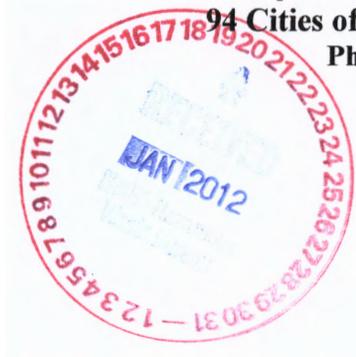


General

ENTERED



**Northern New Mexico Citizens' Advisory Board**  
*A U.S. Department of Energy Site-Specific Advisory Board*  
94 Cities of Gold Road, Santa Fe, NM 87506  
Phone: 505.989.1662 or 1.800.218.5942  
[www.nnmcab.energy.gov](http://www.nnmcab.energy.gov)



January 18, 2012

Dear Board Members,

Enclosed is the information you will need for the January 25<sup>th</sup>, 2012 meeting of the Northern New Mexico Citizens' Advisory Board. The meeting will be held at the Cities of Gold Conference Center in Pojoaque.

You will hear a presentation on "Mitigation Action Plan for the Site-wide Environmental Impact Statement for 2011," including a report on the Las Conchas Fire. You will also discuss leadership for the technical committees and future recommendation and presentation topics.

If you require an excused absence, you must request this in writing to: Lee Bishop, [Lee.Bishop@nnsa.doe.gov](mailto:Lee.Bishop@nnsa.doe.gov); or to Ed Worth, [Edwin.Worth@nnsa.doe.gov](mailto:Edwin.Worth@nnsa.doe.gov).

If you have any questions or require additional information, please do not hesitate to contact me. I look forward to seeing you all on January 25<sup>th</sup>.

Kindest Regards,

Menice B. Santistevan  
Executive Director

35030



**Northern New Mexico Citizens' Advisory Board Meeting**  
**January 25, 2012**  
**1:00 p.m. to 7:00 p.m.**  
**Cities of Gold Conference Center**  
**94 Cities of Gold Road**  
**Pojoaque, New Mexico 87506**

**AGENDA**

<u>Time</u>	<u>Action</u>	<u>Presenter</u>
1:00 p.m.	Call to Order	Co-DDFOs
	Establishment of a Quorum (9 needed)	
	a. Roll Call	Karen Erickson
	b. Excused Absences	
	Welcome and Introductions	Ralph Phelps
	<b>Welcome to the Pueblo of Pojoaque</b>	<b>Governor George Rivera (Invited)</b>
	Approval of Agenda	
	Approval of Minutes of November 30th, 2011	
	Approval of Minutes of January 5 <sup>th</sup> , 2012	
1:30 p.m.	<b>Public Comment Period</b>	
1:45 p.m.	Old Business	
	a. Written Reports – See Packet Enclosures (5 minutes)	
	b. Other items	
2:15 p.m.	New Business	Ralph Phelps
	a. Technical Committee Leadership for FY '12	
	b. Possible Draft Recommendations in 2012	
	c. Other items	
2:45 p.m.	Items from DDFOs	Lee Bishop and Ed Worth
	a. Update from DOE	
	b. Definition of One Contaminant	
	c. Other Items	
3:30 p.m.	<b>Break</b>	
3:45 p.m.	Presentation on Mitigation Action Plan for Site-wide EIS for 2011, Including Report on Las Conchas Fire	TBA
5:00 p.m.	<b>Dinner Break</b>	
6:00 p.m.	<b>Public Comment Period</b>	
6:30 p.m.	Wrap-up and Comments from Board Members	Ralph Phelps
7:00 p.m.	Adjourn	Co-DDFOs



Northern New Mexico Citizens' Advisory Board Meeting  
November 30, 2011  
1:00 p.m. to 7:00 p.m.  
Meeting Location: Ohkay Owingeh Conference Center  
Española, New Mexico

MINUTES

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**Meeting Attendees:**

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**Department of Energy:**

Lee Bishop, Co-Deputy Designated Federal Officer (DDFO)  
Ed Worth, Co-Deputy Designated Federal Officer (DDFO)  
Pete Maggiore, Deputy Assistant Manager for Environmental Operations

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**NNMCAB Members:**

1. Ralph Phelps, NNMCAB Chair
  2. Carlos Valdez, NNMCAB Vice Chair
  3. Manuel Pacheco, Waste Management (WM) Committee Chair
  4. Lawrence Garcia
  5. Caroline Mason
  6. Bonnie Lucas
  7. Mike Loya
  8. Joe Tiano
  9. Lawrence Longacre
  10. Nona Girardi
  11. Doug Sayre
  12. Bob Villarreal
  13. Nick Maestas
- 

**Excused Absences:**

Deb Shaw  
Nicole Castellano

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**Marked Absent:**

Jacqueline Gutierrez

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**NNMCAB Staff:**

Menice Santistevan, Executive Director  
Karen Erickson, Technical Writer  
Grace Roybal, Office Administrator

1 **Edward Roybal, Sound Technician**

2

3 **Guests:**

4 **Colleen Curran, LANS**

5 **Jim Davis, Director of Resource Protection Division, New Mexico Environment Department**  
6 **(NMED)**

7 **David Martin, Secretary, NMED**

8 **Jeff Genaver, Associated Students of Northern New Mexico College**

9 **Robert H. Neill, Public**

10 **Townley B. Neill, Public**

11 **Scott Kovac, Nuclear Watch New Mexico**

12 **Dean Hammonds, U.S. Army Corps of Engineers (USACE)**

13 **Pat Batin, Los Alamos National Laboratory**

14 **Michael Lopez, Senator Tom Udall's Office**

15 **Arthur Mascareñas, Public**

16 **Pamela Gilchrist, Public**

17

18

- 1 **AGENDA**  
2 **I. Call to Order**  
3 **II. Establishment of Quorum (9 needed)**  
4 **a. Roll Call**  
5 **b. Excused Absences**  
6 **III. Welcome and Introductions**  
7 **1. Ralph Phelps, NNMCAB Chair**  
8 **2. Ron Lovato, Governor, Ohkay Owingeh Pueblo**  
9 **IV. Approval of Agenda**  
10 **V. Approval of Minutes of September 28, 2011**  
11 **VI. Public Comment Period**  
12 **VII. Old Business**  
13 **a. Written Reports**  
14 **b. Voting Re-verification on Recommendation 2011-06**  
15 **c. Other Items**  
16 **VIII. Update from NMED**  
17 **IX. New Business**  
18 **a. Consideration and Action on 2011 Self-Evaluation (Section X of Bylaws)**  
19 **b. Other Items**  
20 **X. Items from DDFOs**  
21 **a. Definition of One Contaminant (as requested)**  
22 **b. Update on Move to New Office**  
23 **c. Other Items**  
24 **XI. Presentation: Salt Disposal Investigations – Scott Kovac, Nuclear Watch New Mexico**  
25 **XII. Presentation: Some Unlearned Lessons on Radioactive Waste Disposal – Robert Neill**  
26 **XIII. Update on LANL Cleanup – Michael Graham**  
27 **XIV. Presentation of Certificate to Outgoing NNMCAB Member Pamela Gilchrist**  
28 **XV. Public Comment Period**  
29 **XVI. Looking Ahead to 2012 – Discussion of Future Recommendations and Activities**  
30 **XVII. Wrap-up and Comments from Board Members**  
31 **XVIII. Adjournment**
- 

32  
33

1 **MINUTES**

2 **I. Call to Order**

3 The regular bi-monthly meeting of the Northern New Mexico Citizens' Advisory Board  
4 (NNMCAB or CAB) meeting was held on November 30, 2011 at the Ohkay Owingeh Conference  
5 Center in Espanola, New Mexico. Mr. Lee Bishop, Co-Deputy Designated Federal Officer  
6 (DDFO), stated that on behalf of the Department of Energy (DOE), the regular bi-monthly  
7 meeting of the NNMCAB was called to order at 1:00 p.m.

8 Mr. Bishop recognized Mr. Ralph Phelps as NNMCAB Chair. The Chair presided at the  
9 meeting.

10 The regular meeting of the NNMCAB was open to the public and posted in **The Federal**  
11 **Register** in accordance with **The Federal Advisory Committee Act (FACA)**.  
12

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13  
14 **II. Establishment of a Quorum (9 needed)**

15 **a. Roll Call**

16 Ms. Erickson conducted roll call as the members arrived. Twelve members were present  
17 at the meeting at the time of roll call, which comprised a quorum for conducting business.

18 **b. Excused Absences**

19 Ms. Erickson announced that Deb Shaw and Nicole Castellano had approved excused  
20 absences.  
21

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22  
23 **III. Welcome and Introductions**

24 Mr. Phelps welcomed everyone to the meeting. He stated his appreciation for  
25 everyone's attendance.

26 Ron Lovato, Governor of Ohkay Owingeh Pueblo, welcomed those present on behalf of  
27 the pueblo and applauded DOE for having a Citizens' Advisory Board.

28 Mr. Phelps asked for introductions from the members and guests in attendance.  
29

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30  
31 **IV. Approval of Agenda**

32 The board reviewed the November 30, 2011 NNMCAB meeting agenda, which had been  
33 revised to include NMED and LANL updates. The board would hear four presentations and  
34 conduct a revote on Recommendation 2011-06.

35 **Mr. Sayre moved to approve the agenda as revised and Mr. Pacheco seconded the**  
36 **motion. The meeting agenda was unanimously approved.**  
37

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38  
39 **V. Approval of Minutes of September 28, 2011**

40 The board reviewed the minutes from the September 28, 2011 CAB meeting. By  
41 ongoing instructions from DOE Headquarters, the minutes were previously reviewed and  
42 certified by the NNMCAB Chair, Mr. Ralph Phelps. Mr. Phelps stated that the September  
43 minutes were included in the board packets and presented at this meeting for board approval.

44 **Mr. Pacheco moved to approve the minutes as presented. Mr. Loya seconded the**

1 motion. The minutes were unanimously approved.  
2  
3

4  
5 **VI. Old Business**

6 **a. Written Reports**

7 **1. NNMCAB Chair's Report**

8 A printed copy of the Chair's Report was included in the meeting packet and a  
9 copy may be obtained by request from the CAB office at (505) 989-1662. Mr. Phelps  
10 briefly reviewed the main points in the Chair's report:

11 Routine Chair Activities since last NNMCAB meeting on September 28, 2011  
12 included the following:

13 **a. Executive Committee met on October 12, 2011:**

- 14 • Spent time discussing the status of the recommendations tracking  
15 sheet. It was agreed that the current system is adequate for now.
- 16 • Discussed recruitment and appointment of new members.
- 17 • Approved agenda for the November 30, 2011 CAB meeting at  
18 Ohkay Owingeh.
- 19 • Committee officer elections were delayed until after the new  
20 year.
- 21 • Approved list of proposed future presentations to the CAB.
- 22 • Discussed Draft Recommendation 2011-06 and decided to  
23 support bringing the recommendation for a possible vote if a  
24 quorum was present at the combined Waste Management  
25 (WM)/Environmental Monitoring, Surveillance, and Remediation  
26 (EMSR) committee meeting.

27 **b. Combined WM/EMSR Committee Meeting was held on October 12, 2011:**

- 28 • A discussion of draft Recommendation 2011-06, "Utilization of  
29 LANL as a Screening Lab for Certain Greater Than Class C (GTCC)  
30 Low-Level Radioactive Waste Considered for Disposal at the WIPP  
31 Repository." With a NNMCAB quorum of nine members present,  
32 There were three no votes, so the recommendation did not pass,  
33 although some confusion in the vote recording resulted in the  
34 recommendation being recorded as having passed. Because the  
35 no votes were based on procedural concerns rather than the  
36 content of the recommendation, it was decided to reconsider the  
37 recommendation at the next NNMCAB meeting.
- 38 • The Vice Chair and a group of NNMCAB members toured the  
39 Waste Isolation Pilot Plant (WIPP) facility on November 8, 2011,  
40 which was very informative and successful.

41 Site-Specific Advisory Board (SSAB) Related Chair Activities since last NNMCAB  
42 meeting on September 28, 2011 included the following:

1 a. A Chairs teleconference was held on October 20, 2011 in lieu of the fall  
2 Chairs meeting. Mr. Phelps, Ms. Erickson, Mr. Valdez, Mr. Pacheco, Mr.  
3 Maestas, and Mr. Gallegos participated from the DOE's Los Alamos Site  
4 Office. Ms. Santistevan participated via telephone offsite. EM-1 David  
5 Huizenga presented briefings on organization, budget, waste disposition,  
6 and asset revitalization. The Chairs presented their local board priorities  
7 and accomplishments.

8 Other Related Chair Activities included the following:

9 a. On November 9, 2011, the Chair attended the official groundbreaking of  
10 the Solar Plant and Smart Grid Demonstration Project at the Los Alamos former  
11 landfill site. A combined effort of many organizations and the first site in the  
12 nation to participate in the Asset Revitalization Program, the project will  
13 contribute to the CAB's knowledge regarding dirt caps.

14 b. The Chair was invited to participate in the annual Federal Facility Cleanup  
15 Dialog meeting hosted by the Environmental Protection Agency (EPA) in  
16 Washington, DC on September 21-22, 2011. A report on this meeting may be  
17 obtained by request from the CAB office at (505) 989-1662.

18  
19 **2. NNMCAB Executive Director's Report**

20 A printed copy of Ms. Santistevan's report was included in the meeting packet  
21 and a copy may be obtained by request from the CAB office at (505) 989-1662. Ms.  
22 Santistevan's report included:

23 a. Board Membership Update:

24 The NNMCAB is currently comprised of 16 members. Two site  
25 appointments have been made to fill Robert Gallegos's and Gerry Maestas's  
26 seats, Joseph Tiano and Bonnie Lucas. Several other applicants are being  
27 interviewed, and two members have been nominated for re-appointment. Pam  
28 Gilchrist's last day was November 15, 2011.

29 b. Executive Committee Meetings:

30 The committee met on October 12, 2011, and September 14, 2011. The  
31 committee heard reports from the Chair, Committee Chairs, Co-DDFOs, and  
32 Executive Director. The committee reviewed the recommendation tracking  
33 sheet, the recruitment of new members, consideration of Recommendation  
34 2011-06, and the election of officers.

35 c. Board Meeting Preparations:

36 Ms. Santistevan prepared and submitted the agenda for the November  
37 30, 2011 NNMCAB meeting and submitted notice to **The Federal Register**, in  
38 compliance with **The Federal Advisory Committee Act**.

39 Meeting materials were copied and collated by Ms. Roybal and meeting  
40 packets were mailed out on November 23, 2011. An advertisement for the  
41 meeting was placed in *The Rio Grande Sun* by Ms. Roybal and on the NNMCAB  
42 website.

43 d. Environmental Management (EM) SSAB Chairs' Meeting Video  
44 Teleconference

1 In lieu of a fall Chairs' meeting, a video conference was held at the Los  
2 Alamos Site Office on October 20, 2011. Acting Environmental Management  
3 (EM) -1 David Huizenga, Joann Luczak, Frank Marcinowski, and Marty  
4 Letourneau gave presentations. The spring Chairs' meeting is scheduled for April  
5 to be hosted by the Paducah CAB.

6 e. Outreach:

7 Forty-two recruitment letters went out in October to various civic leaders  
8 requesting nominations. Several interviews and nomination packets are being  
9 processed, and additional nominations are requested, especially of pueblo  
10 members and young people.

11 f. WIPP Tour

12 NNM CAB members, DDFOs and staff toured the WIPP site November 8,  
13 2011. The tour was a great success.

14 g. Office Management:

15 The NNM CAB office in Pojoaque is being renovated and is scheduled to  
16 open in January. Ms. Erickson started a Facebook page for the NNM CAB. You  
17 are invited to "friend" the page and submit photos and updates.

18 h. Next Board Meeting

19 The next NNM CAB meeting will take place January 25, 2012 at the new  
20 NNM CAB office in Pojoaque.

21  
22 b. Voting Re-verification on Recommendation 2011-06

23 Mr. Phelps explained that an error in the vote count on October 20's combined  
24 WM/EMSR committee meeting resulted in Recommendation 2011-06 being recorded as  
25 approved, when it actually was *not* approved with the required 75 percent. Because the  
26 "no" votes were due to procedural concerns rather than content, it was deemed  
27 appropriate to revisit the recommendation at this NNM CAB meeting.

28 **Mr. Phelps moved to take a revote. Mr. Valdez seconded the motion. The**  
29 **motion to reconsider and revote on the recommendation passed unanimously. Mr.**  
30 **Phelps opened the floor for limited discussion.**

31  
32  
33 **VII. Consideration and Action on Recommendation 2011-06, "Utilization of LANL as a**  
34 **Screening Lab for Certain Greater Than Class C Low-Level Radioactive Wastes Considered for**  
35 **Disposal at the WIPP Repository"**

36 Discussion points included concerns about Los Alamos receiving additional waste  
37 instead of getting rid of it, questions of what to do with waste sent to LANL that does not meet  
38 WIPP acceptance criteria, unknown exact quantities of waste to be screened, and possibilities  
39 for additional work and funding at LANL if it were selected as a screening lab.

40 Discussion continued on the recommendation, with topics centering on the scope of the  
41 NNM CAB's decision making and the definition of legacy waste, ability of LANL to handle the  
42 workload, and national safety issues.

43 **Mr. Pacheco moved to approve Recommendation 2011-06. Mr. Tiano seconded the**  
44 **motion. Mr. Phelps asked for final discussion.**

1 Mr. Villarreal explained that the screening shipments would likely not begin until 2018,  
2 and that only LANL is equipped to handle the waste from various sources. Mr. Tiano expressed  
3 support for shipping the waste, currently unsecured and above ground, to LANL, as well as the  
4 potential for increased jobs as the shipments commenced. Mr. Bishop clarified that although  
5 this recommendation might be considered out of scope by DOE, LANL will be on the record to  
6 be considered for future DOE disposal work. Ms. Girardi asked for exact numbers regarding  
7 jobs, length of the project, and amount of waste, which Mr. Bishop said were difficult to  
8 accurately predict.

9 Mr. Phelps terminated discussion on the motion and called for a vote. Seven members  
10 (Mr. Phelps, Mr. Sayre, Mr. Maestas, Mr. Viallareal, Ms. Lucas, Mr. Tiano, and Mr. Pacheco)  
11 voted to approve the recommendation. Six members (Mr. Garcia, Mr. Longacre, Ms. Girardi,  
12 Mr. Valdez, Ms. Mason, and Mr. Loya) voted not to approve the recommendation. The  
13 recommendation failed to pass for approval.  
14

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15  
16 **VIII. Public Comment Period**

17 Mr. Phelps announced the first public comment period, for which Jeff Genaver of the  
18 Associated Students of Northern New Mexico College signed up. Mr. Genaver questioned  
19 whether the NNMCAB is really fulfilling its mission, and expressed particular concern with the  
20 Chemistry and Metallurgy Research Replacement (CMRR) project. Mr. Phelps explained that  
21 the CMRR is not within the scope of the NNMCAB. CAB members gave input to Mr. Genaver on  
22 the board's responsibilities, makeup, and recruiting efforts.  
23

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24  
25 **IX. Presentation on "LANL Legacy Waste Cleanup," David Martin, Secretary, New Mexico  
26 Environment Department**

27 A printed copy of Sec. Martin's presentation notes was included in the meeting packet  
28 and a copy may be obtained by request from the CAB office at (505) 989-1662.

29 Sec. Martin updated the CAB on investigative and cleanup efforts under the Consent  
30 Order since 2005. Highlights of his presentation included Governor Martinez's priorities for  
31 LANL, Los Alamos County's top concerns, small business owners' concerns, funding challenges,  
32 and congressional actions affecting LANL cleanup. He gave information about identified  
33 contamination sites, work completed so far, and transuranic (TRU) waste shipments.

34 Sec. Martin explained that ground water protection is a top concern for NMED,  
35 including its effects on drinking water. He stressed that NMED is not renegotiating the Consent  
36 Order, but only making scheduling changes within the Order.

37 After his presentation, Sec. Martin entertained questions from the CAB. Mr. Longacre  
38 requested having an NMED representative on the Board; Sec. Martin agreed that would be  
39 possible, suggesting someone from the Hazardous Waste division. Several members inquired  
40 how to approach the funding gaps. Ideas included increasing pressure on government  
41 representatives, using more efficient technologies and methods to decrease costs, and smarter  
42 sampling from fewer sites.  
43  
44

1  
2 **X. Items from DDFOs**

3 Mr. Bishop announced that Mr. Worth would arrive shortly. Mr. Bishop thanked those  
4 who went on the highly successful WIPP tour and welcomed new members of the CAB. He  
5 thanked the CAB for a healthy and lively discussion of the recommendation. Mr. Bishop also  
6 reported on the status of the new offices being renovated in Pojoaque, which will give the CAB  
7 more visibility and a more central location. Mr. Pacheco commented on the excellent support  
8 of the Co-DDFOs.  
9

10 **XI. Definition of One Contaminant**

11 Mr. Bishop tabled the discussion of the contaminant trichloroethylene (TCE) to the  
12 January meeting. He confirmed that as requested, information on one contaminant will be  
13 presented at each meeting, and called attention to printed information on TCE included in the  
14 packets.  
15

16 **XII. Presentation: "Salt Disposal Investigations," Scott Kovac, Nuclear Watch New Mexico**

17 A printed copy of Mr. Kovac's presentation notes was included in the meeting packet  
18 and a copy may be obtained by request from the CAB office at (505) 989-1662.

19 Mr. Kovac presented about the opposition of Nuclear Watch New Mexico (NWNM) to  
20 Salt Disposal Investigations to experiment with heat-generating waste at WIPP. NWNM  
21 expressed concern with distraction from WIPP's current mission, vague regulations, funding  
22 questions, and lack of benefit to Los Alamos. He also expressed disagreement with Sec.  
23 Martin's identification of scheduling changes in the Consent Order as being insignificant, as  
24 many of them are two-year deferrals.

25 Questions from the CAB included clarification on types of waste currently accepted at  
26 WIPP and waste proposed for future disposal, and proposed dates for completion.  
27

28 **XIII. Presentation: "Some Unlearned Lessons in Radioactive Waste Disposal," Robert H. Neill, Director Emeritus, New Mexico Environmental Evaluation Group**

29 A printed copy of Mr. Neill's presentation notes was included in the meeting packet and  
30 a copy may be obtained by request from the CAB office at (505) 989-1662.

31 Mr. Neill presented on the New Mexico Environmental Evaluation Group (EEG),  
32 contracted by the federal government to objectively and independently evaluate the radiation-  
33 related public health impact of the WIPP project. EEG determined that DOE had met EPA  
34 standards and recommended disposal. He summarized WIPP's mission and types of waste  
35 collected, as well as governmental limits on respirable particles and levels of ionizing radiation.  
36 He stressed that public exposure to radiation is far greater from sources other than the nuclear  
37 industry, such as medical diagnostic and therapeutic applications.  
38

39 Lessons to be learned from disposal of high-level waste according to Mr. Neill include  
40 reasonable assessment of the risks as well as benefits, understanding that no energy source is  
41 without risk; resolution of regulatory agency disputes; characterization of multiple sites as  
42 opposed to just one site; and to the extent possible, avoiding "changing our minds," as this  
43 undermines public confidence. He also recommended a more reasonable time requirement  
44 standard, rather than trying to predict a radiation dose over a million years. Mr. Neill

1 emphasized that Congress cannot and should not be tasked with solving technical scientific  
2 problems.

3  
4 **XIV. Presentation on LANL Cleanup Update, Michael Graham, Environmental Programs**  
5 **Director, LANS**

6 Mr. Graham reported that EM had a great year, disposing of 45,000 cubic yards of waste  
7 as opposed to the predicted 24,000, and with no releases, incidents, or other safety issues.  
8 Other accomplishments included three new Corrective Measure Evaluations (CMEs), design of a  
9 new facility for larger containers, and an excellent collaborative response to the Las Conchas  
10 Fire. Goals for the future include prioritizing sampling to respond to budgetary concerns, as  
11 well as improving processes. CAB members posed questions about the timeline for completion  
12 of the cleanup and land reuse possibilities, as well as new waste disposal site possibilities and  
13 regulatory challenges.

14  
15 After Mr. Graham finished speaking, Mr. Worth and Mr. Bishop presented a framed  
16 certificate of appreciation to Rev. Pamela Gilchrist for her longtime service as a member of the  
17 NNMCAB.

18 After the dinner break, Ms. Erickson announced that the CAB website and calendar are  
19 now being updated locally. She also announced the creation of the NNMCAB's Facebook page,  
20 open to all interested to "Like," "Friend," and add content of interest to CAB members and  
21 other interested parties.

---

22  
23  
24 **XV. Public Comment Period**

25 Although no one signed up for the second public comment period, Mr. Kovac asked the  
26 CAB to consider looking next year at the relationships among the agencies involved in the  
27 fulfillment of the Consent Order, to confirm Secretary Martin's assertion that the consent order  
28 would not be affected. Mr. Bishop thanked Mr. Kovac for his input and asked him to present to  
29 the CAB about once a year on his perspective of the LANL cleanup and EM work.

30 Rev. Gilchrist expounded upon a letter from New Mexico Governor Susana Martinez to  
31 DOE Secretary Steven Chu, which Rev. Gilchrist had previously distributed. She pointed out  
32 that the letter encourages DOE to support proposed location of WIPP as the preferred  
33 alternative for GTCC and GTCC-like waste, and to provide additional funding for thermal testing  
34 in salt that could provide a solution for heat-generating waste in the United States. Rev.  
35 Gilchrist urged the CAB to keep in mind that our mission is to get all the funding we can to clean  
36 up the waste and get it off the hill.

---

37  
38  
39 **XVI. New Business**

40 **a. Consideration and Action on 2011 Self-Evaluation (Section X of Bylaws)**

41 Mr. Valdez presented the results of the 2011 NNMCAB Self-Evaluation Survey. A printed  
42 copy of the graphical results was included in the meeting packet and a copy may be obtained by  
43 request from the CAB office at (505) 989-1662.

44 After presenting the results of each question, Mr. Valdez opened the floor to discussion.

1 Mr. Pacheco commented that we should strive for stronger consensus. Mr. Longacre  
2 commented on an apparent incongruence between those who were neutral on DOE response  
3 issues, yet also said we were making a measurable difference. Other issues raised included the  
4 trend of a few people doing most of the contributing; need for more public involvement,  
5 recruiting efforts; highly appreciated work from the staff and the DDFOs; and the CAB's desire  
6 to have all members participate in recommendation writing and discussion.

7 After discussion, Mr. Phelps called for a motion. **Mr. Loya moved to send the**  
8 **evaluation results on to DOE HQ. Mr. Garcia seconded the motion. The motion unanimously**  
9 **passed.**

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11  
12 **XIII. Wrap-Up**

13 Mr. Phelps opened the floor to general comments.

14 Mr. Garcia requested that the work plans approved at the September CAB meeting be  
15 sent to him, and Ms. Santistevan agreed to send them.

16 Ms. Santistevan called members' attention to two responses from DOE in the packets,  
17 one on rail transport, and the other on removal of TRU waste from Area G in response to the  
18 fire. She also called attention to the list of 2012 CAB meeting dates and locations, with the next  
19 CAB meeting to be held January 25, 2012 at the new CAB office in Pojoaque. There will be no  
20 meetings in December.

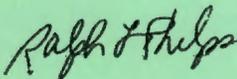
21 Mr. Phelps wished all those present a Merry Christmas and Happy New Year.

---

23  
24 **XIV. Adjournment**

25 **With no further business to discuss, Mr. Bishop, Co-DDFO, adjourned the meeting at**  
26 **7:05 p.m.**

27  
28 **Respectfully submitted,**



29  
30 **Ralph Phelps, Chair, NNMCAB**

31  
32 **\*Minutes prepared by Karen Erickson, NNMCAB Technical Writer**

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33  
34 **Attachments:**

- 35 **1. Final Revised 11-30-2011 NNMCAB Meeting Agenda**  
36 **2. Final 9-28-2011 NNMCAB Meeting Minutes**  
37 **3. Report from Ralph Phelps, NNMCAB Chair**  
38 **4. Report from Menice Santistevan, NNMCAB Executive Director**  
39 **5. Recommendation 2011-06, "Utilization of LANL as a Screening Lab for Certain Greater**  
40 **Than Class C Low-Level Radioactive Wastes Considered for Disposal at the WIPP**

- 1           Repository," drafted by the Waste Management Committee, primary author Robert  
2           Villarreal
- 3   6.       PowerPoint Presentation, "Los Alamos National Laboratory Legacy Waste Cleanup," F.  
4       David Martin, Secretary, New Mexico Environment Department
- 5   7.       Handout, "Trichloroethylene," CAS #79-01-6, Agency for Toxic Substances and Disease  
6       Registry
- 7   8.       PowerPoint Presentation, "Salt Disposal Investigations – A Distraction of WIPP's  
8       Mission," Scott Kovac, Nuclear Watch New Mexico
- 9   9.       PowerPoint Presentation, "Some Unlearned Lessons in Radioactive Waste Disposal  
10       and Essential Elements of a State Technical Review," Robert H. Neill, Director  
11       Emeritus, NM Environmental Evaluation Group
- 12 10.       NNMCAB 2011 Annual Self-Evaluation Results
- 13 11.       Draft NNMCAB 2012 Board Meeting Schedule and Locations
- 14 12.       Letter from DOE Acting Assistant Secretary for Environmental Management David  
15       Huizenga regarding recommendation to identify waste that could be transported via  
16       rail instead of highway
- 17 13.       Letter from DOE Deputy Assistant Secretary for Technical and Regulatory Support  
18       Frank Marcinowski regarding NNMCAB Recommendation 2011-09 on prioritizing  
19       removal of above-ground TRU waste from MDA-G in response to the Las Conchas Fire
- 20 14.       Response from NMED Hazardous Waste Bureau Permits Management Program  
21       Manager John E. Kieling regarding notice of availability of proposed revision 19.0 of  
22       the LANL Federal Facility Compliance Order Site Treatment Plan, Compliance Plan
- 23 15.       Updated NNMCAB Member Address List

24

25 **Public Notice:**

26  \*All NNMCAB meetings are recorded. Audiotapes have been placed on file for review at  
27 the NNMCAB Office, 1660 Old Pecos Trail, Suite B, Santa Fe, New Mexico, 87505.

28  \*Reference documents listed in the Appendix section of these minutes may be requested  
29 for review at the CAB office in Santa Fe. (505) 989-1662.

30



Northern New Mexico Citizens' Advisory Board Meeting  
January 5, 2012  
3:00 p.m. to 7:00 p.m.  
Meeting Location: Cities of Gold Conference Center  
Pojoaque, New Mexico

MINUTES

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**Meeting Attendees:**

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**Department of Energy:**

Lee Bishop, Co-Deputy Designated Federal Officer (DDFO)  
Ed Worth, Co-Deputy Designated Federal Officer (DDFO)  
Pete Maggiore, Deputy Assistant Manager for Environmental Operations  
Christine Gelles, DOE HQ  
Silas DeRoma, LASO  
Kevin Smith, Los Alamos Site Manager  
Bob Zulick, Project Time & Cost  
Laura Day, Project Time & Cost  
Edward Ziemianski, Carlsbad Field Office  
David S. Rhodes, LASO Environmental Projects  
Juan Griego, Acting Deputy Site Manager (LASO)

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**NNMCAB Members:**

1. Ralph Phelps, NNMCAB Chair
2. Carlos Valdez, NNMCAB Vice Chair
3. Manuel Pacheco, Waste Management (WM) Committee Chair
4. Caroline Mason
5. Bonnie Lucas
6. Joe Tiano
7. Lawrence Longacre
8. Nona Girardi
9. Bob Villarreal
10. Nick Maestas
11. Nicole Castellano

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**Excused Absences:**

Deb Shaw  
Lawrence Garcia  
Mike Loya

1 **Doug Sayre**

2  
3

4 **Marked Absent:**  
5 **Jacqueline Gutierrez**

6  
7

8 **NNMCAB Staff:**  
9 **Menice Santistevan, Executive Director**  
10 **Karen Erickson, Technical Writer**  
11 **Grace Roybal, Office Administrator**  
12 **Edward Roybal, Sound Technician**

13  
14

15 **Guests:**  
16 **Colleen Curran, LANS**  
17 **Kathryn Roberts, LANS**  
18 **Tori George, LANS**  
19 **Paul Henry, LANL**  
20 **Patti Jones, LANL**  
21 **Sean Stanfield, Canberra**  
22 **Tony Grieggs, LANS**  
23 **Rick Ulibarri, LANL**  
24 **Susan Gordon, Alliance for Nuclear Accountability**  
25 **Scott Kovac, Nuclear Watch New Mexico**  
26 **Marian Naranjo, HOPE**  
27 **Charles Broom, Public**  
28 **Jeri Clausing, Associated Press**  
29 **Rebecca Montoya, U.S. Senator Jeff Bingaman's Office**  
30 **Michele Jacquez-Ortiz, U.S. Senator Tom Udall's Office**  
31 **Todd Davis, DNFSB**  
32 **Scott Den Barrs, Public**  
33 **Denny Hjeuesen, Public**  
34 **John Kieling, NMED**  
35 **John Severance, Los Alamos Monitor**  
36 **Linda Nelson, LANL**  
37 **Katie Wurden, LANL**  
38 **Tom Gallegos, Public**  
39 **Fred DeSousa, LANL**  
40 **Kate Lynnes, LANL**  
41 **Frances Berting, Los Alamos County Council**  
42 **Dan Cox, LANL**  
43 **Deborah Woitte, LANS**  
44 **Jim Davis, Director of Resource Protection Division, New Mexico Environment Department (NMED)**  
45 **David Martin, Secretary, NMED**

- 1 **Morgan R. Nelson, NMED, Office of General Counsel**
- 2 **Jennifer A. Catechis, Congressman Ben R. Lujan's Office**
- 3 **Kathryn W. Johns-Hughes, LANL**
- 4 **Jeff Moussean, LANL**
- 5 **Brett Broderick, DNFSB**
- 6 **Tom Starke, LANL**
- 7 **John Isaacson, LANL**
- 8 **Wren Abbott, SFR**
- 9 **Dave McInroy, LANS Env.**
- 10 **Sharon Stover, Los Alamos County Council**
- 11 **Mark Oswald, Albuquerque Journal**
- 12 **Jim Hall, Public**
- 13 **Gail Toddings, LANS Env.**
- 14 **Gerry Maestas, Public**
- 15 **Bill O'Neill, Hudspeth & Associates**
- 16 **Lorrie Bonds Lopez, LANL**
- 17 **Jessica Moseley, Weston Solutions**
- 18 **Sarah Wolters, NM Community Foundation**
- 19 **Ken LeGattuta, Public**
- 20 **Ed Moreno, Keystone Center**
- 21 **Steve Clemmons, Public**
- 22 **Charles deSailen, NMED**
- 23 **Dave Cobrain, NMED**
- 24 **Mark Haagenstad, Public**
- 25 **Beth Sellers, LANL**
- 26 **Michael Graham**
- 27 **Ryan Flynn, NMED Chief Counsel**

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1 **AGENDA**

2 **I. Call to Order**

3 **II. Welcome and Introductions – Ralph Phelps, NNMCAB Chair**

4 **III. Environmental Cleanup Priorities**

5 **IV. Current Status of LANL Cleanup**

6 **V. TRU Campaign**

7 **VI. Consent Order Update**

8 **VII. Public Comment Period**

9 **VIII. Adjournment**

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1 **MINUTES**

2 **I. Call to Order**

3 A special meeting of the Northern New Mexico Citizens' Advisory Board (NNMCAB)  
4 meeting was held on January 5, 2012 at the Cities of Gold Conference Center in  
5 Pojoaque, New Mexico. Mr. Ed Worth, Co-Deputy Designated Federal Officer (DDFO),  
6 stated that on behalf of the Department of Energy (DOE), the meeting of the NNMCAB  
7 was called to order at 3:10 p.m.

8  
9 Mr. Worth gave an overview of the reason for the special meeting, citing letters from  
10 New Mexico elected officials , including New Mexico Governor Susana Martinez and  
11 NNMCAB recommendations regarding TRU waste cleanup, and the need to disseminate  
12 time-sensitive information on that topic. Mr. Lee Bishop, Co-Deputy Designated Federal  
13 Officer (DDFO), recognized Mr. Ralph Phelps as NNMCAB Chair. The Chair presided at  
14 the meeting.

15  
16 The meeting of the NNMCAB was open to the public and posted in **The Federal Register**  
17 in accordance with **The Federal Advisory Committee Act (FACA)**.

18  
19 **II. Establishment of a Quorum (9 needed)**

20 **a. Roll Call**

21 Ms. Erickson conducted roll call as the members arrived. Ten members were present at  
22 the meeting at the time of roll call, which comprised a quorum for conducting business.

23 **b. Excused Absences**

24 Ms. Erickson announced that Deb Shaw, Lawrence Garcia, Mike Loya, and Doug Sayre  
25 had approved excused absences.  
26

27  
28 **III. Welcome and Introductions**

29 Mr. Phelps welcomed everyone to the meeting, citing the NNMCAB's priorities of  
30 meeting the consent order, budget issues, expediting the removal of waste, especially  
31 TRU waste, from TA-54, and protecting groundwater.

32  
33 Mr. Phelps asked for introductions from the members and guests in attendance.  
34

35  
36 **IV. Approval of Agenda**

37 The board reviewed the January 5, 2012 NNMCAB meeting agenda.

38  
39 **Mr. Pacheco moved to approve the agenda and Mr. Tiano seconded the motion. The**  
40 **meeting agenda was unanimously approved.**  
41

42  
43 **V. Presentation, "LANL Environmental Cleanup Priorities," David Martin, Secretary, New**  
44 **Mexico Environment Department**

1 A printed copy of Sec. Martin's presentation notes was included in the meeting packet  
2 and a copy may be obtained by request from the NNMCAB office at (505) 989-1662.  
3

4 Before his presentation, Sec. Martin advised the NNMCAB that, as requested, NMED has  
5 appointed an ex-officio member, John Keiling, to represent the NMED at CAB meetings.  
6

7 Sec. Martin updated the NNMCAB on...changes in priorities stemming from when  
8 Governor Susana Martinez visited LANL during the Las Conchas Fire and saw above  
9 ground TRU waste which had been present during the Cerro Grande Fire as well.  
10 Concerns re-emerged regarding ground and surface water safety and funding issues.  
11 Sec. Martin explained that LANL and WIPP are collaborating to quickly clean up TRU  
12 waste at the site, and that a tiger team had been formed to reprioritize and reschedule  
13 cleanup activities to address recent concerns.  
14

15 Sec. Martin introduced the new Framework Agreement, a "road map" or blueprint of  
16 how involved agencies will move forward to accomplish prioritized tasks. While not a  
17 legal document, Sec. Martin explained that the Framework Agreement sets out  
18 deadlines for removal of legacy TRU waste at Area G by 6/30/2014, and newly  
19 generated waste by 12/31/2014. Sec. Martin explained that NMED's representative  
20 Brian Moore is in Washington, D.C. to push for more funding, and local representatives  
21 will be fighting locally for funding to accomplish the cleanup priorities.  
22

23 After his presentation, Sec. Martin fielded questions regarding removal of remote  
24 handled waste and how cleaned-up land would be transferred to the public and used in  
25 the future.  
26

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27  
28 **VI. Presentation, "Current Status of LANL Cleanup," Michael Graham, Associate Director  
29 for Environmental Programs, NNSA**

30 A printed copy of Mr. Graham's presentation notes was included in the meeting packet  
31 and a copy may be obtained by request from the NNMCAB office at (505) 989-1662.  
32

33 Mr. Graham updated the NNMCAB on the work so far completed under the Consent  
34 Order. Substantial progress has been made in removing waste and remediating waste  
35 handling and storage areas, including ground and surface water protection. Great  
36 accomplishments were made in 2011 with ARRA funding boosts. The Las Conchas Fire  
37 presented new priorities for watershed protection and waste removal. Mr. Graham  
38 stated that NNSA is in agreement with NMED regarding priorities for FY2012 work.  
39

40 After his presentation, Mr. Graham entertained questions from the NNMCAB regarding  
41 performance standards and how those standards are evaluated; who determines the  
42 need for additional groundwater monitoring wells in a time of funding shortages; and  
43 how efficiency is managed in light of funding shortages? Mr. Graham laid out the state's  
44 responsibility for setting and meeting standards, analyzing data collection needs and

1 determining the need for more wells. Mr. Graham also stated that although funding has  
2 decreased, performance in shipping waste to WIPP has gone up. Mr. Graham also  
3 predicted that the 25 remaining low-risk sites will probably take a couple years to  
4 complete, depending on funding and other factors.  
5

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6  
7 **VII. Presentation, "LANL 3706 Transuranic Waste Campaign," Lee Bishop, Federal TRU**  
8 **Waste Manager, Los Alamos Site Office, DOE**

9 A printed copy of Mr. Bishop's presentation notes was included in the meeting packet  
10 and a copy may be obtained by request from the NNMCAB office at (505) 989-1662.  
11

12 Mr. Bishop updated the NNMCAB on efforts to remove TRU waste, including a reminder  
13 on the definition of TRU waste and a description of TA-54 and Area G. During the Las  
14 Conchas Fire, only one acre of Lab property burned, and significant fire protection  
15 measures were in place, but the fire still highlighted the need to prioritize removal of  
16 above ground TRU waste from this area. The inventory of this waste is 3706 cubic  
17 meters, which, along with newly generated waste, will be cleaned up by 12/31/2014.  
18 DOE's LASO will partner with the Carlsbad Site Office to schedule, characterize, and ship  
19 waste.  
20

21 After his presentation, Mr. Bishop entertained questions from the NNMCAB involving  
22 the nature of the waste at Area G, stressing that all drums are vented with filters, most  
23 drums do not contain uranium, and any decay to radon takes decades to develop, so will  
24 not release any radon until encased safely at the WIPP site.  
25

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26  
27 **VIII. Presentation, "LANL 3706 Transuranic Waste Campaign," Dan Cox, Deputy Associate**  
28 **Director for Environmental Programs, NNSA**

29 A printed copy of Mr. Cox's presentation notes was included in the meeting packet and  
30 a copy may be obtained by request from the NNMCAB office at (505) 989-1662.  
31

32 Mr. Cox further clarified the plan for removal of the 3706 remaining cubic meters of  
33 legacy TRU waste at Area G, giving specific details on the nature of the inventory and  
34 the needs to characterize, classify, and ship the waste. He explained that there is some  
35 underground remote handled waste, some of which has shipped, but that much remains  
36 to be done with what remains.  
37

38 Mr. Cox compared the original plan with the new plan for TRU waste removal, stressing  
39 the importance of worker safety, public and environment protection. Facilities have  
40 been built to handle oversized containers and those facilities are currently up and  
41 running. Mr. Cox addressed questions from the NNMCAB regarding storage of  
42 prohibited items in the drums such as aerosol cans, plastics, etc.; scheduling of the  
43 inventory and future plans for TA-54. Mr. Cox explained that a highly detailed plan for

1 shipping of all waste including prohibited items separated from the TRU waste  
2 containers, is in place and currently underway. The plan now is to close TA-54.  
3

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4  
5 **IX. Panel Discussion, "Consent Order Update," George Rael, Assistant Manager for**  
6 **Environmental Operations, NNSA, and Jim Davis, Resource Protection Division**  
7 **Director, NMED**

8 After Mr. Cox's presentation, Mr. Phelps introduced George Rael and Jim Davis to lead a  
9 panel discussion on the Consent Order Update.  
10

11 Mr. Rael said that six years into the Consent Order, lots of good work has been done so  
12 far despite the continuing problem of Congressional underfunding. He stressed the  
13 need for flexibility to allow us to do the most important work, and that the recent Las  
14 Conchas Fire caused a re-evaluation of priorities. The Framework Agreement will help  
15 us decide where to go next. Mr. Rael described the action-oriented plan, citing the plan  
16 to remove legacy above ground TRU waste by June 2014, remove newly generated  
17 waste by December 2014, develop a schedule to identify below-ground TRU waste by  
18 12/31/2014, and work on above-ground cemented waste. He expounded on the idea of  
19 tiger teams and how they can provide savings by prioritizing data collection needs.  
20

21 Mr. Davis added that LANL's location as one that was hard to get to, in addition to the  
22 development of the Los Alamos town site around it, makes it one of the most  
23 challenging sites to manage in terms of environmental remediation, all made more  
24 complicated by historical underfunding. Mr. Davis stressed the NMED will monitor this  
25 TRU waste removal and progress on this effort with quarterly milestones and constant  
26 collaboration with the Lab, keeping a skeptical eye on it to ensure it remains on track.  
27 Some monitoring may be reduced if it can be determined that such monitoring is not  
28 necessary to ensure public safety and health. Other ideas to maximize efficiency include  
29 reduction in paperwork, plan and sequencing work to avoid stop-and-go work, and  
30 reduction in monitoring where possible. He explained that most of the 26 extension  
31 requests approved have involved re-sequencing, and that TRU waste removal is going  
32 forward faster now. Mr. Davis restated that NMED is 100% committed to protection of  
33 ground, surface, and drinking water, and will ensure that all permits will be met.  
34

35 Mr. Rael stated that it is not possible for DOE to meet the 2015 Consent Order deadline.  
36 He pointed to the Framework Agreement as a road map for the future, and requested  
37 public input on the quarterly reports and annual planning process. Mr. Rael thanked the  
38 NNMCAB for its input.  
39

40 Mr. Davis restated that NMED will carefully watch the cleanup efforts going forward,  
41 and see what progress is being made before renegotiating the Consent Order. Any such  
42 renegotiation will be a highly transparent process with much public involvement.  
43

1 After the conclusion of the presentations, Mr. Phelps opened the floor to questions  
2 from the NNM CAB. Asked for clarification on the possible renegotiated end date, Mr.  
3 Davis said that it is impossible to predict at this point. Ryan Flynn, Chief Counsel for  
4 NMED, clarified that whether the Consent Order will be renegotiated is still up in the air  
5 and that NMED will continue to monitor and pressure LANL to make progress. He also  
6 expressed concern that pushing back the current deadline might cause an even further  
7 drop in funding if a sense of urgency seems lessened via a pushed-out deadline.  
8

9 Mr. Rael stated in response to a question of how the NNM CAB can be of greater help,  
10 that the NNM CAB's recommendations have been very helpful and have been shown to  
11 decision makers as the blueprint is being developed. Mr. Rael stated that the  
12 NNM CAB's input will be very important now to ensure we have the right priorities and  
13 aren't missing anything important.  
14

15 NNM CAB members thanked DOE for going on the record saying the Consent Order  
16 deadline will not be met, and pointed to the accelerated shipments of TRU waste to  
17 WIPP and the accomplishments highlighted as evidence that progress is being made.  
18 DOE and NMED representatives stressed to the NNM CAB that its involvement is  
19 important and that it might have a strong voice in pressing for increased funding.  
20

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21  
22 **X. Public Comment Period**

23 After a break, Mr. Phelps announced the public comment period, for which two people  
24 signed up.  
25

26 Scott Kovac of Nuclear Watch New Mexico commented on the many extensions and  
27 original cleanup efforts that are now apparently being put on hold. He asked what the  
28 consequences would be if the current deadlines are not met? Mr. Kovac had previously  
29 submitted a list of Consent Order Deliverable Extensions, for the NNM CAB's  
30 information.  
31

32 Susan Gordon, Director of the Alliance for Nuclear Accountability, expressed frustration  
33 at the historical underfunding of cleanup work across the complex. She stated that  
34 LANL has not asked for money for cleanup because they ask for money to build more  
35 nuclear weapons, and thus they have not met their cleanup obligations. She cited 212  
36 billion additional dollars earmarked for cleanup and stated it is not a lack of funding, but  
37 rather how LANL is spending the funding, that is causing problems. Ms. Gordon stressed  
38 that the Consent Order deadline is the "stick" that we have to make LANL do it, and if it  
39 is negotiated, we have no stick, no leverage. She cited a long history of renegotiations  
40 and other agreements that have not been met, and urged the NNM CAB to keep them  
41 accountable to meeting this Framework Agreement.  
42

43 Mr. Phelps called for additional public comment. Santa Fe resident Chuck Broom  
44 encouraged the NNM CAB to communicate and educate the population, becoming the

1 "squeakiest wheel" to make a positive effect. He encouraged the NNM CAB to get the  
2 message to the voters, because they are the ones who can change things.  
3

4 Gerry Maestas, a resident of Espanola, stated that he does not believe the water supply  
5 is in danger, and that he believes that DOE does ask for money for cleanup. He stated  
6 that the original timeline agreement of 10 years was "a dumb thing to do" with so many  
7 unknown factors. Mr. Maestas stated that we have known for five years that the  
8 deadline would not be possible to meet, and increased funding was needed, but added  
9 that the important thing is the overall risk, not the specific date, and that he trusts LANL  
10 and NMED to get the work done.  
11

12 Sec. Martin addressed the question of where the money comes from to pay for fines  
13 from NMED, asking Frank Marcinowski of DOE Headquarters to address the question.  
14 Mr. Marcinowski stated that it comes from project money at each site, rather than a  
15 separate source just for cleanup. Any fines a site gets due to a compliance violation  
16 come out of site project money.  
17

18 Mr. Phelps closed the public comment session.  
19

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20  
21 **XIII. Wrap-Up and Adjournment**

22 Mr. Phelps announced a few open positions on the NNM CAB, and that the next CAB  
23 meeting would be held on January 25, 2012. The CAB's Executive Committee meeting  
24 will meet on January 11, 2012 at the new CAB office in Pojoaque; there will be no  
25 WM/EMSR committee meeting this month. The meeting was adjourned.  
26

27 **Respectfully submitted as a draft for review,**  
28  
29  
30  
31

32 **Ralph Phelps, Chair, NNM CAB**  
33

34 *\*Minutes prepared by Karen Erickson, NNM CAB Technical Writer*  
35

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36 **Attachments:**

- 37 1. Final 1-5-2012 NNM CAB Meeting Agenda
- 38 2. PowerPoint Presentation, "LANL Environmental Cleanup Priorities," F. David Martin,  
39 Secretary, New Mexico Environment Department
- 40 3. PowerPoint Presentation, "Current Status of LANL Cleanup," Michael Graham,  
41 Associate Director for Environmental Programs, NNSA
- 42 4. PowerPoint Presentation, "3706 Transuranic Waste Campaign," M. Lee Bishop,  
43 Federal TRU Waste Manager, Los Alamos Site Office, DOE

- 1 5. PowerPoint Presentation, "LANL 3706 Transuranic Waste Campaign," Dan Cox, Deputy  
2 Associate Director for Environmental Programs, NNSA DOE  
3

4  
5 **Public Notice:**

6  \*All NNMCAB meetings are recorded. Audiotapes have been placed on file for review at  
7 the NNMCAB Office, 94 Cities of Gold Road, Santa Fe, New Mexico, 87506.

8  \*Reference documents listed in the Appendix section of these minutes may be requested  
9 for review at the CAB office in Pojoaque. (505) 989-1662.  
10

**REPORT FROM THE CHAIR**

**NORTHERN NEW MEXICO CITIZENS ADVISORY BOARD**

**25 JANUARY 2012 BOARD MEETING**

**POJOAQUE, NEW MEXICO**

**1. Routine Chair Activities since last NNM CAB meeting on 11-30-11:**

- a. On 12-29-2011, the Chair met with DDFO (Ed Worth) to discuss the agenda for the special NMCAB meeting scheduled for 1-5-2012 in Pojoaque.
- b. A special meeting of the NNM CAB was held on 1-5-2012 in Pojoaque to provide a forum for public interaction on topics discussed by DOE, LANL, NMED and DOE/HQ providing updates on recent work under the Consent Order, and to discuss certain milestone changes to best support the NM Governor's initiative to expedite removal of TRU waste from TA-54.

This meeting was a forum for presentations by NMED and DOE/NSA to introduce the new Framework Agreement for realignment of environmental priorities. These priorities are focused on the optimum use of the federal funding expected for 2012 and beyond to execute cleanup activities at LANL in accordance with the Consent Order. The NNM CAB was able to ask questions of the leaders from each environmental office on plans and activities associated with this work. The meeting was well attended, and the presentations received good media coverage. Detailed minutes and slides from this important meeting are provided separately and will be on the NNM CAB website.

**c. Executive Committee meeting on 1-11-2012:**

1. The committee discussed follow up actions that could be considered from the 1-5-2012 NNM CAB meeting. It was noted that the CAB members received direct feedback from several sources that our efforts and recommendations are making a difference in the progress of the cleanup work at LANL. NMED assigned a liaison member to CAB, John Kieling, Acting Head of the Hazardous Waste Bureau.
2. The agenda for the 1-25-2012 CAB meeting was discussed and approved.
3. Our co- DDFO (Lee Bishop) introduced a new tracking tool for the TRU waste shipments from TA-54. Lee also informed us that he was being re-assigned full time to this effort and would not continue as co-DDFO after next meeting.
4. The process for election of Committee officers was discussed and it was agreed that acting officers would continue until the committees elect permanent officers at their February 2012 meetings.
5. A list of proposed future presentations to CAB was discussed and several were scheduled for upcoming CAB meetings. Committees must also request presentations in February for their 2012 monthly meetings.

6. Actions were considered based on the annual survey, Open House for the new office and travel opportunities for members to attend relevant meetings (including going to other CABs).
7. DOE HQ requested the SSABs to prepare summaries of their benefits to the EM work from their public participation. NNM CAB is a leader in this effort.
8. Committees are encouraged to begin development of Recommendations for 2012.

d. There were no scheduled WM/EMSR Committee meetings since the last CAB meeting.

2. SSAB Related Chair Activities since last NNM CAB meeting on 11-30-11:

- a. DOE HQ sponsored the bimonthly SSAB Chairs conference call on 12-7-2011. We received update briefings from the EM HQ staff on budget, priority activities and milestones across the complex, and each SSAB discussed topics of current interest and priority for their sites. We discussed a need to focus more on cross-cutting issues at the regular Chairs meetings.

3. Other Related Chair Activities

- a. On 1-4-2012, the Chair briefed the Los Alamos County Council Chair on the objectives and goals for the scheduled 1-5-2012 NNM CAB meeting. The Council Chair and other Councilors attended the meeting and made a few public comments.

Submitted by:

Ralph Phelps

Chair, NNM CAB

1-16-2012

**Northern New Mexico Citizens' Advisory Board**  
**Executive Director's Report**  
**January 25<sup>th</sup>, 2012**

**Board Membership:** The NNM CAB is currently comprised of 16 members. I have submitted a nomination packet adding four new members to the NNM CAB. Deb Shaw and Mike Loya have also been nominated for re-appointment. We are continuing our recruitment effort with our goal of seating 27 members by the end of the year.

**Executive Committee Meetings:** The Committee met on January 11<sup>th</sup>, 2012. The committee members heard reports from the Chair and Vice-Chair, Committee Chairs, Co-DDFOs and Executive Director. The committee discussed draft recommendation topics and presentation topics for 2012. It also discussed recruitment of new members and the election of committee Chairs and Vice-Chairs for 2012. The committee was notified by Lee Bishop that he had been re-assigned to work on his TRU Campaign full time and would no longer be serving as a Co-DDFO. The Executive Committee voiced concern over this decision and asked if it could send a letter asking for reconsideration. Lee asked the ExCom to give it three months. The committee also discussed the NNM CAB major accomplishments for 2011. Those accomplishments included: Recommendations on removal of TRU Waste were a factor in the Framework Agreement; the June Groundwater Forum; the NNM CAB recommendation on the use of rail became a complex wide recommendation; move to new NNM CAB offices in Pojoaque; and the NNM CAB's excellent intergovernmental relationships.

**Board Meeting Preparations:** I prepared the Final Agenda for the Jan. 5<sup>th</sup> Special Board Meeting and submitted the notice to *The Federal Register* on Dec. 15<sup>th</sup>, 2011 in compliance with the Federal Advisory Committee Act. I made all arrangements at the Cities of Gold Conference Center. Advertisements for the meeting were placed in the *Albuquerque Journal*, *the Santa Fe New Mexican*, *the Rio Grande Sun*, and *the Los Alamos Monitor*. The NNM CAB staff supported the meeting by setting up the meeting room, preparing all name tags and tent cards and by taking care of the audio system and taking minutes of the meeting. I prepared the Final Agenda for the Jan. 25<sup>th</sup> Board Meeting and I submitted a letter of invitation to Governor Rivera to deliver a welcome to the NNM CAB. All meeting materials were copied and collated by Grace Roybal and meeting packets were mailed out on Jan. 18<sup>th</sup>. An advertisement for the meeting was placed in *The Rio Grande Sun* by Grace Roybal and on the NNM CAB website by Karen Erickson. Press Releases were sent out to all major publications before the meeting and will be sent out after the meeting.

**Outreach:** I will continue our recruitment efforts and will especially concentrate on recruiting members from the surrounding pueblos and young people from our local colleges and universities. If you know of anyone who might be interested, I would appreciate your help in recruiting that person.

**NNM CAB Office Move:** The NNM CAB staff worked hard going through files and packing boxes in anticipation for the move from Santa Fe to Pojoaque. The actual move took place on Dec. 28<sup>th</sup>. The new NNM CAB offices are open and ready for business. All committee meetings will now be held in the NNM CAB conference room. An open house is tentatively planned for March 14<sup>th</sup>. Thank you to Karen, Grace and Eddie for their hard work getting the office ready for the move and for working long hours to set up the new office.

**Office Management:** Grace Roybal and I have been assisting with projected costs for new NNM CAB office expenses and NNM CAB travel in 2012. The staff supported all meetings with preparation of notices, agendas and minutes.

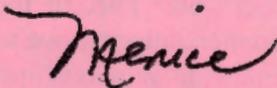
Karen Erickson has created a Face book Page for the NNM CAB. You are invited to "friend" the NNM CAB's Face book Page and submit photos and updates to Karen. She will be preparing meeting minutes, updating the NNM CAB website and preparing NNM CAB Newsletters and the Annual Report. She may be reached at: [Karen.Erickson@nnsa.doe.gov](mailto:Karen.Erickson@nnsa.doe.gov) or at 505-988-1749.

**Next Committee Meetings: Feb. 8<sup>th</sup>, 2012**  
**NNM CAB Conference Room**  
**Pojoaque**

**March 14<sup>th</sup>, 2012**  
**NNM CAB Conference Room**  
**Pojoaque**

**Next Board Meeting: March 28, 2012**  
**Marriott Pyramid North**  
**Albuquerque**

**Respectfully submitted,**



**Menice B. Santistevan**  
**Executive Director**



**DEPARTMENT OF ENERGY**  
National Nuclear Security Administration  
Los Alamos Site Office  
Los Alamos, New Mexico 87544



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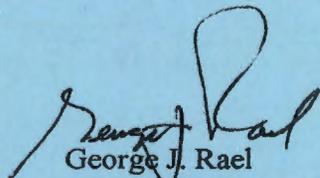
Mr. Ralph L. Phelps, Chairman  
Northern New Mexico Citizens Advisory Board  
1660 Old Pecos Trail, Suite B  
Santa Fe, NM 87505

Dear Mr. Phelps:

Subject: Response to Northern New Mexico Citizens Advisory Board Recommendation  
2011-08

The Department of Energy's Los Alamos Site Office (LASO) has reviewed the Northern New Mexico Citizens' Advisory Board recommendation 2011-08. LASO's response to the recommendation is provided in the enclosure.

If you have any questions or concerns, you may contact M. L. Bishop at (505) 606-1804 or Ed Worth at (505) 606-0398.

  
George J. Rael  
Assistant Manager  
Environmental Projects Office

Enclosure



Enclosure: Response to Northern New Mexico Citizen's Advisory Board Recommendation 2011-08

*NNMCAB Recommendation 2011-08 Approved July 27, 2011*

**NORTHERN NEW MEXICO CITIZENS' ADVISORY BOARD  
Recommendation to the Department of Energy**

**No. 2011-08**

**“Restore User Confidence in the Risk Analysis, Communication, Evaluation, and Reduction (RACER) Database”**

**Drafted by the NNMCAB Executive Committee**

**Primary Authors: Ralph Phelps & Robert Gallegos**

**Background:**

The Northern New Mexico Citizens' Advisory Board (NNMCAB or CAB) has recently become aware of independent audit results for data provided by both Los Alamos National Laboratory (LANL) and the New Mexico Environment Department (NMED) to document samples taken and processed from the network of monitoring wells and surface water sources that are the baselines for environmental remediation work at LANL. The results have indicated that a large number of sample data points in the Risk Analysis, Communication, Evaluation, and Reduction (RACER) database are inconsistent with source data or are missing from the database. This has been publicized as a lack of transparency to the public in the conduct of remediation corrective actions and decisions.

The NNMCAB has previously submitted Recommendation 2008-08, “Improve Documentation for Monitoring Wells Used for LANL Environmental Restoration and Cleanup of Legacy Wastes Consistent with Data Quality Objectives.” In Recommendation 2008-08, the NNMCAB recommended, that “DOE support and encourage LANL environmental restoration division management to promote better understanding among the CAB, NMED and independent reviewers of the way that LANL ensures data quality objectives are achieved in their groundwater monitoring program for the Material Disposal Areas (MDAs). This can be achieved through improved documentation, which provides the basis for specifying monitoring well design consistent with meeting required data quality objectives on a site-wide level.” The DOE has responded to this on March 25, 2009 by stating, “DOE continues supporting Los Alamos National Security, LLC (LANS) in improving documentation to communicate to the regulator and the public about the LANL groundwater monitoring program. The objectives for new wells that are being drilled are presented in Drilling Work Plans submitted to the NMED for approval prior to installation. A companion document is prepared that lays out the rationale for final well design and is based on field data collected as part of the drilling phase. These two documents provide the Data Quality Objective (DQO) basis and design approach to allow the understanding of the objectives and how they are being met.”

**Comments and Observations:**

According to the audit's findings, certain limited, environmental data were not provided to RACER in a timely manner. As a result NMED issued a Notice of Violation to LANL for violation of a 2007 Settlement Agreement and Stipulated Order. RACER was established to provide the public access to environmental data collected at LANL.

**Recommendation:**

**No. 1.** DOE should develop a response to the RACER audit that can be presented to the public that explains the issues with the RACER database, and defines the corrective actions to restore confidence in the information. This should include a clear description of the ground rules for data submission, and a description of the method for quality control of RACER data.

**No. 2.** DOE recommend RACER data include a reference to established state and federal standards.

**Intent:**

cc w/enclosure:

M. Bishop, EPO, LASO

E. Worth, EPO, LASO

M. Santistevan, EPO, PT&C

M. Graham, ADEP, LANS, MS-M991

Records Center, LASO

Official Contract File, LASO

EPO: 32EW-273-384773

This recommendation will ensure restoration of public confidence in a database that has been presented as a reliable tool for the public to understand the status of samples from the LANL well and surface monitoring network.

**References:**

1. NNM CAB Recommendation 2008-08, "Improve Documentation for Monitoring Wells Used for LANL Environmental Restoration and Cleanup of Legacy Wastes Consistent with Data Quality Objectives.
2. DOE Response to Recommendation 2008-08, March 25, 2009.
3. RACER website, [www.racernm.com](http://www.racernm.com).
4. NMED June 3, 2011 Notice of Violation

**DOE Response:**

1. The Department of Energy believes it has already addressed recommendation No. 2011-08 Item 1. The RACER Audit is provided on the RACER website. A presentation on LANL response is available as a link on the RACER website. A public meeting was held on June 7, 2011 to discuss the audit and the response. Several of the issues were already known and being worked (e.g., code differences between NMED and LANL data). Others reflected test data instead of LANL data and still other issues reflected duplicates and not data problems (500,000+ of 540,000 items in report relative to 12,000,000+ records). Corrective actions have been defined by LANL in the web-linked document and are in progress – the most difficult action being the change to a cloud computing structure such that there is only one database. The RACER website now includes a link and document titled "RACER WebDAT Data Quality Note" that addresses quality control for RACER. LANL would be glad to provide the NNM CAB a briefing on the audit and status of resulting corrective actions.
2. The Department of Energy believes that recommendation No. 2011-08 Item 2 is already implemented to the degree possible. References to established state and federal regulations are already included in Comparison Value tables in RACER. However, not all data has comparison values and selection of alternative screening levels, action levels, etc. are not possible due to the numerous regulatory and stakeholder references.