

Community Advisory Group (CAG)
for the
Omaha Lead Site

Minutes for Meeting Held
Wednesday, May 12th, 2004, 10:00 a.m.
Omaha Small Business Network
2505 N. 24 Street

OLS CAG Members Present:

Janet Bonet—*Citizen at Large*
Sue Casteel—*Agency for Toxic Substances and Disease Registry*
Tanya Cook—*Governor's Omaha Advisory Council for Lead Safe Neighborhoods*
Brenda Council—*Facilitator*
Jonah Deppe—*League of Women Voters and Citizen at Large*
Connie Determan—*MFG, Inc.*
Barba Edwards—*League of Women Voters*
Gene Gunn—*Environmental Protection Agency*
Melissa Gardner—*Sierra Club*
Terrie Jackson-Miller—*Omaha Chamber of Commerce*
Clifton Jones—*U.S. Department of Housing and Urban Development*
Robin Kammandel—*Metro Omaha Medical Society*
Bob Litle—*Asarco*
Jeff McDermott—*Union Pacific Railroad*
Dr. Donna Polk-Primm—*Nebraska Urban Indian Health Coalition*
Dr. Adi Pour—*Douglas County Health Department*
Dr. Shireen Rajaram—*University of Nebraska, Omaha*
Arson Rayford—*Omaha Housing Authority*
Dr. Everett Reynolds—*NAACP*
Marian Todd—*City of Omaha Planning Department*
Vernon Waldren—*Douglas/Sarpy County Extension*
Cheryl Weston—*Lead Safe Omaha Coalition*

Others Present:

Dr. Merrill Coomes—*MFG, Inc.*
Todd Crawford—*U.S. Senator Chuck Hagel's Office*
J. Davenport—*Douglas County Health Department*
Karen Davis—*Congressman Lee Terry's Office*
Bob Feild—*Environmental Protection Agency*
Sonny Foster—*Senator Ben Nelson's Office*
Erin Grace—*Omaha World-Herald*
Debbie Kring—*Environmental Protection Agency*
Stacy Meacham—*MFG, Inc.*
Amy Morrison—*Lake County Community Health Program*
Jennifer Rawley—*MFG, Inc.*
Erica Ryan—*Douglas County Health Department*

Ms. Council began the meeting by asking for any corrections to the minutes from April 29, 2004. Ms. Deppe stated that on page 11, “a group in Michigan” should read, “the governor in Michigan.” Ms. Woods Harris moved to approve the minutes with Ms. Deppe’s correction. The motion was seconded and approved unanimously.

Ms. Council provided an update on the website. Ms. Council stated that she will advertise the CAG website on the television program, “Kaleidoscope”, which airs Sundays at 11:30 a.m. on KETV, Channel 7.

Ms. Council stated that on May 20th she would be unavailable to attend the informational “retreat”, and asked the CAG if the session should be rescheduled. Ms. Polk-Primm stated that the session could be postponed and asked what the purpose of the session was. Ms. Council stated that the purpose of the informational “retreat” was to provide an opportunity for CAG members that are not at the same level of understanding to learn more about the Superfund process.

Ms. Bonet stated that she was hoping to go over the draft Proposed Plan during the “retreat”. Ms. Bonet stated that she felt most of the CAG members were up to speed on the Superfund process. Ms. Council asked the CAG members if there should be a half-day meeting scheduled to review the Proposed Plan after it is released. CAG members expressed that they would prefer a half-day session to review the Proposed Plan in lieu of the informational “retreat”. Mr. Gunn offered to provide a briefing on the Proposed Plan at such a session. Ms. Council stated that a date for the Proposed Plan review session would be selected when notice is given of the Proposed Plan release date.

Ms. Council stated that Dr. Brown was absent and would not be providing an update on the Charles Drew Health Center Children with Blood Lead Levels ≥ 10 $\mu\text{g}/\text{dL}$. Ms. Council stated that she would contact Dr. Brown before the next CAG meeting.

Ms. Council invited Ms. Weston to provide an update on the Census Data Subcommittee. Ms. Weston stated that Mr. Don Bahnke with EPA had not yet responded to her questions. Mr. Gunn stated that Ms. Weston’s request had been made to EPA data processors. Mr. Gunn stated that the data processors are very busy, but that EPA will try to get Ms. Weston’s questions answered.

Ms. Council invited Dr. Polk-Primm to provide an update on the Repository Subcommittee. Dr. Polk-Primm stated that the Repository Subcommittee had held a conference call on Monday, May 10, 2004 (see handout, “Repository Subcommittee Notes”). Dr. Polk-Primm stated that the focus of the Repository Subcommittee is to educate the community. Dr. Polk-Primm explained that the Subcommittee discussed hanging flyers in order to direct the public to EPA and CAG repositories. Dr. Polk-Primm stated that a kiosk would be more effective than flyers and would prevent having

to staff someone to deliver flyers to various locations. Dr. Polk-Primm stated that a kiosk would provide the public with a way to access lead information as well as other health information. Dr. Polk-Primm stated that the CAG could decide to include the establishment of kiosks as part of the comprehensive plan the CAG is requesting EPA to consider.

Ms. Bonet asked if Dr. Polk-Primm had contacted other cities to see if kiosks have been used. Dr. Polk-Primm stated that kiosks are currently used in Omaha at the Goodwill, Home Depot, etc. Dr. Polk-Primm added that she does not know if other cities have utilized a kiosk to educate the public on lead issues. Dr. Polk-Primm stated that the kiosk would be an innovative way to provide education.

Ms. Council asked if the Repository Subcommittee had established repositories. Dr. Polk-Primm stated that minutes and meeting materials have been compiled into binders by meeting date and that a set of binders has been delivered to the W. Dale Clark Library. Additional binders will be delivered to the Washington, South, and Willa Cather libraries.

Ms. Bonet stated that the CAG website is another key source for educating the public and encouraged CAG members to promote the website. Dr. Polk-Primm stated that in areas with lower literacy rates, websites such as the CAG website would not be accessed. Ms. Cook asked if the “digital divide” is still a big issue. Dr. Polk-Primm stated that more families have computers, but would not necessarily look at technical information on the Internet.

Dr. Polk-Primm stated that it is important to encourage blood lead testing at events such as health fairs.

Ms. Kammandel stated that lead information could be run on television monitors located in physicians’ offices.

Ms. Bonet stated that cable television grants are out and due the first week of June. Ms. Bonet explained that funding is available to groups that want television programming. Ms. Bonet stated that applications are available at city/county offices and might be available on-line.

Dr. Polk-Primm reported that the Repository Subcommittee had also discussed Public Service Announcements and the potential to reach the public via television.

Ms. Council stated that the Repository Subcommittee would probably evolve into the Education Subcommittee.

Dr. Coomes stated that in Coeur d'Alene, Idaho, EPA Region 10, made CD ROMs of repository materials available to the public, in addition to a paper repository. This allowed individuals to easily search for specific information, making the documents more useful. Dr. Coomes stated that the Risk Assessment, Remedial Investigation, Feasibility Study, and Proposed Plan were all released on CD ROM. Dr. Coomes suggested that EPA provide information in PDF format for the Omaha Lead Site. Dr. Polk-Primm

stated that she thought Mr. Bahnke would be open to the idea of providing CD ROMs at the Omaha Lead Site EPA repositories. Ms. Bonet stated that EPA currently has a CD ROM containing general, not site-specific, Superfund information. Dr. Donna Polk-Primm asked Mr. Gunn to convey to Mr. Bahnke that the CAG would like EPA to make documents available in an electronic format. Mr. Gunn agreed that EPA would provide the documentation on a CD ROM.

Ms. Council introduced Ms. Morrison, a case manager from the Kids First Program in Leadville, Colorado. Ms. Council explained that Ms. Morrison had given a presentation on the Kids First Program on Tuesday, May 11, 2004 and that her presentation would be distributed in the package for the next CAG meeting and posted on the CAG website.

Ms. Council invited Ms. Deppe to provide an update on the health fair. Ms. Deppe stated that a display board had been assembled. Ms. Deppe also stated that there may be several health fairs throughout the year and that the display can be reused at such events.

Ms. Deppe also stated that she had received a letter from Governor Johanns stating that Governor Johanns would like the Nebraska Department of Environmental Quality to work with Nebraska Human Health and Services and the Douglas County Health Department to identify sources of lead other than soil and additional funding sources. Dr. Pour added that the effort would be a community effort and that all decisions will be run through the CAG.

Ms. Council invited any interested CAG members to assist with the Health Fair on May 15, 2004 from 9:00 a.m. to 2:00 p.m. at Omaha North High School.

Ms. Kammandel stated that an immunization conference would be held in June, 2004. Ms. Kammandel stated that she would provide the CAG with the date and location of the conference.

Ms. Weston stated that the Lead Safe Omaha Coalition would be present at the Health Fair and will likely have a nurse available to perform lead filter paper screening.

Ms. Council asked Ms. Kammandel if she could provide someone to perform screening at the upcoming health fair or future health fairs. Ms. Kammandel stated that having someone available to perform screenings might be possible. Ms. Kammandel stated that she would contact some individuals.

Dr. Pour stated that it is difficult to convince parents to have their children screened at health fairs.

Dr. Polk-Primm stated that one of the aspects of the Kids First Program that she was impressed with was the concept of incentives. Dr. Pour stated that incentives make a positive difference in participation. Ms. Council asked Ms. Morrison to explain what incentives were used in Leadville. Ms. Morrison stated that the Kids First Program in Leadville offered families a 25-dollar gift certificate per family and a 50-dollar savings bond per child (up to twice a year) for participating in blood lead screening.

Ms. Weston stated that the Lead Safe Omaha Coalition also utilizes incentives, such as bibs, t-shirts, and passes to swimming pools.

Ms. Bonet stated that the annual neighborhood cleanup could also be utilized for disseminating information to the public about lead issues. Ms. Bonet stated that the CAG could distribute fact sheets about lead at the cleanups. Ms. Council asked if Ms. Bonet and Ms. Todd could provide the cleanup dates.

Dr. Polk-Primm asked if CAG information could be inserted into the Omaha World-Herald to coincide with the cleanups. Ms. Deppe stated that she thought it would be easier to place inserts into OPPD bills. Ms. Council stated that the CAG has been in contact with the Omaha World-Herald and that placing inserts would be cost-prohibitive.

Ms. Bonet stated that the Spring Lake Neighborhood Association newsletter (she distributed copies of the current issues) is one way to get information out about lead. She stated that articles about lead could be included in the newsletter.

Ms. Todd provided an update on City Planning hearing dates. She stated that the next public hearing would be held Thursday, May 20th at 7:00 p.m. in the legislative chambers.

Ms. Weston asked if the letter submitted to the Governor regarding funding of a lead hazard reduction program was sufficient. Ms. Bonet stated that at a recent planning forum it was noted that the 2005 Action Plan probably would not be changed, so the CAG would have to look at 2006. Ms. Bonet stated that the CAG's suggestions were taken seriously.

Ms. Bonet asked if the CAG had received a response from the City to the letter written to the Governor. Ms. Council stated that the CAG had not received a response, but that she would be meeting with the Mayor in the near future and would bring up the subject.

Ms. Bonet said that it was stated at the public forum that the City is at capacity for contractors with lead certification. Ms. Bonet stated that she would like to see the list of certified contractors. Ms. Todd stated that the list of certified contractors is available through the NHHS Regulation and Licensure Department.

Ms. Council invited Mr. Gunn to provide an update on the National Remedy Review Board (NRRB). Mr. Gunn stated that EPA Region 7 met with the NRRB in early March 2004. Mr. Gunn stated that at sites with recognized CAGs, the CAG could prepare a five-page paper to present to the NRRB. Mr. Gunn stated that because of time limitations and because there were several groups whose input would have had to be collected, EPA Region 7 decided to not ask for any input. Mr. Gunn stated that EPA Region 7 would release the comments received from the NRRB and EPA Region 7's responses to the NRRB comments.

Ms. Weston stated that it was not appropriate to decide to exclude community input. She stated that the community should be involved in EPA processes in the beginning, not the end. Ms. Weston stated that she felt EPA owed the CAG an apology.

Mr. Gunn clarified that the NRRB does not approve the remedy.

Dr. Rajaram asked if the CAG could see what EPA Region 7 submitted to the NRRB. Mr. Gunn replied that the primary document submitted to the NRRB was the Preliminary Site Investigation. Mr. Gunn explained that a few changes were made to the Preliminary Site Investigation, such as additional samples and updated maps. Mr. Gunn stated that because the material (other than the Preliminary Assessment/Site Investigation) submitted to the NRRB is predecisional, it could not legally be released. Ms. Determan stated that copies of the Preliminary Assessment/Site Investigation would be distributed to the CAG.

Ms. Deppe asked if the Nebraska Department of Environmental Quality (NDEQ) provided input to the NRRB. Mr. Davis replied that perhaps a phone call or email was made. Ms. Deppe asked if the CAG could see a record of any communication that occurred. Ms. Gardner stated that the CAG could FOIA the NDEQ. Ms. Deppe stated that Mr. Mark Doolan of EPA had stated at a prior CAG meeting that there were comments from NDEQ. Mr. Davis stated that the comments were not from him.

Ms. Bonet stated that the CAG should have been informed in advance that EPA Region 7 would be submitting materials to the NRRB. Ms. Bonet asked that EPA not leave the CAG out of the loop again. Mr. Gunn agreed to not leave the CAG out in the future.

Ms. Council invited Ms. Kring to provide an update on the Community Involvement Plan. Ms. Kring stated that she continues to integrate comments into a revised Community Involvement Plan. Ms. Kring stated that she has added additional media outlets. Ms. Kring expressed gratitude for all submitted comments. Dr. Rajaram asked if the CAG could be provided with a copy of all submitted comments when the updated Community Involvement Plan is released. Ms. Kring agreed to provide the comments.

Ms. Gardner stated that she serves on the Papio-Missouri River Natural Resources District Board (NRD). She stated that the NRD would be able to provide some funding for education relating to the Omaha Lead Site.

Dr. Polk-Primm stated that the Indian community is concerned about the dropout rate among youths. Dr. Polk-Primm expressed concern that Indian people are being ignored in relation to the lead problem and suggested that coordination could be set up with the schools to involve the Indian community.

Ms. Council invited Mr. Gunn to provide an update on the Remedial Investigation/Feasibility Study (RI/FS). Mr. Gunn stated that EPA would consider including favorable language about an Omaha Kids First Program in the Proposed Plan. Mr. Gunn apologized for any disrespect felt as a result of EPA not requesting comments from the CAG to submit to the NRRB. Mr. Gunn stated that EPA is in the stage of

finalizing documents. Mr. Gunn stated that once the Risk Assessment is completed, he expects all the documents to be released. Mr. Gunn estimated that the Proposed Plan would be released in June 2004.

Ms. Council asked what the CAG could do to assist EPA. Ms. Council asked if it would be helpful to facilitate a meeting with the key members (partners) to sit down and discuss how to integrate a Kids First Program into the Proposed Plan for the Omaha Lead Site. Mr. Gunn replied that EPA would be willing to meet. Mr. Gunn stated that EPA needs assurance that the other risks, besides soil, would be addressed.

Ms. Weston suggested using the next CAG meeting as a meeting to discuss partnership with EPA. Mr. Gunn stated that EPA would not be available to attend the next meeting. Ms. Weston asked if EPA would be available on June 9, 2004. Mr. Gunn stated that EPA would be open to meeting June 9, 2004 to discuss partnerships.

Dr. Polk-Primm asked if it would be helpful to have someone to come and talk about the interest of the Indian community and lead issues.

Mr. Gunn stated that the Kids First Program would not have to be part of a remedy in order to use other funds. Ms. Weston asked why EPA needs assurance, if the comprehensive plan would not be included in the remedy. Mr. Gunn stated that EPA would like the Proposed Plan to be part of a larger plan.

Ms. Council asked if other factors could impact the remediation cost. Mr. Gunn stated that EPA could not adjust soil cleanup numbers based on other actions. Dr. Pour asked if the soil cleanup number was adjusted in Jasper County based on other actions. Mr. Gunn stated that actions over which EPA does not have authority could not be included in the Proposed Plan. Dr. Pour asked if in a hypothetical case the soil cleanup number was set at 1000 part per million (ppm), if the money saved from not setting the soil cleanup number at 400 ppm could be used to help fund a Kids First Program. Mr. Gunn stated that funding under Superfund could not be used in that manner.

Dr. Coomes stated that any option could be considered in the Feasibility Study, including options not controlled by EPA. Dr. Coomes stated that in Coeur d'Alene a lake management plan run by the city and county was listed as an alternative in the Feasibility Study and selected by EPA.

Dr. Coomes stated that EPA has the option to release the Risk Assessment independently of the Remedial Investigation and Feasibility Study. Dr. Coomes stated that by releasing these documents individually and before releasing the Proposed Plan, the CAG would be provided background information to help understand the Proposed Plan. Mr. Gunn stated that EPA would release documents, as the documents are finished. Mr. Gunn stated that the Risk Assessment would be an attachment to the Remedial Investigation. Ms. Weston asked if the CAG could be provided with a copy of the Remedial Investigation and Feasibility Study before the Proposed Plan. Mr. Gunn stated that EPA would try to release the Remedial Investigation and Feasibility Study before the Proposed Plan.

Ms. Council asked if EPA could provide the Remedial Investigation to the CAG before the next meeting.

Dr. Coomes stated that drafts of EPA documents were released in Coeur d'Alene.

Mr. Gunn stated that he would not know if the Remedial Investigation could be provided for the next CAG meeting until Friday, May 14, 2004. Ms. Council requested that EPA notify either Ms. Council or Ms. Determan on Friday, May 14, 2004 whether or not EPA would be able to provide the Remedial Investigation for the next CAG meeting. Mr. Gunn agreed to let either Ms. Council or Ms. Determan know about the schedule for the documents to be released.

Dr. Reynolds asked what the criteria for a partner would be. Mr. Gunn replied that a partner would be anyone willing to contribute to the cleanup. Ms. Bonet asked if partners referred to funding partners. Mr. Gunn said funding would be one aspect and health education another.

Dr. Rajaram stated she was confused as to why EPA was saying that they could only address soil, when EPA addressed other sources in Leadville. Ms. Council stated that according to what EPA had explained at the Lead Safe Omaha Coalition meeting on May 11, 2004, EPA Region 7 does not necessarily agree with the decisions made by EPA Region 8. Ms. Deppe stated that Mr. Sanders also said, at the Lead Safe Omaha Coalition meeting, that it was a legal interpretation. Mr. Sanders stated that there is a national policy and that the Kids First Program does not follow the national policy. Mr. Sanders stated that Region 7 would follow the national policy. Ms. Weston asked if EPA National Headquarters had to sign off on regional EPA actions. Mr. Sanders stated that EPA National Headquarters does not have to approve regional actions. Mr. Gunn stated that EPA could provide someone from EPA National Headquarters to talk about the national policy.

Ms. Council asked if there is a cost threshold at which EPA National Headquarters approval is required. Ms. Determan asked Ms. Morrison if EPA National Headquarters' approval was necessary in Leadville. Ms. Morrison replied that the Kids First Program had to be presented to EPA National Headquarters before approval. Dr. Rajaram stated that if the community decided some part of a Kids First Program is necessary to protect children's health that perhaps an exception to the national policy would need to be made. Ms. Weston requested that EPA provide the CAG with documentation that decisions are regional not national.

Ms. Council asked EPA why the bioavailability is higher in Omaha than anywhere else. Dr. Coomes stated that he had questions regarding EPA's responses to the CAG's bioavailability questions. Dr. Coomes stated that collecting a small sample is easy, but collecting a larger sample is difficult to do and maintain a two-inch depth. Dr. Coomes asked how large of an aliquot was used in the bioavailability study. Mr. Gunn replied that a kilogram or more of soil was needed per aliquot.

Dr. Coomes asked if the Quality Assurance Plan had to be rewritten. Dr. Coomes stated that the sampling plan was written for XRF analysis, which is considered to be screening level sampling. Dr. Coomes stated that bioavailability analysis is not screening level sampling. Mr. Gunn replied that a percentage of samples were sent in for lab work. Dr. Coomes stated that he assumed lab work referred to CLP analysis. Dr. Coomes asked if EPA thought that if the sampling plan was appropriate for a Risk Assessment. Mr. Gunn replied EPA felt the sampling plan was appropriate for the Risk Assessment.

Dr. Coomes stated that samples used in the bioavailability study were reportedly near 1,600 ppm. Dr. Coomes asked what percentage of Omaha yards is near 1,600 ppm. Mr. Gunn replied that a small percentage of yards are near 1,600 ppm. Dr. Coomes stated that two percent of yards, excluding drip zones, have lead in soil levels at or above 1,600 ppm. Dr. Coomes also stated that more than 25 percent of drip zone samples are over 1,000 ppm. Dr. Coomes concluded that the sampling strategy appeared to be directed toward soil containing lead-based paint. Dr. Coomes stated that EPA has performed bioavailability studies on soils with lead-based paint, in which the bioavailability was determined to be approximately 80 percent (the same bioavailability of the Omaha study). Mr. Gunn stated that yards greater than 1,600 ppm were chosen because pigs can only eat so much dough. Dr. Coomes stated that using a lower lead in soil level would only add four grams of soil to the dough.

Dr. Coomes stated that it could not be determined where in the Omaha Lead Site the samples were collected. Mr. Gunn replied that addresses could not be released, due to confidentiality.

Ms. Bonet stated that the point was what elements are available or not available in the soil. Dr. Coomes agreed.

Dr. Coomes stated that sample preparation requires screening samples through a 250-mesh screen. Dr. Coomes stated that instead, there was no sample preparation. Dr. Coomes expressed concern that particle size is a critical factor that could influence the result of the bioavailability sample. Mr. Gunn stated that Dr. Coomes' comment was noted.

Ms. Council stated that the ATSDR presentation would be moved to the next CAG meeting and would be first on the agenda. Ms. Council stated that the next meeting would be held Wednesday, May 25, 2004 at 10:00 a.m. at the Omaha Small Business Network.

Handouts Provided for the Meeting (May 12th, 2004):

Draft Minutes from 04/29/04 (Provided by MFG, Inc.)

Approved Minutes from 04/14/04 (Provided by MFG, Inc.)

Schedule of Meetings to Discuss Housing and Community Development Needs for the 2005 Action Plan (Provided by Ms. Marian Todd)

ATSDR Presentation (Provided by Ms. Sue Casteel)

EPA's Response to Bioavailability Questions (Provided by EPA)

Remedial Investigation/Feasibility Study, Field Sampling Plan Addendum (Provided by EPA)

Letter to EPA from CAG Re: Kids First Program

Letter to Governor from CAG Re: Lead Hazard Control Program Funding

Childhood Lead Poisoning Prevention, A Call to Action (Provided by Ms. Jonah Deppe)

Fact Sheet, EPA's Toxic Chemical Release Inventory (Provided by Ms. Jonah Deppe)

CDC/ATSDR 2004 National Lead Poisoning Prevention Partners' Conference (Provided by Ms. Kathy Leinenkugel)

Findings from the CDC-HUD Window Replacement Symposium (Provided by Ms. Kathy Leinenkugel)

Building Blocks for Primary Prevention, Protecting Children from Lead-Based Paint Hazards, Index by Category (Provided by Ms. Kathy Leinenkugel)

Building Blocks for Primary Prevention, Protecting Children from Lead-Based Paint Hazards, Summaries of the First 25 Building Blocks (Provided by Ms. Kathy Leinenkugel)

Alliance for Healthy Homes, Operation LEAP Project Tool Kit (Provided by Ms. Kathy Leinenkugel)

Attachments to Minutes:

Sign-In Sheet (hardcopy to be delivered)