



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region8

Ref: 8SEM-EMR

ACTION MEMORANDUM

SUBJECT: Approval and Funding for a Removal Action at the Alamosa Asbestos Walsh Hotel Site, Alamosa, Alamosa County, CO

FROM: David Romero, OSC
Response Section

THRU: Kerry Guy, Supervisor
Response Section

Deirdre Rothery, Manager
Emergency Management Branch

TO: Ben Bielenberg, Acting Director
Superfund and Emergency Management Division

Site ID # B8G1

I. PURPOSE

The purpose of this Action Memorandum is to request and document approval of the removal action described herein for the Alamosa Asbestos Walsh Hotel Site (Site) in the City of Alamosa, Alamosa County, Colorado. This time-critical removal action involves the cleanup and proper disposal of debris from structurally compromised business, and apartment building that are burned, damaged, abandoned, and known to contain friable asbestos. The Site was identified by the City of Alamosa as a safety concern, posing a potential asbestos exposure threat to businesses, pedestrians, and community members. Conditions existing at the Site present a threat to public health or welfare or the environment and meet the criteria for initiating a removal action under 40 CFR 300.415(b)(2) of the National Contingency Plan (NCP).

This removal action involves no nationally-significant or precedent-setting issues. This time-critical removal action will not establish any precedent for how future response actions will be taken and will not commit the US Environmental Protection Agency (EPA) to a course of action that could have a significant impact on future responses or resources.

II. SITE CONDITIONS AND BACKGROUND

Site Name: B8G1
Removal Category: Time Critical
Site Spill ID (SSID): N/A
NRC Case Number: N/A
CERCLIS Number: CON000821210
Site Location: 617 Sixth Street. Alamosa, Colorado, 81101.
Lat/Long: 37.467186, -105.865853
Potentially Responsible Party (PRP):
NPL Status: Non-NPL
Removal Start Date: Fourth Quarter FY23

A. Site Description

1. Removal Site Evaluation

On March 17, 2023, the City of Alamosa and the Colorado Department of Public Health and Environment (CDPHE) requested the EPA's assistance to address a dilapidated, fire-damaged structure at the former Walsh Hotel Site in Alamosa, Alamosa County, Colorado. The Site was condemned by the local fire department in 2022. The City of Alamosa previously conducted a Phase I Environmental Assessment and prepared a pre-demolition Asbestos Report that identified friable asbestos as the main contaminant of concern. This evaluation determined that friable asbestos-containing material (ACM) was present in the building materials and the debris scattered throughout the property. Asbestos in the form of chrysotile, in concentrations of 70%, was found at the Site.

The ACM-contaminated debris is releasing friable asbestos into the environment at the Site. There are no adequate restrictions in place to prevent the community members or other persons from accessing the Site, posing an asbestos inhalation threat to trespassers and other individuals who maintain businesses around the Site.

This removal includes the cleanup and proper disposal of the ACM-contaminated debris. Weather events including wind, rain, and snow continue to degrade remaining portions of the structures and debris piles, causing the ACM to release asbestos fibers, due to ongoing exposure to the elements. Hence, asbestos fibers may migrate off-Site and pose an inhalation threat to nearby businesses and community members.

2. Physical Location

The Site consists of one property with one building having multiple structure units located at 617 Sixth Street Alamosa, Alamosa County, Colorado 81101 (Lat/Long: 37.467186, -105.865853). The former Walsh Hotel Site was previously utilized as 20 percent restaurant, 10 percent office space and 70 percent apartment units. The 2020 census for the City of Alamosa recorded a population of 10,000 and the surrounding community consists of ranching/farmland open space.

The Site is located in the old downtown area of Alamosa and off State Highway 160. The city averages 7.4 inches of rainfall and 29 inches of snowfall per year. No threatened or endangered species have been identified at the Site. A Site map provided by the City of Alamosa is available in Attachment 1.

3. Site Characteristics

A breakdown of the building space at the Site consists of multiple use areas, a restaurant, office space and apartment units all located within the same structure. The building is in what is considered the “Old Town” area of Alamosa. There is minimal to no fencing or barriers to prevent trespassers from accessing the structure. The local Fire Department condemned the Site in 2022 due to multiple fires, general degradation of the property, and the danger that the Site poses. Due to site conditions, the City of Alamosa has seized possession and control of the property. No previous actions have been conducted at the Site to address the ACM and friable asbestos.

The Site is located within the 80 percentile Blocked Group of potential Environmental Justice areas nationally, regionally and on a state-wide basis.

4. Release or Threatened Release into the Environment of a Hazardous Substance, Pollutant or Contaminant.

The known contaminant of concern at the Site is asbestos, which is a hazardous substance as defined by Section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Records indicate a release of friable asbestos to the environment from the ACM building materials at the Site. There is a threat of additional release of asbestos fibers into the environment as the building continues to deteriorate from weather, vandalism, and structural collapse. The ACM may migrate off-Site with weather or via trespassers and pose an inhalation threat to nearby businesses and community members.

Asbestos is a solid material with a variety of forms, including chrysotile, which was found at different locations within the Site. Due to the condition of the structure at the Site, with burnt collapsing walls and roof, friable chrysotile (ranging from 5 to 70%) is assumed to have been distributed throughout the building. Distribution, degradation, and migration are occurring at a rate subject to environmental atmospheric conditions (wind, rain and snow). Asbestos is highly resistant to heat and has exceptional tensile strength, both of which are characteristics that lend themselves to use in ordinary building materials. Asbestos tends to become brittle over time shattering into fiber bundles due to age and weathering. This characteristic is referred to as being friable. Subsequently, the friable fiber bundles can further degrade into microscopic fibers that can become airborne.

Human exposure to airborne asbestos fibers via inhalation has been proven to cause asbestosis, cancer, mesothelioma, and other respiratory diseases. Hence, there exists a potential for human exposure to asbestos both at the Site and in the surrounding area.

5. NPL Status

This Site is neither on nor currently being considered for listing on the NPL.

6. Maps, Pictures, and Other Graphic Representations

A map of the Site is available in Attachment 1. Relevant Site photos are available in Attachment 2. Additional Site photos and maps are also available in the Site file and in the administrative record for the Site.

B. Other Actions to Date

1. Previous Actions

There have been no other previous actions on the Site.

2. Current Actions

There are no current activities on the Site.

C. State and Local Authorities' Roles

1. State and Local Actions to Date

The building at the Site is structurally unsound and abandoned. Officials from the local fire department have condemned the structure and notices have been sent to the City of Alamosa officials.

Neither the state nor the local authorities have taken actions to remediate the Site, nor do they have the resources to address the issue. No other actions have been taken to protect public health and the environment. On March 17, 2023, the CDPHE requested EPA assistance to address public health and environmental threats from the Site with a CERCLA removal action.

2. Potential for continued State/local response

Neither the state nor the local authorities have taken actions to remediate the Site, nor do they have the resources to address the issue. No other actions have been taken to protect public health and the environment.

III. THREATS TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT, AND STATUTORY AND REGULATORY AUTHORITIES

Conditions at the Site present a threat to public health and the environment and meet the criteria for initiating a removal action under 40 CFR 300.415(b)(2) of the NCP. EPA has considered all the factors described in 40 CFR 300.415(b)(2) of the NCP and determined that the following factors apply at the Site.

“(i) Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants.”

The ACM poses a direct threat to public health and welfare because children, trespassers, and other community members could be exposed to the asbestos fibers released from the remains of structures and debris scattered throughout the Site. There are no adequate access restrictions at the Site to prevent community members from encountering potential exposure to ACM.

“(ii) High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface that may migrate.”

Pieces of ACM are scattered on the ground throughout the Site and are present in the partially collapsed remains of the structure. Asbestos fibers have been released and will continue to be released from the ACM and will migrate into the environment.

“(iii) Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released.”

The damaged structure is in poor condition and open to the environment. Weather events including wind, rain, and snow will continue to degrade the remaining structure and debris piles. Asbestos fibers will continue to be released to the soil from the ACM as the material weathers and becomes friable.

“(vii) The availability of other appropriate federal or state response mechanisms to respond to the release.”

No other local, state, or federal agency is in the position or has the resources to independently implement a timely, effective response action to address the ongoing threat presented by the Site.

IV. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

1. Proposed Action Description

The EPA will remove the fire-damaged structure, and debris piles from the Site. Soils adjacent to the structure and debris piles will be scraped where ACM is observed. The

EPA and its contractors will determine which of the building components can be segregated from the ACM during the cleanup process and managed as solid waste for disposal purposes. All cleanup activities that will disturb ACM will be conducted using adequately wet methods and engineering controls to prevent migration of asbestos fibers.

All ACM will be segregated from non-contaminated debris and each waste stream will be properly disposed at permitted landfills. As a result, no post-removal Site controls are anticipated to be necessary following the removal action.

RCRA requirements concerning waste analysis, manifesting, packaging, and transporting will be adhered to for off-site shipments of hazardous wastes.

2. Contribution to Remedial Performance

This effort, to the extent practical, will contribute to any future remedial effort at the Site; however, no further federal action is anticipated at this time.

3. Engineering Evaluation/Cost Analysis (EE/CA)

An EE/CA is not required for a time-critical removal action.

4. Applicable or Relevant and Appropriate Requirements (ARARs)

Removal actions conducted under CERCLA are required, to the extent practicable considering the exigencies of the situation, to attain ARARs. In determining whether compliance with an ARAR is practicable, the lead agency may consider appropriate factors, including the urgency of the situation and the scope of the removal action to be conducted. The EPA OSC has requested ARARs from CDPHE. A table containing Site-specific ARARs is provided as Attachment 3 to this Action Memorandum.

5. Project Schedule

The removal action is anticipated to begin as soon as possible. All removal activities should be completed within four weeks from the beginning of on-Site activities.

B. Estimated Costs

	Estimated Costs
ERRS contractor	\$994,664.85
START contractor	\$ 20,000
Other (ESAT, travel, equipment, etc)	
Other Extramural Costs (Strike Team, other Fed Agencies)	
SUBTOTAL	\$1,014,664.85

Contingency costs (20 % of subtotal)	\$202,932.97
Total Removal Project Ceiling	\$1,217,597.82

*EPA direct and indirect costs, although cost recoverable, do not count toward the Removal Ceiling for this removal action. Liable parties may be held financially responsible for costs incurred by the EPA as set forth in Section 107 of CERCLA

V. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

A delay in action or no action at the Site would increase the actual or potential threats to the public health and/or the environment associated with the release of friable asbestos from the properties that compose the Site.

VI. OUTSTANDING POLICY ISSUES

None

VIII. ENFORCEMENT

A separate Enforcement Addendum will be prepared providing a confidential summary of potential enforcement activities.

IX. RECOMMENDATION

This decision document represents the selected removal action for the Alamosa Asbestos Walsh Hotel Site, in Alamosa, Alamosa County, Colorado, developed in accordance with CERCLA as amended, and is not inconsistent with the NCP.

This decision is based on the administrative record for the site.

Conditions at the site met the NCP section 300.415(b) criteria for a removal action and through this document, I am approving the proposed removal actions. The total project ceiling is \$1,217,597.82, this amount will be funded from the Regional removal allowance.

APPROVE

Ben Bielenberg, Acting Director
Superfund and Emergency Management Division

Date

DISAPPROVE

Ben Bielenberg, Acting Director
Superfund and Emergency Management Division

Date

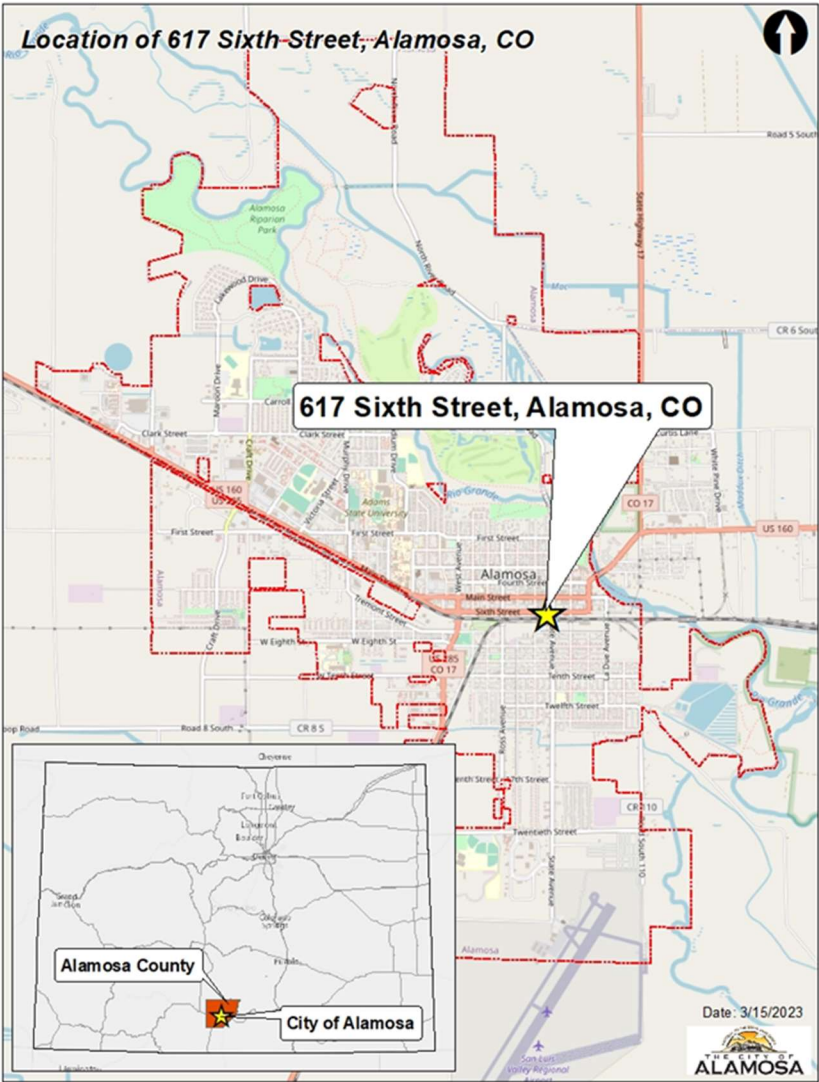
Attachments:

Attachment 1: Map

Attachment 2: Site Photos

Attachment 3: ARARs Table

Attachment 1: Map



Attachment 2 Site Photos









Attachment 3: ARARs Table

ATTACHMENT 3
STATE APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS
ALAMOSA ASBESTOS WALSH HOTEL, ALAMOSA (ASBESTOS)

PROPOSED REMOVAL ACTION

	<i>Standard, Requirement or Criteria</i>	<i>Description</i>	<i>Type</i>	<i>Applicable or Relevant and Appropriate or TBC</i>	<i>Comment</i>
AIR					
	Colorado Fugitive Dust Control Plan/Opacity, Regulation No. 1, 5 CCR 1001-3(III)(D)(2)(b),(h) (Particulate Matter – Construction Activities), pursuant to Colorado Air Pollution Prevention and Control Act, CRS § 25-7-101 <i>et seq.</i>	Establishes regulations concerning fugitive emissions from construction and demolition activities.	A	Applicable	Applicable to all activities generating dust.
	Colorado Control of Hazardous Air Pollutants, Regulation No. 8 Part B, 5 CCR 1001-10 (III)(W)(2)(j)*, pursuant to Colorado Air Pollution Prevention and Control Act, CRS §§ 25-7-101 <i>et seq.</i>	Establishes regulations for abatement of asbestos-contaminated structures	A	Applicable *Only the substantive requirements of § (III)(W)(2)(j) apply	Applicable to unstable building demolition.

NOISE CONTROL

	Colorado Noise Abatement Statute, CRS §§ 25-12-103	Establishes maximum permissible noise levels for particular time periods and land use zones. For construction projects, maximum noise levels will be those specified for industrial zones for the time period within which construction is to be completed. For industrial zones, the maximum permissible sound level from 7:00 am to the next 7:00 pm is 80 A-weighted decibels (db(A)) and from 7:00 pm to the next 7:00 am is 75 db(A).	A	Applicable	Applicable to all construction, transport and backfilling activities if removal activities are located within a land use zone subject to noise regulations.
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TO BE CONSIDERED

	Colorado Wildfire Recovery Guidance for Cleanup of Damaged or Destroyed Buildings, available at: http://www.coemergency.com/2012/07/wildfire-recovery-guidance-for-cleanup.html	Offers advice for handling ash and debris from burned structures.		TBC	General guidance on handling of debris and ash generated by structures that have wholly or partly burned.
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