

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

Minutes for Meeting Held
Wednesday, July 7th, 2004, 9:30 a.m.
Omaha Public Schools TAC Building
3215 Cuming Street
Room 404/405

OLS CAG Members Present:

Janet Bonet—*Citizen at Large*
Sue Casteel—*Agency for Toxic Substances and Disease Registry*
Brenda Council—*Facilitator*
Jonah Deppe—*League of Women Voters*
Connie Determan—*MFG, Inc.*
Barba Edwards—*League of Women Voters*
Bob Feild—*Environmental Protection Agency*
Terrie Jackson-Miller—*Omaha Chamber of Commerce*
Jeff McDermott—*Union Pacific Railroad*
Dr. Donna Polk-Primm—*Nebraska Urban Indian Health Coalition*
Dr. Adi Pour—*Douglas County Health Department*
Karen Shepard—*OPS School Board*
Rebecca Valdez—*Chicano Awareness Center*
Vernon Waldren—*Douglas/Sarpy County Extension*
Warren Weaver—*City of Omaha*
Cheryl Weston—*Lead Safe Omaha Coalition*
Camellia Watkins—*Sierra Club*

Others Present:

Mike Beringer—*Environmental Protection Agency*
Floyd Brown—*FD & Associates*
Rita Brown—*Lead Safe Omaha Coalition*
Sonny Foster—*Senator Ben Nelson's Office*
Nancy Gaarder—*Omaha World-Herald*
Doug Hadley—*U.S. Army Corps of Engineers*
Herman Hanner—*Professional Environmental Engineers*
Bob Henderson—*AnLab Environmental*
Mary Hill—*Sisters Together*
Kevin Howe—*U.S. Army Corps of Engineers*
Barry Long—*Omaha Housing Authority*
Jesus Magana—*Integrated 8(a) Solutions, Inc.*
Stacy Meacham—*MFG, Inc.*
Irene Perez—*Hope Medical Outreach Coalition*
Jennifer Rawley—*MFG, Inc.*
Erica Ryan—*Douglas County Health Department*
Steve Sanders—*Environmental Protection Agency*

Ms. Council began the meeting by asking for any corrections to the minutes from the June 23, 2004 CAG meeting. Mr. Feild stated that on page 2, paragraph 3, the minutes should state that sod had been replaced in 488 of the 500 yards excavated since 1999. Mr. Feild stated that in the same paragraph, “38%” should read, “at least 38%.” Mr. Feild stated that on page 6, the minutes should state that ATSDR is required to perform Public Health Assessments at National Priorities List (NPL) sites.

Ms. Casteel stated that she was distributing a letter clarifying ATSDR’s position on the Omaha Lead Site. Ms. Casteel stated that ATSDR has found lead-based paint and soil to be the main sources of lead at the Omaha Lead Site. Ms. Casteel also clarified that ATSDR has a separate budget from EPA and is mandated by congress to provide health education at Superfund sites. Ms. Casteel added that addressing lead-based paint is included as a primary prevention activity in the Public Health Assessment.

Ms. Edwards motioned to approved the minutes from the June 23, 2004 CAG meeting with the changes from Mr. Feild. The motion was seconded by Ms. Hill and passed unanimously.

Ms. Council invited EPA to provide an update. Mr. Feild reported that as of July 6, 2004, 520 yards have been excavated, and of those 520 yards, 519 have been backfilled and 513 have been sodded. Mr. Feild reported that there are two sources of backfill: Off Cedar Island Road, near Highway 75 (north site), and near Highway 75 and County Road 240 (south site). Mr. Feild stated that topsoil is brought in from Underwood, Iowa, and sod is brought in from north of Omaha, by Logan Valley Sod. Mr. Feild added that all materials are tested for lead and certified before use.

Mr. Feild announced that there is a delay in producing the Feasibility Study. Mr. Feild expects the Feasibility Study to be released early next week and the Proposed Plan to be released mid-July. Mr. Feild stated that the interim Record of Decision would be released in September. Ms. Weston asked if the delay would affect EPA Region 7’s request for funding. Mr. Feild stated that EPA region 7 would still be able to request funding as long as a Record of Decision is submitted this fiscal year, which ends September 30, 2004.

Ms. Council asked how many yards EPA has tested to-date. Mr. Feild stated that he would report on the number of yards tested at the next CAG meeting.

Ms. Council stated that she had received telephone calls from the media, inquiring about the risks of arsenic in soil. Ms. Council asked Mr. Feild to discuss the risks of arsenic in soil. Mr. Feild stated that EPA has tested soil for arsenic, as reported in the Risk Assessment. Mr. Feild stated that in the Risk Assessment, arsenic was not found at levels posing an unacceptable risk. Mr. Feild stated that arsenic was found in 17% of tested yards. Mr. Feild stated that the distribution of arsenic did not correlate with the

distribution of lead. Mr. Feild stated that the arsenic appeared to have come from sources other than the refinery, perhaps from pesticide use by homeowners.

Ms. Council stated that on a radio talk show on July 6, 2004, it was announced that a child who ate vegetables from a lead contaminated garden became mentally retarded. Ms. Council asked if a correlation between vegetable consumption and lead poisoning is likely. Ms. Weston stated that she was familiar with the story. Ms. Weston stated that the story originated years ago and is incorrect.

Ms. Bonet stated that if members of the media have questions about the effects of lead and pathways, these individuals could be referred to ATSDR. Ms. Casteel stated that individuals with questions could be referred to her personal phone line. Ms. Casteel added that the University Extension, Douglas County Health Department, and ATSDR have guidelines on vegetable consumption.

Dr. Polk-Primm stated that there is a need for a central location for media to have access to accurate and concise information. Ms. Weston stated that there has been a good dissemination of information to the media. Dr. Pour suggested that Ms. Gaarder, with help from the University Extension, write an article regarding garden and vegetable safety. Ms. Gaarder stated that a story ran last growing season. Ms. Gaarder suggested disseminating information at locations frequented by gardeners, such as Earl May's.

Ms. Bonet stated that many residents do not read the paper. Ms. Bonet requested creating an archive of newspaper articles.

Ms. Weston asked if the Community Involvement Plan had been finalized. Mr. Feild stated that Ms. Kring was unable to attend the CAG meeting. Mr. Feild stated that the Community Involvement Plan would be distributed for the next CAG meeting.

Dr. Pour asked how EPA determined that the risk from arsenic found in the soil is acceptable because the hazard quotient in the Risk Assessment is greater than one. Mr. Beringer stated that risk management was used to determine that the risk from arsenic is acceptable. Mr. Beringer stated that a hazard quotient was calculated for each metal tested. Mr. Beringer stated that risk from the metals is assumed to be additive. The risks of each metal are added to determine an overall hazard index. Arsenic was the only metal with a hazard quotient greater than one. Mr. Beringer stated that to determine if this risk was acceptable, EPA looked at the assumptions inherent to the hazard quotient. Mr. Beringer stated that arsenic is assumed to be 100% bioavailable, while in actuality; the bioavailability for arsenic is typically 10% to 50%. The hazard quotient also assumes that exposure occurs over a lifetime, though exposure is typically only a concern for the first six years of a child's life. After considering all this information, EPA determined that the risk from exposure to arsenic was acceptable.

(Ms. Council stepped out of the meeting. Ms. Determan substituted as facilitator.)

Ms. Determan suggested discussing the topic of arsenic at a Remedial Investigation Subcommittee meeting.

Ms. Weston asked EPA if there is a simple way to explain the arsenic risk management decision. Mr. Beringer replied that there is not a simple explanation.

Ms. Deppe stated that other cities have maintained hotlines to deal with lead issues. Ms. Hill stated that EPA needs to make information understandable. Ms. Deppe asked if ATSDR could fund a hotline. Ms. Casteel said she would find out if ATSDR could fund a hotline. Dr. Polk-Primm stated that the Education Subcommittee would discuss the issue of a hotline.

Ms. Deppe asked EPA if coordination is occurring so that lead-based paint remediation is completed before soil removal. Mr. Feild stated that EPA has recognized the recontamination concern. Ms. Weston stated that the City of Omaha is working with EPA to address HUD funded housing remediation before soil removals. Mr. Steinkraus stated that the Douglas County Health Department is also trying to coordinate efforts when a child with an elevated blood lead levels is identified. Mr. Feild stated that EPA hopes to increase coordination.

Ms. Determan announced that Ms. Weston had provided a letter to Governor Johanns and Mayor Fahey regarding the USACE contracting discussion at the June 23rd CAG meeting. Ms. Determan invited the USACE to provide an update.

Mr. Howe stated that USACE and EPA are continuing to work together to find ways to maximize the financial involvement of the local community, specifically within the Omaha Lead Site. Mr. Howe added that USACE would also facilitate a meeting between contractors and small business firms.

Mr. Hadley reported numbers of small business, disadvantaged, and 8(a) firms listed by the Small Business Administration as located within Douglas County. Mr. Hadley stated that this information would be shared with the prime contractors.

Ms. Bonet asked if the firms listed by Mr. Hadley were qualified to perform soil removals. Mr. Hadley replied that there are excavation firms that could provide the equipment for soil removals.

Ms. Bonet asked if language service businesses, printers, and other businesses would be included as potential subcontractors. Mr. Howe replied that many types of businesses, including businesses not listed by the Small Business Administration, would be included in USACE's subcontracting incentives plan.

Ms. Jackson-Miller stated that she could provide USACE with a directory of minority businesses.

Ms. Weston asked if EPA Headquarters is working with USACE on the contracting issue. Mr. Feild stated that EPA Headquarters is providing funding to USACE. Mr. Howe added that USACE is working with EPA Region 7.

Ms. Weston stated that USACE and EPA have not made a true attempt to locate disadvantaged and minority businesses.

Ms. Determan asked if the CAG could be provided with the contact information for the individual at EPA Region 7 working with USACE. Mr. Feild replied that he would like all information to go through him, to prevent the release of inconsistent information.

Mr. Henderson stated that prime contractors should be hired from within Omaha. Mr. Henderson stated that prime contractors should be hired from Omaha, otherwise Omaha contractors will not have the opportunity to be prime contractors

(Ms. Council returned to facilitate.)

Ms. Council asked if the CAG would like to hold a subcommittee meeting with EPA and USACE to discuss the contracting issue further. Mr. Howe stated that USACE is working for EPA and would attend a subcommittee meeting if directed by EPA to do so.

Mr. Foster stated that the Senator's office was led to believe that it was necessary to select the identified prime contractors in order to meet a timeline. Mr. Hadley stated that it would be possible to follow an 8(a) contracting process, if the funding did not require a competitive process.

Mr. Foster asked who is funding USACE's project. Mr. Feild replied that Superfund dollars are funding USACE's project.

Mr. Foster requested a written explanation of the decision to select the seven prime contractors.

Ms. Council stated that an email would be sent to the CAG regarding a subcommittee meeting to discuss the USACE contracting once Ms. Weston confirms a time.

Ms. Council asked for any questions or comments on ATSDR's Public Health Assessment. Dr. Pour stated that the cancer aspect should not have been included in the Public Health Assessment. Dr. Pour stated that the lead-based paint emphasis should have been stronger. Dr. Pour stated that the Public Health Assessment did not provide any new data to benefit the community.

Ms. Casteel stated that a cancer discussion was included because ATSDR requires it to be included.

Ms. Council stated that the comments from the CAG on the Public Health Assessment would be drafted for the CAG's review.

Ms. Bonet stated that the Public Health Assessment serves as a good basic reference on lead issues within the Omaha Lead Site.

Dr. Polk-Primm stated that she is concerned about the lack of cultural information in the Public Health Assessment. Dr. Polk-Primm added that the risk to fetuses should be emphasized.

Ms. Council read the draft letter to the National Remedy Review Board. Ms. Bonet stated that she had extensive comments on the letter. Ms. Bonet asked to post-pone discussion of the letter until the next meeting, when hard copies of the draft and of her comments could be provided to the CAG.

Ms. Council stated that a subcommittee meeting would be held to discuss the Remedial Investigation and the Risk Assessment. Ms. Council stated that she would get available dates from EPA and would invite all CAG members to attend. Ms. Council stated that she would facilitate the subcommittee meeting and added that Ms. Determan would also attend. Ms. Council stated that minutes would be recorded at the subcommittee meeting and would be provided to the CAG.

Ms. Council invited Ms. Determan to provide an update on the comprehensive plan. Ms. Determan stated that a draft was nearly completed. Ms. Bonet asked if a subcommittee meeting could be held to discuss the draft comprehensive plan. Ms. Council stated that an email would be sent announcing a time and place for a subcommittee meeting.

Ms. Council invited CAG members to provide updates on health fairs and conferences. Ms. Council stated that Dr. Shireen Rajaram had informed her that an environmental justice training program would be held Tuesday, July 20, 2004.

Ms. Hill stated that Sisters Together will be holding a back-to-school giveaway on Sunday, August 29, 2004 at the Urban League Family Resource Center from 10:00 a.m. to 2:00 p.m. and invited the CAG to set up the CAG's display.

Ms. Weston stated that on Saturday, July 10, 2004, the Lead Safe Omaha Coalition would be providing blood lead screening at Hanscom Park. Ms. Weston also announced that the Lead Safe Omaha Coalition would be holding a family fun in the sun day at Miller Park on July 31, 2004. Ms. Weston stated that the CAG could set up the CAG's display at either event.

Ms. Council stated that a letter of support for lead hazard funding was provided by the CAG to the City of Omaha.

Ms. Weston announced that the Lead Safe Omaha Coalition will be submitting an application for a HUD LEAP grant. Ms. Weston requested a letter of support from the CAG. Ms. Bonet moved to provide the Lead Safe Omaha Coalition with a letter of support. The motion was seconded and approved by the CAG.

Dr. Pour asked if further discussion on the package provided to the National Remedy Review Board by EPA Region 7 should occur. Dr. Pour was concerned about the discussion of phosphate remediation in the package. Mr. Feild stated that the package

was only a preliminary plan. Mr. Feild stated that phosphate treatment would only be utilized if the treatability study demonstrates that phosphate treatment is effective.

Ms. Council announced that the next CAG meeting would be held on Wednesday, July 21, 2004 at 9:30 a.m. at the Omaha Small Business Network.

Handouts Provided for the Meeting (July 7th, 2004):

Draft Minutes from 06/23/04 (Provided by MFG, Inc.)

Approved Minutes from 06/09/04 (Provided by MFG, Inc.)

Letter of Support for Lead-based Paint Hazard Control Grant from the CAG

Information Package, National Remedy Review Board, March 2004 (Provided by Mr. Mike Felix, NDEQ)

EPA's Interagency Agreement with the U.S. Army Corps of Engineers (Provided by EPA)

Email from Dr. Mark Maddaloni to Mr. Bob Feild with Bioavailability of Soilborne Lead in Adults, by Stable Isotope Dilution (Provided by EPA)

HUD Superfund Area Investments (Provided by Mr. Stan Quy, HUD)

Paint as a Source of Recontamination of Houses in Urban Environments and Its Role in Maintaining Elevated Blood Leads in Children (Provided by MFG, Inc.)

Calif. AG Sues 13 Over Lead in Jewelry (Provided by MFG, Inc.)

Summary of EPA Limited English Proficiency Guidance (Provided by MFG, Inc.)

Grant Workshop Announcement

Baseline Human Health Risk Assessment for the Omaha Lead Site (CD)(Provided by NHHS)