

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

Minutes for Meeting Held  
**Wednesday, October 8, 2008, 9:30 a.m.**  
OPD Southeast Precinct  
2475 Deer Park Blvd.  
Omaha, NE 68105

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**OLS CAG Members Present:**

Sue Casteel—*ATSDR*  
Brenda Council—*OLS CAG Facilitator (by conference call)*  
Kara Eastman—*Omaha Healthy Kids Alliance*  
Bob Feild—*Environmental Protection Agency*  
Dr. Adi Pour—*Douglas County Health Department*  
Vicki Quaites-Ferris—*City of Omaha Mayor's Office*  
Marian Todd—*City of Omaha Planning Department*  
Vernon Waldren—*University of Nebraska, Lincoln Extension*  
Diane Ward—*Creighton Pediatrics*

**Others Present:**

Dr. Richard Brown—*Charles Drew Health Center*  
Mary Castaneda—*EPA Public Information Center*  
Todd Davis—*Environmental Protection Agency*  
Tiffany Frezelle—*EPA Public Information Center*  
Laura Hardesty—*Cadmus Group*  
Debbie Kring—*Environmental Protection Agency*  
Louise Latimer—*Senator Ben Nelson's Office*  
Bill Lukash—*City of Omaha Planning Department*  
Brendan McEntegart—*Conestoga-Rovers & Associates*  
Jennifer Rawley (proxy for Jeff McDermott)—*Conestoga-Rovers & Associates*  
Ben Salazar—*Nuestro Mundo*  
Steve Sanders—*Environmental Protection Agency*  
Reid Steinkraus—*Douglas County Health Department*  
Che Thompson—*Omaha Healthy Kids Alliance*  
Cheryl Weston—*Lead Safe Omaha Coalition*

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**1. Discussion on Minutes from the September 10 , 2008 Meeting**

Mr. Waldren asked for corrections or additions to minutes from the September 10, 2008 meeting. No corrections or additions were offered.

Ms. Eastman motioned to approve minutes from the previous meeting without corrections. Dr. Pour seconded the motion. The motion unanimously passed (8-0).

## 2. EPA Update

Mr. Feild distributed an update sheet and provided a summary of recent EPA activities. Mr. Feild stated that EPA has excavated soil at 4,221 properties to-date. Mr. Feild also reported that Prudent Technologies has completed 262 of 700 paint stabilizations, and Professional Environmental Engineers (PE) has completed 49 of 200 paint stabilizations. Mr. Feild stated that EPA will perform paint assessments (to determine eligibility for paint stabilization) throughout the winter.

### *Backfill Source*

Mr. Waldren commented that complaints have been received concerning soil quality and odor. Mr. Waldren asked Mr. Feild from where the backfill soil originates. Mr. Feild responded that the primary backfill source is an agriculture field located at 25349 Gaston Avenue, Glenwood, Iowa. Mr. Feild added that some soil originates from feedlot material obtained from 17615 Platteview Road, Springfield, Nebraska.

Mr. Waldren, considering the high clay content soil he has observed, suggested that some backfill soil may be coming from the soil's B horizon, a subsurface horizon generally associated with higher clay content.

Mr. Waldren spoke of the odor at one location he visited, describing the odor as a sewage like odor. Mr. Feild suggested that the soil probably originated at the feeding company property, likely explaining some of the strange odors. Ms. Weston asked if the odor, believed to be coming from the backfill soil, will dissipate. Mr. Waldren responded that the odor will go away. He also mentioned that the soil concerned is actually good soil and that the nutrients will provide a beneficial growing environment for the new sod.

Mr. Waldren mentioned that Omagrow compost would be good material to use as backfill. Mr. Feild stated that although Omagrow was used in the past, it is not required to be used by contractors.

### *Access Progress*

Mr. Feild reported on the progress of the six contractors that are assigned to assist in gaining access agreements for EPA. Mr. Feild stated that EPA has assigned 5,710 properties so far, with 2,374 agreements successfully signed, as follows:

<u>Contractor</u>	<u>Signed Agreements</u>
Prudent Technologies	1,126/2,184 (52%)
Latino Center of the Midlands	93/454 (20%)
EKG	120/434 (28%)
ESG	336/898 (40%)
FD & Associates	381/964 (40%)
LSOC	318/776 (41%)

Dr. Pour asked what the difference in approach is between the six contractors. Mr. Feild responded that he does not know what approaches were utilized by the contractors; however, he is aware that one problem is locating the owner. Many owners are from out of state.

Ms. Weston clarified that the stated numbers only include agreements signed and exclude mention of property owners that refused access. Mr. Feild stated that these numbers refer to signed access agreements and do not reflect the number of properties that refused access. Mr. Feild mentioned he can provide more detailed numbers and information if requested.

#### *Protect Your Family Brochure*

Ms. Kring distributed two handouts: 1) Program Rule Effective Dates for Renovation, Repair, and Painting Program Rule and 2) Additional Information under the Toxic Substance Control Act (TSCA) Regarding Lead. Ms. Kring stated that if anyone has questions about the programs described in the handouts, they can contact Ms. Harriet Jones, with TSCA.

Ms. Kring explained that in Nebraska, EPA has authority over the Pre-Renovation Education Rule, not the State. Ms. Kring stated that Nebraska, specifically Nebraska Health and Human Services, could request authorization to administer the Pre-Renovation Education Rule. Ms. Todd explained that unlike the Pre-Renovation Education Rule, the State cannot take over authority of the Disclosure Rule because it is not delegable to states.

Ms. Thompson asked how the Pre-Renovation Education Rule is enforced and if it is complaint-driven. Mr. Sanders replied that the program is not complaint-driven, and that EPA performs inspections.

#### *Administrative Orders*

Mr. Feild stated that Administrative Orders have not yet been issued. Mr. Feild will update the CAG as soon as the Administrative Orders are released.

#### *Interior Dust Cleaning Program*

Mr. Feild stated that EPA is considering changes to the interior dust cleaning program, which will be included in the Proposed Plan.

#### *Recontamination Study/Phosphate Study/Risk Assessment/Remedial Investigation/Feasibility Study/Proposed Plan*

Mr. Feild said that the Recontamination Study and Risk Assessment will be included in the Remedial Investigation to be released later this month. The Feasibility Study will include the Phosphate Treatability Study. EPA will be releasing the Proposed Plan for public comment before releasing the Final Record of Decision in December.

Mr. Waldren asked for clarification that the comment period is 30 days. Mr. Feild replied that the comment period is 30 days, and EPA hopes to have a Final Record of Decision in December.

### **3. Zoo Sampling Report Update**

Ms. Quaites-Ferris reported that she spoke with Mr. Danny Morris, a representative from the Omaha Henry Zoo (Zoo). She shared with the representative the CAG concerns regarding sampling at the Zoo. Ms. Quaites-Ferris has received the sampling report from the Zoo. Ms. Quaites-Ferris asked Mr. Feild to review the report and provide a summary at the November CAG meeting. Ms. Quaites-Ferris stated that the report would be provided to the CAG after Mr. Feild is given the opportunity to review it. Mr. Field agreed to review the report and provide a verbal summary at the next CAG meeting.

### **4. OHKA Update**

Ms. Eastman announced that OHKA has hired three Americorps members to aid in outreach. They are scheduled to attend an Americorps kickoff this Friday in Lincoln, with Governor Heineman.

Ms. Weston asked for clarification on what activities the CLEARCorps interns will be performing. Ms. Eastman replied that they will be working in the lead program at the Douglas County Health Department.

Ms. Eastman said OHKA is still waiting to hear if they will be awarded the HUD and EPA grants for which OHKA applied.

Ms. Eastman stated that Ms. Thompson recently presented to 250-300 teachers. Ms. Eastman said that many teachers are excited to learn and teach lead awareness; as most do not have lead as part of their curriculum at the present time. Ms. Eastman explained that, as part of a Capstone project, Ms. Randy Nelson is looking into barriers to teaching lead in schools. OHKA is working with Ms. Randy Nelson to develop toolkits for teachers. Ms. Eastman stated that the project is science- and data-driven.

Ms. Eastman and Ms. Thompson had posters made to be placed in schools, daycares, pediatric health clinics, and elsewhere. Ms. Weston asked if posters will be available to hand out. Ms. Eastman answered that posters will be available to those that would like to help distribute the posters around the community.

#### *Education Committee Update*

Mr. Waldren announced that a lead summit will be held in Omaha in October, 2009. Assorted people from various fields relating to lead will be invited to attend. The Education Committee is brainstorming ideas for the summit.

Mr. Waldren noted that the committee decided that with the election coming up, it would be prudent to provide fact sheets on lead issues to the politicians running for office.

Mr. Waldren noted that a new website address for the UNL Extension's lead program has been established: [www.omahalead.com](http://www.omahalead.com).

Ms. Kring suggested that Legal Aid cite sources in the "Lead Poisoning in Omaha" booklet that was discussed during the Education Committee meeting. Ms. Thompson asked if there is funding to have the brochure translated into Spanish. Mr. Waldren replied that the booklet will be translated into Spanish.

#### *Housing Committee Update*

Mr. Waldren reported that Ms. Marian Todd and Ms. Connie Lowndes attended the National Healthy Homes Conference in Baltimore. Mr. Waldren asked for consideration as to what, if any, accommodation OHKA would make for general healthy homes involvement as apposed to just concentrating on lead. Ms. Todd mentioned that various healthy homes initiatives are already going on in Omaha, though there is not what could be called a consolidated general healthy homes program or effort.

Regarding institutional controls, Ms. Todd announced that Mr. Bill Lukash has been hired by the City of Omaha to develop the lead housing registry for Omaha.

Ms. Todd reported that the City has completed paint stabilization on 213 properties.

Ms. Weston asked if the City was originally given a list of around 300 homes to be stabilized. Ms. Todd answered that EPA had originally given the City a list of 340 homes. Ms. Todd said that some of these homes have been recently painted, and that in some cases the owner declined the service. Ms. Weston asked if there are still properties to be completed within the original 340. Ms. Todd answered there are homes on the list still to be completed.

### **5. City Update**

Ms. Todd reported that the CAG, in support of the City's U.S. Department of Housing and Urban Development grant, made an in-kind pledge for time totaling \$24,570.

Ms. Todd stated that at the end of September, time had exceeded \$26,000. Ms. Todd thanked the CAG for their contribution.

Ms. Todd stated that within the City's lead hazard control grant there have been 144 units completed. Ms. Todd stated that the City is nearing approval to work on a multi-family residence with 27 eligible units. Ms. Weston asked how many repairs were initially planned. Ms. Todd replied that 210 properties were tabbed for repairs. The City is requesting an extension on the grant to complete the remaining properties.

### **6. Douglas County Health Department Update**

Dr. Pour reported that the first health summit in Omaha will be held on October 22, 2008. Dr. Pour stated that Dr. Louis Sullivan is coming in to speak about increasing healthcare

costs. Dr. Pour mentioned that a community report card comes out every two years, and the most recent report card will be released at the summit. Lead is included as an environmental health priority in the report card.

#### *Head Start Testing Update*

Mr. Steinkraus announced that Head Start is in the planning stages of lead testing for children, and approximately 900 children will be tested in Omaha. The Office of Minority Health is helping to fund testing for children without health insurance.

Mr. Steinkraus reported that the City Planning Department, Douglas County Health Department, and Mayor's office representatives will be meeting to discuss proposed City ordinances. Ms. Quaites-Ferris stated that the FAQs may be revised to indicate that the nuisance ordinance is complaint-driven.

### **7. Lead Safe Omaha Coalition Update**

No update.

### **8. Questions and Answers**

Ms. Eastman asked Ms. Weston if she had been attending or teaching Lead-Safe Work Practices training sessions. Ms. Weston stated, "Lead Safe Omaha Coalition has no update." Ms. Weston stated this three (3) times. Ms. Eastman asked if Ms. Weston is unwilling to tell the CAG if Ms. Weston is offering training. Ms. Weston reiterated, "The Lead Safe Omaha Coalition has no update."

Mr. Waldren announced that the next meeting will be held on November 12, 2008. Mr. Waldren noted that November 11<sup>th</sup>, which would be the regular meeting date for the OHKA committees, falls on a holiday. Mr. Waldren asked members to consider moving the committee meetings to November 13<sup>th</sup> to allow EPA and ATSDR to attend. Committee members agreed to check their schedules.

**Handouts:**

*Draft CAG Meeting Minutes from 09/10/08*

*Final CAG Meeting Minutes from 08/13/08*

*Americorps Opportunity (Provided by OHKA)*

*Final City Council Letter dated August 7, 2008 (Provided by Jim Dowding)*

*Comments of Union Pacific Railroad Company to the Final Focus Area for the Omaha Lead Site (Provided by Union Pacific)*

*Nine Criteria for Remedial Alternatives Evaluation (Provided by CRA, Inc.)*

*CAG Recommendations Regarding EPA's Proposed Plan, Dated September 9, 2004*

*Feasibility Study Questions, Dated April 14, 2004*

*Questions Regarding EPA's Bioavailability Study, Dated April 7, 2004*

*EPA's Responsiveness Summary, Dated December 15, 2004*

*Lead vs. Copper: Research Targets lead Bullets' Impact (Provided by CRA, Inc)*

*Stricter Lead Limits Ahead on Kids' Products (Provided by CRA, Inc.)*

*Local Support Strong for Lead-Poisoning Bill (Provided by CRA, Inc.)*

*PA Settles with Evanston Landlord for Lead-Based Paint Violations (Provided by CRA, Inc.)*

*Artificial Turf Poses Lead Risk, California Attorney General Says (Provided by CRA, Inc.)*

*Federal Judge Backs Asarco in Peruvian Mines Lawsuit (Provided by CRA, Inc.)*

*Getting the Lead Out (Provided by CRA, Inc.)*

*Tighter Lead Rule for Kids' Items (Provided by CRA, Inc.)*

*State Faults District for Lead Dust at Island Trees School (Provided by CRA, Inc.)*

*Paterson Urged to Sign lead-Paint Bill (Provided by CRA, Inc.)*

*CPSC Recalls (Provided by CRA, Inc.)*