

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

Minutes for Meeting Held
Wednesday, August 12, 2009, 9:30 a.m.
OPD Southeast Precinct
2475 Deer Park Blvd.
Omaha, NE 68105

OLS CAG Members Present:

Rebecca Barrientos-Patlan—*Burlington Road Neighborhood Association*
Dr. Adi Pour—*Douglas County Health Department*
Gail Braun—*City of Omaha Mayor's Office*
Senator Brenda Council—*Facilitator*
Kara Eastman—*Omaha Healthy Kids Alliance*
Stacey Stricker—*Nebraska Department of Environmental Quality*

Others Present:

Emily Brummund—*Senator Johann's Office*
Mary Castaneda—*EPA Public Information Center*
Lelia Coyne—*Citizen*
Aaron Elliott—*Conestoga-Rovers & Associates*
Mike Felix—*Nebraska Department of Environmental Quality*
Tiffany Frezell—*EPA Public Information Center*
Gene Gunn—*Environmental Protection Agency*
Debbie Kring—*Environmental Protection Agency*
Connie Lowndes—*UNL Extensions Office*
Lacey Merica—*Senator Heath Mello's Office*
Amanda Micek (proxy for Jeff McDermott)—*Conestoga-Rovers & Associates*
Morghan Price—*Omaha Healthy Kids Alliance*
Reid Steinkraus—*Douglas County Health Department*
Cheryl Weston—*Lead Safe Omaha Coalition*

1. Discussion on Minutes from the June 10th Meeting

Ms. Micek asked the Community Advisory Group (CAG) if there were any corrections or additions to be made to the June meeting minutes.

Ms. Weston requested a change on page 11. Ms. Weston stated that: “and some of the people complaining did not take the time to learn the details or are just complainers” should be omitted from the minutes.

Ms. Weston requested that the minutes be sent out to CAG members sooner following the meetings, so members can more accurately recall the content of the meeting. Ms. Micek stated that she would refer the request to her supervisor.

Ms. Micek stated that a quorum was not present to vote on approval of the minutes. The minutes will be updated with the above corrections and approval of the minutes will be added to the next meeting’s agenda.

2. EPA Update

Mr. Gunn stated that Mr. Feild is expected back in the office at the end of August. Mr. Gunn provided an update on EPA activities.

Soil Remediation

Mr. Gunn stated that 4,809 residential properties have been remediated since EPA began work on the Omaha Lead Site (OLS). Mr. Gunn stated that 194 yards have been completed so far this year, and about 800 were completed last year. Mr. Gunn stated that there are two existing contracts for soil replacement at 400 properties each.

Paint Stabilization

Mr. Gunn stated that paint has been stabilized on 1,654 residential properties since EPA began work on the OLS. Mr. Gunn stated that 300 properties have been stabilized so far this year. Mr. Gunn stated that EPA has existing contracts for 800 additional paint stabilizations, and EPA’s goal is to complete 1,000 by the end of 2009.

Mr. Gunn stated that the major problem with paint stabilization progress is the rate at which properties are being evaluated. Mr. Gunn stated that, currently, about ten crews are evaluating about 150 properties per week and, of those, 40 properties are approved for paint stabilization.

IEUBK Model

Ms. Micek asked Mr. Gunn if the changes to the IEUBK model would cause the risk assessment to be re-evaluated. Mr. Gunn replied that EPA has no plans to review the model at this time.

Soil Staging Areas

Ms. Barrientos-Patlan stated that she sent a letter to EPA regarding the location of staging areas for contaminated soil in her neighborhood. Ms. Barrientos-Patlan had requested that EPA put a rule in place to forbid contractors from approaching local businesses to use their land for staging areas, especially when in or near a residential area. Ms. Barrientos-Patlan stated that there have also been a large number of complaints from residents saying that soil trucks are uncovered while traveling. Ms. Barrientos-Patlan stated that there is a \$250 fine in place to penalize uncovered trucks, but this amount is an insufficient deterrent. Mr. Felix stated that the Nebraska Department of Environmental Quality (NDEQ) had received questions from the owners of a facility about soil repository regulations. Mr. Felix stated that the NDEQ supplied the facility owners with information and the soil repository proposal will not be proceeding at this facility.

Ms. Barrientos-Patlan requested regulation information for staging areas from the state, county, and EPA. Mr. Felix stated that the NDEQ could provide Ms. Barrientos-Patlan with the regulatory information. Dr. Pour stated that the Douglas County Health Department could provide Ms. Barrientos-Patlan with information. Dr. Pour suggested not to put broad regulations in place, but rather to treat every situation individually.

Mr. Gunn stated that contaminated soil is being taken to Glenwood, Iowa for disposal, and due to the long distance the soil must travel, the staging areas are very important. Mr. Gunn stated that the soil is covered daily and that staging areas are in compliance with hazardous waste requirements. Ms. Barrientos-Patlan added that she received an anonymous phone call about contaminated soil being dumped across the street from an elementary school in Glenwood, Iowa.

3. Stimulus Funding

Ms. Micek, referring to discussion at the June CAG meeting, asked Mr. Gunn if there is a statutory precedent in place that requires that the stimulus funding received by EPA be used to address soil. Mr. Gunn replied that stimulus money, in the amount of \$600 Million, was handed down from a separate organization to be appropriated to Superfund programs for identified needs, and that soil remediation was the need identified for Omaha. Mr. Gunn stated that, because the money was handed down through Superfund, the money had to be distributed according to Superfund statutory authority.

Ms. Micek asked Mr. Gunn if stimulus funding could be used for education efforts, since the Final Record of Decision (ROD) states that efforts towards education will be included in the final remedy. Mr. Gunn replied that the goal for stimulus funding was to find shovel-ready projects, and that soil remediation at the OLS was identified as fitting the shovel-ready criterion. Ms. Micek stated that “shovel-ready” does not mean in the literal sense, but is any project that can be implemented right away.

Mr. Gunn replied that EPA applied for and received consideration under the stimulus for a construction project.

Ms. Micek asked Mr. Gunn if the contracts signed with the stimulus money were with Omaha companies. Mr. Gunn replied that no contracts have yet been signed using stimulus money.

Ms. Council asked Mr. Gunn if there were any objectives for the stimulus money and what EPA is doing to ensure that it presents itself as real growth for the economy of Omaha. Mr. Gunn replied that one of the goals for stimulus funding is to grow the local economy and that EPA contractors are encouraged to buy and employ locally. Mr. Gunn stated that EPA contractors are currently buying and employing 50% locally. Ms. Council asked Mr. Gunn if smaller contracts could be offered to local businesses. Mr. Gunn replied that EPA has received bids back from small and local businesses for two contracts currently out for bid.

Dr. Pour asked Mr. Gunn if the State is still required to match stimulus funds and, if so, if the State must agree to receive the funds. Mr. Gunn replied that the State is required to match funds and that there is a State contract in place to match funds on a completion basis over the next 3 years.

Ms. Eastman stated that the letter sent by the CAG to Administrator Lisa Jackson to request that recovery funds go towards a comprehensive program had been denied. Ms. Eastman stated that she felt that a small amount of the stimulus money could have been allocated towards education. Ms. Eastman stated that the Education Committee has several shovel-ready projects that would have been ready had funding been available. Mr. Gunn stated that the application for stimulus funding was filled out knowing that there were contractors ready to begin work on soil remediation and paint stabilization.

Dr. Pour asked Mr. Gunn for an update on interior dust cleaning. Mr. Gunn stated that the Final ROD changed the existing interior dust cleaning method from a one-time cleaning effort to providing HEPA vacuums to qualifying property owners. Mr. Gunn stated that EPA has not yet distributed HEPA vacuums.

Ms. Weston asked Mr. Gunn if EPA is still planning to assign the dust program to local agencies. Mr. Gunn replied that EPA is still looking for partners to assist with this effort. Mr. Gunn stated that possible partners include Douglas County Health Department and community organizations.

4. Douglas County Health Department Update

Ms. Council asked Mr. Steinkraus if the number of children with Elevated Blood Lead Levels (EBLLs) in 2008 represents some of the same children identified in the 2007 data. Mr. Steinkraus stated that he will check the data for that information. Mr. Steinkraus added that the Center of Disease Control requires that a child with an

EBLL in 2007 and 2008 must be counted for both years. Dr. Pour stated that children with EBLLs in January that the DCHD began to case manage in December might be counted for both years. Dr. Pour added that the number of children counted for both years does not likely exceed 10%.

5. OHKA Update

Ms. Eastman stated that the Omaha Healthy Kids Alliance (OHKA) received a grant for \$20,000 from the Sherwood Foundation. Ms. Eastman stated that OHKA is applying for an EPA grant in conjunction with the DCHD to continue a program that funds an outreach worker in south Omaha to do home visits and conduct dust sampling. Ms. Eastman stated that OHKA applied for a Center for Disease Control grant to help develop a strategic plan for Omaha public housing. Ms. Eastman stated that OHKA is assisting the University of Nebraska-Lincoln to apply for a healthy homes technical study grant.

Ms. Eastman stated that the AmeriCorps members working with OHKA will be making a brief presentation at the next CAG meeting.

Ms. Eastman stated that the New Community Development Center (NCDC) LEAP project is moving quickly, and has a goal to complete 50 properties by the end of the year. Ms. Eastman stated that, through the LEAP grant, NCDC is offering incentives for 40 property owners who want to do renovation work themselves.

Mr. Gunn asked Ms. Eastman if there was a quality assurance program that was used when doing dust sampling. Ms. Eastman replied that the samples are sent to a lab and the lab results and kits that are used are the quality assurance.

Education Committee Update

Ms. Eastman stated that the Lead Poisoning Prevention and Healthy Homes Conference will be held on March 15-16 at the University of Nebraska-Omaha Milo Bail Student Center. Ms. Eastman stated that the confirmed speakers for the conference are Dr. Kim Dietrich, Ruth Ann Norton, Rick Reibstein, and Timothy Hemsath.

Housing Committee Update

None.

6. City Update

None.

7. Other Groups or Agency Updates

Ms. Barrientos-Patlan stated that the BRNA Family Day has been rescheduled for September 26, 2009 and that anyone who would like a table can contact her.

Ms. Council stated that she met with Dr. Joann Schaefer of the Health and Human Services. Ms. Council stated that Dr. Schaefer had been meeting with Metro Omaha Medical Society (MOMS) in an effort to better educate physicians of the importance of lead screening. Ms. Eastman stated that OHKA, along with AmeriCorps, applied for a grant from MOMS to provide education and outreach to physicians. Ms. Eastman stated that, with this grant money, an educational slide show would be created and made available through the MOMS and DCHD websites.

8. Grant Updates

None.

9. Questions and Answers

Ms. Coyne asked Mr. Gunn to describe EPA's dust sampling protocol. Mr. Gunn replied that EPA will not be conducting full risk assessments, but will take sufficient dust samples in various areas of the house.

Ms. Coyne asked Mr. Steinkraus if DCHD waits until a child's blood lead level reaches 10 µg/dL to begin an investigation. Mr. Steinkraus replied that DCHD starts investigations at 9.5 µg/dL.

The next meeting will be October 14, 2009. The location is to be determined.

Handouts:

Draft CAG Meeting Minutes from 06/10/09

Final CAG Meeting Minutes from 01/14/09, 03/11/09, and 05/13/09

CAG Letter to EPA Regarding Recovery Act Funds

EPA Letter to CAG Regarding Recovery Act Funds

OHKA Newsletter (provided by OHKA)

Access Request Letters (provided by EPA)

Overview of Changes from IEUBK (provided by CRA, Inc.)

EPA Final Rule 40 CFR Part 745 (provided by CRA, Inc.)

EPA plan for Missouri lead waste worries residents (provided by CRA, Inc.)

Govt. urges people to make homes healthy (provided by CRA, Inc.)

Product safety chief puts industry on notice (provided by CRA, Inc.)

Dollar General fined for lead paint toys (provided by CRA, Inc.)

Paint maker loses in Miss. lead contamination suit (provided by CRA, Inc.)

There may be danger in rubber play surface (provided by CRA, Inc.)

Groups ask EPA to ban lead tire weights (provided by CRA, Inc.)

Lipstick makers urged to remove lead from cosmetics (provided by CRA, Inc.)

Drury Development Corporation Agrees to Settlement Terms for Alleged Failures to Inform St. Louis Tenants of Lead Hazards (provided by CRA, Inc.)

News from CPSC (provided by CRA, Inc.)

City of Omaha Quarterly Report (provided by Marian Carling)

Remodeling and Painting Contractors across Nebraska to Receive Reminders about Lead Hazard Protection Rule (provided by CRA, Inc.)

EPA to Reconsider Lead Air Quality Monitoring Requirements Fact Sheet (provided by CRA, Inc.)

Office of Healthy Homes and Lead Hazard Control Grantee Quarterly Progress Report (provided by Marian Carling)