

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

Minutes for Meeting Held  
Wednesday, December 12, 2007, 9:30 a.m.  
OPD Southeast Precinct  
2475 Deer Park Blvd.  
Omaha, NE 68105

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## **OLS CAG Members Present:**

Rebecca Barrientos-Patlan—*Burlington Road Neighborhood Association*  
Brenda Council—*OLS CAG Facilitator*  
Jim Dowding (Designee for Councilmembers Brown and Gernandt)—*City Council Staff*  
Kara Eastman—*Omaha Healthy Kids Alliance*  
Dr. Adi Pour—*Douglas County Health Department*  
Vicki Quaites-Ferris—*City of Omaha Mayor's Office* (also designee for Marian Todd)  
Crystal Rhoades—*Neighborhood Center for Greater Omaha*  
Vernon Waldren—*University of Nebraska, Lincoln Extension*

## **Others Present:**

Diana Acero—*Douglas County Health Department*  
Mary Castaneda—*EPA Information Offices*  
Joel Christensen—*MUD*  
Lelia Coyne—*Citizen*  
Jeff Darlino—*Citizen*  
Connie Determan—*MFG, Inc.*  
Felisa Dillon—*ASW Associates*  
Krys Filipi—*Citizen*  
Tiffany Frezell—*EPA Information Offices*  
Tina Gray—*Lead Safe Omaha Coalition*  
Laura Hardesty—*Cadmus Group*  
Steve Jackson—*Office of Minority Health*  
Louise Latimer—*Senator Ben Nelson's Office*  
Stacy Meacham—*MFG, Inc.*  
Khari Muhammad—*Douglas County Health Department*  
Jennifer Rawley—*MFG, Inc.*  
Ché Thompson—*Omaha Healthy Kids Alliance*  
Cheryl Weston—*Lead Safe Omaha Coalition*

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## **1. Discussion on Minutes from the November 14<sup>th</sup> Meeting**

Ms. Council stated that a quorum was not currently present to allow a vote, but asked for corrections or additions to the draft CAG minutes from November 14, 2007. Ms. Barrientos-Patlan stated that “an individual citizen” should read, “a community leader.”

Ms. Barrientos-Patlan stated that on page three, “Ms. Barrientos-Patlan stated the she has received phone calls regarding LSOC” should read: “Ms. Barrientos-Patlan stated the she received a phone call from a North Omaha community member regarding LSOC.”

Ms. Barrientos-Patlan stated that on page six, “Ms. Barrientos-Patlan stated that the PM-10 air monitor was moved from its location at the South Omaha Fire Department” should read: “Ms. Barrientos-Patlan stated that the PM-10 air monitor was moved from the area of 25<sup>th</sup> and I Streets during construction of I-80 and the Kennedy Freeway. Ms. Barrientos-Patlan stated that homes were located where the Kennedy Freeway is now. Ms. Barrientos-Patlan stated that she is concerned about lead in that area from the old homes.”

## **2. EPA Update**

No update. (EPA representatives were absent.)

## **3. OHKA Update**

Ms. Eastman provided an update on OHKA activities. Ms. Eastman stated that Boys Town Pediatrics is sponsoring OHKA’s upcoming toy testing events. Ms. Eastman stated that Omaha Public Schools has hired ATC to screen all of their toys, and all of Boys Town Pediatric clinic toys are being tested. Ms. Eastman stated that any questions about lead in toys can be referred to OHKA. Ms. Eastman stated that OHKA has been communicating with other groups dealing with lead in toys across the country, and OHKA will partner with a national group to distribute the information collected from OHKA’s toy testing events. Ms. Eastman stated that OHKA is also talking with the Salvation Army about their toys.

Ms. Eastman stated that OHKA is applying for an EPA education grant.

Ms. Eastman stated that OHKA is negotiating with ClearCorps for two volunteers.

Ms. Eastman stated that OHKA’s commercial is running on television and is posted on youtube.com. Ms. Eastman stated that other cities are looking at OHKA’s commercial as a model.

Ms. Eastman stated that OHKA and Legal Aid of Nebraska applied for a grant to create a manual about lead for low-income housing. Ms. Eastman stated that the manual will be created whether or not the grant is received.

Dr. Pour asked if OHKA is noticing patterns with the toys that are being tested for lead. Ms. Eastman replied that it is hard to make statements about patterns because even when looking at one toy, sometimes that toy will have lead and sometimes the same toy will not. Ms. Eastman stated that sometimes only one color on a toy will have lead. Ms. Eastman added that information is not available on whether or not lead in plastic is an exposure risk.

Dr. Pour asked if OHKA is documenting information from the toy testing events. Ms. Thompson replied that OHKA is not taking pictures of the toys, but is collecting all data. Ms. Thompson stated that most people give toys that test positive to OHKA. Ms. Thompson stated that if there is manufacturer information on the toy, OHKA documents it.

Dr. Pour asked if the U.S. Consumer Product Safety Commission (CPSC) is updating recall information based on OHKA community toy testing. Ms. Thompson replied that she does not know what the CPSC's protocol is for recalls.

Ms. Eastman stated that in a few instances OHKA or ATC has contacted a manufacturer about a specific toy. Ms. Eastman stated that Nebraska could consider passing legislation to say that toys with lead cannot be sold in the State.

Dr. Pour complimented OHKA for getting involved in the toy issue. Ms. Thompson thanked the Douglas County Health Department, UNL Extension, and their other partners for collaborating on this issue.

#### *Education Committee*

Mr. Waldren reported that the Education Committee meeting was cancelled due to weather.

Ms. Council commented that the surveys of law students about their knowledge about lead (provided in the meeting packet) demonstrate a need for education in the community. Ms. Council stated that very few law students knew about lead prevention before Mr. Rick Reibstein's session, despite their high level of education. Ms. Council stated that broader education is needed throughout the Omaha community. Dr. Pour added that this underscores the need for additional funding for education.

Ms. Eastman stated that realtors did not realize how inexpensive it is to do lead-safe renovations. Ms. Eastman stated that data from these sessions can be used to educate people on what people do not know and need to know, rather than guessing what messages are needed.

Mr. Jackson suggested that OHKA contact the UNMC Center of Health Disparities. Mr. Jackson stated that this group is working to bring State leaders together sometime over during the next few months. Ms. Eastman stated that she would follow-up on this idea.

#### **4. LSOC Update**

No update.

#### **5. City Update**

No update.

## **6. NDEQ Update**

No update.

## **7. Other Agency Updates**

Dr. Pour introduced two new staff members: Diana Acero and Khari Muhammad.

## **8. Grants Updates**

None.

## **9. Discussion on Minutes from the November 14<sup>th</sup> Meeting (Continued)**

Ms. Rhoades motioned to approve the minutes with the corrections noted at the beginning of the meeting. Mr. Waldren seconded the motion. The motion was unanimously approved (8-0).

## **10. Questions and Answers**

Ms. Council stated that the CAG has been requesting information on EPA's recontamination study and risk assessment for months. Ms. Council asked if the CAG would like to consider formally requesting the information in writing. Ms. Rhoades motioned to send a written request to EPA for EPA to provide the information by the January CAG meeting. Dr. Pour seconded the motion. The motion was unanimously passed (8-0).

Ms. Coyne stated that EPA's Clean Air Science Advisory Committee recommended that air criteria for lead and other pollutants be made more stringent, but EPA's Administrator Johnson is planning to recommend that the staff report be rejected and higher levels of air pollutants be allowed. Ms. Barrientos-Patlan asked if Dr. Pour was familiar with this issue. Dr. Pour stated that she was not and would need more information to comment. Ms. Council asked Ms. Latimer to look into the issue. Ms. Latimer agreed to look into the issue and follow-up with Ms. Coyne.

Ms. Thompson stated that EPA's Regional Administrator, John Askew wrote an editorial in the Omaha World-Herald. Ms. Thompson stated that Regional Administrator Askew stated that the greatest danger to kids from lead is soil. Ms. Thompson stated that she has asked EPA to provide the data and scientific proof for this statement. Ms. Thompson stated that Kathy Leinenkugel's study found that 100% of children with lead poisoning live in pre-1980 housing—housing which is likely to have lead-based paint. Ms. Thompson stated that information shows that children are affected by housing as a lead source. Ms. Thompson stated that for Regional Administrator Askew to say that lead-based paint is not an issue in Omaha, when local studies say otherwise, is infuriating. Dr. Pour complimented Ms. Thompson for contacting EPA about Regional Administrator Askew's statements.

Ms. Rhoades stated that her neighborhood, at approximately 42<sup>nd</sup> and Center Streets, is mostly brick housing. Ms. Rhoades stated that, although her neighborhood is within EPA's Superfund site boundaries, EPA has excluded this neighborhood from its program. Ms. Rhoades stated that EPA continues to claim that EPA is reducing blood lead levels, but the CAG knows EPA is lying and that there has not been a significant reduction in blood lead levels. Ms. Rhoades asked how to stop EPA, stating that she is willing to stand up about this issue. Ms. Rhoades stated that EPA is knowingly and willfully poisoning children.

Ms. Weston stated that she disagreed with Ms. Rhoades. Ms. Weston stated that yards in Ms. Rhoades neighborhood have been tested and remediated. Ms. Weston stated that lead in older homes is a factor, but is only one factor. Ms. Weston stated that all sources of lead need to be addressed. Ms. Weston stated that the reduction in blood lead levels is due to increased awareness, education, and the Superfund remediation. Ms. Weston added that it is impossible to say there is one reason for a reduction in blood lead levels. Ms. Weston stated that Superfund's purpose is only to address lead in soil.

Dr. Pour stated that Douglas County data shows that the percentage of children with elevated blood lead levels has dramatically decreased. However, Dr. Pour clarified that the number of children screened has increased each year, which decreases the percentage because more children who are not poisoned are being tested. Dr. Pour stated that it is true that the same decrease is being seen nationwide. Dr. Pour stated that the decrease could be caused by many factors, including increased education, HUD's renovation program, and other reasons. Dr. Pour stated that EPA cannot say that the decrease is primarily due to yard removals because such a statement is not based on data. Dr. Pour stated that EPA has not done the studies necessary to make such a determination.

Dr. Pour stated that Ms. Thompson's comments were correct. Dr. Pour stated that the Douglas County Health Department tries to determine the cause of each child's elevated blood lead level. Dr. Pour stated that in 99% of cases, the child lives in a home with lead-based paint hazards. Dr. Pour stated that that is the data and that EPA's interpretation of the data should be questioned.

Ms. Rhoades stated that EPA's interpretation of the data is a lie. Ms. Rhoades stated that EPA is leading people to believe that everything is okay if their yard is remediated, putting families at risk. Ms. Rhoades stated that EPA is twisting the information in an unreasonable way, and it's not okay.

Ms. Thompson stated that no one is saying that soil isn't an issue because it is known that there are many sources of exposure to lead. Ms. Thompson stated that for EPA to say that children are not being poisoned by lead-based paint is wrong. Ms. Thompson stated that people will think this information is correct and that they do not have to worry about lead-based paint because an EPA authority figure made this statement. Ms. Thompson added that Regional Administrator Askew's statements could jeopardize Omaha's ability to obtain funding for lead-based paint renovation.

Ms. Barrientos-Patlan stated that she agreed with the concern about creating a false sense of security. Ms. Barrientos-Patlan stated that she has spoken with Regional Administrator Askew, and he seems to think that EPA is only in Omaha for soil and does not want to talk about paint. Ms. Barrientos-Patlan stated that the CAG needs to stress that it wants our children to be protected.

Ms. Weston asked that the CAG give people credit. Ms. Weston stated that people are not unintelligent. Ms. Weston stated that some of EPA's contractors provide information about other sources of lead, and the families understand. Ms. Weston stated that she is tired of the community being made to seem that they cannot understand. Ms. Council stated that no one commented on the intellect of people living within the Superfund site. Ms. Council stated that even law students do not have the information. Ms. Council stated that the CAG wants to ensure that all risks are being properly assessed and addressed.

Ms. Council stated that EPA should have properly assessed risks before issuing an Interim Record of Decision. Ms. Council stated that EPA's initial risk assessment was based on dust, water, and soil data collected at less than 1% of homes in the Superfund site. Ms. Council stated that questions about the initial risk assessment were raised by many people in the community, including the NDEQ risk assessor herself. Ms. Council stated that EPA is now at the point of performing the risk assessment again for preparation of the Final Record of Decision. Ms. Council stated that the CAG needs to make sure that risks are properly assessed and that opportunities to address all sources of lead are not lost.

Ms. Council thanked CAG members for their continued participation. Ms. Council stated that increased awareness is a result of CAG efforts. Ms. Council applauded that commitment of CAG members. Ms. Council encouraged CAG members to stay focused on keeping kids safe.

Ms. Barrientos-Patlan stated that she would like the CAG to write a letter requesting the reasoning for Regional Administrator Askew's comments. Ms. Thompson stated that she requested this information from EPA. Ms. Council stated that Regional Administrator Askew breached a gentleman's agreement with the OHKA board of directors to refrain from writing editorials and playing out discussions in the media. These comments by EPA were made in reference to EPA responding to Harold Andersen's columns, with the understanding that no one controls Harold Andersen. Ms. Thompson stated that everyone agrees that funding is needed for a comprehensive plan, and Regional Administrator Askew's comments hinder the community's plan. Ms. Barrientos-Patlan stated that she is very concerned and that the CAG needs to respond. Ms. Council stated that a draft letter expressing the CAG's concerns could be circulated for an electronic vote.

Handouts Provided for the Meeting (December 12, 2007):

*Draft CAG Meeting Minutes from 11/14/07*

*Final CAG Meeting Minutes from 10/10/07*

*Membership Guidelines*

*City of Omaha City Planner Position Announcement (Provided by Marian Todd)*

*Rick Reibstein Survey Results from Law Students (Provided by Connie Lowndes)*

*Rick Reibstein Survey Results from Continuum of Housing Repair (Provided by Connie Lowndes)*

*Interpreting and Managing Blood Lead Levels <10 µg/dL in Children (Provided by MFG, Inc.)*

*The Impact of Childhood Lead Exposure on Crime (Provided by MFG, Inc.)*

*Blood Lead Concentrations Less than 10 Micrograms per Deciliter and Child Intelligence at 6 Years of Age (Provided by MFG, Inc.)*

*EPA May Clean Up Another 10,000 Omaha Yards in Second Phase (Provided by MFG, Inc.)*

*Lead Starts Doing Harm at Low Levels (Provided by MFG, Inc.)*

*Lead in Toys Sparks Lawsuit (Provided by MFG, Inc.)*

*Taking Lead Safety Into Its Own Hands (Provided by MFG, Inc.)*

*Toy Recalls Ruin Fun (Provided by MFG, Inc.)*

*New Worries over Lead (Provided by MFG, Inc.)*

*Bill Would Give State Power to Ban Bad Toys (Provided by MFG, Inc.)*

*Lead Poisoning: A Serious but Preventable Problem (Provided by Kara Eastman)*

*ABC Tests 100 Children's Products and Finds 10 with Lead (Provided by MFG, Inc.)*

*Groups Spread Word on Lead Risk (Provided by MFG, Inc.)*

*Congress Weighs Sweeping Overhaul of Consumer Product Commission (Provided by MFG, Inc.)*

*News from CPSC—Recalls (Provided by MFG, Inc.)*