

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

Minutes for Meeting Held
Wednesday, March 9, 2005, 9:30 a.m.
Douglas/Sarpy County Extension Office
8015 W. Center Rd.

OLS CAG Members Present:

Janet Bohm—*Citizen at Large*
Sue Casteel—*ATSDR*
Tanya Cook—*Governor's Omaha Advisory Council for Lead Safe Neighborhoods*
Todd Davis—*Nebraska Department of Environmental Quality*
Jonah Deppe—*League of Women Voters*
Connie Determan—*MFG, Inc.*
Bob Feild—*Environmental Protection Agency*
Joe Gudenrath—*City of Omaha Mayor's Office*
Jeff McDermott—*Union Pacific Railroad*
Marilyn McGary—*Urban League of Nebraska*
Dr. Donna Polk-Primm—*Nebraska Urban Indian Health Coalition*
Dr. Adi Pour—*Douglas County Health Department*
Dr. Shireen Rajaram—*University of Nebraska, Omaha*
Chris Rodgers—*Douglas County Board of Commissioners*
Marian Todd—*City of Omaha Planning Department*
Vernon Waldren—*University Extension*
Cammy Watkins—*Sierra Club*
Warren Weaver (proxy for Councilmen Gernandt and Brown)—*City of Omaha*
Cheryl Weston—*Lead Safe Omaha Coalition*

Others Present:

George Barsom—*Professional Environmental Engineers*
Joel Christensen—*MUD*
Todd Crawford—*Senator Hagel's Office*
Karen Davis—*Congressman Terry's Office*
Felisa Dillon—*ASW*
Patty Falcone—*Douglas County Health Department*
Todd Falter—*Nebraska Health and Human Services*
Laurie Foral—*Douglas County Health Department*
Sonny Foster—*Senator Ben Nelson's Office*
Nancy Gaarder—*Omaha World-Herald*
Sandy House—*Munroe-Meyer Institute*
Steve Kemp—*Nebraska Department of Environmental Quality*
Debbie Kring—*Environmental Protection Agency*
Kathy Leinenkugel—*Douglas County Health Department*

Dr. Jeff Linkenbach—*Montana State University, Bozeman*
Stacy Meacham—*MFG, Inc.*
Anna Odipo-Nyambok—*Munroe Meyer Institute*
Youlanda Outin--*ATSDR*
Paula Peters--*ATSDR*
Claudia Preddy—*Marc Enviro Services*
Stan Quy--*HUD*
Jennifer Rawley—*MFG, Inc.*
Steve Sanders—*Environmental Protection Agency*
Katy Spellerberg—*MFG, Inc.*
Reid Steinkraus—*Douglas County Health Department*

Introductions were made.

1. Discussion on Minutes from the February, 2005 Meeting

Ms. Council asked for corrections or additions to the meeting minutes from the CAG meeting on February 9, 2005. Ms. Weston stated that on page 3, the motion to invite Dr. Linkenbach should reflect that Ms. Weston abstained from voting. Ms. Weston motioned to approve the minutes with the above correction. Dr. Pour seconded the motion. The motion unanimously passed (14-0).

2. Announcements

Ms. Council announced that she would attend the Sisters Together meeting on May 12, 2005 at 6 p.m. to present information about the CAG. Ms. Council stated that she presented at the South Omaha Neighborhood Association meeting on March 3, 2005, reporting that the presentation was well received. Ms. Council encouraged anyone who knows of a group that would be interested in hearing the presentation to let her know.

Ms. Council stated that at the last CAG meeting, the CAG had requested that Mr. Kevin Howe be contacted to obtain copies of contractor work plans for the Omaha Lead Site. Ms. Council explained that MFG had requested the documents from Mr. Howe, who informed MFG that a formal FOIA request to EPA would be necessary. Ms. Council stated that MFG sent a FOIA request to EPA and that MFG received a standard response, which stated that the documents would be located and provided.

Ms. Council stated that, as discussed at the last CAG meeting, a list of 40-Hour Hazwoper trainees was provided to the CAG through Senator Nelson's office.

Ms. Weston stated that the letter accompanying the list of trainees states that the Lead Safe Omaha Coalition sponsored the training, which is incorrect. Ms. Weston stated that she asked EPA to be sure that it was stated that the Lead Safe Omaha Coalition did not sponsor the training and did not release the list of names. Ms. Weston stated that the

Lead Safe Omaha Coalition allowed EPA to hold the training at their site, but did not sponsor the training.

Ms. Weston asked why a request for the contractors' work plans was made. Ms. Council stated that the work plans were requested due to questions raised at the last meeting regarding the work of the contractors. Ms. Weston asked why a FOIA request was submitted without a formal vote of the CAG. Ms. Council stated that this was an information request, as opposed to the CAG taking a position on an issue, and asked Mr. Feild if he could explain why an official FOIA request was required to obtain the information.

Mr. Feild stated that a FOIA request for the contractors' work plans was necessary because the information could be considered confidential business information. Mr. Feild stated that EPA wanted to maintain a formal paper trail. Mr. Feild stated that EPA is currently compiling the documents to provide to the CAG.

3. EPA Update

Mr. Feild provided a handout summarizing EPA soil removal activities. Mr. Feild stated that no yard removals have occurred since the last CAG meeting. Mr. Feild reported an error on the handout provided at the previous CAG meeting. Mr. Feild stated that the total number of properties remediated to date is 707, not 708.

Mr. Feild provided a map displaying the number of soil removals per zip code. Ms. Deppe thanked Mr. Feild for the information.

Mr. Foster asked why cleanups occurred outside of the Superfund boundary. Mr. Feild stated that at first, EPA did not know how far out to perform soil removals. Mr. Feild stated that now the area has been better defined by sampling. Mr. Foster asked why the boundary has not been modified to extend south of "L" Street and north of Ames Avenue, given the number of removals that have taken place in those areas. Mr. Feild replied that the Omaha Lead Site is actually defined as those yards contaminated by historic industrial emissions.

Dr. Pour noted that more removals have occurred in South Omaha than North Omaha. Dr. Pour stated that this information should be considered when determining health education needs. Ms. Weston stated that the soil removal numbers do not reflect the work under the pilot program, which includes more properties in North Omaha. Ms. Weston added that the map does not reflect that more sampling has occurred in North Omaha. Ms. Bohm asked if a larger number of removals in South Omaha indicated there is more contamination in South Omaha. Mr. Feild replied that the map does not indicate the level of contamination, but a figure included in EPA's Remedial Investigation does indicate sampling locations and results. A request was made that EPA include a zip code grid overlain on EPA's figure of sampling results. Mr. Feild stated that he would provide this at the next meeting. Ms. Weston requested that the number of properties sampled per

zip code also be provided. Mr. Feild replied that he would provide the number of properties sampled per zip code.

Dr. Pour stated that the number of yards removed is a success story.

Ms. Bohm asked that EPA provide the total numbers of properties and access agreements obtained.

Mr. Feild stated that ECC and HGL would continue excavating yards this spring. Mr. Feild stated that ECC will be performing 163 removals and currently has signed access agreements for at least 12 properties. Mr. Feild stated that ECC must finish 120 excavations by the end of June and an additional 43 by the end of August. Mr. Feild stated that HGL would begin excavations this week. Mr. Feild stated that HGL must complete 120 excavations by the end of June and currently has more than 100 signed access agreements. Mr. Feild stated that based on the completion dates, approximately ten properties per week will be excavated by each contractor.

Mr. Feild stated that during this time, EPA would also continue to excavate high priority properties (properties at which a child with an elevated blood lead level resides, child care facilities, properties with lead concentrations greater than 1,200 ppm, and properties with lead concentrations greater than 800 ppm at which children reside). Mr. Feild stated that these excavations will be completed under EPA's emergency removal authority and will be conducted at a rate of about ten properties per week. Based on these figures, Mr. Feild estimated that a total of approximately 30 properties would be excavated per week over the next several months, which will amount to three times as many yards being excavated this year versus last year.

Ms. Weston asked if Environmental Restoration (ER) would be performing the removals for EPA. Mr. Feild stated that the emergency removals are occurring through preplaced contracts with ER. Mr. Feild stated that EPA is still in negotiations with Potentially Responsible Parties and is hoping that the PRPs will take the lead on the remainder of work. Mr. Feild added that the negotiation moratorium would end April 22, 2005.

Ms. Weston asked what EPA is doing to ensure that local individuals are performing work under ER. Mr. Feild stated that EPA could not add incentives to the contracts for hiring local individuals because the contracts are already in place. Mr. Feild stated, however, that basic economics provide an incentive for the contractor to hire local workers because hiring local workers would reduce costs, such as travel expenses. Ms. Weston asked EPA to provide the percentage of local individuals hired by ER, ECC, and HGL to perform work at the Omaha Lead Site. Ms. Kring asked for clarification from Ms. Weston if it was a breakdown of local companies, with an emphasis on minority and women-owned business that she would like to see. Ms. Weston responded that yes, this is the information she was requesting. Mr. Feild stated that he would ask ER to voluntarily provide the information. Mr. Feild stated that ECC and HGL would be providing reports at the end of the contracts. There is no requirement in the contracts that ECC and HGL provide interim reports regarding their use of local firms/individuals.

Ms. Weston asked if ECC and HGL would complete excavations at properties with children first. Mr. Feild stated that prioritization is not required, but that EPA will be working with the contractors to prioritize removals. Mr. Feild stated that EPA is compiling a list where children live and will provide the list to the contractors.

Ms. Bohm asked if lead-based paint is being addressed at homes where soil is being removed. Mr. Feild stated that because the Interim Record of Decision was not in place when the contracts were created, addressing lead-based paint was not required. Mr. Feild stated that EPA is trying to develop a mechanism to address the paint, although EPA cannot require the U.S. Army Corps of Engineers to do so.

Ms. Bohm asked if an owner could wait to have their soil removed until after flaking paint from a neighbor's house is removed. Mr. Feild stated that access is voluntary, and EPA is not requiring anyone to allow the removals.

4. NDEQ Update

Mr. Davis stated that NDEQ has nothing to report since the last CAG meeting.

5. ATSDR Presentation

Ms. Youlanda Outin, Ms. Paula Peters, and Ms. Patty Falcone presented on the Douglas County Health Department and ATSDR's upcoming outreach program.

Following the presentation. Discussion occurred. Mr. Feild stated that EPA is still committed to creating a community-based long-term educational program. Mr. Feild stated that EPA could not directly fund the CAG. Mr. Feild stated that a separate 501(c)(3) organization is needed to provide the funding. Ms. Council stated that that is why the CAG proposed the creation of a 501(c)(3). Dr. Polk-Primm stated that the CAG spoke about creating a 501(c)(3) a year ago. Dr. Polk-Primm stated that it is only fair that community based organization receive some funding. Ms. Council added that the CAG has also discussed identifying a currently existing program to work through to receive funding.

Ms. Weston expressed concerns about minority training for the county's outreach program. Dr. Rajaram asked why Asian Americans are excluded from the programs focus. Ms. Foral replied that Asian Americans should be included but that Douglas County Health Department does not have enough information about the Asian American community. Dr. Rajaram stated that the Douglas County Health Department also does not have enough information about the Sudanese community, though they will be included. Ms. Foral concurred and responded again that she felt including the Asian American community is a great idea.

6. Social Norms

Ms. Council stated that questions had arisen regarding what led to Dr. Linkenbach being invited to Omaha. Ms. Council stated that at the January CAG meeting, the issue arose because of a Social Norms presentation being held in Leadville, Colorado. The CAG was asked at the last CAG meeting if there was interest in inviting Dr. Linkenbach to present in Omaha. The CAG voted to invite Dr. Linkenbach to Omaha if a local expert could not be identified. Ms. Council stated that she had contacted Dr. Rajaram to inquire about local experts. Ms. Council stated that she did not hear back from Dr. Rajaram, so Dr. Linkenbach was invited. Later, Dr. Rajaram sent an email to the CAG stating that she was unaware of any local expertise in Social Norms. Dr. Rajaram stated that Ms. Council asked for input, but did not provide a deadline for when the information needed to be provided.

Dr. Linkenbach provided a brief synopsis of the information he would be presenting in the afternoon at a separate session pertaining to the "Science of the Positive."

7. Community Development Funds Update

Mr. Foster stated that all Community Development Block Grant (CDBG) funds are being moved to the Department of Commerce for economic development instead of housing. Mr. Foster stated that this would have an impact on lead-based paint remediation funding. Mr. Quy stated that the funds are also being cut by 50 percent. Mr. Quy stated that lead-based paint remediation can still occur through a special HUD grant program, however, funding to that program will be cut.

Ms. Council asked if there is anything the CAG can do to advocate for funding. Ms. Davis stated that Congressman Terry is on the Commerce Committee. Ms. Davis stated that she would ask Congressman Terry for feedback.

Ms. Deppe motioned for the CAG to write a letter expressing concern about reducing federal lead-based paint funding and eliminating CDBG funds. Ms. Watkins seconded the motion. The motion unanimously passed (13-0).

8. Congressman Terry's Bills (H.R. 433 and H.R. 434)

Ms. Davis provided a synopsis of H.R. 433 and H.R. 434. Ms. Davis stated that H.R. 433 was written because the City did not receive points on a grant application for being a Superfund site. Ms. Davis explained that H.R. 434 includes reducing administrative costs, moving funding from the Department of Science and Technology to Superfund, and prohibiting new sites from being added to the National Priorities List (NPL).

Mr. Foster stated that Senator Nelson would cosponsor H.R. 433. Mr. Foster stated that Senator Nelson is concerned about H.R. 434. Mr. Foster stated that Senator Nelson is concerned about the health risk associated with sites in Nebraska, which would be prohibited from being added to the NPL.

Ms. Davis stated that the portion of H.R. 434, which would prohibit new sites from being added the NPL, was introduced, in part, to start a discussion. Ms. Davis stated that this section would probably not be left in the bill. Mr. Foster stated that discussion and prioritization of the NPL is needed.

Dr. Rajaram stated that from a health perspective, placing a cap on the number of Superfund sites does not make sense. Dr. Rajaram stated that she does not know enough about the Department of Science and Technology to determine if their funding is frivolous. Dr. Rajaram asked if removing the funding to the Department of Science and Technology would harm the public. Ms. Davis stated that a lot of study was conducted before the bill was drafted.

Mr. Crawford stated that Senator Hagel has companion legislation for H.R. 433. The companion legislation is S.R. 255.

Dr. Rajaram asked if a subcommittee exists to handle policy issues. Ms. Council stated that the comprehensive plan includes an advocacy component, thus policy issues would fall under the Comprehensive Plan Subcommittee.

Ms. Watkins motioned to draft a letter supporting H.R. 433, which will be distributed and voted on electronically. Ms. Deppe seconded the motion. Mr. Feild stated that EPA is not voting on the issue and does not endorse or have an opinion on any legislation. The motion passed (8-0-1), with Ms. Cook abstaining.

9. Munroe-Meyers Institute Presentation

Ms. Sandy House presented information regarding the Munroe-Meyers Institute.

10. Education Subcommittee Update

Ms. Council announced that the next Education Subcommittee meeting would be held March 15, 2005 at 1:30 p.m. at the Urban League Family Resource Center.

11. Comprehensive Plan Subcommittee Update

Ms. Council announced that the next Comprehensive Plan Subcommittee meeting would be held March 15, 2005 at 11:00 a.m. at the Urban League Family Resource Center.

12. Grants

Ms. Spellerberg provided an update on grants. Ms. Spellerberg stated that Ms. Gail Braun from the Mayor's office agreed to assist the CAG in identifying grants.

Ms. Kring stated that she has a matrix of EPA grants and to contact her to receive a copy. Ms. Kring stated that, when applying to an EPA grant, sensitive populations, ecosystems, and/or agriculture need to be emphasized. Ms. Kring stated that she is willing to provide

guidance on grant writing, as long as she is not a selection committee associated with the specific grant. Ms. Council requested that Ms. Kring provide a copy of the grant matrix to Ms. Determan for distribution to the CAG. Ms. Kring stated that she would provide a copy of the grant matrix.

13. Next Meeting

Ms. Council stated that the next meeting would be held Wednesday, April 6, 2005 at 9:30 a.m. The location is to be announced.

Handouts Provided for the Meeting (March 9, 2005):

Draft Minutes from 02/09/05 (Provided by MFG, Inc.)

Approved Minutes from 01/12/05 (Provided by MFG, Inc.)

Summary of Lee Terry's Superfund-Related Bills, H.R. 433 and H.R. 434 (Provided by Congressman Terry's Office)

Email from Mr. Kevin Howe Regarding Requested ECC and HGL Documents for the CAG

Alegent Health Trust Information (Provided by MFG, Inc.)

Fact Sheet: EPA Introduces Interim Record of Decision (Provided by EPA)

Grant Opportunities (Provided by Dr. Adi Pour)

Grant Opportunities (Provided by Dr. Shireen Rajaram)

Contracting Subcommittee Meeting Notes from February 9, 2005

Preventing Lead Exposure in Young Children: A Housing-Based Approach to Primary Prevention of Lead Poisoning (Provided by MFG, Inc.)

EPA Update (Provided by EPA)

Attachments to Minutes:

Sign-In Sheet (hardcopy to be delivered)