

**Community Advisory Group (CAG)
for the
Omaha Lead Site**

Minutes for Meeting Held
Wednesday, February 15, 2006, 9:30 a.m.
Omaha Small Business Network
2505 N. 24th Street
Omaha, NE 68110

OLS CAG Members Present:

Rebecca Barrientos-Patlan—*Burlington Road Neighborhood Association*
Sue Casteel—*Agency for Toxic Substances and Disease Registry*
Tanya Cook—*Governor's Advisory Committee for Lead Safe Neighborhoods*
Todd Davis—*Nebraska Department of Environmental Quality*
Jim Dowding (Designee for Gary Gernandt and Frank Brown)—*City Council Staff*
Nick Flattery—*OneWorld Community Health Centers*
Bob Feild—*Environmental Protection Agency*
Mark Kirchhoff (Designee for Violet Iluebbey)—*International Family Center*
Jeff McDermott—*Union Pacific Railroad*
Dr. Adi Pour—*Douglas County Health Department*
Chris Rodgers—*Douglas County Board of Commissioners*
Marian Todd—*City of Omaha Planning Department*
José Villegas—*Chicano Awareness Center*
Vernon Waldren—*Douglas/Sarpy County Extension*
Cheryl Weston—*Lead Safe Omaha Coalition*

Others Present:

Gordon Andersen—*City of Omaha Public Works Dept.*
Joe Bateman—*Union Pacific Railroad*
Chester Black—*City of Omaha Air Quality Division*
Mary Castaneda—*EPA Information Offices*
Lelia Coyne—*Citizen*
Todd Crawford—*Senator Hagel's Office*
Felisa Dillon—*ASW*
Connie Determan—*MFG, Inc.*
Nancy Gaarder—*Omaha World-Herald*
Ayesha Graves—*City of Omaha*
Debbie Kring—*Environmental Protection Agency*
Jan Lambert—*Environmental Protection Agency*
Diane Luna—*Burlington Road Neighborhood Association*
Jennifer Rawley—*MFG, Inc.*
Steve Sanders—*Environmental Protection Agency*
Eva Serenil—*Senator Nelson's Office*

Mr. Waldren announced that Ms. Council was ill and he was asked to fill in as facilitator in her absence.

1. Discussion on Minutes from the January 25, 2006 Meeting

Mr. Waldren asked for any corrections or additions to the CAG meeting minutes for January 25, 2006. Ms. Casteel stated that on page 6, “Ms. Casteel stated that another fact sheet is necessary to explain these issues to the community” should read, “Ms. Casteel stated that another fact sheet could be created to explain these issues to the community.” Ms. Todd stated that on page 5, “Ms. Todd stated that two staff people are processing applications” should read, “Ms. Todd stated that one staff person is processing applications and one rehabilitation inspector is available.” Ms. Weston stated that on page 7, “Ms. Gotsdiner” should be, “Mr. Gotsdiner.” Ms. Weston motioned to approve the minutes with the above corrections. Ms. Todd seconded the motion. The motion unanimously passed (10-0).

2. EPA Update

Mr. Feild provided an update on EPA activities. Mr. Feild stated that a few yards were sodded since the last CAG meeting. Mr. Feild that EMR and ER have demobilized for the season and ECC will demobilize soon. Mr. Feild stated that excavations should resume in April.

Mr. Feild stated that he had emailed a list of parks and private schools to the CAG. Mr. Feild stated that the area of interest for the lists is larger than the OLS focus area. Mr. Feild requested that CAG members review the lists to ensure completeness.

Mr. Feild stated that he provided incorrect information at the last CAG meeting regarding the sampling of parks. Mr. Feild stated that 8 of 65 identified parks have been sampled, and 12 or 21 private schools have been sampled. Mr. Feild stated that none of those results had lead in soil levels above 400 parts per million. Mr. Feild stated that questions have been asked regarding why parks and schools were not sampled. Mr. Feild stated that a greater exposure risk exists at a child’s home; therefore, EPA prioritizes residences above schools and parks. Mr. Feild stated that EPA is sensitive to community concerns and has now agreed to reprioritize parks and schools for sampling this coming spring. Ms Weston stated that parks should be sampled before properties without children. Ms. Weston stated that children would not play on vacant lots. Mr. Feild stated that a plan would need to be developed to sample large parks. Mr. Feild stated that sampling of parks may occur before or concurrently with sampling of homes in the spring. Mr. Feild stated that EPA does not know whether or not a child resides at a residence until EPA arrives at the door of the home to sample; therefore, EPA must assume that a child lives there. Mr. Feild added that EPA has begun sampling vacant lots. Ms. Casteel stated that EPA does not know where children live or if they spend time at a house. Ms. Casteel stated that because children spend less time at school, there is a greater risk for exposure at home. Ms. Weston stated that she understands and appreciates the risk of exposures,

but that EPA should be able to determine if a child lives at a properties and prioritize those homes for sampling. Ms. Weston stated that EPA's access forms include the number and ages of children living at the home. Ms. Weston added that many daycares take children to parks during the day. Mr. Feild reiterated that EPA feels the greater risk is at a residence, but that EPA will proceed with sampling parks in the spring. Mr. Feild stated that homeowners do provide information on the access agreement regarding the presence of children, but those homes are immediately entered into the queue for sampling and cannot be prioritized. Ms. Weston stated that homes should be prioritized based on the information provided on the access agreement form. Ms. Weston stated that this issue was brought to EPA's attention in a letter last year from the Lead Safe Omaha Coalition, Douglas County Health Department, and ATSDR. Ms. Casteel stated that she did not write the letter. Ms. Weston stated that ATSDR assisted in writing the letter with the Douglas County Health Department. Mr. Feild stated that if EPA waited to prioritize homes after receiving access agreements, time would be wasted and not as many yards would be sampled.

Ms. Barrientos-Patlan asked why the parks that were tested were selected to be tested while the other parks were not. Mr. Feild stated that he did not know. Ms. Barrientos-Patlan requested that EPA provide the dates of when parks were sampled and the corresponding results. Mr. Feild agreed to provide the sample dates and results. Ms. Barrientos-Patlan expressed concern that a school in her neighborhood uses a nearby park. Ms. Barrientos-Patlan stated that she would like those areas to be made a priority for sampling. Mr. Feild stated that parks will be sampled as soon as weather permits. Ms. Weston stated that at prior meetings, the CAG was told that all parks were tested several years ago. Ms. Barrientos-Patlan added that many kids will be at parks soon with the start-up of soccer season.

Mr. Feild stated that air monitoring is performed by contractors primarily for worker protection. Mr. Feild stated that ER, ECC, and HGL have performed air monitoring at staging areas and excavation sites. Mr. Feild explained that the monitoring is performed by wearing personal monitors and by sampling perimeters over an eight-hour period. Mr. Feild reported that airborne lead has not been detected by any of the monitoring. Mr. Feild stated that particulates are also monitored to guide dust suppression activities. Ms. Barrientos-Patlan stated that contractors have not watered at all, even during the dustiest time of the year, when dust was visibly blowing around. Mr. Feild stated that air monitoring performed to-date shows that dust is not a significant source of lead where excavations are taking place. Mr. Feild stated that the staging areas are operated safely. Mr. Feild stated that even during the dustiest time, lead in air was not a problem. Ms. Barrientos-Patlan stated that EPA's contractors should have been watering. Ms. Barrientos-Patlan stated that EPA's contractors did not care. Ms. Barrientos-Patlan stated that she was told by EPA's contractors to back away from the staging area because the soil was highly contaminated, but later was told that the soil being washed into the soil was not contaminated. Ms. Barrientos-Patlan stated that more precautions should be taken. Ms. Weston stated that watering is not being done at residences where a great amount of dust is present. Ms. Weston stated that the Lead Safe Omaha Coalition has received calls from residents complaining about a large amount of dust entering the home

through windows. Mr. Feild stated that the contractors are required to test the air, and if no problem is found, sampling is scaled back. Ms. Weston stated that contractors may be saying they are performing air monitoring, but she has not witnessed any of the air monitoring. Ms. Weston requested that EPA show the CAG that the contractors are performing the necessary air monitoring. Mr. Feild stated that the personal air monitors would not be noticeable and water trucks may not be at an excavation site at all times. Ms. Weston stated that she is familiar with what a personal air monitor looks like. Ms. Kring asked if it would be helpful to take Ms. Barrientos-Patlan onsite and show her how the air monitoring works. Ms. Barrientos-Patlan stated that she would be interested in seeing the monitoring.

3. City Air Monitoring

Mr. Black described the City's air monitoring program. Mr. Black stated that Omaha participates in an EPA federal air monitoring program. Mr. Black explained that 15 monitoring stations around Omaha collect air data, including PM-10 and PM-2.5 data. Mr. Black explained that monitors measure regional air data. Mr. Black stated that PM-10 particles are typically from industrial dust and PM-2.5 particles are typically from vehicle combustion. Mr. Black stated that the monitors are placed based on predominate wind patterns, in order to protect the entire Omaha metro area. Mr. Black stated that Omaha has been in attainment with air quality standards since the closing of the Asarco plant.

Ms. Barrientos-Patlan expressed concern that an air monitoring station is not located in South Omaha. Ms. Barrientos-Patlan stated that South Omaha has been potential sources of air quality concern, such as livestock, a zoo, and asphalt plants. Mr. Black stated that it is a challenge to find a suitable site for a monitoring station. Mr. Black stated that the location cannot be near a street, cannot be near a tree, must be easily accessible, and must have an electrical connection. Ms. Barrientos-Patlan stated that a report identifies a high percentage of respiratory illnesses in South Omaha. Ms. Barrientos-Patlan stated that South Omaha has the highest levels of animal dander. Mr. Black stated that the air monitors do not capture pollen and he is uncertain of the particle size of animal dander. Ms. Barrientos-Patlan stated that an individual in the City's Air Quality Division told her that the air monitors capture animal dander, dirt, and some lead. Ms. Barrientos-Patlan asked what it would take to get an air monitoring station in South Omaha. Mr. Black stated that there is not any funding to pay for another monitoring station. Mr. Black stated that Omaha's air quality is better represented by its air monitoring stations than the vast majority of cities across the nation.

Mr. Flattery asked if Omaha would be notified of an air quality parameter exceedance if an exceedance were recorded in Bellevue. Mr. Black stated that the Greater Omaha Area would be alerted.

Ms. Coyne asked why the asthma rates are higher in South Omaha than North Omaha. Ms. Coyne asked if the national air quality standards are weak. Dr. Pour stated that the

standards are national and developed according to best science. Dr. Pour stated that she has not seen data showing that asthma rates are higher in South Omaha. Ms. Coyne stated that asthma is generally a problem. Mr. Waldren stated that asthma is a separate issue and asked the CAG to stay on topic. Mr. Davis stated that there is an asthma alliance that discusses asthma issues.

4. Letter of Support for the Douglas County Health Department

Dr. Pour explained that the Douglas County Health Department (DCHD) requested a letter of support from the CAG for a Centers for Disease Control and Prevention (CDC) grant. Dr. Pour stated that there is a decline in CDC funding, so the grant will be very competitive this year. Dr. Pour stated that not receiving the grant would be devastating.

Ms. Weston motioned to approve a draft letter of support provided by the Comprehensive Plan Committee. Ms. Barrientos-Patlan seconded the motion. The motion passed (11-0-1), with Dr. Pour abstaining.

5. OHKA Update

Mr. Bateman provided an update on the Omaha Healthy Kids Alliance (OHKA). Mr. Bateman stated that the OHKA board of directors met for the first time. Mr. Bateman stated that he and Ms. Council would report on the OHKA meetings to the CAG. Mr. Bateman stated that OHKA formed an organizational committee to recommend an accounting firm, bank, and executive director. Mr. Bateman stated that the committee would appreciate CAG recommendations for an executive director. Mr. Bateman stated that he was pleased with the enthusiasm of the board of directors and feels OHKA will make great progress.

Ms. Weston asked if Ms. Council and MFG, Inc. will attend the OHKA board of directors meeting and if either Ms. Council or MFG, Inc. is facilitating the meetings. Mr. Bateman stated that Ms. Council and MFG, Inc. have agreed to attend the meetings. Mr. Bateman stated that the incorporator, Mr. Gary Gotsdiner, served as the Chairman for the first board meeting. Ms. Weston asked if the executive director position will be advertised in the newspaper. Mr. Bateman stated that any suggested avenue to advertise the position would be taken. Mr. Bateman asked CAG members to email him suggestions.

Ms. Weston asked how the Mayor appointed positions were chosen. Ms. Weston stated that Mr. Rodgers is an elected official and asked why an elected official would be chosen when so many others in the impacted area could have been selected. Ms. Graves stated that Mr. Rodgers is a resident of the impacted area, familiar with the issues in the Omaha Lead Site, and has a lot of relevant experience. Ms. Weston stated that the Comprehensive Plan Committee stressed including residents on the OHKA board. Ms. Weston stated that South Omaha neighborhood associations are not represented on the

board. Mr. Bateman stated that Ms. Valdez is a member of the board representing South Omaha. Mr. Bateman stated that the CAG voted to approve the positions of the board as is to create a well-balanced board. Ms. Weston stated that it does not seem like OHKA wants community involvement. Mr. Bateman suggested contacting Ms. Council to discuss any positions that may have been overlooked.

Ms. Barrientos-Patlan stated that she read the Latham and Watkins letter to EPA in the CAG package and had some questions. Ms. Barrientos-Patlan stated that the letter cited 50 possible Potentially Responsible Parties (PRPs), although EPA has only named five PRPs. Mr. Sanders stated that if anyone has information on a company they believe contributed to the problem, EPA would like the information. Mr. Sanders stated that EPA has the list of the 50 companies, but does not have evidence to show they contributed to the problem. Ms. Barrientos-Patlan asked if EPA could respond to the letter. Mr. Sanders stated that EPA does not talk about enforcement to the public now or ever.

Mr. Davis asked if minutes from the OHKA board of directors meeting would be shared with the CAG. Mr. Bateman stated that the board will need to decide what will be shared. Mr. Bateman stated that OHKA is a private non-profit, but Mr. Bateman and Ms. Council will report on the activities of OHKA to the CAG.

6. City HUD Grant Update

Ms. Todd provided an update on the City's lead hazard control program. Ms. Todd announced that an information meeting will be held on February 23, 2006 from 1:30-3:30 p.m. at the Civic Center. Ms. Todd stated that she continues to work with the Education and Comprehensive Plan Committees to coordinate activities with the CAG and OHKA.

Ms. Weston asked if EPA gave the City \$300,000. Ms. Todd stated that NDEQ provided \$300,000. Ms. Weston stated that she thought EPA provided the funding. Ms. Todd stated that the City has entered into a \$350,000 agreement with EPA to do exterior paint stabilization, but this funding is separate and for a separate program.

7. NDEQ Update

Mr. Davis stated that he participated in a conference call with ATSDR to discuss arsenic disclosure. Ms. Casteel stated that this would be discussed later in the meeting.

8. Douglas County Health Department Update

Dr. Pour stated that she did not have anything to report.

9. LSOC Update

Ms. Weston provided an update on Lead Safe Omaha Coalition (LSOC) activities. Ms. Weston stated that LSOC completed their first hazmat training session for February. Mr. Davis asked how many individuals have been trained by LSOC so far. Ms. Weston stated that she would check on the actual numbers, but estimated that approximately 170 workers have been trained, with 87% securing employment.

10. Comprehensive Plan/Grant Committee Update

Ms. Weston stated that the Comprehensive Plan/Grants Committee is working with Ms. Todd to provide input on a private sectors initiative. Ms. Weston stated that the Committee also discussed components of a comprehensive plan and coordination with OHKA. Ms. Weston stated that the Committee will meet on March 6, 2006 at 1:30 at the Family Resource Center to discuss a draft housing matrix designed to show what funding is needed for housing components of a comprehensive plan. Ms. Weston added that a HUD representative and Ms. Gail Braun will be invited to attend to talk about applying for upcoming grants.

11. Education Committee Update

Mr. Waldren stated that lead week will be April 2-8, 2006 and asked anyone interested in getting involved in planning for lead week to contact him. Mr. Waldren reported that the Committee is planning a display at the City/County building, handouts for the libraries, a display at the Children's Museum in the fall, classroom materials for kindergarten through third grade, stuffers for bags at Lowe's, a flyer in the OPS school newspaper, inserts for grocery bags, and bus billboards. Ms. Barrientos-Patlan asked if information will be printed in the newspapers that week. Mr. Waldren stated that information will be submitted, but there is no guarantee that it will be run. Ms. Barrientos-Patlan offered to print information in the Burlington Road Neighborhood Association newsletter.

Mr. Waldren reported that the Committee also discussed arsenic disclosure and recommends that the CAG send a letter to the Real Estate Commission requesting clarification on disclosure rules and if arsenic is considered a hazard. The CAG unanimously approved to submit a letter to the Real Estate Commission (13-0).

Mr. Waldren stated that the next Education Committee meeting will be held March 7, 2006 at 1:30 p.m. at the Douglas/Sarpy County Extension office.

12. Questions and Answers

Ms. Barrientos-Patlan asked for proposed staging areas to be added to the next CAG meeting agenda. Mr. Feild stated that the information Ms. Barrientos-Patlan provided on potential staging areas would be provided to the contractors and made available at the Pre-Bid Conference.

Mr. Waldren stated that the next CAG meeting would be held on Wednesday, March 8, 2006 at 9:30 a.m. The location is to be announced.

Handouts Provided for the Meeting (February 15, 2006):

Draft CAG Meeting Minutes from 1/25/06

Final CAG Meeting Minutes from 12/14/05

Air Monitoring at the Omaha Lead Site (provided by MFG)

Response and Notice of Intent to Comply (provided by UPRR)

Summaries of Childhood Lead Poisoning Elimination Plans

Draft Potential Funding Sources to Address Lead in the Omaha Metro Area

EPA Presolicitation Notice dated February 2, 2006

Essentials in Healthy Homes Practitioner Course (provided by MFG)

Letter from Burlington Road Neighborhood Association dated January 25, 2006

Omaha Neighborhood Parks—East of 42nd Street from Harrison to Ames (Provided by Ms. Rebecca Barrientos-Patlan)

Lead Safety Examined at OPS Rifle Ranges (Provided by MFG, Inc.)

Douglas County Rates B+ in Meeting Health Goals (Provided by MFG, Inc.)

No “Safe” Lead Level Seen for Fetal Brain

Landlords, Property Managers Face Penalties for Violating Lead Point Disclosure Rules

News Release: HUD Publishes First Part of Fiscal Year 2006 Funding Notice

Reduced Intellectual Development in Children with Prenatal Lead Exposure

Attachments to Minutes:

Sign-In Sheet (hardcopy to be delivered)

EPA Update (hardcopy to be delivered)