

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

Minutes for Meeting Held  
Wednesday, September 29, 2004, 9:30 a.m.  
Salem Baptist Church  
3131 Lake Street

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**OLS CAG Members Present:**

Janet Bohm—*Citizen at Large*  
Dr. Richard Brown—*Charles Drew Health Center*  
Sue Casteel—*Agency for Toxic Substances and Disease Registry*  
Tanya Cook—*Governor's Omaha Advisory Council for Lead Safe Neighborhoods*  
Brenda Council—*Facilitator*  
Todd Davis—*Nebraska Department of Environmental Quality*  
Connie Determan—*MFG, Inc.*  
Barba Edwards—*League of Women Voters*  
Bob Feild—*Environmental Protection Agency*  
Councilman Gary Gernandt—*City Council*  
Jeff McDermott—*Union Pacific Railroad*  
Dr. Donna Polk-Primm—*Nebraska Urban Indian Health Coalition*  
Dr. Adi Pour—*Douglas County Health Department*  
Dr. Shireen Rajaram—*University of Nebraska, Omaha*  
Chris Rodgers—*Mayor's Office*  
Vernon Waldren—*Douglas/Sarpy County Extension*  
Warren Weaver—*Designee for Councilman Frank Brown*  
Cheryl Weston—*Lead Safe Omaha Coalition*

**Others Present:**

Karen Davis—*Congressman Lee Terry's Office*  
Todd Falter—*NHHS*  
Sonny Foster—*Senator Ben Nelson's Office*  
Nancy Gaarder—*Omaha World-Herald*  
Kathy Leinenkugel—*Douglas County Health Department*  
Stacy Meacham—*MFG, Inc.*  
Jennifer Rawley—*MFG, Inc.*  
Steve Sanders—*Environmental Protection Agency*

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Ms. Council asked for any corrections to the minutes from the September 15, 2004 CAG meeting. Ms. Weston stated that on page 3, in the fourth paragraph, Ms. Watkins had asked a question about contacting congressional representatives and had asked about the CAG writing a letter. Mr. Feild stated that on the top of page 3, he had stated that the proposed remedy included soil removals at 5,600 properties and a treatability study to evaluate phosphate treatment. Mr. Feild stated that on page 3, in the third paragraph, he

was unclear about the funding discussion. Mr. Feild stated that he had maybe stated that EPA receives an appropriation from congress. Ms. Council stated that she had asked Mr. Feild if EPA would seek an appropriation of 26 million dollars each year. Ms. Council stated that Mr. Feild's response was that EPA would request an overall sum and decide how to allocate those funds over the years. Mr. Feild stated that he meant that EPA receives an appropriation for all Superfund sites and then allocates those funds between the various sites. Mr. Feild stated that congress determines the amount of the appropriation. Dr. Polk-Primm stated that on page 3, the donation was 450 dollars. Ms. Edwards motioned to approve the minutes with the above corrections. Mr. Waldren seconded the motion. The motion unanimously passed (11-0).

Mr. Feild provided an update on EPA activities. Mr. Feild provided a summary handout. Mr. Feild stated that the HAZWOPER training held last week was successful. Mr. Feild stated that 25 individuals completed the course. Mr. Feild also announced that the U.S. Army Corps of Engineers (USACE) should be announcing the winning contracting teams for the EPA performance based pilot contract. Mr. Feild stated that the comment period for the Proposed Plan ends October 15, 2004. Mr. Feild stated that anyone interested in having EPA speak to a group about the Proposed Plan could contact him or Ms. Debbie Kring.

Ms. Weston stated that, according to Mr. Doug Hadley of the USACE, the winning contracting teams would be announced tomorrow. Ms. Weston also stated that trainees had completed evaluations of the HAZWOPER training. Ms. Weston stated that she would provide EPA and the CAG with copies of the evaluations.

Ms. Weston stated that the Comprehensive Plan Subcommittee meeting was cancelled and that she would like the time allotted for the Subcommittee update to go towards EPA's update.

Ms. Weston asked what the 77 million dollar proposed remedy will address. Mr. Feild stated that the proposed interim remedy includes soil removals at 5,600 properties and a treatability study for phosphate remediation. Mr. Feild stated that the final Record of Decision would not be released for several years. Ms. Weston asked if EPA would maintain control over excavation even if Potentially Responsible Parties (PRPs) take responsibility for the remediation. Mr. Feild stated that EPA would maintain control over the remediation. Mr. Feild stated that the PRPs could enter into a consent decree stating how the work will be performed and agreeing to perform the work in that matter.

Ms. Weston asked if involvement from the comprehensive plan alliance and PRPs would pertain to the interim or final Record of Decision. Ms. Feild stated that that decision has not been made. Mr. Feild stated that more would be known after negotiations begin. Ms. Weston asked if the number of yards remediated would be reduced because of the additional elements included in the comprehensive plan. Mr. Feild stated that the presence of other lead sources would not affect the number of yards to be remediated. Ms. Weston asked if participation in the remediation as part of the comprehensive plan would be voluntary. Mr. Feild stated that EPA has not made a decision to compel

homeowners to comply with the remedy. Mr. Feild stated that if homeowners refuse access to their property, at this time, EPA is not enforcing compliance.

Ms. Weston stated that she found it difficult to believe that remediation would only cost 13,500 dollars per property (according to EPA estimates). Mr. Feild stated that the 13,500-dollar amount is just an estimate. Mr. Feild stated that the estimated cost is unimportant and that the actual amount could be more or less.

Ms. Weston asked how the addition of other Superfund sites in Nebraska would affect funding for the Omaha Lead Site. Mr. Feild stated that Superfund funding is not allocated state by state. Mr. Feild stated that the funding is provided via national appropriations and then allocated to sites based on priority. Mr. Feild added that site recently added to the National Priorities List will not have scheduled remedial actions for sometime, and therefore, will not affect funding for the Omaha Lead Site.

Ms. Weston stated that nine Superfund sites currently utilize 52 percent of Superfund funding. Ms. Weston asked which sites are these nine sites. Mr. Feild stated that he would find out which sites these are.

Ms. Council, referring to a handout (Federal Register, September 22, 2004), asked why something similar to what is being offered in St. Louis has not been offered in Omaha. Mr. Feild stated that St. Louis is in the early stages of creating awareness, while Omaha is farther along. Mr. Feild stated, however, that he thought this is something that could be considered for Omaha. Ms. Council asked if the CAG could write a letter requesting something similar for Omaha. Mr. Feild stated that he would like to get more information about what St. Louis is doing and what opportunities are available and report back to the CAG next time. CAG members agreed to wait to take action until hearing from Mr. Feild at the next CAG meeting.

Mr. Davis provided an update on NDEQ activities. Mr. Davis stated that a planning meeting would be scheduled for October 26 or October 28, 2004. Mr. Davis explained that the purpose of the meeting is to determine the activities and funding sources for federal, state, county, city, and other organizations involved with lead. Mr. Davis stated that all involved agencies and organizations will be invited to help brainstorm areas where funding can be saved. Ms. Council added that it would be beneficial for members of the Comprehensive Plan Subcommittee to attend. Mr. Davis stated that he hopes information gathered from the meeting could be incorporated in the Comprehensive Plan. Ms. Council stated that the comment period for the Proposed Plan ends October 15, 2004, so it might be better to schedule the meeting earlier.

Ms. Council stated that the Comprehensive Plan Subcommittee meeting had been cancelled. Ms. Council stated that comments and suggestions from the last Subcommittee meeting had been incorporated in a new draft of the Comprehensive Plan. Ms. Weston stated that she and Ms. Jonah Deppe would meet next week to discuss the draft Comprehensive Plan and would then distribute the draft to the Subcommittee. Ms. Weston stated that the Subcommittee would likely meet the week of October 10, 2004.

Mr. Rodgers stated that the Contracting Subcommittee meeting had been rescheduled for October 13, 2004 at 8:00 a.m. at the Mayor's Office.

Ms. Council stated that she would like to make certain disclosures, not wanting any appearance of a conflict of interest. Ms. Council stated that her husband operates a lawn and landscaping company and is registered with Bonding and Technical Services (BTS). Ms. Council stated that as a participant with BTS, her husband was notified of contracting opportunities in connection with the Omaha Lead Site. Ms. Council stated that she does not know if her husband will submit a proposal. Ms. Council added that she is not involved with her husband's business and does not view the situation as a conflict of interest. Ms. Council encouraged anyone to talk with her if they have any related concerns or questions.

Mr. Foster asked Mr. Feild if amounts of the contracts awarded by the USACE could be released to the public. Mr. Feild stated that, typically, the total value of the contract is released. Mr. Foster asked if information about which bidders lost and how they ranked could be released. Mr. Feild stated that he would find out and let the CAG know.

Dr. Donna Polk-Primm asked if, because few companies are eligible for subcontracting, the same subcontractors are in different categories. Mr. Feild stated that some of the subcontractors are in multiple categories.

Ms. Council stated that she received a call from an interested citizen regarding molecular bonding. Ms. Council asked if EPA is aware of this process. Mr. Feild stated that phosphate treatment is a molecular bonding process. Ms. Council stated that the woman who spoke with her described the process differently and asked why a treatability study was necessary. Ms. Council stated that it was her understanding from EPA that a treatability study is necessary because phosphate treatment has only been proven effective for industrial applications. Mr. Feild stated that, currently, phosphate treatment is primarily used for preparing soil for disposal at sanitary landfills.

Ms. Council asked Mr. Falter who Rebecca Hunt is and how she knows about the CAG (referring to a pamphlet for an upcoming CDC conference)(see handout). Mr. Falter stated that Rebecca Hunt would not be speaking about the CAG; she will be speaking about an EPA site in Missouri. Mr. Falter stated that he would like to know if someone from the CAG could attend the conference and speak about current CAG activities. Ms. Council stated that if it could be arranged, she would attend. Mr. McDermott suggested altering the conference schedule, so that Ms. Council could attend the CAG meeting in the morning and the conference in the afternoon.

Dr. Polk-Primm suggested that Ms. Determan facilitate the CAG meeting, so that Brenda could attend the conference. Dr. Polk-Primm also suggested moving the CAG meeting to a different day. Ms. Council stated that the CAG meeting could be moved to a Tuesday or Thursday.

Dr. Polk-Primm motioned to cancel the CAG meeting on October 27, 2004. Ms. Weston seconded the motion. The motion unanimously passed (13-0). Ms. Council urged CAG members to attend the conference.

Ms. Council stated that a Remedial Investigation/Feasibility Study Subcommittee meeting has not yet been scheduled. Ms. Council stated that she asked MFG, Inc. to draft some questions for the CAG to consider about the Feasibility Study. Ms. Meacham stated that, similar the questions regarding the Remedial Investigation and Risk Assessment, the questions on the Feasibility Study are for the CAG's consideration and were formed from questions raised by community members, CAG members, and from reading the Feasibility Study. Ms. Meacham summarized the questions (see handout). Ms. Council urged CAG members to review the questions and submit comments or additional questions to Ms. Determan. Ms. Weston suggested utilizing an electronic voting process, in order to send the questions to EPA sooner. Ms. Council stated that comments on the questions could be submitted by close of business the Friday, then the procedures for electronic voting could be implemented. CAG members agreed to utilize electronic voting and submit comments and additional questions by close of business on Friday, October 1, 2004.

Ms. Weston asked if EPA would provide written responses to the Proposed Plan comments from the CAG and NHHS before the close of the comment period. Mr. Feild stated that EPA could not commit to responding to questions or comments before the close of the comment period. Mr. Feild stated that he could discuss the questions and comments at the next CAG meeting.

Ms. Council asked if EPA could provide other comments they have received on the Proposed Plan to the CAG. Dr. Pour stated that she could provide comments submitted by the Board of Health. Mr. Feild stated that he could provide all comments at the close of the comment period.

Ms. Council stated that Mr. Foster has asked if the CAG would like Senator Ben Nelson to sign the resolution designating National Lead Poisoning Prevention Week. Mr. Foster announced that Senator Nelson had already signed the resolution.

Ms. Council stated that she had received suggestions for activities for National Lead Poisoning Prevention week. Ms. Council suggested that the Education Subcommittee undertake any planning for National Lead Poisoning Prevention Week. Dr. Polk-Primm stated that it would be discussed at the Education Subcommittee meeting tomorrow. Dr. Pour announced that the Douglas County Health Department currently has a lead display (see handout), which could be displayed at different locations around town.

Dr. Pour suggested that the CAG could hold a news conference with the Mayor for National Lead Poisoning Prevention Week. Ms. Weston suggested placing an announcement in an Omaha Public School's newsletter.

Ms. Council announced the Ms. Cammy Watkins is sponsoring a rally Thursday, September 30, 2004 at 11:00 a.m. Ms. Council stated that Ms. Watkins could not attend

the CAG meeting today, but also notified Ms. Council of another opportunity. Ms. Council stated that Mr. Hopkins of the Sierra Club would be in town on October 5, 2004 and could speak to the CAG regarding Superfund funding issues. Ms. Council asked if the CAG was interested in hearing from Mr. Hopkins. Dr. Rajaram suggested asking if Mr. Hopkins could make a presentation on lead. If not, Dr. Rajaram suggested letting the CAG know when Mr. Hopkins will be speaking to the Sierra Club.

Dr. Polk-Primm stated that government agencies have received federal funding for lead activities and that it does not make sense for community organizations to apply for grants. Dr. Polk-Primm stated that ATSDR has an education plan that would do everything and more because of access to resources. Dr. Pour stated that it is different if a community organization applies for a grant than if a government agency applies. Dr. Pour stated that a community group might be more successful at receiving grant money. Ms. Council stated that ATSDR's plan would not be entirely funded by the Centers for Disease Control and Prevention. Ms. Council stated that ATSDR's plan takes into account aspects already funded by other groups.

Ms. Casteel stated that ATSDR is working the Education Subcommittee to identify missing pieces in ATSDR's education plan. Ms. Casteel stated that ATSDR is looking at ways to work through community groups and is trying to find a way to compensate those groups.

Dr. Polk-Primm asked how much longer bimonthly CAG meetings would be held. Ms. Council stated that it is up to the CAG members to decide that.

Ms. Davis stated that letters provided by Congressman Lee Terry (see handout) had been distributed to the CAG. Ms. Davis stated that Congressman Terry's office has tried to address funding, outreach, and participation of small and minority business issues at the Omaha Lead Site.

Dr. Rajaram stated that she would like to see what Congressman Terry's stand on the Superfund tax has been. Ms. Davis stated that she would look into the issue and report back to the CAG.

Ms. Council announced that the next CAG meeting would be held Wednesday, October 13, 2004 at 9:30 a.m. at the Chicano Awareness Center.

Handouts Provided for the Meeting (September 1, 2004):  
*Draft Minutes from 09/15/04 (Provided by MFG, Inc.)*

*Approved Minutes from 09/01/04 (Provided by MFG, Inc.)*

*OLS CAG Member List*

*OLS CAG Operating Procedures*

*Community Awareness and Education Program for the OLS CAG* (Provided by Mr. Vernon Waldren)

*Letters to/from Congressman Lee Terry* (Provided by Congressman Lee Terry's Office)

*Letter from Mayor Fahey to Senator Hagel, Senator Nelson, and Congressman Terry Regarding Omaha Superfund Listing* (Provided by Mayor Fahey's Office)

*Education Subcommittee Meeting Notes 09/14/04*

*Comprehensive Plan Subcommittee Meeting Notes 09/10/04*

*Senate Appropriations Committee Approves VA-HUD Funding Bill* (Provided by MFG, Inc.)

*Questions on the RI/RA from the CAG to EPA*

*Grant Opportunities* (Provided by MFG, Inc.)

*General Questions Regarding EPA's Feasibility Study, Residential Yard Soil, Omaha Lead Site* (Provided by MFG, Inc.)

*Federal Register, September 22, 2004, Environmental Protection Agency Announcement* (Provided by MFG, Inc.)

*Shutting the Door on Lead Poisoning, CDC Region VII Annual Conference* (Provided by NHHS)

*Omaha Lead Site Community Advisory Group Meeting, EPA Update, September 29, 2004* (Provided by EPA)

*Story Board Exhibit on Lead Poisoning Prevention* (Provided by Douglas County Health Department)

Attachments to Minutes:

Sign-In Sheet (hardcopy to be delivered)