

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

Minutes for Meeting Held
Wednesday, May 10, 2006, 9:30 a.m.

NDEQ Field Office
Papio-Missouri River Natural Resources District Building
8901 South 154th Street
Omaha, NE 68138

OLS CAG Members Present:

Rebecca Barrientos-Patlan—*Burlington Road Neighborhood Association*
Janet Bohm—*Citizen at Large*
Tanya Cook—*Governor's Omaha Advisory Council for Lead Safe Neighborhoods*
Edna Brooks Pittman (Designee for Tommie Wilson)—*NAACP*
Sue Casteel—*Agency for Toxic Substances and Disease Registry*
Brenda Council—*Facilitator*
Todd Davis—*Nebraska Department of Environmental Quality*
Jonah Deppe—*League of Women Voters*
Jim Dowding (Designee for Gary Gernandt and Frank Brown)—*City Council Staff*
Bob Feild—*Environmental Protection Agency*
Nick Flattery—*OneWorld Health Centers*
Ayesha Graves—*Mayor Fahey's Office*
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*
Rebecca Valdez—*Chicano Awareness Center*
Vernon Waldren—*Douglas/Sarpy County Extension*

Others Present:

Gordon Andersen—*City of Omaha Public Works Dept.*
Joe Bateman—*Union Pacific Railroad*
Rita Brown—*Lead Safe Omaha Coalition*
Mary Castaneda—*EPA Information Offices*
Lelia Coyne—*Citizen*
Felisa Dillon—*ASW*
Connie Determan—*MFG, Inc.*
Mike Felix—*Nebraska Department of Environmental Quality*
Debbie Kring—*Environmental Protection Agency*
Clifton Jones—*U.S. Department of Housing and Urban Development*
Kathy Leinenkugel—*Douglas County Health Department*
Diane Luna—*Burlington Road Neighborhood Association*
Stacy Meacham—*MFG, Inc.*
Jeremy Nordquist—*State Senator Synowiecki's Office*

Mia Price—*Charles Drew Health Center*
Jennifer Rawley—*MFG, Inc.*
Steve Sanders—*Environmental Protection Agency*
Reid Steinkraus—*Douglas County Health Department*

Ms. Council thanked Mr. Davis and the Nebraska Department of Environmental Quality for hosting the meeting.

1. Discussion on Minutes from the March 8, 2006 and April 12, 2006 Meetings

Ms. Council asked for any corrections or additions to the March 8th CAG meeting minutes. Ms. Barrientos-Patlan motioned to approve the minutes as distributed. Ms. Brooks Pittman seconded the motion. The motion was unanimously approved (10-0).

Ms. Council asked for any corrections or additions to the April 12th CAG meeting minutes. Mr. Feild stated that in the second to last paragraph on page five, “Mr. Feild stated that EPA was unaware prior to 2004 that paint and dust needed to be addressed” should read, “Mr. Feild stated that prior to 2004 paint and dust were not included in EPA’s response action.” Ms. Brooks Pittman motioned to approve the minutes with the above change. Ms. Weston seconded the motion. The motion was unanimously approved (11-0).

Ms. Weston stated clarified that the current Marc Environmental office is located within the Omaha Lead Site boundaries.

2. EPA Update

Lead-based paint assessment procedures

Mr. Feild reported that EPA is continuing to develop criteria for the amount of deteriorating lead-based paint present on a home that presents a threat to EPA’s soil replacement. Mr. Feild stated that he will share the criteria with the CAG when the criteria are defined.

Park sampling update

Mr. Feild stated that EPA is continuing to sample small parks and develop a statistically-based sampling plan for larger parks. Mr. Feild stated that he will share the sampling plan with the CAG when it becomes available.

Update on information centers

Mr. Feild stated that EPA is still planning an open house at the information centers.

25th and Center Streets staging area update

Mr. Feild stated that there had been discussion at the last CAG meeting about working with the CAG to ensure public involvement in potentially establishing a staging area at 25th and Center Streets. Mr. Feild stated that EPA had planned to meet with the local neighborhood association to discuss the staging area, but word got out before EPA had the chance to hold a meeting. Mr. Feild stated that an individual had gone door-to-door placing flyers urging neighbors to attend the neighborhood association meeting and oppose the staging area. Mr. Feild stated that at the neighborhood association meeting, the contractor announced that it would not use the site as a staging area and will instead use the Missouri River Wastewater Treatment Plant. Mr. Feild stated that he believes information was mishandled. Mr. Feild stated that the CAG needs to be careful with the information he shares.

Ms. Barrientos-Patlan stated that it is the community's right to come together and talk about what will happen. Ms. Barrientos-Patlan stated that the community has the right to oppose the placement of a staging area. Ms. Barrientos-Patlan asked Mr. Feild if asking the CAG to be careful was a threat. Mr. Feild stated replied that he had a concern that information was released before EPA's effort to involve the community. Mr. Feild stated that EPA hopes to have an opportunity to fairly present information before opposition is expressed.

Ms. Deppe suggested that EPA contact the neighborhood association when an issue arises requiring community involvement. Mr. Feild stated that EPA did contact the neighborhood association. Ms. Deppe suggested that EPA be more proactive in the future and let the community know that a meeting will be held to discuss the issue. Mr. Feild stated that EPA will contact the neighborhood association much earlier in the future.

Ms. Weston stated that she tried to notify Mr. Feild that an individual had contacted the Lead Safe Omaha Coalition regarding EPA's intentions for a staging area. Ms. Weston stated that the individual was upset with the owner of the property. Ms. Weston added that the complaint did not come from the CAG. Ms. Weston stated that she feels comfortable that EPA will provide for community involvement with respect to placement of staging areas.

Ms. Council stated that she appreciates Mr. Feild's concern, but that the CAG exists to be a conduit for communication to the CAG members' respective constituencies. Ms. Council stated that she does not want CAG members to have the impression that the expectation is to not convey information to their constituents. Ms. Council stated that it should not be suggested that there are communication limitations. Ms. Council stated that CAG meetings are open to the public and that meeting minutes are posted on the CAG website for the public to read.

Ms. Council stated that she was contacted by an individual regarding procedures for storing soil at the Missouri River Wastewater Treatment Plant. Ms. Council stated that

the individual reported that soil was stored in a manner that it would erode into the river if it rained. Mr. Feild stated that he was aware of the complaint. Mr. Feild stated that the area where the soil is stored is not behind the flood protected area of the plant, but is located on relatively high ground. Mr. Feild stated that if flooding occurred, the contractor could move the soil to the flood protected area. Mr. Feild stated that a contingency plan is in place. Ms. Council stated that she thought the concern was not related to flooding. Ms. Council stated that she understood the complaint to be that rain could wash the soil away. Mr. Andersen stated that the soil is in a bermed area and has a runoff collection system. Mr. Andersen stated that runoff is treated. Mr. Andersen added that the soil piles are covered.

Ms. Weston asked where the contaminated soil is disposed. Mr. Feild replied that the soil is used for daily cover at a landfill in Malvern, Iowa.

Ms. Brooks Pittman stated the concern about the neighborhood opposition could be seen as an opportunity for EPA to get involved. Mr. Feild stated that EPA wanted the information to be fairly presented. Ms. Brooks Pittman suggested that EPA could have mailed out information after the neighbor distributed flyers. Mr. Feild stated that EPA did not want different letters from different parties distributed. Ms. Brooks Pittman stated that if EPA had provided letters, neighbors could have attended the neighborhood association meeting already informed about both sides and prepared to discuss the issue. Ms. Deppe added that more community members would attend a public meeting if there is a perceived conflict.

Ms. Deppe expressed concern that EPA may not share information with the CAG if EPA believes the CAG is misusing information. Mr. Feild stated that he was not accusing anyone. Mr. Feild stated that he is concerned that certain information could prevent EPA's contractors from completing work. Mr. Feild stated that he is committed to working with the CAG to ensure public participation. Mr. Feild will prepare for CAG meetings in the future with the expectation that information shared will be made public.

List of excavated properties

Mr. Feild provided a list of the number of properties excavated.

Ms. Weston asked if EMR will continue performing soil excavations. Mr. Feild replied that EPA is scaling back EMR's participation, but EMR will still maintain the ability to perform excavations.

Ms. Weston asked if ASW would continue to staff the EPA information offices now that ASW is an excavation contractor. Mr. Feild replied that EPA is evaluating the potential conflict of interest. Mr. Feild stated that he would let that CAG know the results of the evaluation.

Ms. Deppe asked if EPA if the number of yard removals EPA will perform this year is limited by funding. Mr. Feild stated that EPA is not limited by funding, but is limited by

the number of properties that can be efficiently excavated. Mr. Feild added that EPA is performing excavations at the Omaha Lead Site faster than has ever been done before.

Ms. Weston asked what the contract amount was that EPA awarded to ASW. Mr. Feild stated that he would report the amount at the next CAG meeting.

Ms. Weston asked what amount of funding was allocated to the Omaha Lead Site this year. Mr. Feild replied that a total of \$15 million has been allocated (\$3 million from the Asarco trust fund and \$12 million from EPA's remedial action funds).

Ms. Council stated that the list of individual excavated properties was requested at the previous CAG meeting. Mr. Feild stated that he would bring the list to the next CAG meeting. Ms. Bohm requested that EPA provide a list of satisfactorily completed properties. Ms. Bohm stated that residents in her neighborhood have been having problems with EPA. Mr. Feild stated that he does not have this information. Ms. Weston stated that EPA would have information from the satisfaction surveys completed last year as part of the U.S. Army Corps of Engineers contract. Mr. Feild stated that he would find out if the satisfaction survey information is public information. Ms. Weston stated that the request is not for individuals' names, but only for percentages or numbers of satisfied residents.

Ms. Weston asked if Mr. Feild was aware that contractors are assessing paint at residences and not providing status updates of the assessments to the residents. Mr. Feild stated that the contractor should not be providing findings at this time. Mr. Feild stated that he would look into the matter.

Ms. Barrientos-Patlan stated that she was hired to assist with gaining access to properties for sampling in South Omaha. Ms. Barrientos-Patlan stated that she would have to resign because of the conflict of interest. Ms. Council stated that the disclosure of a conflict of interest was appreciated. Ms. Council added that Ms. Barrientos-Patlan's resignation from the CAG is regrettably accepted and that if the conflict is eliminated in the future, Ms. Barrientos-Patlan is welcome to return as a CAG member. Ms. Weston added that Ms. Barrientos-Patlan's attendance and input is still welcome and appreciated.

3. OHKA Update—Joe Bateman

Mr. Bateman provided an update on the Omaha Healthy Kids Alliance (OHKA). Mr. Bateman reported that at the last OHKA meeting Dr. Pour presented blood lead information, and the CAG Education Committee presented accomplishments, current activities, and proposed future activities to the board. Mr. Waldren stated that OHKA has a contract with an accountant (Hays and Associates) and auditor (Mr. Brian Pleskac), and selected First National Bank to provide banking. Mr. Bateman stated that OHKA is looking into office space at the Neighborhood Center for Greater Omaha.

Mr. Bateman stated that OHKA selected an executive director. Mr. Bateman stated that OHKA posted ads for the position on the CAG website, on the Nonprofit Association of the Midlands website, in the Omaha World-Herald, on the Omaha World-Herald website, on CareerLink.com, in the Omaha Star, and in El Perico and received 86 applications. Mr. Bateman stated that the OHKA Organizing Committee reviewed the applications and interviewed six candidates. Mr. Bateman stated that the Organizing Committee then recommended three individuals to the board for consideration. Mr. Bateman reported that the board made a unanimous decision and is in the process of making a job offer to the selected individual. Mr. Bateman stated that the individual has a strong background in nonprofit start-up, is bilingual, has experience with diverse populations and health issues, and has database expertise. Mr. Bateman stated that the individual will be living on the fringe of the Omaha Lead Site and has a small child.

Mr. Bateman reported that OHKA is still in the process of obtaining 501(c)(3) status. Mr. Bateman stated that OHKA will be developing a budget and would like input from the CAG committees and executive director when creating the budget.

5. Report on 2005 Blood Lead Levels—Reid Steinkraus

Mr. Steinkraus presented 2005 blood lead testing results. Mr. Steinkraus reported that, in 2005, the number and percent of children with elevated blood lead levels (greater than or equal to 10 µg/dL) in Douglas County and the Omaha Lead Site continued to decline. Mr. Steinkraus stated that, in 2005, 3.5% of children in Douglas County had elevated blood lead levels, and 4.5% of children living within the seven zip codes of the Omaha Lead Site had elevated blood lead levels. Mr. Steinkraus reported that the Douglas County zip codes with the higher percentages of elevated blood lead levels correlated to the zip codes with the higher percentages of pre-1950 housing. Mr. Steinkraus reported that deteriorating lead-based paint on window sills and porches are common causes of elevated blood lead levels.

Mr. Steinkraus reported that, in 2005, the Douglas County Health Department (DCHD) performed 142 inspections as part of its case management program. Mr. Steinkraus stated that the DCHD identified lead-based paint hazards at 94.4% of the inspected homes. Although lead-based paint hazards were not identified at eight homes, Mr. Steinkraus reported that lead-based paint hazards were eventually determined to be the cause of the elevated blood lead levels of the children (the exposure occurred outside of the child's current home).

Mr. Feild asked if the percent of children with elevated blood lead levels is decreasing because screening levels are increasing. Mr. Steinkraus replied that that is a possibility, but may not be true because high risk children are targeted. Mr. Feild asked whether or not elevated blood lead levels in Douglas County can be fully explained by lead-based paint hazards, given that Lincoln, Nebraska, with similarly aged housing, reports lower numbers of children with elevated blood lead levels. Mr. Steinkraus replied that the

condition of housing in Lincoln is better than Omaha and that the primary cause of elevated blood lead levels is lead-based paint.

Ms. Weston asked what DCHD does to encourage local doctors to test children's blood lead levels. Mr. Steinkraus stated that Ms. Leinenkugel meets with local doctors. Ms. Weston asked if mailings are sent to local doctors. Ms. Leinenkugel replied that doctors receive mailings on a monthly basis and information is included in the Blue Cross Blue Shield newsletter. Dr. Pour added that the DCHD is working with the new Board of Health physician to determine the best way to reach providers.

Ms. Brooks Pittman asked if there is a way to get a child tested for free. Ms. Leinenkugel stated that the DCHD recommends children be tested by their provider if at all possible, in order to maintain continuity of care. Ms. Leinenkugel stated that the DCHD can provide testing for uninsured families.

Ms. Barrientos-Patlan asked if the DCHD could provide blood lead testing at the annual BRNA (Burlington Road Neighborhood Association) Day. Ms. Leinenkugel stated that the DCHD could provide testing at the event and asked that individuals contact the DCHD if they know of any other community events.

5. City HUD Grant Update

Ms. Todd provided an update on the City's HUD grant. Ms. Todd stated that two homes are under construction, seven homes are being prepared for bid, and thirteen applications are in the pipeline. Ms. Todd reported that a new Spanish-speaking clerical person has been hired. Ms. Todd reported that over the last five months, the CAG and LSOC have provided a total of 5,090 in-kind hours for the grant.

Dr. Pour asked if completed homes are lead-free of lead-safe. Ms. Todd replied that completed homes are lead-safe. Ms. Todd stated that the City does not do full abatement; the City does a combination of some abatement activities and interim controls. Dr. Pour asked how long the home would be considered lead-safe. Ms. Todd stated that she could not estimate a time, but stated that homeowners and tenants are provided with maintenance training.

6. NDEQ Update

Mr. Felix provided an update on NDEQ activities. Mr. Felix stated that NDEQ has held meetings to discuss the use of State cost share funding for educational activities. Mr. Felix stated that a meeting is scheduled for June 6, 2006 with NDEQ, EPA, and OHKA to further discuss the topic.

7. LSOC Update

Ms. Weston stated that there was nothing to report from the Lead Safe Omaha Coalition.

8. Comprehensive Plan Committee Update

Ms. Council stated that the Comprehensive Plan Committee met to continue adding to the comprehensive plan matrix.

9. Grants Update

Ms. Council reported that she and Ms. Rawley met with the DCHD to discuss opportunities for collaboration to apply for upcoming HUD grants. Dr. Pour stated that the DCHD will be working with Mr. Waldren to determine if either the DCHD or Douglas/Sarpy County Extension can apply for HUD's lead outreach grant.

9. Education Committee Update

Mr. Waldren provided an update on the Education Committee. Mr. Waldren stated that the Committee discussed the letter from the Real Estate Commission and agreed that the letter indicates that residents must disclose the results of soil lead testing. Mr. Waldren stated that the Committee will discuss how to educate residents on the discloser rule. Ms. Todd stated that he and Ms. Todd are putting together a detailed plan for remodeler training. Ms. Casteel stated that she and Ms. Thompson are working on a pilot project for lead curriculum in first, second, and third grades. Mr. Waldren stated that the Committee is working with the Omaha Children's Museum to create a display and seminar.

Mr. Waldren reported that the OHKA powerpoint presentation is available.

Ms. Casteel reported that she is working on creating lead fact sheets in English and Spanish.

Ms. Todd thanked Mr. Bateman for satisfying Union Pacific's pledge to match funds for the City's HUD grant.

10. Questions and Answers

Ms. Barrientos-Patlan thanked Mr. Davis for the inviting the CAG to NDEQ's office for the meeting. Ms. Barrientos-Patlan stated that negative comments regarding the meeting location had been made, but it was a kind decision to accept Mr. Davis' gracious invitation.

Ms. Barrientos-Patlan stated that, recently, several toys containing lead have been recalled. Ms. Barrientos-Patlan asked if the CAG could write a letter asking for the U.S. to regulate such imported toys. Ms. Council suggested that the Education Committee look into writing the U.S. Consumer Product Safety Commission.

Ms. Barrientos-Patlan thanked the Douglas County Health Department for installing a PM-10 monitor in South Omaha. Ms. Barrientos-Patlan asked if the monitor will measure lead. Dr. Pour replied that the monitor will measure PM-10 particles and that is the PM-10 standard is exceeded, and investigation looking into the specific particles would be initiated.

Ms. Council stated that the next CAG meeting is scheduled for Wednesday, June 14th at 9:30 a.m. The location is to be announced.

Handouts Provided for the Meeting (May 10, 2006):

Draft CAG Meeting Minutes from 3/8/06

Draft CAG Meeting Minutes from 4/12/06

Comprehensive Plan/Grant Committee Minutes 3/27/06

Lead Study Seeks Volunteers (provided by MFG, Inc.)

Manchester Landlords Face Fines for Lead (provided by MFG, Inc.)

Experiment Confirms Chloramine's Effect on Lead in Drinking Water (provided by MFG, Inc.)

Pepsi Agrees to Get Lead Out of Labels (provided by MFG, Inc.)

State Set to Ban Lead in Consumer Goods (provided by MFG, Inc.)

Expand Weatherization and Rehab Programs to Address Lead Safety (provided by MFG, Inc.)

Program Lands \$300K Grant to Help Renovate Homes (provided by MFG, Inc.)

EPA Recognizes the 2006 Children's Environmental Health Excellence Award Recipients (provided by MFG, Inc.)

Jackson Kicks Off "Healthy Homes for Healthy Kids Campaign" (provided by MFG, Inc.)

Long-Term Effect of Dust Control on Blood Lead Concentrations (provided by MFG, Inc.)

Lead Hazard Spurs Cleanup at Bluffs High School (provided by MFG, Inc.)

Letter from the Nebraska Real Estate Commission

Attachments to Minutes:

Sign-In Sheet (hardcopy to be delivered)

EPA Update (hardcopy to be delivered)