

General

Kieling



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
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July 18, 2012

Dear Board Members,

Enclosed is the information you will need for the July 25th, 2012 meeting of the Northern New Mexico Citizens' Advisory Board. The meeting will be held at the Best Western Hilltop House in Los Alamos.

You will be considering Draft Recommendation 2012-02, "Expand the Mission of the NNM CAB to Include Advice and Recommendations on the Evaluation and Use of WIPP as it pertains to the Disposal of Higher Level Legacy Wastes from LANL and Around the Complex."

Ed Worth will be making a presentation on the "Impact of NNM CAB Recommendations." You will also be introduced to the Deputy Manager of the Los Alamos Site Office, Mr. Juan Griego.

If you require an excused absence, you must request this in writing to: Ed Worth, 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 July 25th.

Kindest Regards,

Menice B. Santistevan
Executive Director



Northern New Mexico Citizens' Advisory Board Meeting

**July 25, 2012
1:00 p.m. to 7:00 p.m.
Best Western Hilltop House
400 Trinity Drive
Los Alamos, NM 87544**

AGENDA

| <u>Time</u> | <u>Action</u> | <u>Presenter</u> |
|--------------------|---|--|
| 1:00 p.m. | Call to Order | Ed Worth, DDFO |
| | Establishment of a Quorum (11 needed) a. Roll Call b. Excused Absences | |
| | Welcome and Introductions Approval of Agenda Approval of Minutes of May 30th, 2012 | Ralph Phelps, Chair |
| 1:15 p.m. | Public Comment Period | |
| 1:30 p.m. | Old Business a. Written Reports – See Packet Enclosures (5 minutes) b. Final Details for Rocky Flats Tour c. Other items | |
| 1:45 p.m. | New Business a. Report from Nominating Committee (Section V, F. of NNM CAB Bylaws) b. Consideration and Action on NNM CAB Top Issue and Accomplishment for Fall Chairs' Meeting c. Report on Presentation to Radioactive and Hazardous Materials Committee d. Other items | Deb and Nicole Ralph Phelps Ralph Phelps |
| 2:00 p.m. | Items from DDFO a. Update on CME's b. Other items | Ed Worth |
| 2:30 p.m. | BREAK | |
| 2:45 p.m. | Update from Liaison Members | Ed Worth, LASO-EPO John Kieling, NMED Michael Graham, LANS Rich Mayer, EPA (Ed Worth) |
| 3:30 p.m. | Introduction of Deputy Site Manager | Juan Griego |
| 3:45 p.m. | Presentation on the Impact of NNM CAB Recommendations | Ed Worth |
| 4:15 p.m. | Consideration and Action on Draft Recommendation 2012-02 | Ralph Phelps |

5:00 p.m. **Dinner Break**

6:00 p.m. **Public Comment Period**

6:15 p.m. **Wrap-up and Comments from Board Members**

Ralph Phelps

7:00 p.m. **Adjourn**

Ed Worth, DDFO



Northern New Mexico Citizens' Advisory Board Meeting

May 30, 2012

1:00 p.m. to 7:00 p.m.

Meeting Location: The Lodge

Santa Fe, New Mexico

MINUTES

Meeting Attendees:

Department of Energy:

Ed Worth, Deputy Designated Federal Officer (DDFO)

Lee Bishop, LASO, EPO

NNMCAB Members:

1. Ralph Phelps, NNMCAB Chair

2. Carlos Valdez, NNMCAB Vice Chair

3. Doug Sayre, Environmental Monitoring & Remediation (EM&R) Committee Chair

4. Bonnie Lucas

5. Deb Shaw

6. Mike Loya

7. Lawrence Longacre

8. Lawrence Garcia

9. Joey Tiano

10. Nona Girardi

11. Allison Majure

12. Art Mascarenas

13. Robert Villarreal

14. Nick Maestas

15. Nicole Castellano

16. Kyle Harwood

17. Joseph Viarrial

Excused Absences:

1. Manuel Pacheco

2. Brenda Gallegos

3. Adam Duran

NNMCAB Support Staff:

Menicé Santistevan, Executive Director

Grace Roybal, Senior Cost Analyst

1 **Karen Erickson, Technical Writer**
2 **Edward Roybal, Sound Technician**

3

4 **Guests:**

5 **Stephen Schmelling, Public**

6 **Miles Smith, Energy Solutions**

7 **Alex Puglisi, City of Santa Fe**

8 **John Kieling, NMED**

9 **Bruce Schappell, LANS**

10 **Lorrie Bonds Lopez, LANS**

11 **Colleen Curran, LANS**

12 **Candyce O'Donnell, Videographer**

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1 **MINUTES**

2 **I. Call to Order**

3 The regular bi-monthly meeting of the Northern New Mexico Citizens' Advisory Board
4 (NNMCAB) meeting was held on May 30, 2012 at The Lodge in Santa Fe, New Mexico. Mr. Ed
5 Worth, Deputy Designated Federal Officer (DDFO), stated that on behalf of the Department of
6 Energy (DOE), the regular bi-monthly meeting of the NNMCAB was called to order at 1:00 p.m.

7 Mr. Worth recognized Mr. Ralph Phelps as NNMCAB Chair. The Chair presided at the
8 meeting.

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

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13 **II. Establishment of a Quorum (11 needed)**

14 **A. Roll Call**

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

17 **B. Excused Absences**

18 Ms. Erickson recorded that Brenda Gallegos, Adam Duran, and Manuel Pacheco had
19 excused absences for this meeting.
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22 **III. Welcome and Introductions**

23 Mr. Phelps welcomed everyone to the meeting. He asked for introductions from the
24 members and guests in attendance.
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27 **IV. Approval of Agenda**

28 The board reviewed the May 30, 2012 NNMCAB meeting agenda. The board would hear
29 two presentations on the State of Los Alamos National Laboratory, and an update on the 3706
30 TRU Waste Campaign.

31 **Mr. Sayre moved to approve the agenda and Ms. Shaw seconded the motion. Mr.**
32 **Longacre expressed concern about the lack of recommendations and action on public**
33 **comment. He suggested removing the public comment period from NNMCAB meetings. Mr.**
34 **Phelps explained that a public comment period is a requirement of all FACA boards. The**
35 **meeting agenda was unanimously approved.**
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38 **V. Approval of Minutes of March 28, 2012**

39 The board reviewed the minutes from the March 28, 2012 NNMCAB meeting. By
40 ongoing instructions from DOE Headquarters, the minutes were previously reviewed and
41 certified by the NNMCAB Chair, Mr. Ralph Phelps. Mr. Phelps stated that the March 28 minutes
42 were included in the board packets and presented at this meeting for board approval.

43 **Mr. Valdez moved to approve the minutes as presented. Mr. Harwood seconded the**
44 **motion. The minutes were unanimously approved.**

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VI. Public Comment Period

Mr. Phelps announced the first public comment period. No one signed up for the first public comment period.

Mr. Phelps further addressed Mr. Longacre's statement about public comment periods, explaining that public comment periods are a FACA requirement, but such comments may not be in line with our charter. Discussion ensued on the importance of public comment periods for educating the NNMCAB on the public's concerns; providing a venue for citizens to present concerns to LANL/NNSA personnel, press, and elected officials; and keeping issues in the forefront of the minds of individuals who heard them.

VII. Old Business

A. Written Reports

1. Report on Spring Chairs' Meeting

A printed copy of the Spring Chairs' Meeting Report by Carlos Valdez was included in the meeting packet and a copy may be obtained by request from the NNMCAB office at (505) 989-1662. The report features a description of a tour of the Paducah Uranium Enrichment/Gaseous Diffusion Plant, which separates and enriches uranium for use as fuel for nuclear power plants around the country, as well as other issues and accomplishments of other SSABs.

2. NNMCAB Chair's Report

A printed copy of the Chair's Report was included in the meeting packet and a copy may be obtained by request from the NNMCAB office at (505) 989-1662. The Chair's report includes the following highlights:

a. Routine Chair Activities since last NNMCAB meeting on March 28, 2012 included the following:

1. Executive Committee met on 4-25-2012 and reported on the Paducah, Kentucky Chairs' meeting and discussed plans and agendas for the 5-16-2012 Open House and 5-30-2012 NNMCAB meeting; discussed Acting EM Deputy Assistant Secretary Dave Huizenga's query to the NNMCAB on its position on storing higher-level waste at WIPP; discussed new committee work plans; and welcomed two new members from Pojoaque Pueblo.
2. Executive Committee met on 5-16-2012 and discussed recommendations from the SSAB Chairs' meeting; decided to draft a letter responding to Sec. Huizenga's request for NNMCAB input on use of WIPP; finalized the 5-30-2012 NNMCAB meeting agenda; and announced upcoming tours of Sandia National Laboratories and Rocky Flats.
3. Supported Combined Waste Management (WM) and Environmental Monitoring and Remediation (EM&R) Committee meetings on 4-25-2012, which included presentations by Ed Worth on

1 the budget for 2014 and a water sampling tour, and 5-16-2012, which
2 included a presentation by Lee Bishop on the "3706 TRU Waste
3 Program."

4 b. Site-Specific Advisory Board (SSAB) Related Chair Activities since last
5 NNMCAB meeting on March 28, 2012 included the semi-annual SSAB Chairs
6 meeting in Paducah, including a tour of the Paducah uranium separation plant.

7 c. Other Related Chair Activities included the attendance of the Chair, Vice
8 Chair, and several members and former members at the new NNMCAB office
9 Open House on May 16, 2012, at which many dignitaries were present including
10 LANL and DOE leaders, a representative of Senator Tom Udall's office, a
11 representative of the Pojoaque Pueblo Governor, and other community
12 representatives.
13

14 **3. NNMCAB Support Staff Executive Director's Report**

15 A printed copy of Ms. Santistevan's report was included in the meeting
16 packet and a copy may be obtained by request from the NNMCAB office at (505)
17 989-1662. Ms. Santistevan's report included:

18 a. Board Membership Update

19 The NNMCAB is currently comprised of 20 members, with two
20 individuals from Pojoaque Pueblo appointed on May 19.

21 b. Executive Committee Meetings

22 The committee met on 4-25-2012 and 5-16-2012. The committee
23 heard reports from the Chair, Committee Chairs, DDFO, and Executive
24 Director. The committee finalized the agenda for this meeting and
25 discussed presentation requests, recommendation ideas, and possible
26 tours of Sandia National Laboratories and Rocky Flats.

27 c. Board Meeting Preparations

28 Ms. Santistevan prepared and submitted the agenda for the May
29 30 meeting and submitted notice to **The Federal Register**, in compliance
30 with **The Federal Advisory Committee Act**, and NNMCAB staff made all
31 arrangements for the meeting.

32 d. Outreach:

33 Ms. Erickson and Ms. Santistevan set up an outreach table at the
34 Earth Day Festival in Los Alamos on April 21, speaking to many and
35 distributing information about the NNMCAB. Portions of the March 28,
36 2012 NNMCAB meeting have been telecast several times on YouTube and
37 public access channels.

38 e. NNMCAB Open House

39 About 50 people joined DOE and LANL officials and NNMCAB
40 members at the Open House May 16. Highlights include original artwork
41 by Pueblo of Pojoaque artists and Pojoaque Middle School student
42 photography.

43 f. Important Upcoming Dates

44 June 13, 2012, combined WM/EM&R committee meetings at the

1 NNM CAB office; July 11, 2012, possible tour of Sandia National
2 Laboratories; July 25, regular bi-monthly NNM CAB meeting in Los
3 Alamos.
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6 **VIII. New Business**

7 **A. Chairs' Recommendation from Paducah SSAB Chairs' Meeting**

8 Mr. Phelps presented a SSAB-wide recommendation from the Spring
9 Chairs' Meeting in Paducah, Kentucky, for the NNM CAB to vote on,
10 recommending that if there are budget cuts, SSAB support funding should not be
11 targeted.

12 **Mr. Tiano moved to approve the recommendation. Mr. Loya seconded**
13 **the motion. The motion passed unanimously. Ms. Santistevan stated that the**
14 **recommendation is expected to be sent on to EM-1 by the end of June if**
15 **approved.**

16
17 **B. Response Letter from NNM CAB to Sec. Huizenga**

18 Mr. Phelps presented a draft letter to Dave Huizenga to respond to his
19 request for the NNM CAB's position on using WIPP for higher-level waste, despite
20 the fact that future use of WIPP is not directly under the NNM CAB's charter.

21 Discussion ensued regarding the wording of the letter, how specific it
22 should be, and what the intentions of the NNM CAB members are regarding
23 WIPP. Mr. Valdez, Mr. Sayre, Mr. Villarreal, and Mr. Tiano formed an ad-hoc
24 committee to edit the letter over the dinner break.
25

26 **C. Nominating Committee for September Elections**

27 Ms. Shaw announced the need for nominations for the election of
28 NNM CAB officers coming up in September. She reported that collecting
29 nominations via email and informal polling has worked well in the past. Ms.
30 Santistevan clarified that we need to have a slate of nominees by the meeting
31 before the election meeting, which means we need to have nominees by the July
32 NNM CAB meeting. Ms. Shaw and Ms. Castellano volunteered to serve as the
33 nominating committee, so members were advised to submit nominees for
34 NNM CAB Chair and Vice Chair to them before the July meeting. Nominations will
35 be taken up to the time of the election in September.
36

37 **D. Upcoming Tours**

38 Ms. Santistevan is working on arrangements for two tours, one of Sandia
39 National Laboratories and the other of the Rocky Flats site, and requested firm
40 commitments from those interested in participating. Tentative dates were set,
41 July 11 for the SNL tour and August 7-9 for the Rocky Flats tour.
42
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1 **IX. Items from DDFO**

2 **A. MDA-C**

3 Mr. Worth announced that MDA-C will submit a Corrective Measures
4 Evaluation (CME) to NMED soon, articulating DOE's suggested remedy for that
5 site. He added that a presentation about that subject would be good for a future
6 NNM CAB meeting.

7 **B. Contaminant Information**

8 Mr. Worth presented information about chromium, supporting his
9 remarks with a handout from the Agency for Toxic Substances and Disease
10 Registry (ATSDR). He described a fairly significant hexavalent chromium ground
11 water plume in Sandia Canyon caused by a cooling fluid that infiltrated the
12 vadose zone. The level detected is approximately 1000 parts per billion (ppb),
13 with the federal standard being 100 ppb and the state standard being 50 ppb.
14 He stated that it is not currently affecting any drinking water wells, but that
15 there are some wells nearby. Mr. Worth stated that a presentation on this issue
16 is planned for the September NNM CAB meeting.
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19 **X. Presentation: "RCRA, the Los Alamos National Laboratory Hazardous Waste Facility
20 Permit and Consent Order," John Kieling, NMED**

21 A printed copy of the presentation notes may be obtained by request from the NNM CAB
22 office at (505) 989-1662.

23 Hazardous Waste Bureau (HWB) Chief John Kieling presented information from the New
24 Mexico Environment Department regarding its work with and around LANL. Highlights
25 included:

- 26 - Definition and permitting processes of the Resource Conservation & Recovery Act
27 (RCRA) and how they apply to LANL
- 28 - What the current permit covers, including hazardous waste storage and treatment,
29 corrective actions, remedies for noncompliance, and public participation
- 30 - Exceptions to what the permit covers (radionuclides, air emissions and water
31 discharges, testing, and weapons development not involving hazardous waste)
- 32 - The structure of the permit, including Part 1, General Permit Conditions; Part 2,
33 General Facility Conditions; Part 3, Storage in Containers; Part 4, Storage &
34 Treatment in Tanks; Part 9, Closure; Part 10, Post-Closure Care; and Part 11,
35 Corrective Action.
- 36 - How the Permit and the Consent Order integrate together
- 37 - How the NNM CAB is involved in the process, including remedy selections and
38 closure plans, public comment opportunities, and stakeholder participation.

39 Mr. Kieling directed NNM CAB members and guests to visit the NMED webpage
40 (<http://www.nmenv.state.nm.us/hwb/lanlperm.html>) and the LANL Electronic Reading Room
41 (<http://epr.lanl.gov>) for more information on the RCRA permit and other activities of the HWB
42 at LANL. Mr. Kieling explained that the HWB is working with LANL to accelerate cleanup and
43 minimize fines, as fines take money away from cleanup projects. He also explained that 33

1 recent deadline extensions were recently granted for generally minor considerations around
 2 characterization work, periodic monitoring reports, and other activities.
 3

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 5 **XI. Presentation: "State of the Laboratory," Ed Worth and Bruce Schappell**

6 Mr. Worth and Mr. Schappell presented an overview and update of
 7 environmental programs at LANL. Highlights included:

- 8 - An overview of staffing at DOE's Los Alamos Site Office, and specifically the
- 9 Environmental Projects Office; an overview of Los Alamos National Security, and
- 10 specifically its Environmental Programs staff
- 11 - EM's cleanup approach and goals
- 12 - An overview of progress to date nationwide, with an emphasis that the toughest
- 13 challenges still lie ahead, including processing liquid tank waste and
- 14 decommissioning several facilities
- 15 - The Consent Order and progress to date on cleaning up items within it
- 16 - Accelerated progress provided by American Recovery and Reinvestment Act (ARRA)
- 17 funding
- 18 - Reprioritization of waste cleanup following the Las Conchas Fire in 2011
- 19 - The Framework Agreement with NMED and its new goals and deadlines for waste
- 20 cleanup
- 21 - Plans based on likely budget amounts over the next six years
- 22 - Surface water protection efforts and environmental stewardship plans for the next
- 23 50 years

24 Questions from NNMCAB members included how decisions are made about how
 25 many years to plan for; Mr. Bishop and Mr. Worth clarified that 50 years is a
 26 manageable amount of time for general sites, but for disposal sites, plans are made for
 27 10,000 years. Mr. Worth stated that Kevin Smith will give a comprehensive overview of
 28 the 50-year plan at the July NNMCAB meeting. Recent staff reductions at LANL were
 29 also discussed; Mr. Schappell explained that while some contractors have shifted, no
 30 reduction has taken place in cleanup staffing.

31 The presenters described the transparency of the findings of monitoring well
 32 samples and general cleanup work through audits by NMED and NNSA, the Defense
 33 Nuclear Safety Board (DNSB), and the Office of the Inspector General. Although specific
 34 plans were not available, Mr. Bishop stated that DOE has a plan for future consideration
 35 of new types of classified waste, while noting that no location has been identified yet for
 36 Greater Than Class C (GTCC) waste.
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 39 **XII. Information from Environmental Protection Agency (EPA)**

40 Mr. Worth presented information from EPA on behalf of Rich Mayer.

41 **A. WIPP Update**

42 Mr. Mayer reported some updated information on WIPP, specifically:

- 43 1. Background information on permitting, specifying that federally, the
- 44 Office of Radiation and Indoor Air (ORIA) certifies the facility can contain radiation

1 adequately under the 1992 Land Withdrawal Act. ORIA's certification was last renewed
2 in 2010. The State of New Mexico last renewed its permit with WIPP also in 2010.
3 Current permitting should last until the facility closes under the current operational
4 plan; if the facility expands, another permit renewal will occur.

5 2. WIPP has accepted and emplaced 10,5000 shipments of waste
6 nationwide from DOE facilities, making up a total volume of 81,633 cubic meters as of
7 May 23, 2012.

8 3. The 1992 Land Withdrawal Act requires a Biennial Environmental
9 Compliance Report (BECR) to EPA which confirms WIPP is in compliance with applicable
10 regulations. The last BECR was submitted October 2010. The next BECR will be
11 submitted October 2012.

12 **B. Other Permits Information**

13 1. Mr. Mayer reported information from the National Pollutant Discharge
14 Elimination System (NPDES) permit reapplication Feb 2, 2012, including: 11 outfalls
15 remaining in the new application; LANL requesting deletion of the congener method for
16 PCBs analysis in outfall sampling; 4 outfall locations to be deleted; and future significant
17 reduction in flow for locations 001, 03A027, and 03A160.

18 2. Mr. Mayer reported that when the Individual Solid Waste Management
19 Unit (SWMU) stormwater permit was issued by EPA, the Federal Facility Compliance
20 Agreement pertaining to stormwater runoff became null. The permit is now the
21 regulatory mechanism for stormwater compliance from SWMUs at LANL.

22 3. Mr. Mayer reported that LANL is in discussion with EPA for potential
23 modifications to the existing individual SWMU stormwater permit. Issues include
24 potential SMU boundary changes, potential sample location moves, target analytes list
25 (TAL) exceedance notifications (verbal or via email) to EPA, and expiration date.
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28 **XIII. Public Comment Period**

29 No one signed up for the second public comment period.

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31 **XIV. Presentation: "3706 TRU Waste Campaign Update," Lee Bishop, Federal Project
32 Director, LASO**

33 A printed copy of Mr. Bishop's presentation may be obtained by request from the
34 NNMCAB office at (505) 989-1662.

35 Mr. Bishop presented on the 3706 TRU Waste Campaign to remove above-ground
36 stored waste at Area G following last year's Las Conchas Fire. Highlights included:

- 37 - Provisions and requirements of the Framework Agreement announced on January 5,
38 2012
- 39 - Specific information provided on quarterly reports to NMED, including amounts of
40 waste removed (reported in volume, drum equivalents, and radioactivity) and
41 projections for the next quarter
- 42 - Amount of waste planned to be removed over time, versus the amount of waste
43 actually removed, with emphasis on the fact that the program is currently ahead of
44 schedule

- 1 - A labeled map of Area G showing where and how waste is stored, processed, and
- 2 shipped
- 3

4 Questions centered on how it is determined what is contained in a drum or box, with
 5 Mr. Bishop explaining that a radiography system evaluates what is inside, and if it is found to
 6 contain too much radioactivity, it may need to be opened and repackaged into several other
 7 drums to meet WIPP's shipment standards. Mr. Bishop also explained that small deviations on
 8 the shipment progress graph can be explained by new box lines, processing of difficult-to-
 9 process packages, etc.

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 12 **XV. Ad-Hoc Committee Report on Letter to Sec. Huizenga**

13 Mr. Valdez reported on the ad-hoc committee's work on editing the letter from the
 14 NNMCAB to Sec. Huizenga on the NNMCAB's position on future uses of WIPP. Changes to the
 15 letter reflected more specific language on the type of waste discussed by the NNMCAB under
 16 its current workscope (radioactive wastes that are the legacy of the nuclear weapons program),
 17 and that the NNMCAB would encourage DOE to consider WIPP for higher level wastes, with the
 18 input of the communities that would be directly affected.

19 **Mr. Sayre moved to send the letter to Sec. Huizenga as amended. Mr. Tiano seconded**
 20 **the motion. The motion passed unanimously.**

21 A copy of the letter as amended and approved may be obtained by request from the
 22 NNMCAB office at (505) 989-1662.

24
 25 **XVI. Wrap-Up**

26 Mr. Phelps opened the floor to general comments.

27 Mr. Villarreal commented that all went very well.

28 Mr. Longacre stated that recommendations are very important, and requested a
 29 compilation of the recommendations of the last two or three years, with responses, to evaluate
 30 the efficacy of the NNMCAB. Mr. Worth promised to present that at the July NNMCAB
 31 meeting.

32 Ms. Majure stated that it was a good meeting and she learned a lot.

33 Ms. Shaw expressed appreciation for the good venue and staff, and also expressed
 34 appreciation to Mr. Longacre for his experience and articulate comments. Ms. Shaw also
 35 reminded the NNMCAB members to submit their nominations for Chair and Vice Chair.

36 Mr. Sayre stated that it was a good venue and good meeting, and that though it is not
 37 always easy, the process of the NNMCAB is important to getting waste off the hill.

38 Mr. Valdez thanked the NNMCAB staff and Mr. Worth, and stated that he was happy to
 39 hear about the 33 extensions to the Consent Order to ease tension. He also asked members to
 40 think about possible presentations on MDA G, H, and L, TA-63, and TA-16, so that we can build
 41 on that in the future.

42 Ms. Santistevan thanked the NNMCAB members for their time and announced that
 43 presentations would be posted to the website. She also asked the members about their
 44 preferences on having hard copies of presentation notes, and reminded members to send

1 mileage reimbursement information to Ms. Roybal and to clear their calendars for the
2 proposed trips.

3 Mr. Worth thanked the members for their time and lively discussion.

4 Mr. Garcia thanked Mr. Worth for the information on the chromium plume and
5 expressed interest in hearing more about it.

6 Ms. Lucas thanked all for their hard work and said she was happy to hear that Mr.
7 Bishop's project is ahead of schedule.

8 Mr. Viarrial thanked everyone for the warm welcome and said he looks forward to
9 learning more in the future.

10 Mr. Mascarenas stated that the meeting was interesting and informative, and that
11 differences of opinion are healthy.

12 Dr. Girardi thanked the staff for organizing the meeting and presentations, and stated
13 that discussions and questions are important to the NNM CAB's work.

14 Mr. Maestas thanked all for a great meeting.

15 Ms. Erickson offered assistance to any NNM CAB members or guests who have questions
16 or need copies of materials from the meeting, and thanked Ms. O'Donnell for her videography
17 services.

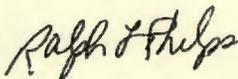
18 Mr. Tiano welcomed Mr. Viarrial from Pojoaque Pueblo and stated that he would like to
19 see representation from other pueblos as well.

20 Mr. Phelps thanked everyone for participating, asked NNM CAB members to get involved
21 with committees and start working on recommendations.
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24 **XXII. Adjournment**

25 With no further business to discuss, Mr. Worth, DDFO, adjourned the meeting at
26 7:14 p.m.

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28 **Respectfully submitted,**



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30 **Ralph Phelps, Chair, NNM CAB**

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32 ****Minutes prepared by Karen Erickson, NNM CAB Technical Writer***

33
34 **Attachments:**

- 35 1. Final 5-30-2012 NNM CAB Meeting Agenda
- 36 2. Final 3-28-2012 NNM CAB Meeting Minutes
- 37 3. Report from Ralph Phelps, NNM CAB Chair
- 38 4. Report from Menice Santistevan, NNM CAB Executive Director
- 39 5. Spring 2012 Chairs Meeting Report, Carlos Valdez, NNM CAB Vice Chair
- 40 6. "Chromium," Division of Toxicology and Environmental Medicine ToxFAQs™ Handout,
41 Agency for Toxic Substances and Disease Registry (ATSDR), September 2008

- 1 7. NNM CAB Draft Letter to David Huizenga, May 21, 2012
- 2 8. EM SSAB Letter to David Huizenga, April 25, 2012
- 3 9. Organizational Chart, Environmental Management, April 3, 2012
- 4 10. Organizational Chart, National Nuclear Security Administration, May 2012
- 5 11. Letter from New Mexico Governor Susana Martinez to DOE Secretary Steven Chu
- 6 dated September 1, 2011
- 7 12. PowerPoint Presentation, "RCRA, the Los Alamos National Laboratory Hazardous
- 8 Waste Facility Permit and Consent Order," John Kieling, NMED
- 9 13. PowerPoint Presentation, "Environmental Programs at Los Alamos National
- 10 Laboratory," Ed Worth and Michael Graham, DOE
- 11 14. PowerPoint Presentation, "3706 TRU Waste Campaign Update," Lee Bishop, DOE
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14 **Public Notice:**

15  *All NNM CAB meetings are recorded. Audiotapes have been placed on file for review at
16 the NNM CAB Office, 94 Cities of Gold Road, Santa Fe, New Mexico, 87506.

17  *Reference documents listed in the Appendix section of these minutes may be requested
18 for review at the NNM CAB office in Pojoaque by calling (505) 989-1662.

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REPORT FROM THE CHAIR

NORTHERN NEW MEXICO CITIZENS ADVISORY BOARD

JULY 25, 2012 BOARD MEETING

LOS ALAMOS, NEW MEXICO

1. Routine Chair Activities since last NNM CAB meeting on 5-30-12:

A. Executive Committee meeting on 6-13-2012:

1. The Chair and Vice Chair reported on the SSAB Chairs call on 6-6-12 (see below).
2. The agenda for the July 25, 2012 CAB meeting was discussed.
3. The Regional Coalition of LANL Communities was discussed. The Excom is recommending that CAB take only a passive role for now.
4. Sandia ER issues were tabled until after the tour on 7-11-2012 (see below).
5. Committees were directed to provide final drafts of their 2013 Work Plans so they can be ready for CAB approval at the September meeting..
6. Excom directed preparation of a recommendation to DOE on the potential for involvement of CAB with expanded use of WIPP for storing radiological materials. This would be up for approval at the July 25, 2012 meeting.
7. Discussed the upcoming tours of Sandia and Rocky Flats.

B. Executive Committee meeting on 7-9-2012

This was an ad-hoc meeting of just the Chair and Vice Chair with the DDFO and the Executive Director to finalize numerous administrative items.

1. Concurred with the need for a CAB meeting in August to support NMED and LANL.
2. Discussed slides for the presentation to the Radiation and Hazardous Waste Committee on 7-19-12.
3. Discussed the two tour arrangements and changes to the final agenda for the 7-25-2012 CAB meeting.
4. Discussed the WIPP draft recommendation.
5. Discussed and approved a request from DOE/HQ for the Chair to be on a panel at the 2013 Waste Management Conference.

C. The Chair and Vice Chair Supported a Combined Waste Management and EMSR Committee meeting on 6-13-2012. The minutes and reports from this meeting are reported separately. In brief:

1. The meeting focused on the 2013 Workplans and areas that the committees want to become more involved in for the upcoming year. The items covered in the Excom held earlier that day were also reviewed and discussed.

D. The tour of Sandia Labs ER sites was conducted on 7-11-2012 and served in lieu of committee meetings for July. The CAB had a good turnout and the Sandia personnel did an outstanding job of discussing the processes they have been through for Corrective Measures Evaluations, NMED remedy decisions and public hearings. They are many years ahead of LANL in the closure process, and have already experienced several site closures and land transfers to the long term stewardship programs. We saw engineered cap remedies, including monitoring groundwater requirements and also areas that were excavated and returned to industrial use standards. There are many similarities with the approaches ongoing at LANL, but Sandia has much simpler groundwater geology. The sites' proximity to ongoing R&D industry on the lands leased to Sandia from DOD make the long term monitoring requirements especially important. This tour is also very timely for our trip to Rocky Flats where long term programs are also in effect.

2. SSAB Related Chair Activities since last NNM CAB meeting on 5-30-12

- A. The Chair and Vice Chair participated in the Chairs call on 6-6-2012. DOE/HQ personnel provided briefings on recent budget information and ER work around the complex. The Chairs reported on items of interest ongoing at their sites.
- B. After discussion and approval at the 5-30-2012 CAB meeting, CAB sent a response letter to Deputy Assistant Secretary Dave Huizenga clarifying our position on expanded use of WIPP for radiological waste storage. This letter primarily reiterated our position for DOE to continue to develop the evaluations in support of higher level waste disposal, including the WIPP site, and CAB would continue to review them. Copies of this letter were requested by all other SSABs. The draft recommendation for the 7-25-2012 CAB meeting takes this a step further.

3. Other Related Chair Activities

- a. The Chair will provide a summary of the meeting with the NM State Radioactive and Hazardous Materials Committee at the CAB meeting on 7-25-2012.

Submitted by:

Ralph Phelps

Chair, NNM CAB

7-13-2012

Northern New Mexico Citizens' Advisory Board
Executive Director's Report
July 25th, 2012

Board Membership: The NNM CAB is currently comprised of 20 members. The next nomination packet is due to HQ in December. Recruitment of new members is currently under way and will continue through the fall.

Executive Committee Meetings: The Committee met on June 13, 2012. The committee members heard reports from the Chair and Vice-Chair, Committee Chairs, and Executive Director. The committee discussed the future use of WIPP and the role of the NNM CAB in this discussion. The committee also discussed follow-up to the public comment on the fuel spill at Sandia; the Regional Coalition of LANL Communities and future recommendations based on updates on the CME's. A request was made for a future presentation on the Buckman Diversion Project and a possible tour.

Board Meeting Preparations: I prepared the final agenda for this meeting and placed a notice in *The Federal Register*, in compliance with the Federal Advisory Committee Act. I made all arrangements at the Hilltop House, including meeting room set-up and catering. An advertisement was placed in the *Los Alamos Monitor*. All meeting materials were copied and collated by Grace Roybal and approximately 45 meeting packets were mailed out on July 18th to NNM CAB Members, Pueblo Governors, the Congressional Delegation and DOE and LANL personnel.

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. Portions of the May 30th NNM CAB meeting has been telecast several times on public access channels in Santa Fe, Albuquerque Los Alamos and Taos. It is also on YouTube.

Office Management: Grace Roybal and I have been assisting with projected costs for new NNM CAB office expenses and NNM CAB travel in 2013. The staff supported all meetings with preparation of notices, agendas and minutes. The NNM CAB staff also hosted three off-site meetings of DOE and or LANS. The NNM CAB office also houses the LANL Public Reading Room.

Important Upcoming Dates:

August 7th – 9th Tour of Rocky Flats

August 29th – Special NNM CAB Meeting (Election of Officers), Cities of Gold Conference Center

Sept. 12th – Committee Meetings, NNM CAB Office

**Sept. 26 – Bi-monthly meeting
Sagebrush Inn and Conference Center
Taos, New Mexico**

Respectfully submitted,



Menice B. Santistevan
Executive Director

Northern New Mexico Citizens' Advisory Board

- Topic/Accomplishment/Activity:
“3706 TRU Waste Campaign”— 3706 cubic meters of Transuranic waste to be shipped from LANL to WIPP by Dec. 2014.
 - Three NNM CAB Recommendations preceded this emphasis by the State and DOE.
 - NNM CAB hosted DOE/NMED meeting Sept. 26th, to report on FY’ 13 priorities.

DRAFT

RECOMMENDATION 2012-02

Provided by the NNM CAB to DOE HQ
June 14, 2012

Expand the Mission of the NNM CAB to Include Advice and Recommendations on the Evaluation and Use of WIPP as it pertains to the Disposal of Higher Level Legacy Wastes from LANL and Around the Complex

BACKGROUND

The Northern New Mexico Citizens Advisory Board (NNM CAB) as part of the EM-SSAB recently clarified and affirmed our position regarding the expanded use of WIPP for disposal of non-TRU waste under DOE responsibility including greater than Class C wastes (Reference 1).

Although the NNM CAB mission is focused on the remediation of legacy wastes from LANL, our membership has become increasingly interested in the evolving evaluations surrounding the selection of a site for disposing of the radioactive wastes that are a part of the legacy cleanup requirements at many of the DOE facilities. Our NNM CAB members are very aware that increasing attention is being given to WIPP as the solution to these DOE disposal needs.

The deep salt deposits at WIPP and its demonstration of successful operation may be attractive to DOE as a solution to EM's radioactive waste disposal requirements, since most if not all of the higher level legacy wastes from the complex are not required to be retrievable.

It is widely recognized that the evaluation of a deep geologic repository for higher level wastes requires community involvement. In the consideration of WIPP, this includes involvement at the New Mexico State level, and based on the potential for using WIPP as the vehicle for completion of the higher level waste cleanup at LANL and other sites around the complex, the members of the NNM CAB consider that there may be an expanded role for NNM CAB in this process.

In accordance with the EM SSAB Charter, "The Board may also be asked to provide advice and recommendations on any other EM project or issue."

RECOMMENDATION

DOE HQ should consider giving the NNM CAB an expanded mission in the evaluation of the potential use of WIPP for disposal of legacy higher level wastes from around the DOE complex. This scope could include:

- 1.) Evaluation of appropriate technical aspects (such as transportation, packaging and waste stream analysis); and
- 2.) Cooperative interfaces with organizations statewide in NM to facilitate community involvement.

INTENT

The NNM CAB has a strong interest in the continued use of WIPP for disposal of radioactive wastes that are the legacy of the nuclear weapons program, in particular regarding completion of the cleanup work at LANL. The NNM CAB members consider that they can make a contribution to both the technical aspects and the necessary community involvement as WIPP continues to be evaluated for this expanded role.