughout the VCUP, AR will provide: access to a repository for disposal of soil with lead concentrations exceeding the action level; assistance and materials (including clean soil) for compliance with the soil management regulations; and payment of incremental costs incurred to comply with the Rico VCUP, which has no end date.



## **What does the Rico VCUP mean for me?**

As part of the Rico Townsite Soils Voluntary Cleanup and Redevelopment Program (Rico VCUP), the Town will adopt Soil Management Regulations that require certain steps when excavating 1 cubic yard or more of soil. Technical assistance, materials, and reimbursement will be provided by Atlantic Richfield (AR). These regulations are a key part of the Rico VCUP, because they will ensure that remediated property stays clean.

### **Will the Soil Management Regulations apply to me?**

The Soil Management Regulations will be part of the Rico Land Use Code and will apply to everyone in Town digging or excavating 1 cubic yard or more of soil. There are exceptions for activities such as installation of fences and porches, soil testing for new septic tanks, emergency situations, such as broken water lines, and developments on properties where prior testing confirmed that lead concentrations are below the action level.

### **Will I be reimbursed for the extra costs of complying with the Soil Management Regulations?**

Yes, AR will provide funding to the Town to reimburse Rico property owners for the costs of complying with these regulations. Reimbursement will be determined according to a set schedule, that adjusts for inflation, and will generally be a set dollar amount per cubic yard of soil. This will keep reimbursement equitable and simple to calculate.

### **What will the Soil Management Regulations require?**

Property owners and developers will have to obtain a permit per the Rico Soils Management Program (which will be created as part of the Rico VCUP) before any digging or excavation activity that will disturb 1 cubic yard or more of soil.

If the property was not previously remediated, and soil sampling data shows lead levels below the lead action level (as approved by the Colorado Department of Public Health & Environment (CDPHE)), the property owner will receive a confirmation from the Rico Soils Management Program that no remediation is required and no permit application needs to be submitted. If soil sampling data shows lead levels above the lead action level, the property owner will need to remove the top 12 inches of soil and transport it to AR's lead soil repository north of Town. A fabric marker and 12 inches of clean soil will be placed in the excavation area that remains exposed once developed. *State and federal agencies have determined that a 12-inch layer of clean soil provides adequate protection from lead left in soils below that depth.* The Rico Soils Management Program (funded by AR) will provide these materials and technical assistance.



If the property was previously remediated and already has a fabric marker and 12 inches of clean soil, the property owner/developer may (1) dig or excavate within the clean soil layer and not disturb the fabric marker; or (2) remove and stockpile the clean soil layer, conduct the digging or excavation, and replace the fabric marker and the stockpiled soil.

Disposal of soil at the repository locations will be limited to soil (excluding large rocks and other debris) that cannot be returned to an excavation and that contains lead concentrations exceeding the lead action level. However, excavated soil less than 3 cubic yards in volume and soil removed to make space for the 12-inch clean soil layer may also be disposed of at the repository locations.

**What if I do not have any plans to excavate any soil at my property where I currently live? Will the lead soil be remediated if it exceeds the action levels?**

Yes. For currently developed properties with elevated lead in the soil, AR's contractor will complete the remediation with consent of the property owner, at no cost to the property owner.

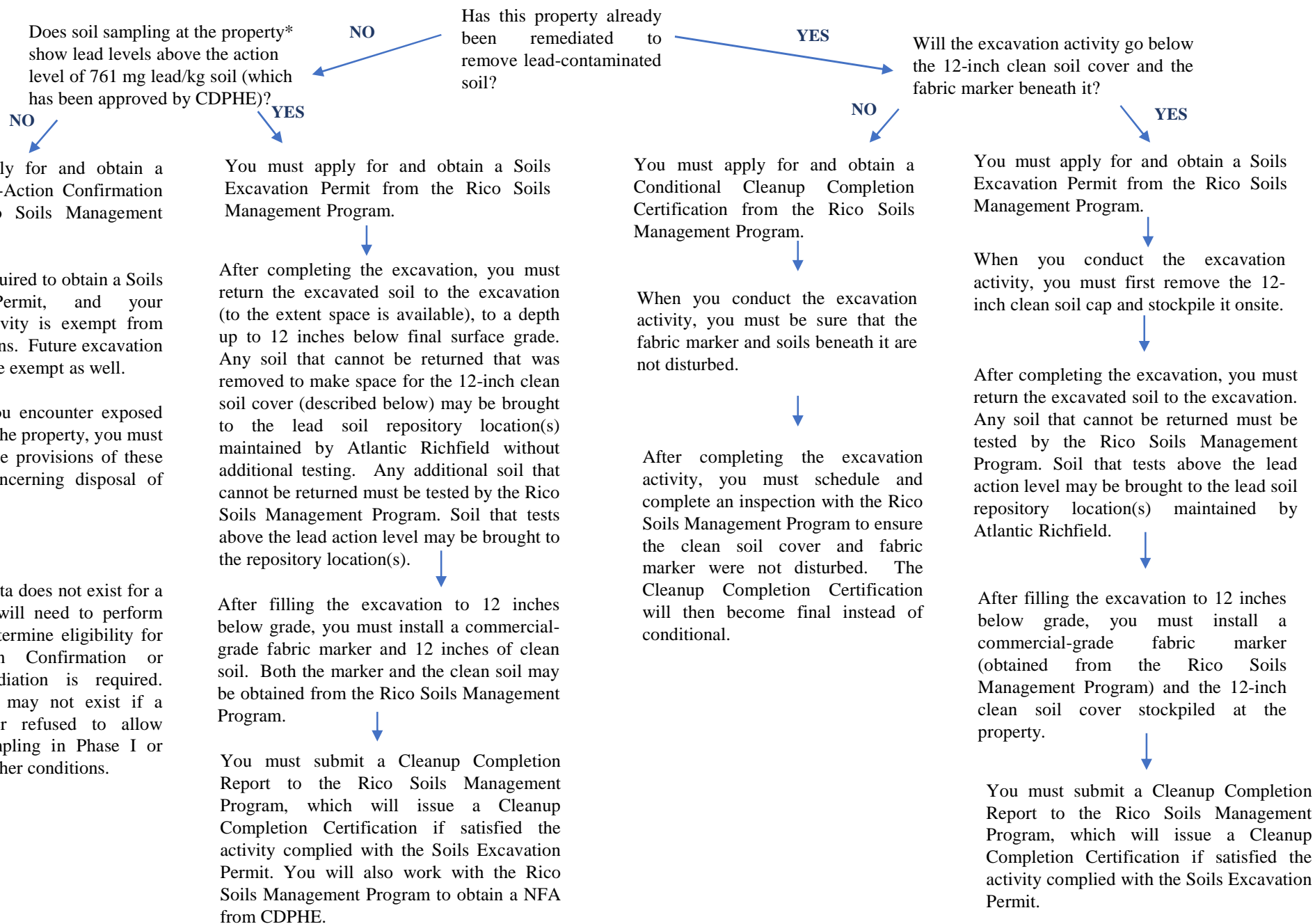
**Will elevated lead in the streets be remediated?**

Yes, as part of the Rico VCUP, the Town will hire a contractor to remediate the portion of Town roads and alleys where the road surface material contains lead that exceeds the CDPHE-approved lead action level. The lead action level for Town roads and alleys will be the same as the lead action level used for residential and commercial properties in Town (761 mg lead/kg soil). AR will fund this remediation, including the cost of stormwater management needed to protect the remediated areas.



# What will the Rico Land Use Code Soil Management Regulations require?

**These Regulations apply to any excavation, digging, landscaping, or similar activity that disturbs more than 1 cubic yard of soil on properties in Rico** (with certain exceptions). This flow chart is intended as a general guide to the most common situations under these Regulations, and does not cover all possible circumstances or requirements. The Rico Soils Management Program will help you comply with these requirements by answering questions and providing technical support, advice, and materials. **You will be reimbursed by the Soils Management Program for costs incurred to comply with the Regulations, based on a schedule of incremental costs.**



You are not required to obtain a Soils Excavation Permit, and your excavation activity is exempt from these Regulations. Future excavation activities will be exempt as well.

However, if you encounter exposed mine waste on the property, you must comply with the provisions of these Regulations concerning disposal of mine waste.

\*If sampling data does not exist for a property, you will need to perform sampling to determine eligibility for the No-Action Confirmation or whether remediation is required. Sampling data may not exist if a property owner refused to allow access for sampling in Phase I or under certain other conditions.



## **What support will Atlantic Richfield provide for the VCUP?**

Atlantic Richfield (AR) and the Town are working to finalize an agreement under which AR will pay the Town to implement the Rico Townsite Soils VCUP (Rico VCUP) and provide technical and financial assistance to the Town and property owners/developers, as follows:

### *Funding to Town and Property Owners/Developers:*

- Payment for VCUP-related start-up expenses including purchase of water meter and software to support implementation of Soil Management Regulations
- Annual lump-sum payments that can be used for certain recurring VCUP-related expenses, such as:
  - Annual stipend of 25% of the Town Manager's salary
  - The services of the Town's selected Subcontractor that will act as a liaison to the Soil Management Program contractor when that contractor is hired and managed by AR (Phases 1 and 2)
  - Dust control on roads prior to completion of the road remediation
- Reimbursement to property owners for additional costs incurred to comply with Soil Management Regulations when development activity involves excavation of more than one cubic yard of soil; reimbursement will be according to a set schedule that is adjusted for inflation
- The full cost of the Soil Management Program contractor when that contractor is hired and managed by Town (Phase 3)
- The full cost of road remediation by the Town's selected Roads Contractor, as well as the construction of drainage features needed to protect remediated road segments
- Reimbursement of certain costs, expenses, and attorneys' fees of the Town related to implementing Soil Management Regulations

### *Additional Support:*

- AR will sample soil at properties not previously sampled and remediate developed properties with elevated lead levels in accordance with a site-specific work plan for each property
- AR will work with property owners to obtain "No Further Action Determinations" from the Colorado Department of Public Health & Environment (CDPHE) when soil remediation is complete on each property
- AR will maintain a lead soil repository north of Town; property owners may transport soil with elevated lead levels to the repository.



- AR, through the Soil Management Program and contractor, will pay for technical assistance to property owners and Town staff managing lead-contaminated soil and will provide materials such as a fabric marker and clean fill soil
- AR will pay for and maintain a GIS database showing soil sampling results and remediation status of properties in Town, and will provide Town with access to database and training



# Anticipated VCUP Timeline

