

General



**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  
Fax: 505.989.1752 [www.nnmcab.energy.org](http://www.nnmcab.energy.org)



August 22, 2012

Dear Board and Liaison Members,

Enclosed is the information you will need for the August 29<sup>th</sup>, 2012 special meeting of the Northern New Mexico Citizens' Advisory Board. The meeting will be held at the Cities of Gold Conference Center in Pojoaque. **Please bring your packet with you to the meeting.**

You will be electing a new Chair and Vice-Chair for the new fiscal year, beginning Oct. 1<sup>st</sup>. You will also be hearing presentations by Ms. Terry Tyborowski, Deputy Assistant Secretary for Program Planning and Budget and by Mr. Kevin Smith, Los Alamos Site Office Manager.

If you require an excused absence, you must request this in writing 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 August 29<sup>th</sup>!

Kindest Regards,

Menice B. Santistevan  
Executive Director

35456



# Northern New Mexico Citizens' Advisory Board Meeting

August 29th 2012

1:00 p.m. to 5:00 p.m.  
Cities of Gold Conference Center  
10-A 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	Ed Worth, DDFO
	Establishment of a Quorum (11 needed)	
	a. Roll Call	Staff
	b. Excused Absences	
	Welcome and Introductions	Ralph Phelps, Chair
	Approval of Agenda	
	Approval of Minutes of July 25th, 2012	
1:15 p.m.	<b>Public Comment Period</b>	
1:30 p.m.	Old Business	
	a. Chair's Report	Ralph Phelps
	b. Report on Rocky Flats Tour	
	c. Consideration and Action on "Top Issues" for Chairs' Meeting (Tabled from 7/25/12)	
	d. Other items	
1:45 p.m.	New Business	
	a. Report from Nominating Committee (Section V, F. of NNM CAB Bylaws)	Nicole C.
	b. <b>Election of Chair and Vice Chair for FY '13</b>	
	c. Other items	
2:00 p.m.	Items from DDFO	Ed Worth
	a. Update from DOE	
	b. Other items	
2:15 p.m.	Presentation on FY'13 EM Budget	Terry Tyborowski, DOE/HQ (Via teleconference)
2:45 p.m.	<b>BREAK</b>	
3:00 p.m.	Update from Los Alamos Site Manager	Kevin Smith
4:00 p.m.	Presentation on Intellus	Karen Schultz-Paige
	➤ What and Why?	
	➤ Data base guided tour	
	➤ Data input and validation and verification process	
4:45p.m.	Wrap-up and Comments from Board Members	Ralph Phelps
5:00 p.m.	Adjourn	Ed Worth, DDFO



Northern New Mexico Citizens' Advisory Board Meeting  
July 25, 2012  
1:00 p.m. to 7:00 p.m.  
Meeting Location: Best Western Hilltop House, Taos Room  
Los Alamos, New Mexico

MINUTES

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**Meeting Attendees:**

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**Department of Energy:**

- Ed Worth, Deputy Designated Federal Officer (DDFO)**
  - Christina Houston, DOE Environmental Projects Office**
  - Lee Bishop Federal Project Director, Los Alamos Site Office EPO**
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**NNMCAB Members:**

- 1. Ralph Phelps, NNMCAB Chair**
  - 2. Carlos Valdez, NNMCAB Vice Chair**
  - 3. Doug Sayre, Environmental Monitoring & Remediation (EM&R) Committee Chair**
  - 4. Manuel Pacheco, Waste Management Committee Chair**
  - 5. Brenda Gallegos**
  - 6. Mike Loya**
  - 7. Lawrence Garcia**
  - 8. Joey Tiano**
  - 9. Nona Girardi**
  - 10. Allison Majure**
  - 11. Robert Villarreal**
  - 12. Nicole Castellano**
- 

**Excused Absences:**

- 1. Joseph Viarrial**
  - 2. Bonnie Lucas**
  - 3. Adam Duran**
  - 4. Lawrence Longacre**
  - 5. Deb Shaw**
  - 6. Art Mascarenas**
  - 7. Kyle Harwood**
  - 8. Nick Maestas**
- 

**NNMCAB Support Staff:**

- Menice Santistevan, Executive Director**

1 **Grace Roybal, Senior Cost Analyst**  
2 **Carolyn Bateman, Senior Cost Estimator**  
3 **Edward Roybal, Sound Technician**

4  
5 **Guests:**

6 **Jack Jones, Navajo Code Talker**  
7 **Arin McKenna, Los Alamos Monitor**  
8 **Andrew Green, Los Alamos National Security**  
9 **Colleen Curran, Los Alamos National Security**  
10 **Lisa Aldrich, Portage**  
11 **Jennifer Catechis, U.S. Congressman Ben Ray Lujan's Office**  
12 **Michele Jacquez-Ortiz, U.S. Senator Tom Udall's Office**  
13 **Rebecca Montoya, U.S. Senator Jeff Bingaman's Office**  
14 **John Kieling, New Mexico Environment Department**  
15 **Michael Graham, Los Alamos National Security**  
16 **Sharon Stover, Chair of the Los Alamos County Council**  
17 **Candyce O'Donnell, Videographer**  
18 **Carmen Valdez, Public**

19  
20

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 July 25, 2012 at The Best Western Hilltop House in Los Alamos,  
5 New Mexico. Mr. Ed Worth, Deputy Designated Federal Officer (DDFO), stated that on behalf  
6 of the Department of Energy (DOE), the regular bi-monthly meeting of the NNMCAB was called  
7 to order at 1:15 p.m.

8 Mr. Worth 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 Mr. Ralph Phelps introduced Mr. Mike Loya who in turn introduced Navajo Code Talker  
13 Jack Jones as a special guest. Mr. Loya's organization is launching a green building  
14 apprenticeship program to be named after Jack Jones. The organization will be training five  
15 Navajo and San Ildefonso people on how to "Go Green". The first project is lined up and a food  
16 kitchen has been setup.

17 Mr. Phelps thanked Mr. Loya for his participation in this meaningful project, and Mr.  
18 Jones for his service to our nation.

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19  
20 **II. Establishment of a Quorum (11 needed)**

21 **A. Roll Call**

22 Ms. Bateman conducted roll call as the members arrived. Twelve members were  
23 present at the meeting at the time of roll call, which comprised a quorum for conducting  
24 business.

25 **B. Excused Absences**

26 Ms. Bateman recorded that Joseph Viarrial, Bonnie Lucas, Adam Duran, Lawrence  
27 Longacre, Deborah Shaw, Art Mascarenas, Kyle Harwood and Nick Maestas had excused  
28 absences for this meeting.

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29  
30 **III. Welcome and Introductions**

31 Mr. Phelps welcomed everyone to the meeting. He asked for introductions from the  
32 members and guests in attendance.

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33  
34 **IV. Approval of Agenda**

35 The board reviewed the July 25, 2012 NNMCAB meeting agenda. The board would hear  
36 one presentation on the update of CME's.

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

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39  
40 **V. Approval of Minutes of May 30, 2012**

41 The board reviewed the minutes from the May 30, 2012 NNMCAB meeting. By ongoing  
42 instructions from DOE Headquarters, the minutes were previously reviewed and certified by the  
43 NNMCAB Chair, Mr. Ralph Phelps. Mr. Phelps stated that the May 30 minutes were included in  
44 the board packets and presented at this meeting for board approval.

1           **Mr. Carlos Valdez recommended a change on Page 8, Line 42, noting that Mr. Mayer**  
2 **was not present. Clarification should be given to this language. Mr. Valdez also noted that**  
3 **Page 9, Line 5 states "WIPP has accepted and emplaced 10,5000 shipments of waste"; the**  
4 **10,5000 should be corrected to 10,500. Mr. Valdez made a motion to accept the May 30,**  
5 **2012 Meeting Minutes with the above changes. Mr. Pacheco seconded the motion. The**  
6 **minutes were unanimously approved, as amended.**

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7  
8 **VI. Public Comment Period**

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

11           Mr. Jack Jones further addressed the Board.

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12  
13 **VII. Old Business**

14 **A. Written Reports**

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

16           A printed copy of the Chair's Report was included in the meeting packet  
17 and a copy may be obtained by request from the NNMCAB office at (505) 989-  
18 1662. The Chair's report includes the following highlights:

19           a. Routine Chair Activities since last NNMCAB meeting on May 30, 2012  
20 included the following:

21                   1. Executive Committee met on 6-13-2012 and reported on the SSAB  
22 Chairs call on 6-6-2012; the agenda for the 07-25-2012 CAB Meeting; The  
23 Regional Coalition of LANL Communities and the recommendation that  
24 the CAB take a passive role with this organization; decided to table  
25 Sandia ER issues until after the tour on 7-11-2012; directed Committees  
26 to provide final drafts of their 2013 Work Plans; drafted a  
27 recommendation to DOE on the potential for involvement of the CAB  
28 with WIPP; and discussed the upcoming tours of Sandia and Rocky Flats.

29                   2. Executive Committee held an ad-hoc meeting on 7-9-2012 to  
30 discuss and finalize numerous administrative items. These included  
31 concurrence for the CAB to support NMED and LANL during a special CAB  
32 meeting to be held on August 29, 2012; slides for the presentation to the  
33 Radiation and Hazardous Waste Committee on 7-19-2012; upcoming tour  
34 arrangements; final adjustments to the 7-25-2012 CAB meeting agenda;  
35 WIPP involvement draft recommendation; and approved a request from  
36 DOE/HQ for the Chair to participate on a panel during the 2013 Waste  
37 Management Conference.

38                   3. Supported Combined Waste Management (WM) and  
39 Environmental Monitoring and Remediation (EM&R) Committee  
40 meetings on 4-25-2012, which included presentations by Ed Worth on  
41 the budget for 2014 and a water sampling tour, and 5-16-2012, which  
42 included a presentation by Lee Bishop on the "3706 TRU Waste  
43 Program."

44           b. Site-Specific Advisory Board (SSAB) Related Chair Activities since last

1 NNM CAB meeting on 5-30-2012 included the Chair and Vice Chair  
2 participation in the Chairs call on 6-6-2012. Also, DOE/HQ personnel  
3 provided briefings on recent budget information and ER work around the  
4 complex. The Chairs reported on items of interest ongoing at their sites.  
5 SSAB activity also included discussion and approval of the response letter to  
6 Deputy Assistant Secretary Dave Huizenga clarifying the NNM CAB's  
7 position on expanded use of WIPP for radiological waste storage. This letter  
8 primarily reiterated the CAB's position for DOE to continue to develop the  
9 evaluations in support of higher level waste disposal, including the WIPP site.  
10 Copies of this letter were requested by all other SSABs. The draft  
11 recommendation to be presented at the 7-25-2012 CAB meeting takes this a  
12 step further.

13 c. Other Related Chair Activities included the Chair providing a summary of  
14 the meeting with the NM State Radioactive and Hazardous Materials Committee  
15 at the CAB meeting on 7-25-2012.  
16

17 **2. NNM CAB Support Staff Executive Director's Report**

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

21 a. Board Membership Update

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

25 b. Executive Committee Meetings

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

34 c. Board Meeting Preparations

35 Ms. Santistevan prepared and submitted the agenda for the 7-25-  
36 2012 meeting and submitted notice to **The Federal Register**, in  
37 compliance with **The Federal Advisory Committee Act**, as well as **The Los**  
38 **Alamos Monitor**. NNM CAB staff made all arrangements for the meeting.

39 d. Outreach

40 Recruitment efforts continue and are especially concentrated on  
41 recruiting members from the surrounding pueblos and young people  
42 from our local colleges and universities. Portions of the 5-30-2012  
43 NNM CAB meeting have been telecast several times on YouTube and  
44 public access channels in Santa Fe, Albuquerque, Los Alamos and Taos.

1 e. Office Management

2 The NNM CAB staff has been assisting with projected costs for new  
 3 NNM CAB office expenses and NNM CAB travel in 2013. The staff  
 4 supported all meetings with preparation of notices, agendas and  
 5 minutes. The NNM CAB staff also hosted three off-site meetings of DOE  
 6 and or LANS and houses the LANL Public Reading Room.

7 f. Important Upcoming Dates

8 August 7th – 9th Tour of Rocky Flats; August 29th – Special  
 9 NNM CAB Meeting (Election of Officers), Cities of Gold Conference Center;  
 10 Sept. 12th – Committee Meetings, NNM CAB Office; Sept. 26 – Bi-monthly  
 11 meeting, Sagebrush Inn and Conference Center, Taos, New Mexico.

12 **B. Final Details for Rocky Flats Tour**

13 1. August 7-9, 2012; on 8-7-2012, the bus will leave from the Santa Fe  
 14 Place Mall at 9:00 a.m. and arrive in Westminster, Colorado at about  
 15 5:00 p.m. At 8:00 a.m. the following day, the group will arrive at the  
 16 Legacy Management Office for a safety briefing. Tours throughout  
 17 the day will be by bus and walking. Return to Santa Fe Mall on August  
 18 9<sup>th</sup>. There are 11 board members going on the tour, with a total of 16  
 19 attendees. Menice will send out the itinerary next week.

20 **C. Other Items**

21 1. None

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22  
 23 **VIII. New Business**

24 **A. Report from Nominating Committee (Section V, F. of NNM CAB Bylaws)**

25 Ms. Nicole Castellano gave an update of the current nominations for  
 26 chair and vice chair positions. Nominations will be accepted until 8-29-2012.  
 27 Nominee’s responses to accept or decline should be made to Ms. Deb Shaw or  
 28 Ms. Nicole Castellano.

29  
 30 **CHAIR**

31 Carlos Valdez  
 32 Mike Loya  
 33 Nicole Castellano  
 34 Manuel Pacheco

35  
 36 **VICE CHAIR**

37 Allison Majure  
 38 Manuel Pacheco  
 39 Deb Shaw (declined)  
 40 Mike Loya  
 41 Joe Tiano (declined)  
 42 Robert Villarreal (declined)  
 43 Doug Sayre  
 44

1 Mr. Mike Loya will decide which nomination he will accept, if any. Voting  
2 will occur by ballot only on 8-29-2012. No absentee ballots will be accepted.  
3 The elected officials will take office on 10-1-2012.

4 Mr. Robert Villarreal asked if it is necessary or beneficial to have a Q-  
5 Clearance to Chair the Board. Mr. Phelps stated that a clearance was not  
6 required. Mr. Phelps stated that the new positions must be elected by a simple  
7 majority. Those that do decide to run for office were asked to submit a  
8 Candidate's Statement with their backgrounds and what they would like to see  
9 accomplished while serving as Chair and Vice Chair of the board.

10  
11 **B. Consideration and Action on NNMCAB Top Issue and Accomplishment for Fall**  
12 **Chair's Meeting**

13 Mr. Phelps proposed a presentation on the update of a TRU Waste  
14 Campaign with more specifics about what is being proposed within the next year  
15 and a half.

16 Mr. Mike Loya asked if there has been any contamination due to TRU  
17 waste and suggested implementing an update to the Chromium (Cr) Plume. Mr.  
18 Loya asked what EM is doing to keep that in check.

19 Mr. Ed Worth stated a report would be coming out in September 2012  
20 discussing the plans to address Cr and prepare a recommendation.

21 Ms. Menice Santistevan clarified that this was a topic to discuss for  
22 submittal as an accomplishment at the Spring Chair's meeting.

23 Mr. Mike Loya continued with additional concerns regarding ground  
24 water issues and Mr. Carlos Valdez asked if there will be an update on the 3,706  
25 TRU Campaign as part of this update and Top Issue slide.

26 Mr. Ed Worth said Mr. Lee Bishop would be presenting an update of the  
27 3,706 TRU Campaign at the August 2012 NNMCAB Special Board meeting.

28 Mr. Phelps stated that regarding the three CAB Recommendations  
29 referred to, copies of the presentation/notes from the people presenting should  
30 be included.

31 The NNMCAB Top Issue and Accomplishment for Fall Chair's Meeting also  
32 outlined the fact that the NNMCAB will be hosting a meeting on September 26<sup>th</sup>,  
33 2012 for DOE/NMED to present and discuss the FY13 priorities for LANL.

34 Ms. Nona Girardi asked if there was any advantage to talking about Cr  
35 plume during that meeting. She stated that it was great that the Lab is  
36 addressing 3,706, but it seems that there are other issues which need to be  
37 brought to the forefront which may be more useful.

38 Mr. Phelps stated that this slide can only have one written Topic/Activity/  
39 Accomplishment associated with it, but the CAB can speak on more than one  
40 issue.

41 Mr. Lawrence Garcia stated that he hopes that funding issues are  
42 addressed, since they seem to be the main driver towards the success of the  
43 cleanup efforts.

1 Mr. Phelps stated that the next chairperson will be the one responsible to  
2 present this information at the Chair's Meeting. Again, there will be an  
3 opportunity to speak about more than one item. Mr. Phelps suggested a change  
4 on the slide (green sheet). Mr. Carlos Valdez agreed that the 3,706 Campaign is  
5 up and running and the CAB should keep the audience in perspective. Budget  
6 issues are being faced which is already understood. Mr. Valdez suggested  
7 highlighting something unique to the site here in NM. Mr. Ed Worth stated that  
8 recommendations written from the CAB on the 3,706 TRU Waste campaign were  
9 valuable.

10 Mr. Robert Villarreal asked about recent rainfall and storm water impact  
11 on the Cr Plume? Do the Governors of the Pueblos know that the wash down  
12 could potentially be hazardous or radioactive?

13 Mr. Ed Worth reminded the Board that effective storm water control  
14 structures were in place. Samples are taken almost real time and all information  
15 is public. Data is recorded regarding what was coming downhill from storm  
16 water runoff almost instantaneously.

17 Mr. Lawrence Garcia expressed concern regarding the renegotiation of  
18 the Consent Order, stating that NMED representatives have stated they only  
19 need to keep a carrot in front of DOE with regards to re-negotiations. Mr. Garcia  
20 felt there was no interest or intent in changing the deadline.

21 Ms. Nicole Castellano made a motion to revisit and revise third bullet on  
22 the NNMCAB Top Issue and Accomplishment for Fall Chair's Meeting slide to  
23 address additional items for the agenda which are more recent or in front of the  
24 public, such as the Cr Plume, Rio Grande, etc.

25 Mr. Phelps confirmed that the board was in favor about talking about  
26 3,706 as accomplishment.

27 Ms. Nona Girardi inquired about specifics of the Chairs meeting, and  
28 what its function is? Mr. Ralph Phelps explained that each year the eight chairs  
29 and vice-chairs from each of the CAB's get together to identify and discuss  
30 common issues. The Chair's meeting is held to discuss priorities with higher level  
31 DOE representatives such as David Huizenga and Frank Marcinowski.

32 Mr. Lawrence Garcia agreed that 3706 and monitoring the Cr plum are  
33 indeed drivers, and asked if there were any other focused efforts on the radar  
34 for DOE.

35 Mr. Ed Worth stated that ground water monitoring, Cr Plume and the  
36 best way to address these were high visibility items. He also stated that a CME  
37 was due for MDA-C.

38 Mr. Garcia restated that NMED and LANL have put together priorities, but  
39 asked if there are more. Mr. Ed Worth replied stating there will be a layout of  
40 priorities for the CAB's review during the September 26th, 2012 meeting.

41 Mr. Robert Villarreal mentioned knowledge of historic papers which talk  
42 about the clean-up of Area G and an apparent escape clause which states that  
43 only those parts which can be "reached" would be cleaned. He stated that he  
44 feels there is underground waste which will not be addressed.

1 Mr. Ed Worth responded that the documents may be referring to the  
 2 waste as retrievable when it was originally placed. The State will make a ruling  
 3 on the Corrective Measures which will in turn produce a Statement of Basis. The  
 4 Statement of Basis is expected to be issued in September, 2012. All possibilities  
 5 for the disposition of this waste are considered including leaving it in place and  
 6 removal. We do not know what the State's recommendation will be at this time.

7 Mr. Ralph Phelps closed this discussion stating that Mr. Ed Worth has a  
 8 presentation concerning this topic later in the meeting. It was agreed that the  
 9 NNM CAB Top Issue and Accomplishment for Fall Chair's Meeting slide will be  
 10 revised and considered at the August 29<sup>th</sup> meeting.

11  
 12 **C. Report on Presentation to Radioactive and Hazardous Materials Committee**

13 Mr. Phelps and Mr. Doug Sayre reported that their presentation focused  
 14 on what the mission of the board was. They explained that the Board prepares  
 15 recommendations in such areas as well installation sites, rail transport for waste  
 16 removal, and budget. They received good feedback with no negative comments.  
 17 Ms. Menice Santistevan will distribute meeting minutes of this meeting to the  
 18 CAB members once they are available.

19  
 20 **D. Other Items**

21 None

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22  
 23 **IX. Items from DDFO**

24 **A. Update on CME's**

25 Mr. Ed Worth commented about the 3,706 campaign, stating the DOE  
 26 still has a couple of years of performance ahead and will have to stay focused on  
 27 priorities while also managing shifting budgets. The Campaign won't be  
 28 completed until 2014; then below ground retrievals will begin. Mr. Robert  
 29 Villarreal asked how much money is spent on ground water monitoring and Mr.  
 30 Worth stated the DOE spends approximately \$21Million a year just on  
 31 monitoring.

32 Mr. Worth stated that the August 29<sup>th</sup> CAB meeting to elect officers was  
 33 also a good opportunity for the Los Alamos Site Manager, Mr. Kevin Smith, to  
 34 give the CAB a briefing. Ms. Terry Tyborowski, DOE Deputy Asst. Secretary for  
 35 Budget will also give a remote briefing via teleconference. Senate and House  
 36 marks suggest a strong possibility that a Continuing Resolution will be in place  
 37 for the first part of FY '13. What could happen with that is a sequestration will  
 38 drop all budgets across the nation by 10%. Mr. Worth anticipates the site will be  
 39 awarded the lower of the House or Senate mark. There is about a \$70M  
 40 financial swing to try to plan for which makes planning a strategy very difficult.

41 Mr. John Kieling, NMED confirmed that the scheduled Corrective  
 42 Measures for MDA A, L and G have been submitted and are under review. They  
 43 are complex documents with all sorts of alternatives. The Statement of Basis is

1 due in the fall. Mr. Kieling stated that DOE EPO will present priorities to NMED  
 2 such as the Sandia Canyon (Cr briefing).

3 Mr. Ed Worth suggested topics for future CAB meetings which included  
 4 presentations regarding radiation or monitoring well information.

5 Mr. Robert Villarreal asked if WIPP will be getting all the funding it needs  
 6 to stay open and Mr. Worth answered that WIPP is losing some staff but are  
 7 committed to supporting the entire 3,706 campaign.

8 Mr. Carlos Valdez suggested the topic of Intellus, the database formerly  
 9 known as RACER. Mr. Worth explained that Intellus was a Cloud based system  
 10 where there is no downtime in data transfer and availability to the public. It is a  
 11 real time database (no more one week lag from sample time). The suggestion  
 12 was made to conduct a presentation on how to use the Intellus web-site. This  
 13 presentation is scheduled during the Aug. 29<sup>th</sup> NNMCAB meeting.

14 Mr. Ralph Phelps stated that earlier this month, CAB members toured  
 15 Sandia; it was a great tour and well done. The value of this site is that most of  
 16 the work is already completed and the CAB could see the sites that have been  
 17 capped. There is also a library of established public hearing history. Mr. Phelps  
 18 complimented the CAB staff on the tour arrangements and urged board  
 19 members to take advantage of the tours.

20  
 21 **B. Other Items**

22 No other items were discussed. The members took a 15 minute recess.

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23  
 24 **X. Update from Liaison Members**

25 Mr. Ralph Phelps introduced Michael Graham (LANS) who provided an update on  
 26 Environmental Program work. Mr. Graham will be leaving Los Alamos for an alternate  
 27 assignment at the end of August, 2012 to manage Bechtel Govt. and Commercial  
 28 Environmental work. Unfortunately, Mr. Graham missed the 1000<sup>th</sup> shipment due to a  
 29 knee injury, but followed it closely. He thanked all that supported the celebration.  
 30 LANL was the first site to make a shipment to WIPP and will become the largest shipper.  
 31 As of July 25<sup>th</sup>, 165 shipments have left LANL and LANS expects the shipments will be  
 32 well above 200 shipments for the year. LANS has focused on removing Material at Risk  
 33 (MAR) which are the higher risk drums. The LANS team is focused and committed and  
 34 with the support of the Governor of NM, LANS has made the site much safer. Mr.  
 35 Graham also reported that the site had operated for 203 days without injuries.

36 Mr. Graham spoke about plans for the next deal with state of NM. LANS plans to  
 37 address the remaining above and below ground waste with the submittal of a plan due  
 38 in December, 2012. There has been an on-going open process in annual work planning.  
 39 The FY' 13 Work Plan will be rolled out in September, 2012. House (\$215M) and Senate  
 40 (\$235M) marks have been issued and LANS does not know what the rules are regarding  
 41 a Continuing Resolution. There is a possibility of level funding from the Federal  
 42 government at \$180M. Mr. Graham is anticipating a Continuing Resolution at the  
 43 Senate mark.

1 Mr. Graham reported that while Los Alamos is in the monsoon season, LANS is  
2 staying on top of monitoring systems. The Buckman monitoring system continues to  
3 work very well. Priorities for FY13 include the 3,706 TRU Campaign, working double  
4 shifts at all facilities to meet FY13 commitment of 1800 cubic meters of TRU waste  
5 removed. He thanked all personally for support during his tenure in Los Alamos and  
6 stated he has enjoyed the working relationships with John Kieling and the NMED team.  
7 Mr. Graham then asked the Board if there were any questions.

8 Mr. Robert Villarreal jokingly stated that there was a clause in Mr. Graham's  
9 contract that the CAB had to vote on whether or not he could leave. A round of  
10 laughter ensued.

11 Mr. Carlos Valdez offered Mr. Graham congratulations on his new assignment  
12 and stated that not only is LANS ahead of schedule, but they are addressing the most  
13 dangerous material first.

14 Mr. Lawrence Garcia also offered his congratulations and asked about reports of  
15 shipments with minimal amount of PeCi's in each drum or mixing lesser wastes to fill  
16 pods capacity. He stated that he understands LANS was shipping empty drums to meet  
17 these criteria. Mr. Garcia asked if there was a way to mix sites to add lighter  
18 contaminated material so we don't ship empty drums.

19 Mr. Graham responded saying LANS has shipped several high activity drums and  
20 he is in agreement with WIPP's plan to bring a crew from SRS at no cost to assist in  
21 efficiencies. He stressed that low volume shipments usually represent higher MAR  
22 shipments.

23 Mr. Ralph Phelps presented Mr. Graham with a Certificate of Appreciation from  
24 the NNMCAB.

25 Mr. Ed Worth added that Mr. Graham has been instrumental in obtaining the  
26 support of subject matter experts to speak at the CAB and support DOE. He also said  
27 Mr. Graham was a prime example of leadership from the top down; much appreciated.

28 Mr. Ralph Phelps recognized Carlos Valdez mother, Carmen, and introduced  
29 representatives from the offices of U.S. Congressman Ben Ray Lujan and U.S. Senators  
30 Tom Udall and Jeff Bingaman. He then passed the floor to Mr. John Kieling (NMED) who  
31 offered more information regarding the NMED and its interactions with LANL.

32 Mr. John Kieling stated that the NMED has received the CME's for MDA's G, H  
33 and L. The agency is reviewing the submittal and drafting required documents. Mr.  
34 Kieling expanded on prioritizations, stating that he had met with Pete Maggiore and  
35 Bruce Schappell and they are pretty clear on priorities. He stated that all are focused on  
36 ground water. The NMED has issued 8 extensions this year; very similar amounts were  
37 issued in the last few years. Mr. Kieling stated that Mr. Jim Davis (NMED) was very  
38 encouraged with progress made at Los Alamos, and they were looking forward to seeing  
39 the plan addressing the remaining above and below ground waste.

40 Mr. Robert Villarreal asked if NMED has any plans to help the Pueblos with  
41 runoff from the storms. Mr. Kieling replied that his jurisdiction is within the boundaries  
42 of the Lab properties, but he could have someone from NMED come to the CAB and  
43 make a presentation. Mr. Kieling added that there is also the NMED Oversight Bureau,  
44 which does some monitoring.

1 Mr. Lawrence Garcia asked if any of the 8 extensions submitted to NMED within  
 2 the past year had been denied. Mr. Kieling stated one was effectively denied, but  
 3 reworked and ultimately approved. Mr. Graham stated that since LANS had pushed  
 4 work out in FY12, there were extensions related to the FY13-14 work affected by FY12  
 5 changes. Mr. Kieling added that there was a list of extensions available through mid-  
 6 April available on the NMED website with details.

7 Ms. Nicole Castellano inquired about the Cr Plume and how this issue impacts  
 8 other priorities. Mr. Kieling answered saying the Lab and DOE are discussing the topic  
 9 and pulling experts from across the nation to address it. Preliminarily, the planned  
 10 action is the use of an Interim Measure which will require very little public input.

11 Mr. Ed Worth presented a report for Mr. Rich Mayer from EPA, Region 6. EPA is  
 12 experiencing tight travel budgets, which precludes Mr. Mayer from attending the  
 13 NNMCAB meetings. Mr. Mayer sent Mr. Worth an update to present to the CAB. EPA  
 14 provided the analytical funding for approximately 90 groundwater / spring samples  
 15 taken by NMED within the past 4 months. These samples were analyzed for ultra high  
 16 resolution trace metals. All results have been received and will be posted on the Intellus  
 17 database within the next month. The EPA also provided funding for sampling at U. S.  
 18 NASA White Sands and at Kirtland Air Force Base. Any questions for EPA will be  
 19 collected by Mr. Worth, and sent to Mr. Mayer.

20 Mr. Worth stated that Mr. Pete Maggiore was on leave this week but spent a  
 21 majority of last week at DOE HQ, mainly to really press the funding issues facing the  
 22 EPO.

23 Mr. Ralph Phelps stated that the Regional Coalition of LANL Communities made a  
 24 presentation at the Radioactive and Hazardous Materials Committee meeting. The  
 25 Coalition plays more of a lobbying roll. A group from the Coalition went to Washington  
 26 DC in an effort to get financial support for their priorities, one of which is continued  
 27 baseline funding for LANL environmental restoration.

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28  
 29 **XI. Introduction of Deputy Site Manager**

30 Mr. Worth stated that Mr. Juan Griego, Deputy Site Manager for LASO was a  
 31 General in the New Mexico National Guard and was called away for duty starting 7-25-  
 32 2012. Therefore, Mr. Griego could not attend today's CAB meeting as scheduled. He  
 33 will attend a future meeting of the NNMCAB.

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34  
 35 **XII. Presentation on the Impact of NNMCAB Recommendations**

36 Mr. Ed Worth gave a presentation on the Impact of the NNMCAB  
 37 Recommendations. He chose several recommendations to review to see what impact  
 38 they have had, and noted that the acceleration of TRU Waste removal was a NNMCAB  
 39 recommendation before the Los Conchas fire and Governor Martinez's requests. A  
 40 printed copy of the presentation was included in the meeting packet and a copy may be  
 41 obtained by request from the NNMCAB office at (505) 989-1662.

42 Mr. Mike Loya asked how far off LANL was on next year's budget. Mr. Worth  
 43 explained that LASO EPO usually gets \$215M, but there is so much uncertainty at this  
 44 time, it's difficult to address. Mr. Loya asked if all the community outreach that the CAB

1 participates in was doing any good. Ms. Menice Santistevan responded by stating that  
2 Congress is the appropriator of funds and that representatives of New Mexico's  
3 Congressional Delegation were in the audience today and heard the budget discussion.

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4  
5 **XIII. Consideration and Action on Draft Recommendation 2012-02**

6 Mr. Phelps introduced the draft recommendation and opened the floor to comments  
7 and discussion on whether the NNMCAB members were supportive of pursuing this  
8 recommendation.

9 Nicole Castellano began the discussion by stating that she felt that the NNMCAB mission  
10 should evolve as the DOE mission.

11 Allison Majure was concerned about mission creep and about the people of Carlsbad.  
12 How do they feel about expanding WIPP? She asked the former County Administrator, who is  
13 now the Los Alamos County Administrator about this. He assured her that Carlsbad is an  
14 extraction community which wants the jobs. Ms. Majure brought this up In case anyone else  
15 had this concern. She also noted that there was not a Citizens Advisory Board for WIPP.

16 Carlos Valdez asked for clarification regarding the disposition of Mercury. John Kieling  
17 stated that Mercury falls under RCRA and WIPP would have to get a permit from EPA to handle  
18 Mercury.

19 Bob Villarreal stated that when he worked at LANL, many long term tests were  
20 conducted regarding the feasibility of WIPP. The NNMCAB can offer an awareness of what has  
21 already been done to those concerned but felt that there is not much community involvement  
22 needed in the Carlsbad area.

23 Mr. Phelps stated that no matter what the NNMCAB does, it is always strictly in an  
24 advisory role. If DOE Headquarters see's fit, HQ will support the NNMCAB advising on WIPP.

25 At this point Mr. Lee Bishop arrived and answered many questions from the members  
26 regarding waste disposition and the future use of WIPP.

27 **Lawrence Garcia made a motion to approve Recommendation 2012-02, as amended.**  
28 **Mr. Tiano seconded the motion.** Mr. Phelps cautioned the members that if the  
29 recommendation is approved, the members will have an increased workload and all should be  
30 aware of this.

31 Menice Santistevan added that the recommendation must be passed by 75% of those  
32 present and voting.

33 **Mr. Phelps called for the vote. Recommendation 2012-02 was unanimously approved.**  
34 **Mr. Phelps requested that the Recommendation go directly to Mr. Huizenga as soon as**  
35 **possible.**

36  
37 **XIV. Public Comment Period**

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

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39  
40 **XV. Wrap-Up**

41 Mr. Phelps opened the floor to general comments.

42 Ms. Brenda Gallegos stated since she was fairly new to the NNMCAB, she was  
43 gathering information and learning; and found the meeting very informative.

1 Mr. Joey Tiano stated he was proud to be a member of the CAB and associated  
2 with the people that the CAB works with. He also mentioned that the trips were very  
3 informative, and helped him expand his horizons.

4 Mr. Lee Bishop stated that the FY12 Quarterly reports were submitted and  
5 posted on the LANL website as well as EPA website. The TRU Campaign is meeting the  
6 goal of 800 m3 (about 4000 drums). The site is ramping up for next year's 1800 cubic  
7 meter commitment. Mr. Bishop encouraged the CAB members to review the reports  
8 posted on the internet.

9 Mr. Ed Worth commented that the work that the CAB does is so important.  
10 Members volunteer their time for a very worthy cause. Mr. Worth reiterated the Chair's  
11 meeting in DC in October 2012, and that the newly elected Chair and Vice Chair will be  
12 in attendance. They will be inviting an additional person. The travel dates for this trip  
13 will be October 1st – 4<sup>th</sup>. Mr. Worth closed by stating that the special CAB meeting in  
14 August will be very worthwhile.

15 Ms. Menice Santistevan stated that the upcoming Rocky Flats tour will fulfill  
16 service requirements, and asked that if any of the members of the CAB had specific  
17 medical conditions, to please let her know, so she could inform the staff at Rocky Flats.

18 Mr. Carlos Valdes expressed that the CAB missed Mr. Lee Bishop, adding that his  
19 expertise is missed and cherished. Mr. Valdez suggested that during the Rocky Flats  
20 trip, the CAB members get well versed on the topic of Chromium. Mr. Valdez expressed  
21 thanks to Ms. Menice Santistevan and her staff.

22 Ms. Allison Majure stated that she relishes the opportunity to ask all kinds of  
23 questions regarding the community and its health and safety in a non-judgmental  
24 forum. She also complimented Ms. Menice Santistevan and her staff for preparations  
25 made for the CAB meetings.

26 Mr. Mike Loya passed the opportunity to speak to the CAB's distinguished guest,  
27 Navajo Code Talker Jack Jones, who thanked the CAB for their support and allowing him  
28 to come to the meeting. Mr. Ralph Phelps thanked Mr. Jack Jones for honoring the CAB  
29 with his presence for his service to the country.

30 Mr. Manuel Pacheco stated is was an honor and privilege to be seated next to  
31 Mr. Jack Jones, and followed with "Heroes don't wear capes they wear dog tags." Mr.  
32 Pacheco is beginning to witness the beginning of the CAB's evolving and is looking  
33 forward to the changes.

34 Ms. Nona Girardi thanks Ms. Santistevan and staff and apologized to Mr. Lee  
35 Bishop for asking so many questions.

36 Ms. Nicole Castellano reminded everyone who may decline or accept the  
37 nomination for the Chair or Vice Chair of the NNMCAB should call herself or Ms. Deb  
38 Shaw.

39 Mr. Robert Villarreal stated this was a good meeting, and asked if Mr. Worth had  
40 mentioned a meeting to discuss Chromium. Mr. Worth stated that the Investigative  
41 Report was due to NMED in September 2012. The SME's involved would be briefed on  
42 the findings and discuss a path forward. Mr. Worth anticipated a presentation to the  
43 CAB during September's Meeting.

1 Mr. Doug Sayre appreciated the CAB staff stating they did a first class job, as  
2 always. He was also grateful for having access to the knowledge and expertise of Mr.  
3 Worth and Mr. Bishop. Finally, Mr. Sayre inquired about the status of the WSC project.  
4 Mr. Lee Bishop responded by informing the CAB that WCS LLC is a commercial disposal  
5 cell located in Texas. WCS is one of the three locations which receive waste now; the  
6 other two are located in NH and NJ. WCS has built a new federal cell which is the  
7 property of the State of TX DEP. However, at the end of its lifespan, it will revert to DOE  
8 for owner ship. Mr. Bishop has toured the facility and stated the Federal area is the size  
9 of a Super bowl stadium. Waste would be stored in concrete bunkers. WCS is about to  
10 finalize agreements with State of TX. LANL would most likely use this facility as there  
11 are good waste types here at LANL which could be disposed of at WCS at a lesser cost.  
12 Mr. Sayre asked WCS accepted Greater Than Class C Waste? Mr. Bishop replied that  
13 WCS can accept LLW and Hazardous LLW (Class C Waste), so LANL now has outlet for  
14 Class B and C waste.

15 Mr. Lawrence Garcia stated he enjoys the open forum and he feels he is able to  
16 give an opinion without judgment. He thanked all for their input and support and said  
17 there is not a meeting that goes by without his learning something new. That's one of  
18 the drivers that keep him involved with the CAB.

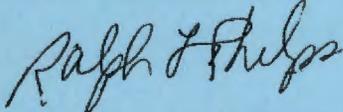
19 Mr. John Kieling expressed thanks for inviting him to the CAB.

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21 **XVI. Adjournment**

22 With no further business to discuss, Mr. Worth, DDFO, adjourned the meeting at  
23 6:10 p.m.

24  
25 **Respectfully submitted,**



26  
27 **Ralph Phelps, Chair, NNM CAB**

28  
29 ***\*Minutes prepared by Carolyn Bateman, Sr. Cost Estimator, PT&C***

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30  
31 **Attachments:**

- 32 1. **Final 7-25-2012 NNM CAB Meeting Agenda**
  - 33 2. **Final 5-30-2012 NNM CAB Meeting Minutes**
  - 34 3. **Report from Ralph Phelps, NNM CAB Chair**
  - 35 4. **Report from Menice Santistevan, NNM CAB Executive Director**
  - 36 5. **Spring 2012 Chairs Meeting Report, Carlos Valdez, NNM CAB Vice Chair**
  - 37 6. **Recommendation 2012-02 (DRAFT)**
  - 38 7. **PowerPoint Presentation, "Presentation on the Impacts of NNM CAB**  
39 **Recommendations," Ed Worth, DOE**
- 40  
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**Public Notice:**

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

 **\*Reference documents listed in the Appendix section of these minutes may be requested 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**

**AUGUST 29, 2012 BOARD MEETING**

**POJOAQUE, NEW MEXICO**

**1. Routine Chair Activities since last NNM CAB meeting on 7-25-12:**

- A. Executive Committee and WM/EM Committee meetings were not held in August.
- B. A group of ten CAB members, including the Chair and Vice Chair, participated in a tour of the Rocky Flats site north of Denver, CO on August 7-9, 2012. Site staff, including the Site Manager, showed us a range of closed sites which had been remediated by a variety of methods. Most of the issues pertained to surface water runoff controls, since they don't have much groundwater to worry about. Monitoring is performed by sampling wells (shallow) and by automated samplers at weirs set up to also measure flow. On rare occasions a sample will indicate a Plutonium reading, and these are carefully reviewed to verify there is no unexpected source emerging from a remediated area. The majority of the area is still controlled access by DOE, although the waste cleanup has been done to recreational worker levels. The transition to legacy management has been mostly records preservation, and maintaining the surface water controls and samples. There is a relatively small onsite staff, and they have just recently completed the first 5 year review on the site. No findings were noted.

**2. SSAB Related Chair Activities since last NNM CAB meeting on 7-25-12:**

- A. The Chair and Vice Chair participated in the Chairs call on 8-15-2012. DOE/HQ budget office provided a briefing on recent budget information. Of interest was the Site Work Plan approach intended for the 2013 Continuing Resolution. (More later). We discussed the agenda for the October 2012 Chairs meeting in Washington, DC. The draft Chairs recommendation on generic funding of baseline budgets from the April meeting was discussed. Chairs reported on items of interest ongoing at their sites. Another proposed Chairs recommendation on local small businesses was presented, but requires more discussion (more later).

**3. Other Related Chair Activities**

- A. The Chair attended a meeting of the Energy Communities Alliance (ECA), which was held in Los Alamos on August 16, 2012. This group is primarily comprised of political representatives from communities where DOE is conducting environmental restoration work. This meeting's agenda had several pertinent topics for NNM CAB, covered on an attachment to this report. I can provide more information if desired at our 8-29-12 CAB meeting.

Submitted by:

Ralph Phelps

Chair, NNM CAB, 8-16-12

**ATTACHMENT: Report on the Energy Communities Alliance (ECA) Meeting on 8-16-2012**

This is not a comprehensive report, only a summary of several items of interest to NNM CAB.

1. Paul Seidler, DOE-EM Director of External Affairs discussed budgets. He pretty much confirmed what Connie (EM Budget Office) briefed to the Chairs on the 8-15-12 Chairs call. Paul said it was virtually assured that the Continuing Resolution (CR) for 2013 would be for 6 months, and will include a Section 301.c that prevents EM from moving money among program elements. Site Work Plans are requested to show how reduced funding levels expected will impact milestones.
2. DOE-EM is drafting a partnership agreement with Japan on Fukushima so that community groups in both countries can share expertise on communicating information to local communities on widespread cleanup efforts after a major event.
3. There was much discussion regarding the difficulty that local small business (SB) contractors have in dealing with DOE. Hanford and Idaho both noted that prime contractors can subcontract with SBs in 30-60 days, while it takes DOE 18 months to execute a contract. Protests and re-bids on these SB contracts make it nearly impossible for the SB owners to survive. Also issues with control of work – if SBs contract directly with DOE, the prime loses the ability to control the large job. Oak Ridge cautioned that this is an old issue which periodically surfaces and that direct DOE contracting to SBs raises concerns of Federal Government being a competitor in the local markets. (This provides some info pertinent to the latest Chairs draft recommendation).
4. Frank Marcinowski (DOE-EM HQ) provided some updates on the site wide TRU campaigns. There is a big push to get all the TRU into WIPP as soon as practical, and currently LANL has priority, along with SRS and INL waste characterization. He mentioned that above ground Mercury storage is still being considered for WIPP.
5. Dave Martin (NMED) had slides on two interesting subjects:
  1. NMED is visiting state regulators at the other sites around the complex to increase collaboration and ways to get best practices into state agreements with DOE.
  2. Dave is Chair of the National Governors Association (NGA) Federal Facilities Task Force. Their mission is to set common principles for working with DOE for all the states with cleanup work. Their final draft paper has several points, which I tried to capture below. ECA will send out Dave's slides with their minutes.
    - a. Focus on safety, health and completing the work.
    - b. Open and transparent communication
    - c. State participation is critical. Use a risk plus other factors approach in setting priorities. Include health issues.
    - d. Engage early when milestones are in jeopardy
6. Hanford, Los Alamos and Oak Ridge discussed local government coalitions, and lessons learned in communication, education and working together. The consensus was that each site needs such a coalition to be more effectively heard by the regulators in Washington. It appears site CABs do not have an active role with any of these political groups. But since they are vocal about environmental priorities,

it is probably important for the CABs to stay informed and ensure priorities are consistent where broad issues are involved. (An example is that the NNM CAB main priority is the "3706 Program" to remove TRU waste, which also happens to be the top TRU-related priority for DOE-EM, for the NMED and for the environmental goal of the Coalition of LANL Communities.)

Ralph Phelps

8-16-2012

# 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.**
  - Focus on monitoring chromium plume
  - Support sufficient funding to meet Consent Order milestones.