

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

Minutes for Meeting Held  
**Wednesday, March 11, 2009, 1:30 p.m.**  
Omaha South Library  
2808 Q Street  
Omaha, NE 68107

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## **OLS CAG Members Present:**

Rebecca Barrientos-Patlan—*Burlington Road Neighborhood Association*  
Gail Braun—*City of Omaha Mayor's Office*  
Marian Carling—*City of Omaha Planning Department*  
Kara Eastman—*Omaha Healthy Kids Alliance*  
Bob Feild—*Environmental Protection Agency*  
Clifton Jones—*U.S. Department of Housing and Urban Development*  
Vernon Waldren—*University of Nebraska, Lincoln Extension*  
Diane Ward—*Creighton Pediatrics*

## **Others Present:**

Mary Castaneda—*EPA Public Information Center*  
Lelia Coyne—*Citizen*  
Jim Dowding—*Omaha City Council*  
Chris Grummons—*New Community Development Corporation*  
Sarah Hatch—*Environmental Protection Agency*  
Tiffany Frezelle—*EPA Public Information Center*  
Laura Hardesty—*Cadmus Group*  
Debbie Kring—*Environmental Protection Agency*  
Jan Lambert—*Environmental Protection Agency*  
Bill Lukash—*City of Omaha Planning Department*  
Amanda Micek—*Conestoga-Rovers & Associates*  
Jennifer Rawley (proxy for Jeff McDermott)—*Conestoga-Rovers & Associates*  
Reggie Robinson—*U.S. Department of Housing and Urban Development*  
Ben Salazar—*Nuestro Mundo*  
Kelly Sanders—*Professional Environmental Engineers*  
Steve Sanders—*Environmental Protection Agency*  
Ché Thompson—*Omaha Healthy Kids Alliance*  
Cheryl Weston—*Lead Safe Omaha Coalition*

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

Mr. Waldren asked for corrections or additions to the minutes from the January 14, 2009 meeting. Ms. Weston noted two corrections on page three: “Ms. Weston asked”

should read: “Ms. Weston clarified,” and “800 properties” should read: “1,000 properties.”

Ms. Eastman motioned to approve the minutes with the noted correction. Ms. Carling seconded the motion. The motion failed due to a lack of quorum. Mr. Waldren stated that approval of the minutes would be moved to the May meeting.

## **2. EPA Update**

### *Update on the Final Record of Decision*

Mr. Feild stated that there is no projected date for the release of the Final Record of Decision (ROD). Mr. Feild stated that EPA is still addressing comments received during the public comment period. Mr. Feild stated that he will notify the CAG when he has an update on the release of the ROD.

### *Status of Administrative Orders*

Mr. Feild stated that EPA does not have an update on the status of the Administrative Orders.

Ms. Weston asked Mr. Feild if EPA is required to wait 60 days after the close of the public comment period to release the ROD. Mr. Feild stated that after the ROD is released, there may be a 60-day enforcement moratorium. Mr. Feild stated that if EPA issues a notice letter to potentially responsible parties, and the potentially responsible parties would have 60 days to respond with a good faith offer; during that time, EPA would not spend any money or perform any work on the project. Mr. Feild stated that EPA has not yet decided if this will apply to Omaha.

Ms. Barrientos-Patlan asked Mr. Feild if EPA attempted to obtain funding from the federal stimulus package. Mr. Feild stated he did not know, and he will notify the CAG if stimulus funding is available.

## **3. OHKA Update**

Ms. Eastman stated that the OHKA office has moved to 5006 Underwood Ave. and their new phone number is (402) 934-9700. Ms. Eastman stated that OHKA plans to have an open house in April.

Ms. Eastman stated that OHKA has started the development of the Gold Star Program as part of the HUD LEAP Grant. Ms. Eastman stated that the goal of the program is to certify properties as lead-safe and integrate the program with the City of Omaha’s housing registry.

Ms. Eastman stated that OHKA will put together a monthly report of AmeriCorps activities. Ms. Eastman stated that each AmeriCorps employee chose a group to target for their outreach efforts; the groups are schools, churches, and medical providers of pregnant women. Ms. Eastman stated the AmeriCorps employees also

received funding to paint porches, do a preschool round-up, and work with 80 Creighton nursing students to extend outreach activities.

Ms. Eastman stated that other OHKA employees are currently working at Charles Drew Health Center in 68111 and working on environmental lead investigations.

Ms. Kring asked Ms. Eastman if OHKA follows up with people to determine if educational efforts result in behavior changes. Ms. Eastman stated that OHKA is just getting started with this work, and follow-up is planned.

Ms. Eastman introduced Mr. Chris Grummons, project manager of New Community Development Corporation (NCDC), who is working with OHKA on activities for the HUD LEAP Grant. Mr. Grummons stated that NCDC performs risk assessments and currently has a large list of potential candidates.

Ms. Weston asked Ms. Eastman if the funding from the US Conference of Mayor's Grant for South Omaha is being used to conduct the activities at Charles Drew Health Center in 68111. Ms. Eastman stated that EPA grant funding is used for North Omaha. Ms. Weston asked Ms. Eastman who will be assisting OHKA with activities in South Omaha. Ms. Eastman stated the Douglas County Health Department is working with OHKA in South Omaha.

#### *Education Committee Update*

Mr. Waldren provided an update on the Education Committee. Mr. Waldren distributed copies of the UNL Extension's final HUD grant report to HUD for the University of Nebraska; Lincoln's Education Grant is available. Mr. Waldren stated that through the funding from the grant, the following was accomplished:

1. Community health workers reached over 17,000 families;
2. Over 98,000 English-speaking educational materials were distributed;
3. Over 17,000 Spanish-speaking educational materials were distributed;
4. 287 individuals became certified in Lead-Safe Work Practices (LSWP) to make a combined total of 540 LSWP certifications between UNL Extension and the City of Omaha.

Mr. Waldren stated that in a survey conducted of families reached, 52% stated that they changed their behavior to reduce their children's risk to lead poisoning. Mr. Waldren stated that any further questions could be emailed to him.

Mr. Waldren stated that a Lead and Healthy Homes Conference is being planned by the Summit Subcommittee and is scheduled for March 15 and 16, 2010 at the University of Nebraska, Omaha.

#### *Housing Committee Update*

Ms. Carling provided an update on the Housing Committee. Ms. Carling stated that the January meeting of the Committee included a presentation of the Gold Star

Project and the Housing Registry. Ms. Carling stated that the meeting that was scheduled for March was cancelled and will be rescheduled for May.

#### **4. City Update**

Ms. Carling stated that City Council approved the amendment to the nuisance ordinance in December of 2008. Ms. Carling explained that the ordinance is complaint driven. Complaints are reported to the city code enforcement department, and the City of Omaha and Douglas County Health Department will work together when there is a health hazard involved. Ms. Carling stated there have been two complaints that utilized the code since its passing.

Ms. Thompson stated she heard of a person who called to file a complaint, was directed to offices all over the City, and could not contact someone who knew about the ordinance. Ms. Thompson stated that there was no public announcement that the amendment passed and is being enforced. Ms. Carling stated there are plans underway to inform the public and she realizes the education on the enforcement of the code needs to be done. Ms. Carling stated that she spoke to the key staff member of the code enforcement office to see how many complaints have been filed, and that person did not know of the amendment. Ms. Carling stated she will work internally to inform City employees about the amendment. Ms. Braun stated she will inform the employees at the Mayor's hotline.

Ms. Barrientos-Patlan asked Ms. Carling if there are penalties if the property owners do not comply with the enforcement. Ms. Carling stated that she will look into the enforcement process and procedure. Ms. Barrientos-Patlan stated there are low income properties that may have financial difficulties coming into compliance. Ms. Carling stated she will ask Mr. Steinkraus how the Douglas County Health Department will handle enforcement and would prefer to defer questions to Mr. Steinkraus. Ms. Barrientos-Patlan asked if representatives from the Douglas County Health Department will be at the next meeting. Ms. Rawley stated an invitation would be extended to the Douglas County Health Department to present about enforcement of the ordinance.

Ms. Eastman stated she spoke with the Neighborhood Center to involve Omaha Scan with the enforcement of the nuisance ordinance because the goal of the ordinance is not to target individual families; it is to work with the community. Ms. Barrientos-Patlan stated that Omaha Scan does not always go over well with neighborhoods because there is concern that it will cause financial turmoil. Ms. Carling stated that the Housing and Education Committees would be a better place to discuss this topic in depth.

Ms. Thompson stated that the purpose of the nuisance ordinance is not to fine property owners; it is an opportunity to introduce them to the opportunities available through the programs the community has developed like LSWP, NCDC, and the Gold

Star Program. Ms. Carling stated she will make sure the code enforcement division has the lead hotline number so that callers can get in touch with the right resources.

Ms. Kring stated that the city council in her city had a paint giveaway program that partnered with Home Depot and Lowes. Mr. Grummons asked Ms. Kring how the paint giveaway worked. Ms. Kring stated that she has not worked with the program, herself, but was familiar with it because she passed it on her city council and will supply Mr. Grummons with the website.

Ms. Weston asked Mr. Grummons if NCDC will be working with the Douglas County Health Department. Ms. Weston stated that one of the property owners that had a complaint filed under the nuisance ordinance for a Section 8 property resulted in an inspection that cited other code violations as well. Ms. Weston asked if there could be an agreement between the health department and NCDC to notify NCDC of these cases, in order to provide assistance to the property owner. Mr. Grummons stated that the health department has agreed to notify NCDC of such instances where a child with an elevated blood lead level is found. Ms. Weston stated children were uninvolved in this case and asked if the health department could notify NCDC with other cases like this one.

Ms. Carling reported high turnouts at the LSWP classes conducted in January, February, and March in both English and Spanish. The next English-speaking LSWP class is scheduled for April 28<sup>th</sup> at the OPS TAC building.

Ms. Carling provided an update on the City of Omaha's two HUD Lead Hazard Control Grants; 164 units are complete and 16 are underway under the first grant, 10 units are complete with 11 underway under the second grant.

Ms. Weston stated she has directed people to the LSWP classes, but the classes were full. Ms. Weston requested to be notified of future classes so she can inform people.

Mr. Salazar asked Ms. Carling what content is covered in the LSWP training. Ms. Carling stated the class covers basic lead safety for remodeling, painting, and repair for anyone interested. Ms. Carling stated that people sign up because they view the classes as a potential employment opportunity to be certified in LSWP. Ms. Carling stated that it is not certification for lead abatement, just for lead-based paint stabilization. Ms. Eastman stated anyone who works on pre-1978 buildings will have to have this certification next year. Mr. Salazar asked Ms. Carling if the people who have done the training already are subcontractors. Ms. Carling stated that the individuals on the City of Omaha's contractor list and EPA's subcontracts performing lead-based paint stabilization work are certified.

Ms. Carling stated there are two companies in the Omaha area that provide lead abatement and lead supervisor training, and these companies charge a fee because the training is more involved. Ms. Weston clarified that there are three companies providing this type of training in the area.

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

None.

## **6. Other Group or Agency Updates**

Ms. Thompson requested to have any events scheduled in April to be relayed to her so that the events can be posted on EPA's website.

Ms. Thompson announced that North High School will perform a play titled "Jimmy's Getting Better" at elementary schools in 68111 throughout April and the first week of May, with the help of the EPA grant and CLEARCorps. Ms. Thompson stated that the play is not open to the public, but the students will be sent home with educational information. Ms. Weston stated that parents should be able to attend because it is a school activity.

Ms. Thompson stated that OHKA will promote the LEAP program's activities for interior paint and windows.

Ms. Barrientos-Patlan announced that BRNA Day will take place on June 6, 2009 and will include rides, food, and karaoke. Anyone interested in setting up a table should contact Ms. Barrientos-Patlan.

Mr. Grummons stated NCDL will conduct LSWP training on March 23, 2009.

Mr. Salazar introduced himself as an activist in the Latino community and stated that he is concerned that the Latino community is excluded from contracting opportunities. Mr. Salazar stated that he has spoken with a local contractor about submitting a proposal to start a non-profit to recruit small Latino construction companies to provide training that would qualify the construction companies to participate in large projects. Mr. Salazar stated that these Latino companies have barriers with language and he would like to educate and mentor the companies so they can compete in the industry. Mr. Salazar asked anyone interested in helping his cause to contact him at (402) 731-6210 or email him at [nuestromundo@cox.net](mailto:nuestromundo@cox.net).

Ms. Ward stated that she is still looking for children ages 5-12 for Creighton's environmental lead study. Ms. Ward can be contacted through Dr. Hudson's number, (402) 280-4580.

## **7. Grant Updates**

Ms. Kring stated the Department of Energy is getting an Energy Efficiency Block Grant in the amount of 3.2 billion dollars from the stimulus package. Ms. Kring stated that this will go toward cities with a population of 50,000 or more to update and retrofit buildings. Ms. Kring stated she will send out the information to the CAG.

Ms. Eastman stated that Tom Baker at the Douglas County Health Department is applying for the EPA CARE Grant for asthma and healthy homes.

## **8. Questions and Answers**

Mr. Waldren asked the CAG member if they prefer to meeting at 9:30 a.m. or 1:30 p.m. for the next meeting scheduled for May 13, 2009. The CAG agreed the next meeting will be at 1:30 p.m.

**Handouts:**

*Draft CAG Meeting Minutes from 01/14/09*

*Final CAG Meeting Minutes from 12/10/08*

*OHKA Comments on EPA's Proposed Plan (Provided by OHKA)*

*Mayor Fahey Comments on EPA's Proposed Plan (Provided by Mayor Fahey)*

*NDEQ Comments on EPA's Proposed Plan (Provided by NDEQ)*

*Senators Mello and Nordquist Comments on EPA's Proposed Plan (Provided by Sen. Mello)*

*Letter to EPA from Senators Nelson and Johanns (Provided by Sen. Nelson)*

*Lead Cleanup Plan in Omaha Criticized (Provided by CRA, Inc.)*

*Omaha's Lead Zone Expands (Provided by CRA, Inc.)*

*What You Should Know About EPA Lead Cleanup (Provided by CRA, Inc.)*

*Midlands Voices: Skip the Yards, Tackle Lead Paint (Provided by CRA, Inc.)*

*We're Not Solving the Problem (Provided by CRA, Inc.)*

*Study Links Lead Paint, Life of Crime (Provided by OHKA)*

*In Fake Grass, Some See Real Threat (Provided by CRA, Inc.)*

*Children's Products Get 1-Year Reprieve on Lead Testing (Provided by CRA, Inc.)*

*Heavy Metals Found in Kids' Face Paints (Provided by CRA, Inc.)*

*Home Renovation May Expose Kids to Lead: CDC (Provided by CRA, Inc.)*

*Is Lead Lurking in Children's Books? (Provided by CRA, Inc.)*

*Museum, School Partner on Home Health Project (Provided by CRA, Inc.)*

*New Law Requires Lead Screening (Provided by CRA, Inc.)*

*Study Links Children's Lead Levels, SAT Scores (Provided by OHKA)*

*Stimulus Proposal Allocates Lead and Healthy Homes Funds (Provided by OHKA)*

*'Tis the Season... to Beware of Lead in Christmas Lights, According to Cornell Researcher (Provided by Lelia Coyne)*

*News from CPSC (Provided by CRA, Inc.)*

*City of Omaha Grantee Quarterly Reports (Provided by Marian Todd)*

*City of Omaha Ordinance Including Lead-Based Paint (Provided by DCHD)*

*Email Communication Regarding the Omaha Lead Site (Provided by Rebecca Barrientos-Patlan)*