

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

Minutes for Meeting Held
Wednesday, July 13, 2005, 9:30 a.m.

Chicano Awareness Center
4821 S. 24th Street

OLS CAG Members Present:

Janet Bohm—*Citizen at Large*

Sue Casteel—*ATSDR*

Tanya Cook—*Governor's Omaha Advisory Council for Lead Safe Neighborhoods*

Brenda Council—*Facilitator*

Jonah Deppe—*League of Women Voters*

Bob Feild—*Environmental Protection Agency*

Joe Gudenrath—*City of Omaha Mayor's Office*

Clifton Jones—*U.S. Department of Housing and Urban Development*

Dr. Shireen Rajaram—*University of Nebraska, Omaha*

Chris Rodgers—*Douglas County Board of Commissioners*

Reid Steinkraus (Designee for Dr. Adi Pour)—*Douglas County Health Department*

Vernon Waldren—*Douglas/Sarpy County Extension Office*

Cammy Watkins—*Sierra Club*

Warren Weaver (proxy for Councilmen Gernandt and Brown)—*City of Omaha*

Cheryl Weston—*Lead Safe Omaha Coalition*

Edna Brooks Pittman (Designee for Tommie Wilson)—*NAACP*

Patrice Pittman (Designee for Marilyn McGary)—*Urban League of Nebraska*

José Villegas—*Chicano Awareness Center*

Others Present:

Lelia Coyne—*Citizen*

Todd Crawford—*Senator Hagel's Office*

Karen Davis—*Congressman Terry's Office*

Felisa Dillon—*ASW*

Jim Dowding—*Omaha City Council Staff*

Mike Felix—*NDEQ*

Sonny Foster—*Senator Ben Nelson's Office*

Nancy Gaarder—*Omaha World-Herald*

Rick Gillig—*ATSDR*

Denise Jordan-Izaguirre—*ATSDR*

Stan Inserra—*ATSDR*

Steve Kemp—*Nebraska Department of Environmental Quality*

Debbie Kring—*Environmental Protection Agency*

Stacy Meacham—*MFG, Inc.*

Holly Miller—*Educare*

Youlanda Outin—*ATSDR*
Claudia Preddy—*Marc Enviro Services*
Jennifer Rawley—*MFG, Inc.*
Steve Sanders—*Environmental Protection Agency*
Sue Semerena—*Nebraska Health and Human Services System*
Joyce Stevens—*City of Omaha*
Susan Whitfield—*Citizen*

1. Discussion of Minutes from the June 8, 2005 Meeting

Ms. Council asked for corrections or additions to the minutes from the June 8, 2005 CAG meeting. Ms. Casteel, referring to the last paragraph on page six, stated that ATSDR never suggested that Ms. Gaarder's story was not factual information. Ms. Casteel stated that "when ATSDR does not" should be stricken. Ms. Pittman stated that because two Ms. Pittmans were present at the meeting, the minutes should distinguish between the two. Ms. Brooks Pittman motioned to approve the minutes with the above changes. Mr. Jones seconded the motion. The motion was unanimously approved (12-0).

2. EPA Update

Mr. Feild provided an update on EPA activities. Mr. Feild stated that contractors have added additional crews, increasing the rate of soil excavations. Ms. Weston asked when the 120 excavations would be completed. Mr. Feild stated that he expected the 120 excavations to be completed in the next two weeks.

Mr. Feild provided copies of a map depicting future excavations. Mr. Feild stated 758 excavations are to be completed by December 31, 2005. Mr. Feild explained that it is more economical for a contractor to work within one area of the city, which is why the map depicts the Omaha Lead Site divided into five areas. Mr. Feild stated that Requests for Bid were issued for areas 3 and 4 and that confidential negotiations are underway for areas 1, 2, and 5. Mr. Feild stated that there was a misperception that only areas 3 and 4 would be addressed this year. Mr. Feild stated that, in actuality, EPA is moving forward with all areas, although only areas 3 and 4 were publicly announced.

Ms. Brooks Pittman asked if the current emergency removal contracts have provisions to ensure that work is completed in a timely manner. Mr. Feild replied that the contractors would not receive financial incentives unless the work is completed on time. Ms. Brooks Pittman asked if the current contractors, who are not on-schedule, are losing money. Mr. Feild stated that it is too early to know if the contractors will lose incentives because the incentive distribution will be based on EPA satisfaction after the project is completed. Ms. Brooks Pittman asked if the current contractors would be less likely to be hired for future work, knowing that the contractors have not been timely in completing work. Mr. Feild stated that EPA always takes previous contract performance into consideration. Ms. Weston stated that the contractors only lose incentives if they do not complete work on time; the contractors still get paid for the work. Mr. Feild stated that Ms. Weston was correct, but added that incentives make up most, if not all, of the contractors' profit.

Ms. Weston stated that it was insensitive of EPA to only announce that excavation would be occurring in South Omaha. Ms. Weston stated that EPA is not listening to the community's wishes. Ms. Weston stated that the contractors are not watering a number of properties. Ms. Weston asked if EPA is overseeing the contractors to ensure that all properties are addressed in a uniform manner. Mr. Feild replied that EPA oversees the contractors. Mr. Feild stated that if there is a problem with the sod, the resident may call EPA, and EPA would be happy to take care of the problem. Ms. Weston asked if anyone from EPA reviews the properties after soil replacement is complete. Mr. Feild replied that EPA has OSCs (On-Scene Coordinators) that review properties on a daily basis, but the OSCs do not necessarily go back and check ongoing conditions of each property after completion.

Ms. Weston, referring to the publicly competed and privately negotiated contracts, asked if the two contracts would begin at the same time. Mr. Feild stated that work may not begin simultaneously, but would begin within days of one another. Mr. Feild stated that EPA could not award the contracts until the State cost share agreement is signed.

Mr. Weaver stated that the City has fielded half a dozen citizen concerns, and from the City's perspective, EPA has handled those concerns well. Ms. Kring stated that EPA is taking a lot of measures to ensure customer satisfaction. Ms. Weston stated that she was not implying that EPA has been unresponsive; she was asking if anyone from EPA is reviewing the properties to prevent complaints. Mr. Feild stated that there is a final inspection at each property, in order to close the property. Mr. Feild stated that if problems arise and are brought to EPA's attention, EPA makes every effort to fix them. He stated that customer satisfaction is a priority for EPA as it is essential to EPA meeting its goal at the Omaha Lead Site. Mr. Feild noted that if EPA were not satisfying residents, EPA would lose the ability to gain access to properties and complete the removals.

Ms. Council stated that she has received a number of complaints about the excavations. Ms. Council stated that she referred the callers to EPA and invited them to attend the CAG meeting. Ms. Council stated that, with the consent of the CAG, one member of the public (Ms. Whitfield) was in attendance to voice her concerns.

Ms. Whitfield stated that she lives at 31st and Bedford Streets, behind the contractors' staging site, and has spoken with Mr. Don Bahnke at EPA about her concerns. Ms. Whitfield stated that she works out of her home, and the majority of her neighbors are senior citizens. Ms. Whitfield stated that, with the increase in excavations, her home is shaking more and more. Ms. Whitfield stated that her street has a posted weight limit of six tons, which she is certain the trucks are exceeding. Ms. Whitfield stated that the streets in her neighborhood are being slowly destroyed. Ms. Whitfield stated that there is a hole in the front of her driveway. Ms. Whitfield asked how long this would continue in her neighborhood. Mr. Foster stated that his mother lives in the same neighborhood, and there appears to be some damage to the street. Mr. Weaver stated that he would coordinate with Mr. Gudenrath and EPA to look into the situation. Ms. Whitfield stated

that it is also an inconvenience to have the trucks rolling at 7:00 a.m. on Saturday mornings. Mr. Feild stated that the contractors are under tremendous pressure to complete yards and are working every possible hour. Mr. Weaver stated that he believes a City ordinance for construction noise allows work to begin at 7:00 a.m.

Ms. Council stated that EPA should ensure that contractors are complying with all City ordinances. Ms. Council asked if EPA performed any type of impact analysis prior to beginning work in order to take all these issues into consideration. Mr. Feild stated that EPA looked at traffic and the number of trucks in advance. Mr. Feild stated that general deterioration is just a consequence of having heavy equipment. Mr. Feild stated that EPA would work with the City if any damage occurs. Ms. Council asked if EPA determined if 33rd and Pinkney is an appropriate staging area, considering weight limits. Ms. Council expressed concern that the number of trucks has increased to meet a deadline, resulting in increased traffic. Ms. Weston stated that EPA needs to take action so that a complaint is not needed to address these problems. Mr. Feild replied that he did not know what consideration was given to neighborhood impacts as these contractors were working for the U.S. Corps of Engineers. He noted that EPA plans to continue using the Missouri River Treatment site as a staging site for future work, and this facility is designed to accommodate heavy trucks.

Ms. Council asked if the companies negotiating with EPA for excavation contracts are pre-approved. Mr. Feild replied that the contractors are not necessarily pre-approved. Ms. Council asked if EPA has pre-approved contractors and if EPA is negotiating with pre-approved contractors for areas 1, 2, and 5. Mr. Feild replied that EPA has pre-approved contractors, such as Environmental Restoration (ER), but that EPA is not necessarily negotiating with these firms. He stated that pre-approval is not necessary for EPA to negotiate with HubZone, 8(a), and other small and disadvantaged firms.

Ms. Council questioned whether there was anything preventing a contractor from going after contracts on areas 3 and 4, and areas 1, 2, and 5. Mr. Feild replied that there was nothing precluding it, but that the contractors would have to demonstrate adequate capacity to complete the work for both contracts.

Ms. Whitfield stated that at the staging site, there is an uncovered pile of soil. Mr. Feild stated that the soil is clean fill. Mr. Feild added that the contractors are required to employ dust suppression methods.

3. NDEQ Update

Mr. Felix provided an update on NDEQ activities. Mr. Felix stated that the State's cost share agreement should be signed by EPA today or tomorrow. Mr. Felix stated that although the CAG can provide input into the State's cost share use, it could not necessarily direct the spending. Mr. Felix stated that NDEQ has taken input from the CAG in the past, supporting a comprehensive approach. Mr. Felix stated that NDEQ is supportive of using the cost share for activities other than yard excavation, but is

restricted by what is included in EPA's Interim Record of Decision. Mr. Felix stated that the Environmental Trust, which is funded by lottery proceeds, would fund the cost share.

Mr. Feild stated that he wanted to clarify that there is contaminated soil at the staging area at 33rd and Pinkney, but that these should be contained so contaminated soil does not blow off the site. He stated that any open piles should only be clean soil.

Mr. Feild stated that the State might be able to deduct funding provided by the Environmental Trust to the Douglas/Sarpy County Extension from the State's cost share. Ms. Council asked if using the Douglas/Sarpy County Extension's grant funding would reduce the money available to address activities using the cost share. Mr. Felix stated that it would reduce the cost share.

4. ATSDR Health Consultation

Mr. Inserra presented the results of ATSDR's Health Consultation concerning cancer incidence rates in the Omaha Lead Site. Mr. Inserra reported the conclusions of the report as follows:

1. Rates within the Omaha Lead Site for five cancers potentially linked to lead (bladder, brain, kidney, lung, and stomach) were reviewed and compared with rates from the rest of Douglas County and from the State of Nebraska.
 - Rates for bladder, brain, kidney, and stomach cancer were not elevated within the Omaha Lead Site in comparison to the rest of Douglas County. Rates for lung cancer were slightly elevated.
 - Rates for bladder and brain cancer were not elevated within the Omaha Lead Site in comparison to the State of Nebraska. Rates for kidney, lung, and stomach cancer were slightly elevated (1.4, 1.9, and 2 times higher, respectively) within the Omaha Lead Site in comparison to the State of Nebraska.
2. The difference in cancer rates is very small and may be explained by known risk factors, such as smoking. In conferring with other epidemiologists and statisticians, the increases would have to be four to five or even six times higher before they would potentially become significant.
3. Based on the fact that only slight increases were observed, and the fact that these increases could be explained by other factors, ATSDR is not proposing any additional reviews or studies related to cancer within the Omaha Lead Site.
4. Focus should remain on childhood health issues.

Dr. Rajaram asked what area defined the study. Mr. Inserra stated that the 7 zip codes that overlap the Omaha Lead Site were used to define the study area.

Ms. Brooks Pittman asked if a health survey is being administered at homes where soil excavation occurs. Ms. Casteel stated that health surveys are not being conducted at this time.

Mr. Feild noted that EPA intends to collect additional risk characterization data, including dust and paint data, to evaluate the contributions from different lead sources to determine what the most significant lead sources are that children are being exposed to.

Ms. Stevens questioned if ATSDR had compared the results of the cancer data for the Omaha Lead Site to other Superfund sites. Mr. Inserra responded that such a comparison was not conducted because, at most other sites, lead is not the only contaminate of concern. He noted that ATSDR did compare rates to national rates from 11 locations and found no major differences.

Ms. Jordan-Izaguirre noted that ATSDR looked at cancer rates at Herculaneum, an active facility in Missouri, and found only a slight increase in lung cancer, but noted that 85% of lung cancer cases are related to smoking. Ms. Jordan-Izaguirre also noted that the link between lead exposure and cancer is based on data from animal studies and worker exposure studies, and the workers in those studies were exposed to 100 to 1000 times the amount of lead that the community would have been exposed to, even when the ASARCO facility was operational.

Ms. Council questioned why, based on the weak evidence of human cancer, the National Toxicology Program lists lead as a reasonably anticipated carcinogen. Dr. Rajaram stated that she agreed with Ms. Council regarding the weak link. Dr. Rajaram then questioned whether any post-abatement longitudinal studies have been conducted with kids to determine if abatement actions have improved health. Mr. Steinkraus responded that the Douglas County Health Department's in-home assessments and case management activities are focused on behaviors, such as hand to mouth patterns, but, due to privacy reasons, information regarding other health issues of occupants at the home is not requested.

Dr. Rajaram noted that this might be a good opportunity to collect this information. She noted that baseline data on how education and outreach activities are working could be collected to determine if such activities are making a difference in terms of people's behavior, and thereby decreasing blood lead levels.

Ms. Deppe suggested surveying adults in the homes to determine health effects and to potentially evaluate long-range impacts if such adults have lived within the Omaha Lead Site since childhood (such as hypertension, Alzheimer's, and hearing loss).

Ms. Coyne commented that longitudinal correlations are important and asked if ATSDR could do a health survey of adults in homes being abated. Dr. Rajaram noted that such a study could be conducted to determine if any correlations could be made. She recommended doing a 10-year longitudinal study, starting now. She noted that it would

be interesting for ATSDR to include families in the study that have lived within the Omaha Lead Site for all their lives.

Ms. Casteel noted that she would discuss these suggestions with her colleagues and report back at the next meeting. Ms. Deppe stated that she would provide ATSDR with a written request regarding the study.

Mr. Feild noted that EPA has tailored its actions at the Omaha Lead Site to exposure to kids, and stated that one fear EPA had with ATSDR's conducting a cancer study was the possibility that it would distract attention from focusing on exposure to kids and the goal of reducing blood lead levels.

Ms. Coyne recommended mobilizing AARP and Medicaid to get support for evaluating impacts to those older than 6 years of age. Ms. Brooks Pittman noted that establishment of correlations was important in light of the fact that older persons are moving out and young children are moving in. She noted such information would be helpful in determining long-range effects as children grow into adults.

Mr. Inserra noted that at Bunker Hill, Idaho, an elevated blood lead level study tracked children through young adulthood and the results suggested, albeit small, some predictive evidence of impacts.

5. Douglas County Health Department Update

Mr. Steinkraus stated that lead regulations for Douglas County still have to be approved by the Douglas County Board and are currently sitting at the County Attorney's Office.

Ms. Council noted that Ms. Todd was not present to give an update regarding the City's HUD grant application. Mr. Jones noted that it would be probably be several months before the City hears anything back regarding the application.

6. Education Subcommittee Update

Mr. Waldren provided an update on the Education Subcommittee. Mr. Waldren stated that the Douglas/Sarpy County Extension Office's educational lead CD-ROM has been added to their website. It was suggested that a link to the website be added to the CAG web page.

Mr. Waldren reported that he and Ms. Council met with the Omaha Community Foundation and Mr. David Brown of the Greater Omaha Chamber of Commerce regarding funding for a comprehensive program. Mr. Waldren and Ms. Council stated that the meetings were very encouraging. Ms. Council stated that Mr. Brown was contacted primarily because of his involvement with Alegent.

7. Comprehensive Plan Subcommittee Update

Ms. Deppe stated that the Comprehensive Plan Subcommittee has been looking at Omaha's City Code. Ms. Deppe stated that the Code does not specifically refer to lead-based paint. Ms. Council suggested that Mr. Dowding assist the Comprehensive Plan Subcommittee. Ms. Deppe asked Mr. Gudenrath to provide assistance as well. Ms. Council suggested that City representatives report back to the CAG at the next meeting.

Mr. Felix asked about the status of creating a 501(c)(3). Ms. Council stated that funding for a 501(c)(3) is being aggressively sought. Ms. Deppe asked who is seeking the funding. Ms. Council stated that she has undertaken the task of identifying entities/individuals interested in providing financial support to prepare documents for legally forming a 501(c)(3).

Ms. Council stated that the next CAG meeting would be held on Wednesday, August 10, 2005 at 9:30 a.m. The location is to be announced.

Handouts Provided for the Meeting (July 13, 2005):

Draft Minutes from 06/08/05 (Provided by MFG, Inc.)

Approved Minutes from 05/11/05 (Provided by MFG, Inc.)

Education Subcommittee Minutes from 06/09/05 (Provided by MFG, Inc.)

Comprehensive Plan Subcommittee Minutes (Provided by MFG, Inc.)

Omaha Awaits Lead Money (Provided by MFG, Inc.)

Fact Sheet on the Memorandum of Understanding on Reducing Lead Levels in Drinking Water in Schools and Child Care Facilities (Provided by MFG, Inc.)

Whole Senate Supports Paint-Sales Fees (Provided by MFG, Inc.)

Douglas County Board of Health Regulations (Provided by Mr. Reid Steinkraus)

Agreement Reached Between DuPont and Rhode Island (Provided by MFG, Inc.)

Blood Lead Data Summary (Provided by Ms. Sue Casteel)

EPA Presolicitation Notice Dated May 16, 2005 (Provided by MFG, Inc.)

Letter from LSOC Regarding EPA Solicitation, Dated July 13, 2005 (Provided by Ms. Cheryl Weston)

Summary of ECC's Final Contractor Work Plan (Provided by MFG, Inc.)

Summary of HGL's Final Contractor Work Plan (Provided by MFG, Inc.)

EPA Update (Provided by EPA)

Attachments to Minutes:

Sign-In Sheet (hardcopy to be delivered)