

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

Minutes for Meeting Held
Wednesday, May 14, 2008, 9:30 a.m.
Omaha Police Department – Southeast Precinct
2475 Deer Park Blvd
Omaha, NE 68105

OLS CAG Members Present:

Sue Casteel - *Agency for Toxic Substances and Disease Registry*
Brenda Council - *OLS CAG Facilitator*
Todd Davis - *Omaha City Planning Department*
Kara Eastman - *Omaha Healthy Kids Alliance*
Bob Feild - *Environmental Protection Agency*
Clifton Jones - *U.S. Department of Housing and Urban Development*
Dr. Adi Pour - *Douglas County Health Department*
Vicki Quaites-Ferris - *City of Omaha Mayor's Office*
Marian Todd - *Omaha City Planning Department*
Vernon Waldren - *University of Nebraska, Lincoln Extension*

Others Present:

Gordon Anderson - *City of Omaha*
Mary Castaneda - *EPA Information Offices*
Lelia Coyne - *Citizen*
Jim Dowding - *City Council Staff*
Tiffany Frezell - *EPA Information Offices*
Tom Janssen - *Senator Hagel's Office*
Jon Lambert - *Environmental Protection Agency*
Matt Manderfeld - *MFG, Inc.*
Jeff McDermott - *Union Pacific*
Jennifer Rawley - *MFG, Inc.*
Dana Richter-Egger – *University of Nebraska - Omaha*
Steve Sanders - *Environmental Protection Agency*
Reid Steinkraus - *Douglas County Health Department*
Ché Thompson - *Omaha Healthy Kids Alliance*
Diane Ward - *Creighton University*

1. Discussion on Minutes from the April 9, 2008 Meeting

Ms. Council asked for corrections or additions to the CAG minutes from the April 9, 2008 meeting.

Mr. Feild stated that: “Mr. Feild stated one contract will go to a small business, and one contract will go to an under-utilized business” should say, “. . . Mr. Feild stated that EPA will award one 8 (A) contract and one HUBZone contract to small businesses.”

Mr. Feild stated that: “Mr. Feild stated that EPA typically does not have press conferences and that EPA usually makes press releases on its website” should say “Mr. Feild stated that EPA typically does not have press conferences and that EPA usually makes press releases.”

Ms. Todd stated that the sentence: “Ms. Todd stated that the City uses opportunities such as meetings to inform the public of other programs available to them” should be relocated to the preceding paragraph.

The minutes were unanimously approved (8-0).

2. EPA Update

Contracting

Mr. Feild stated that EPA exercised its 2008 contract options with Prudent and Coastal. Mr. Feild stated that excavations will soon be resumed. Mr. Feild stated that EPA hopes to excavate 600 yards, possibly more if EPA has access. Mr. Feild stated the pre-bid meeting for paint contractors held in Kansas City was well-attended. Mr. Feild stated that both local and out-of-state contractors attended the meeting. Mr. Feild stated that a transcript of the meeting will be posted on the Office of Acquisition page of EPA’s website. Mr. Feild stated that EPA will begin accepting bids on May 28, 2008 and that EPA will announce when the successful bidder is chosen.

Access Contracting

Mr. Feild stated that Black and Veatch awarded six subcontracts to local businesses for the 5,670 properties for which EPA did not get access. Mr. Feild stated that to date, the subcontractors have gained access to 1,352 of those properties and that owners of 1,371 properties continue to refuse access.

Mr. Feild stated that EPA will follow up with owners that have once again refused access. Mr. Feild stated that EPA will issue administrative orders if the owners continue to refuse access. Mr. Feild stated that EPA may go as far as asking a judge to grant them access to properties. Mr. Feild stated that EPA is still evaluating the best way to go about gaining access to properties where owners refuse access. Mr. Feild stated that EPA is still planning a public announcement of its intentions, possibly in the newspaper.

Mr. Feild stated that EPA sampled 32,395 properties through 2007 and 416 properties in 2008. Mr. Feild stated that EPA will continue to sample properties in Omaha.

Ms. Council stated that she recently received that sampling results for two lots that were sampled approximately two years ago. Ms Council asked if that was a typical time lag between sampling and reporting. Mr. Feild stated that it was not normal. Mr. Feild

stated that reporting of sample results was delayed; however, EPA has added an employee and is now catching up.

Ms. Council stated that the issue of access refusal often comes up when owners receive the initial sampling results for their properties. Ms. Council asked Mr. Feild if EPA anticipates the number of properties for which EPA does not have access to increase from 5,670. Mr. Feild stated that 5,670 property figure is the number of properties yet to be sampled.

Mr. Feild stated that EPA will soon be establishing the final Omaha Lead Boundary. Mr. Feild stated that the boundary will be released with the proposed plan; however, he will share it with the CAG in advance. Mr. Feild stated that there will be a public comment period.

Administrative Orders

EPA will make an announcement of its decision.

Community Telecast, Inc. Final Report

Mr. Feild stated that EPA's request received no responses. Ms. Council asked if anything can be done. Mr. Feild stated that EPA does not have the authority since the grant is closed.

Recontamination Study

Mr. Feild stated that the Recontamination Study is being developed. Mr. Feild stated that EPA hopes to have the study finished by the June CAG meeting.

Omaha Zoo

Mr. Feild referred the CAG to Ms. Quaites-Ferris for an update on the zoo. Ms. Quaites-Ferris stated that the zoo will have a lawyer write a letter outlining the zoo's intentions and send it to EPA and the City.

Phosphate Study

Mr. Feild stated that EPA is waiting for the final report on the bench scale study from the University of Colorado. Mr. Feild stated that report will be part of the proposed plan.

Risk Assessment

Mr. Feild stated that the risk assessment is being updated. Mr. Feild stated that the risk assessment will also be part of the proposed plan.

Paint Stabilization

Mr. Feild stated that EPA has ambitious paint stabilization goals. Mr. Feild stated that EPA has performed initial assessments at approximately 1,800 of the 4,000 excavated properties. Mr. Feild stated that EPA will be performing initial assessments at the remaining 2,200 properties. Mr. Feild stated that only properties that have been excavated will be eligible for paint stabilization.

Mr. Feild stated that of the 1,900 paint stabilization assessment access request forms that EPA recently sent out, only 600 home owners replied. Mr. Feild stated that EPA needs a more effective way to get the message out. Ms. Quaites-Ferris asked if the CAG could see the letter EPA sent out to homeowners. Ms. Quaites-Ferris stated that the CAG may be able to help EPA improve the letter. Mr. Feild stated that EPA may send out a second letter to homeowners to clarify the first letter. Ms. Council suggested enlisting the help of the OHKA Education Committee.

Ms. Council stated that the letter most likely sounded bureaucratic. Ms. Thompson stated that there was the same problem with the soil sampling access letter and that EPA should adjust the paint assessment access letter. Mr. Council suggested simplifying the letter. Ms. Council suggested that EPA confirms that all 1,900 letters went out. Ms. Council stated that she has not received requests for access for the two properties that she owns that were excavated by EPA. Ms. Quaites-Ferris asked if the letters were addressed to the actual owners or residents. Mr. Feild stated that the letters were sent to owners. Ms. Quaites-Ferris asked if any of the letters were returned. Mr. Feild stated that he did not know since the letters were sent out by Black and Veatch. Mr. Feild stated that the owner and address information was obtained from the Douglas County Assessors Office registry.

Mr. Feild stated that paint stabilization is voluntary and that EPA will not be compelling people to accept it. Mr. Feild stated that if owners refuse, EPA will drop the issue. Ms. Council asked if there would be any follow up with those that have already refused. Mr. Feild stated that EPA will evaluate the first letter and possibly send a second letter. Mr. Feild stated that EPA has not yet decided how aggressive it will be. Mr. Waldren suggested adding an insert from the Education Committee to the letter. Mr. Waldren asked if EPA could provide the list of people that received the letter. Mr. Feild stated that EPA is open to working with the Education Committee; however, it will most likely not add an insert to a government letter. Mr. Casteel suggested creating a simple factsheet. Mr. Feild stated that EPA has a factsheet; however, it is not simple.

Commercial

Mr. Feild stated that EPA is working with Cox Communications to produce a 30 second commercial stressing the importance of soil testing. Mr. Feild stated that EPA is reviewing the draft of the commercial and will make it available once it is approved. Ms. Eastman invited EPA to post the commercial on the OHKA website.

3. Douglas County Health Department Update

Mr. Steinkraus presented Douglas County Health Department blood lead data from 2007.

Mr. Davis asked if Mr. Steinkraus knew the number of children with lead in their blood, not just elevated blood levels. Mr. Steinkraus stated the number is substantial and that he would find out.

Ms. Council asked if loss of Medicaid outreach funding would affect the number of children receiving blood lead tests. Mr. Steinkraus stated that it is hard to speculate; however, the number of tests could decrease due to the decrease in contact with Medicaid recipients. Mr. Steinkraus stated that he recently gained access to a database containing medical information Medicaid recipients and that he will be analyzing its contents.

Ms. Council stated that graphs in Mr. Steinkraus' presentation illustrated the fact that area codes 68111 and 68105 contained the highest rates of elevated blood lead levels. Ms. Council stated the statistics also highlight the cultural issues and differences associated with those two area codes. Dr. Pour asked if the soil lead levels were highest in those two area codes. Mr. Feild stated that EPA data could be sorted by zip. Ms. Quaites-Ferris stated that access issues appeared to be the most prominent in those two area codes. Ms. Eastman stated that 68111 and 68105 also have the highest rates of children enrolled in special education programs.

Ms. Coyne asked Mr. Steinkraus if rental properties were more likely to contain lead-based paint hazards. Mr. Steinkraus stated that he did not know.

Mr. Feild asked if it is possible that there are more children in higher age brackets with elevated blood levels that go undetected due to the decrease the number of children tested at later ages. Mr. Steinkraus stated that it is possible.

Mr. Davis asked what types of costs are covered by Medicaid. Mr. Steinkraus stated that Medicaid covers blood lead tests for children at age 1, age 2, and if they are determined to be "at risk." Mr. Steinkraus stated that insurance will cover blood lead tests for children in "at risk" area codes. Mr. Davis stated that he is concerned that parents of children receiving Medicaid benefits will not initiate blood lead tests for children after a certain age to avoid out-of-pocket medical expenses.

4. OHKA Update

Ms. Eastman that OHKA is in the process of finishing the strategic plan. Ms Eastman stated that the plan will be available on the OHKA website following the upcoming OHKA board meeting.

Ms. Eastman stated that the U.S. Conference of Mayors grant application has been submitted.

Ms. Eastman stated that HUD has announced grant opportunities. Ms. Eastman stated that OHKA will be meeting with local groups to discuss application for the LEAP grant.

Ms. Eastman stated that for the June, Wholefoods patrons can help OHKA raise money by bringing in their own grocery bags. Ms. Eastman stated that for every bag brought in, Wholefoods will donate the \$0.10 to OHKA or give it to the customer.

Ms. Thompson presented the posters created by Blackburn students and encouraged everyone to vote for the posters that they would like to be used for promoting lead safety in doctors offices, clinics, etc. Ms. Thompson said that OHKA may end up using all of the posters. Ms. Eastman stated that the students will be recognized in the World Herald. Dr. Pour asked if Ms. Thompson provided general information about lead poisoning and lead safety to the students of Blackburn while she was there. Ms Thompson stated that she spoke to the students about lead poisoning, answered questions, and distributed education materials. Dr. Pour asked if Blackburn was in area code 68111. Ms. Council stated that it was on the border and that she believes that it is in 68131.

Education Committee Update

Mr. Waldren provided an update on Education Subcommittee activities.

Mr. Waldren stated that the HUD NOFA is out.

Mr. Waldren stated that UNO is looking to possibly improve lead research and create student projects to expand student involvement.

Mr. Waldren stated that the committee discussed ideas for outreach to school children. Mr. Waldren stated that Ms. Thompson is looking into the possibility of a Jeopardy game related to lead safety.

Mr. Waldren stated that Ms. Falcone and Ms. Muhammad discussed their recent involvement in local health fairs.

Mr. Waldren stated the committee discussed the idea of testing Mexican candy for lead.

Mr. Waldren stated that Dr. Reibstein presented three lead safety seminars to real estate professionals.

Mr. Waldren stated that the lead safe work practices training session was well attended and that the extension office is considering having another.

Mr. Waldren stated that he hit all of the benchmarks for his current HUD grant.

Housing Committee Update

Ms. Todd provided an update from a recent Housing Committee meeting.

Ms. Todd stated that committee discussed paint stabilization, specifically the two open EPA contracts. Ms. Todd stated that bidding for the first City contract for paint stabilization at 120 homes opened today. Ms. Todd stated that the City is hoping to perform stabilization at 500 homes this season. Ms. Todd stated that there are currently 20 paint contractors on the City's approved list.

Ms. Todd stated that Mr. Davis is now an employee of the City Planning Department.

Ms. Todd stated that Mr. Davis presented his plan for the Lead-Safe Housing Registry.

Ms. Todd stated that the committee discussed the HUD NOFA and LEAP grant. Ms. Todd stated that the City is not planning on submitting applications for the grants.

5. City Update

Ms. Todd stated that to date, 112 residences have been completed through the City's Lead Hazard Control Program and that 53 more are in progress. Ms. Todd stated that the City worked with the Douglas County Health Department to identify two multi-family units containing several children with elevated blood lead levels. Ms. Todd stated that lead hazard control was completed at one of the properties and that work at the second was delayed due to changes in ownership and property management.

Ms. Todd stated that the City added contractors to the approved contractor list following the City-sponsored lead supervisor training course.

6. Douglas County Health Department Update

No Update

7. NDEQ Update

Ms. Council asked if NDEQ was planning on replacing Mr. Davis. Mr. Davis stated that he did not know. Mr. Davis directed questions to Mr. Mike Felix with NDEQ. Mr. Feild stated that he received an email stating that the new NDEQ employee will not be regularly attending meetings; however, she would like to receive all of the notes and materials.

8. LSOC Update

No update.

9. Other

Ms. Castaneda asked if there is a specific blood test to determine if paint chips were the source of lead poisoning. Mr. Steinkraus stated that there is not.

Ms. Casteel stated that she recently attended a one day grant writing workshop. Ms. Casteel stated the program teaches people what they can do to get approved for funding. Ms. Casteel stated that the workshop is free and that they may be able to come to Omaha to teach the course. Ms. Eastman suggested coordinating with Mr. Waldren.

Handouts:

Draft CAG Meeting Minutes from 05/14/08

Final CAG Meeting Minutes from 04/09/08

Omaha Lead Site Lead-Based Paint Contract Pre-Bid Meeting Transcript (Provided by EPA)

Childhood Lead Poisoning Prevention: 2007 Program Data (Provided by Douglas County Health Department)

Lead and Crime (Provided by MFG, Inc.)

Justices Focus on Scope of Lead Paint case (Provided by MFG, Inc.)

Candies' Potential Hazards Emphasized (Provided by MFG, Inc.)

Health Board to Study Kids' Lead Levels (Provided by MFG, Inc.)

Lead poisoning: It's Time to Act on Bill to Eliminate Dangerous Substance (Provided by MFG, Inc.)

Field Reopens with New Turf After Lead Found in Surface (Provided by MFG, Inc.)

Discovery of Lead in Turf Raises Concerns (Provided by MFG, Inc.)

Dentists Say Lead Dental Work Not Being Used Here (Provided by MFG, Inc.)

Picher Buyout the Focus of FOX Program (Provided by MFG, Inc.)

EPA Checking Lead Levels in Picher After Tornado (Provided by MFG, Inc.)

Buyout panel to continue Making offers in Picher (Provided by MFG, Inc.)

Camden Steps Up Effort to Curb Lead in Homes (Provided by MFG, Inc.)

Camden Plans Action on Lead (Provided by MFG, Inc.)

High court: Lead Lawsuit Can Proceed (Provided by MFG, Inc.)

Get the Lead Out (Provided by MFG, Inc.)

Parents Visit Congress to 'Get the Lead Out' of Toys (Provided by MFG, Inc.)

Studies Link Lead to Adult Crime, Brain Damage (Provided by MFG, Inc.)

Study Links High Lead Levels, Crime (Provided by MFG, Inc.)

Sleeping Toys, Recalled (Provided by MFG, Inc.)

Maine's Message to Toymakers is Clear: Get the Lead Out (Provided by MFG, Inc.)

Retailers Move on Toy Safety (Provided by MFG, Inc.)

Sleeping Bags, Toys Recalled (Provided by MFG, Inc.)

Record Number of Toys Being Recalled in '08 (Provided by MFG, Inc.)

Batting Helmets Recalled by Rawlings (Provided by MFG, Inc.)