

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

Minutes for Meeting Held
Wednesday, August 9, 2006, 9:30 a.m.
Salem Baptist Church
3131 Lake Street
Omaha, NE 68111

OLS CAG Members Present:

Rebecca Barrientos-Patlan—*Burlington Road Neighborhood Association*
Edna Brooks Pittman (Designee for Tommie Wilson)—*NAACP*
Sue Casteel—*Agency for Toxic Substances and Disease Registry*
Tanya Cook—*Governor's Omaha Advisory Council for Lead Safe Neighborhoods*
Brenda Council—*Facilitator*
Kara Eastman—*Omaha Healthy Kids Alliance*
Nick Flattery—*OneWorld Community Health Center*
Bob Feild—*Environmental Protection Agency*
Ayesha Graves—*Mayor Fahey's Office*
Clifton Jones—*U.S. Department of Housing and Urban Development*
Jeff McDermott—*UPRR*
Adi Pour—*Douglas County Health Department*
Chris Rodgers—*Douglas County Board of Commissioners*
Rebecca Valdez—*Chicano Awareness Center*
Cammy Watkins—*Sierra Club*
Cheryl Weston—*Lead Safe Omaha Coalition*
Rachel Wright (Designee for Vernon Waldren)—*Douglas/Sarpy County Extension*

Others Present:

Gordon Andersen—*City of Omaha*
George Barsom—*Citizen*
Rita Brown—*Lead Safe Omaha Coalition*
Mary Castaneda—*EPA Information Offices*
Lelia Coyne—*Citizen*
Paul Diegelman—*U.S. Department of Housing and Urban Development*
Felisa Dillon—*ASW*
Jim Dowding—*City Council Staff*
Cerita Gaines—*Citizen*
Jon Gant—*U.S. Department of Housing and Urban Development*
Jennifer Gates—*MFG, Inc.*
Mary Hill—*Sisters Together*
Lyndsy Jenness—*State Senator Hagel's Office*
Debbie Kring—*Environmental Protection Agency*
Louise Latimer—*Senator Ben Nelson's Office*
Kathy Leinenkugel—*Douglas County Health Department*

Diane Luna—*Burlington Road Neighborhood Association*
Kenny McMorris—*Urban League of Nebraska*
Stacy Meacham—*MFG, Inc.*
Stan Quy—*U.S. Department of Housing and Urban Development*
Steve Sanders—*Environmental Protection Agency*
Sue Semerena—*Nebraska Health and Human Services*
Reid Steinkraus—*Douglas County Health Department*

Ms. Council introduced Mr. Jon Gant, who works with the U.S. Department of Housing and Urban Development (HUD), and has recently assumed the directorship in the Lead Hazard Control Department. Mr. Gant was the guest speaker at the Lead Safe Omaha Coalition's First Annual Awards Meeting on August 8, 2006. Accompanying Mr. Gant was Mr. Diegelman who is also with HUD.

1. Discussion on Minutes from July 12, 2006 Meeting

Ms. Council asked if there were any corrections to the minutes from the meeting held July 12, 2006. Mr. Feild stated that on page three, under the title "Parks Sampling Plan and Quality Assurance Data," the statement "Quality Assurance samples are collected for 20 samples" should read, "Quality Assurance samples are collected for one out of every 20 samples."

Mr. Feild stated that in the second paragraph on page four, the last sentence should read, ". . . final cleanup level located outside of final boundaries." Mr. Feild clarified that soil replacement may still take place in houses outside of the boundaries where samples have already been taken. Mr. Feild stated that in paragraph two of page eight the statement: "Mr. Feild replied that EPA does not like to submit ESDs . . ." should read "Mr. Feild replied that EPA must carefully consider any proposed ESD . . ." Mr. Feild stated that later in that same paragraph, the statement: "Mr. Feild stated that EPA has never increased funding for health education at a site and would have to carefully consider such a request" should be replaced with, "Mr. Feild stated that health education activities at the Omaha Lead Site are currently funded at the high end of the range for similar activities at other Superfund sites." Mr. Feild stated that on page eight, in paragraph four, the statement, "Mr. Feild stated that EPA anticipates continuing to fund the Douglas County Health Department, unless the community would like funding to be spent elsewhere" should read, "Mr. Feild stated that EPA anticipates continuing to fund the Douglas County Health Department, unless a change is agreed upon with the community and the county. Mr. Feild stated that at the top of page nine, the statement: "Mr. Feild stated that it is illegal for EPA to perform housing activities, . . ." should read, "Mr. Feild stated that the comprehensive plan activities that are outside the scope of the selected remedy cannot be funded using Superfund dollars . . ." Mr. Feild stated that the statement: "Mr. Feild stated that he does not believe additional funding exists to increase the budget" should read, "Mr. Feild stated that any additional funding requests would have to compete with funding needs at other sites."

Ms. Brooks Pittman asked if the CAG meetings are audio recorded. Ms. Council stated that an MFG employee takes the minutes at each meeting. Ms. Brooks Pittman asked if the changes are made to the minutes once they have been approved. Ms. Council stated that the changes are made and submitted as the approved minutes. Ms. Council stated that the draft minutes are provided in advance of the meetings.

Ms. Weston motioned to approve the minutes. Mr. Rodgers seconded the motion. The motion was approved (14-1).

2. EPA Update

Mr. Feild provided an update sheet of EPA activities. Mr. Feild stated that, since the last meeting, EPA's two contractors have excavated 96 additional properties. Mr. Feild stated that EPA is now halfway through excavations scheduled for completion by the 2008 construction season.

Mr. Feild provided a complete list of EPA subcontractors for the Omaha Lead Site. Mr. Feild stated that all information provided by ECC, ASW, PRI, HGL, and Black and Veatch was included on the handout.

Mr. Feild stated that, at the previous CAG meeting, there had been a discussion about Ms. Barrientos-Patlan's role at the ATC lab. Mr. Feild stated that EPA had done some research and performed an audit/review of that particular ATC facility. Mr. Feild stated that when that report is available, he will give it to the CAG.

Mr. Feild stated that ATC is under a contract with ASW, which has a performance-based contract for 435 yards in South Omaha. Mr. Feild explained that EPA collects four samples from yard quadrants and one sample from the dripzone. If any of the yard samples exceed the action level, the property is eligible for soil replacement and is assigned to ASW. Mr. Feild stated that ASW then excavates lifts of soil from the quadrants with elevated lead levels.

Mr. Feild stated that ASW has implemented an additional step of taking core samples in order to gain efficiency. Mr. Feild explained that a core sample is taken by pushing a sampling tube into the soil and analyzing the core in partitions, according to depth. He explained that ASW is collecting core samples from each yard quadrant at depths between 0-6 inches, 6-12 inches, 12-18 inches, and 18-24 inches to get a better idea of how deep to excavate the soil on the first pass.

Mr. Feild stated that EPA never sees the data gathered from the core samples because it is not required by EPA but rather a procedure that ASW has chosen to do to guide the excavation. Mr. Feild stated that core sampling is a procedure that ASW has chosen to do. Mr. Feild stated that after the soil has been removed, confirmation samples are taken by both ASW and EPA in order to make sure that the contaminated soil has been removed. Mr. Feild stated that the samples that Ms. Barrientos-Patlan saw being analyzed were the core samples that ASW was taking on their own and, therefore, were

not of concern to EPA. He stated that none of EPA's decision making is based on this data, it is used only in determining how deep to excavate in the first pass through. He noted that EPA is concerned with confirmation samples from the exposed surface of the excavation and confirmation samples do not go to the lab Ms. Barrientos-Patlan witnessed.

Mr. Feild clarified that EPA is always concerned about proper "housekeeping" procedures, whether the data being gathered is for them or not, and that is why the review was performed at that facility. Ms. Barrientos-Patlan stated that her concern was that cross-contamination was occurring because the same sifter was being used for two different houses without being properly cleaned between samples. Ms. Barrientos-Patlan stated that she had further clarification from a lab coworker that the small amount of dust would not have made a significant difference in the results. Mr. Feild stated that EPA will review the procedures of all contractors and labs to ensure all are in order. Ms. Barrientos-Patlan stated that she is concerned and trying to keep her neighborhood safe.

Lead-based paint assessment criteria

Mr. Feild stated that the eligibility criteria for exterior paint replacement are still being developed. Mr. Feild stated that if a property is eligible for excavation, then it is also eligible for high efficiency interior cleaning and possibly exterior lead-based paint stabilization.

Mr. Feild provided the CAG with a worksheet that has been developed to assist in the evaluation of eligibility for stabilization. Mr. Feild stated that the contractor would go to each property with a portable XRF instrument and measure the lead content on the different types of paint on the house. Mr. Feild stated that the contractor would determine lead loading and the area of deteriorated surface to determine how much lead is in the deteriorating paint and how many kilograms of lead in paint is ready to fall to the ground. They would then measure the footprint of the house and take into consideration the assumption that paint falls within six feet from the side of the house and mix to a depth of one inch. Mr. Feild stated that if the calculation exceeded 400 ppm, then the house would be eligible for paint stabilization, which will include scraping, priming, and painting. Mr. Feild stated that decision would be made on a case-by-case basis.

Mr. Feild stated that the analyses are done on a per surface basis, so some parts of the house may qualify for stabilization, but that does not necessarily mean the entire house is going to be repainted. Mr. Feild stated that the paint stabilization is done through the City of Omaha Lead Hazard Control Program. Mr. Feild stated that the EPA will be forwarding the calculated data to the City. Mr. Feild stated that EPA may initially do a quantitative screen to determine if stabilization is needed, then it will be necessary to go out house by house to determine which surfaces require replacement.

Mr. Feild reported that 1,000 of 4,500 lead-based paint assessments have been completed. Mr. Feild requested comments from the CAG on the paint assessment worksheet. Mr. Feild stated that after comments have been received, EPA would draft a Quality

Assurance Plan. Mr. Feild stated that the criteria used will be different from HUD's standard. Mr. Feild stated that HUD's standard recommends paint stabilization for surfaces with greater than 1 mg/cm² on areas of 10 ft² or more.

Dr. Pour asked if this worksheet/process had been reviewed by the EPA's Technical Review Workgroup (TRW). Mr. Feild stated that the TRW is primarily interested in soil and the IEUBK model. Mr. Feild stated that he is interested in CAG comments. Mr. Feild stated that EPA would submit the worksheet to the TRW after the CAG's review. Dr. Pour stated that the TRW has toxicologists and experts in this area that could look at it.

Ms. Weston asked if the 1,000 homes that have already been analyzed, although the procedure is not in place at this time. Mr. Feild stated that, ideally the paint stabilization would be done prior to soil excavation to avoid recontamination, so at this time, the worksheets are being completed for houses where soil excavation will occur. Ms. Weston asked if those 1,000 homes will be on hold for a year until EPA determines if stabilization will occur. Mr. Field stated that all paint stabilization will be on hold until the stabilization procedures are in place. Ms. Weston asked how EPA plans on relaying this information to the community. Mr. Feild stated that the results will be sent out as soon as possible, but the eligibility requirements need to be established first in order to be able to interpret the results for the residents.

Mr. Feild stated that EPA will do the paint stabilization in categories, for example, all of the windows or all of the trim. Mr. Feild stated that the houses will not be left with patches of new paint on them, and EPA will do their best to match existing paint colors.

Ms. Weston asked if the Interim Record of Decision (IROD) restricts EPA from hiring subcontractors to perform paint stabilization. Mr. Feild stated that the City will subcontract the paint stabilization work. Mr. Feild stated that EPA's Superfund money will complement the City's HUD money in leveraging funds to address more homes. Ms. Weston asked if EPA was using the City to do the paint stabilization and what certification is required, since the HUD grant only requires lead safe practices. Mr. Feild stated that the City was in charge of the paint stabilization and the certifications would be the same as under the HUD grant.

Dr. Pour asked if the EPA was sure that HUD was going to approve this method. Mr. Gant stated that he would look into the issue. Mr. Gant stated that the Omaha Lead Site is a priority and he was aware that HUD and EPA need to work together. Mr. Gant stated that the Omaha Lead Site is a unique situation where identifying the houses is not difficult because the analyses have already been done and the information is just being handed to HUD. Mr. Gant stated that he and Mr. Diegelman would make sure to look at the worksheet and provide EPA with comments.

Ms. Weston asked if the comments that EPA received would be made available to the CAG. Mr. Feild stated that the EPA would put together a draft Quality Assurance Plan and provide it to the CAG. Mr. Feild stated that EPA hopes the paint stabilization will

begin this fall. Mr. Feild stated that this fall will be an opportunity for the EPA to get a handle on how much it is going to cost.

Ms. Carter asked if homes with exterior lead-based paint that do not meet EPA's criteria for deterioration will be re-evaluated at a later date to see if deterioration has occurred, qualifying the property for paint stabilization. Mr. Feild responded that at this point, it is EPA's goal to get through all properties one time. He stated that the issue of revisiting properties and ongoing maintenance may be addressed in EPA's Final ROD, which is expected to be drafted in 2008. Mr. Feild added that a property will not necessarily be rejected for paint stabilization if it does not meet EPA's quantitative criteria because a qualitative analysis and determination will also be made. Mr. Feild stated that paint assessment results will be sent to homeowners regardless of whether or not the property qualifies for paint stabilization.

Ms. Weston suggested that contractors should use caution when speaking to residents as to whether stabilization will be occurring at their property as there are people who have been misled into believing that they will be getting their house painted. Mr. Feild stated that four people are performing the paint assessments and he has personally met with each of them to explain the process. Ms. Weston stated that it may be best to instruct the contractors not to say anything. Ms. Weston stated that EPA requested in several other circumstances that this occur and all questions be forwarded to EPA instead of handled by the contractors. Ms. Dillon stated that the EPA North Omaha information center receives calls regularly that have been forwarded by the contractors regarding the paint assessments and stabilization. Ms. Castaneda stated that the South Omaha information center has also received these calls.

Ms. Council stated that she was unsure how to comment on EPA's paint assessment worksheet. Ms. Council asked who developed the worksheet. Mr. Feild stated that the approach was developed internally by EPA Region 7 based on experience at the VB I-70 site (within EPA Region 8) and that EPA worked with Black and Veatch to develop the worksheet. He noted that there is not much precedent for this type of assessment. Ms. Council requested that EPA provide the CAG with a written explanation of the calculations. Mr. Feild stated that he would provide Ms. Jennifer Rawley of MFG, Inc. with a narrative to forward to the CAG.

Ms. Council stated that it appears that several contractors are not accurately communicating with residents. Ms. Council asked if the subcontractor performing paint assessments could coordinate with the contractor doing the yard sampling, so that homeowners could sign access agreements for both tasks at the same time. Ms. Weston stated that there are three contractors doing yard assessments and only two contractors doing paint assessments. Ms. Council stated that she understood the same contractors did not do all the sampling, but was wondering if there was a database that they could access that would tell them the status of the house. Mr. Feild stated that when a property is assigned to a contractor to be excavated, it is according to a performance-based contract, and EPA does not dictate the order in which the properties are excavated. Mr. Feild stated that EPA is not notified of when contractors receive access, he stated that EPA is

only notified upon completion of the yard excavation. Ms. Council stated that the same 425 yards that are being excavated are also the same 425 yards where another contractor has been asked to assess the paint. Mr. Feild stated that that is not true. Ms. Council stated that she is simply requesting that some form of communication take place between those contractors. Mr. Feild stated property status information is not tracked by EPA. Ms. Council stated that the contractors would have better luck getting access agreements signed if they worked together and requested excavation and paint access at the same time. Ms. Council stated that property owners are going to get irritated and will refuse to sign multiple access agreements.

Ms. Hill stated that when the surveys were being conducted, people were under the wrong impressions about what was happening. Ms. Hill stated that many property owners are not granting access because they believe that they have already signed the property access form and are confused as to why they need to sign additional forms.

Mr. Feild stated that EPA had considered creating a fact sheet summarizing the entire process for homeowners eligible for excavation, interior cleaning, and paint stabilization. Mr. Feild stated that now is a good time to move forward with providing a fact sheet. Ms. Brooks Pittman stated that it seems that the various entities are not working together. Mr. Feild stated that EPA is trying to get the paint work done as quickly as possible. Mr. Feild stated that by next year, all parties should be working well together, but at the moment, the steps are out of order as EPA is playing catch up.

Park sampling plan and QA data

Mr. Feild stated that the quality assurance results for the small parks sampling are completed. Mr. Feild explained that small park sampling was conducted at 43 Omaha parks that are less than ten acres in size. Mr. Feild stated that the data has been validated and provided a copy of the data for the CAG. Mr. Feild stated that none of the parks sampled had lead in soil concentrations greater than 800 parts per million (ppm). Mr. Feild stated that two of the parks had sections that were over 400 ppm. Mr. Feild stated that EPA went back to the two contaminated parks to determine if the areas with elevated lead levels were high child impact areas. Mr. Feild stated that the three sections in Kellom Greenbelt Park with elevated lead levels were vacant parcels around the corner. Mr. Feild stated that these sections were re-sampled and the results were below 400 ppm. Mr. Feild stated that one section of the park at 29th and Blondo streets had a lead level of approximately 438 ppm. Mr. Feild stated that this section would qualify for excavation if the area were a high child impact area; however, it was not a part of the park where you would expect children to be playing and when this section was resampled, the results were less than 400 ppm.

Ms. Brooks Pitman asked why 800 ppm was used as a screening level. Mr. Feild stated that the action level for homes is 800 ppm, unless the home contains a child with an elevated blood lead level (in which case an action level of 400 ppm is used). Ms. Brooks Pitman asked how EPA could be sure that any of EPA's soil data is accurate, when two very different results were obtained when the same areas were resampled. Mr. Feild

stated the results are accurate for the sample but that the lead content on the surface is not uniform. He explained that for each area sampled, five aliquots are combined into a single sample. In the second sampling, five different aliquots are collected and, invariably, the results will be different. Mr. Feild stated that the question is how representative a sample is of an area. Mr. Feild stated that the second sample was taken to ensure that EPA had not underestimated the contamination.

Mr. Feild stated that EPA has completed a draft of the large parks sampling plan. Mr. Feild stated that EPA has developed a statistical approach that would arrive at a 95% upper confidence level for the concentration in that park. He indicated that the plan is being finalized this week and will be electronically submitted to the CAG.

Ms. Carter asked about the status of EPA's Oracle database. Mr. Feild stated that the Oracle database has been up and running for the past two to three weeks, but some of the bugs are still being worked out. Mr. Feild stated several more weeks are needed to get out any remaining bugs but that it is 99.9% there.

Referring to the list of subcontractors provided by EPA, Ms. Barrientos-Patlan asked why some companies were listed several times under different groups. Mr. Feild replied that various contractors have individual contracts amongst themselves to gain efficiencies. Mr. Feild stated that, for instance, PRI has worked out an arrangement with ASW who provides materials handling services for both companies. Ms. Barrientos-Patlan stated that she wanted to make sure double payments were not occurring. Mr. Feild stated that under the performance-based contracts, EPA is not double paying for excavations.

3. Explanation of Significant Differences (ESD) Discussion

Ms. Wright thanked EPA for attending the Education Committee meeting and helping to work out all of the quirks in the proposed ESD. Ms. Council stated that everyone should have received the ESD language and the proposed cover letter via email and in a packet in advance of today's meeting.

Ms. Wright passed out several revisions to the proposed cover letter and accompanying attachments that were made following the Education Committee's meeting in response to input from EPA.

Ms. Council stated that the revised ESD would reflect all of these changes.

Ms. Barrientos-Patlan commented that the South Omaha library is undergoing renovations and she would like the new location of the library noted in the document. Ms. Council stated that the libraries referenced in the ESD document were reported because they are the libraries that currently house the Omaha Lead Site repositories. Ms. Council stated that when the library is complete, the repositories will be moved, and the address will be updated.

Ms. Barrientos-Patlan asked why, on page five of the ESD document, under Education Costs, the blood lead screening information had been removed. Ms. Council stated that that section was deleted because the purpose of the document was to explain the significant differences in outreach and education, and blood lead screening and monitoring did not fit in the definition of the document. Ms. Wright stated that while the CAG recognizes that these are important issues, it did not fit into the ESD and the committee had agreed to remove this language from the document. Ms. Barrientos-Patlan asked how blood lead screening would be addressed. Ms. Council stated that just because an issue is not addressed in the proposed ESD, does not mean that the CAG would stop advocating for it. Ms. Council stated that certain issues were left out because they did not fit within the education and outreach category.

4. OHKA Update

Ms. Eastman provided an update on Omaha Healthy Kids Alliance (OHKA) activities. Ms. Eastman stated that OHKA contact information has been sent out and the website is currently being developed.

5. City HUD Grant Update

No representatives were present to provide an update.

6. NDEQ Update

No representatives were present to provide an update.

7. LSOC Update

Ms. Weston thanked all of the attendees from yesterday's luncheon for their support.

8. Comprehensive Plan Committee Update

Ms. Weston stated that the Comprehensive Plan Committee met yesterday. Ms. Meacham stated that the Committee continued to work on the Comprehensive Plan matrix and is reviewing an Illinois regulation for ideas that may be applicable to Omaha. Ms. Council explained that the Comprehensive Plan matrix relates to the non-education related activities in the Comprehensive Plan and that housing in particular is addressed in the matrix.

9. Grants Update

Ms. Council stated that the CAG will be exploring grants as the Comprehensive Plan Matrix is developed. Ms. Council stated that, currently, the only pending grant application is the one submitted to HUD in June. Ms. Council asked what the estimated timeline was for that grant.

Mr. Gant stated that HUD expects to announce a majority of grant winners by the end of August or the beginning of September. Mr. Gant stated that he wanted to reiterate his message from the LSOC luncheon yesterday to encourage the CAG to keep applying for grants. He also stated that Omaha if does not get the grants applied for, request a debriefing from HUD to learn what improvements need to be made and then reapply the next year. Mr. Gant stated that the HUD Lead Hazard Reduction Demonstration may reopen due to the lack of enough applicants. Ms. Council thanked Mr. Gant for the update.

Mr. Diegelman added that through their current grant, they will work closely with EPA's efforts to create a strategy that gets as much leverage and participation as possible, creating an opportunity for both agencies.

Mr. Quy stated that he was impressed with Mr. Gant's impact on the enforcement action and asked the he explain what triggers an enforcement action. Mr. Quy also asked how the community can inform the proper individuals if they feel an enforcement action would be beneficial. Mr. Gant replied that his office enforces the lead disclosure rule which applies to any homeowner or landlord and requires them to disclose any knowledge of lead hazards at the time of sale. Mr. Gant stated that his office has been trying to identify homeowners with certain characteristics, such as elevated blood lead levels, to ensure that the property owner is disclosing information to the buyer. Mr. Gant stated that if an elevated blood lead level is present, HUD can perform an investigation and determine if the owner is providing disclosure forms. If the owner is not, it is an opportunity for HUD to require the owner pay for the cleanup. Mr. Gant stated that a civil money penalty of up to \$110,000 per unit can be given. The money is first used to cover the cost of the investigation and then the remainder of the money is used for the cleanup. Mr. Gant stated that one case was recently settled in Minneapolis where the owner agreed to provide \$50,000 to buy a van for the local health department to do testing. Mr. Gant stated that if the property being investigated is a HUD funded property, the cleanup is more intensive. Mr. Gant stated that HUD works in conjunction with EPA because EPA has subpoena power and HUD does not.

Mr. Gant stated that the grant program has been successful in cleaning up 10,000 properties per year (a total of 80,000 units nationwide) and has brought in \$180,000 through the enforcement program.

Mr. Quy suggested that one of the CAG committees get up-to-date on disclosure enforcement. Ms. Council stated that the Comprehensive Plan Committee could look into disclosure enforcement.

Ms. Gaines requested a list of all HUD grants. Ms. Weston stated that a list of grants is on the HUD website.

Dr. Pour asked if the homes addressed by HUD's grant program are lead-free or lead-safe. Mr. Gant stated that the homes are lead-safe. Mr. Gant stated that often times when

settlements are met on enforcement issues, homes are made lead-free because the property owners are using their own dollars. Mr. Gant stated that HUD has to monitor lead-safe homes to ensure they remain lead-safe.

Ms. Council stated that a problem that Omaha is having is that homeowners are refusing access because if EPA discovers that their property is contaminated, the homeowner becomes responsible for disclosing that information. Mr. Gant stated that if there is an example case that he can handle in particular it would be great to show the community what can happen when you refuse sampling for that reason. Mr. Gant stated that HUD needs "message" cases.

Ms. Weston asked if owners were required to give access if they receive federal funds, such as Section 8 money, or if they are part of the Omaha Housing Authority. Mr. Gant stated that Section 8 properties are required to give access. Ms. Weston asked if those particular cases need to be brought to the attention of EPA. Mr. Gant stated that such cases should be brought to EPA's attention.

Ms. Weston asked EPA if the owners' names that refuse access were public record. Mr. Feild stated that he was unsure, but would find out.

Ms. Council stated that the HUD knows which properties are receiving funding and could compare that list to EPA's list of property access refusals. Mr. Quy stated that enforcement is not restricted to funded properties. Ms. Council stated that it is easier to enforce access through Section 8 or county general assistance.

Mr. Quy asked if a community is very aggressive in reporting requesting actions if it would be a factor in the grant applications. Mr. Gant stated that while it is not a factor at the moment, if it is included in the packet, it will definitely be noted.

Ms. Barrientos-Patlan asked if the CAG could request that homeowners comply with EPA's requests for access. Ms. Council stated that a list of homeowners refusing access would need to be obtained and forwarded to HUD for further action. Ms. Weston stated that Mr. Feild should have access to a refusal list. Ms. Council agreed.

10. Education Committee Update

Ms. Wright stated that the Education Committee met yesterday. Ms. Wright stated that the committee would like to bring Mr. Rick Riebstein in with Ms. Todd's assistance. Ms. Wright stated that the committee discussed allocating more dollars to worker and remodeler training, with assistance from the real estate commission. Ms. Wright stated that, thanks to the LSOC and ATSDR, there will be a display in the Children's Museum from October through February with speakers every Saturday, including bilingual speakers. Ms. Wright stated that the Education Committee is currently doing lots of activities with schools, and October will be a very busy month.

11. Explanation of Significant Differences (ESD) Discussion (continued)

Dr. Pour stated that it would be helpful if the attachments to the "Effectiveness of Education" memo listed references. Ms. Weston stated that she did not see Omaha or Douglas County listed as examples of the effectiveness of education. Mr. Feild recommended reviewing findings of Dr. Rajaram's study for the Chicano Awareness Center once it is published.

Ms. Weston stated that if the education is successful, over time, the amount of money needed each year should decrease. She also questioned why a specific dollar amount was being requested versus a percentage of the amount of money spent each year. Ms. Wright explained that Mr. Feild had explained to the Education Committee that the IROD will be complete by 2008. After the IROD, the ROD will be developed and that will cover the next ten years at the Omaha Lead Site. Ms. Wright stated that all money in the ESD is for the remaining two years of the IROD.

Ms. Weston asked if the CAG was requesting \$711,000 per year for the next two years. Ms. Council confirmed that the CAG is requesting \$711,000 per year for two years. Ms. Weston stated that she is still unclear as to why \$711,000 is needed.

Ms. Weston asked Mr. Feild if EPA would approve a request for a reduced amount of funding. Mr. Feild stated that it will be evaluated on a component by component basis. Ms. Weston asked why the health department had not provided a statement for the draft ESD text. Ms. Council stated that at the bottom of page 5, NHHS had made a statement. Ms. Wright added that in the cover letter, a statement was made as well, but if Ms. Weston is suggesting that the quotes belong in the ESD itself, that is a valid suggestion.

Dr. Pour stated that, in time, there will be a decrease in the need for education dollars. Dr. Pour stated that at this point, not enough is being done because the public is not well informed. Dr. Pour stated that funding education at an initially high level is justified, with the expectation that in three or four years that amount will decrease.

Dr. Pour stated that the CAG could request letters of support from governmental leaders to accompany the CAG's request. Ms. Council stated that the Mayor's office and the congressional delegation are already prepared to write such letters supporting the ESD once the CAG approves it.

Ms. Weston asked Mr. Feild if the ESD would have a stronger chance of receiving funds if the letters of support accompanied the ESD. Mr. Feild replied that letters of support are always helpful.

Ms. Brooks Pittman motioned to approve the cover letter and ESD text, as revised. Dr. Pour seconded the motion. The motion passed (12-2). Ms. Council stated that the letters will be revised, letters of support will be requested from elected officials and others, and then the packet will be sent to the EPA.

12. Questions and Answers

Mr. Jones stated that HUD is offering a grant writing training in Sioux City. Mr. Jones stated that it is an excellent training for beginner grant writers. For more information contact Mr. Clifton Jones at 402-492-3134 or Ms. Linda Fiscus at 402-492-3102.

Ms. Hill stated that Sisters Together has moved to 5418 North 45th Street, but is keeping the same phone number: 402-451-0255.

Ms. Coyne asked Ms. Leinenkugel about screening for pregnant and nursing mothers. Ms. Coyne stated that pregnant and nursing mothers cannot wait for protocols. Dr. Pour stated that it is recommended that pregnant women talk to their health providers regarding any concerns. Ms. Coyne stated that even the health care providers are ignorant in this regard. Dr. Pour stated that this is a difficult situation and an answer could not be provided today. Dr. Pour stated that in regards to medical care, the health department cannot tell a physician how to care for their patients. Ms. Coyne stated that it is not something that the physicians are even worried about. Ms. Coyne stated that it is approximately nine months to a year before children are getting tested and that is after the major damage has been done. Dr. Pour stated that the Education Committee would look into the issue.

Ms. Council stated that the next CAG meeting would be held on September 13th, 2006 at 9:30 am at a location to be announced.

Handouts Provided for the Meeting (August 9, 2006):

Draft CAG Meeting Minutes from 7/12/06

Final CAG Meeting Minutes from 5/10/06 and 6/14/06

Comprehensive Plan Committee Minutes from 7/10/06

Summary of EPA's Lead Safe Yards Program and Guidance (Provided by MFG, Inc.)

Availability of Environmental Justice Funds (Provided by MFG, Inc.)

Environmental Justice Small Grants Program Application Guidance (Provided by MFG, Inc.)

Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program Applicant Guidance (Provided by MFG, Inc.)

North Central Regional Conference on Eliminating Childhood Lead Poisoning, Implementing Healthy Homes Programs, and Combating Indoor Environmental Hazards (Provided by MFG, Inc.)

The Price of Pollution: Cost Estimates of Environmental-Related Childhood Disease in Minnesota (Provided by Kathy Leinenkugel)

Institutional Controls Implementation and Effectiveness Research (Provided by MFG, Inc.)

Budget for High Priority Education Activities (Provided by CAG Education Committee)

Letter Updating Residents on Superfund Cleanup (Provided by Rebecca Barrientos-Patlan)

Letter to EPA Regarding the Timing for Completing of the Lead Renovation, Repair, and Painting Final Rule (Provided by MFG, Inc.)

Drinking Water: EPA Proposes Changes to Lead Rule Involving Monitoring, Treatment, and Notification (Provided by MFG, Inc.)

FDA Warns Lunch Box Makers About Lead (Provided by MFG, Inc.)

Study Finds Toxic Chemicals More Expensive (Provided by MFG, Inc.)

Toxic Substances: EPA Denies Sierra Club Petition on Lead in Toy Jewelry (Provided by Cammy Watkins)

Mexican Candy Makers Will Get the Lead Out (Provided by MFG, Inc.)

Group Asks States to Sue for Cleanup of Lead Paint (Provided by MFG, Inc.)

California High Court Denies Review of Lead Paint Case (Provided by MFG, Inc.)

Granholm Signs Bill Requiring More Lead Testing for Children (Provided by MFG, Inc.)

Attachments to Minutes:

Sign-In Sheet (hardcopy to be delivered)

EPA Update (hardcopy to be delivered)