

General

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**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.gov](http://www.nnmcab.energy.gov)

RECEIVED

July 24<sup>th</sup>, 2013

JUL 29 2013

Dear Board and Liaison Members,

**NMED**  
**Hazardous Waste Bureau**

Enclosed is the information you will need for the July 31st meeting of the Northern New Mexico Citizens' Advisory Board. The meeting will be held at Fuller Lodge in Los Alamos. Directions to Fuller Lodge are enclosed for your convenience. Please bring this packet with you to the meeting.

You may want to arrive early to tour the Bradbury Science Museum which is close by. Also, student interns working for the Environmental Programs office will be at Fuller Lodge at 12:30 to explain posters of their summer projects to you and to members of the public. The posters will be left up throughout the course of your meeting.

You will be electing officers for Fiscal Year 2014. You will also be hearing a presentation on "Regional Monitoring and the Consent Order" and a presentation on "Community Survey Results on Environment."

If you require an excused absence, you must request this in writing to Lee Bishop at: [Lee.Bishop@nnsa.doe.gov](mailto:Lee.Bishop@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 31<sup>st</sup>.

Kindest Regards,

Menice B. Santistevan  
Executive Director

35953





94 Cities of Gold Rd, Pojoaque, NM 87506

1. Head northwest on Cities of Gold Rd toward W Gutierrez St

go 0.1 mi  
total 0.1 mi



2. Turn left onto W Gutierrez St

go 161 ft  
total 0.2 mi



3. Take the 1st right onto US-285 N/US-84 W  
About 1 min

go 0.5 mi  
total 0.7 mi



4. Take the NM-502 W/Los Alamos exit

go 0.2 mi  
total 0.9 mi



5. Turn left onto Los Alamos Hwy  
About 3 mins

go 1.7 mi  
total 2.6 mi



6. Continue onto NM-502  
About 17 mins

go 14.7 mi  
total 17.3 mi



7. Slight right onto Central Ave  
Destination will be on the right  
About 2 mins

go 0.7 mi  
total 18.0 mi



Fuller Lodge Art Center

2132 Central Ave, Los Alamos, NM 87544



Map

Traffic

**Northern New Mexico Citizens' Advisory Board Meeting**  
**July 31st, 2013**  
**1:00 p.m. to 7:00 p.m.**  
**Fuller Lodge**  
**2132 Central Avenue**  
**Los Alamos, New Mexico**

**AGENDA**

<u>Time</u>	<u>Action</u>	<u>Presenter</u>
1:00 p.m.	Call to Order	Lee Bishop, DDFO
	Establishment of a Quorum (10 needed)	
	a. Roll Call	William Alexander
	b. Excused Absences	
	Welcome and Introductions	Carlos Valdez, Chair
	Approval of Agenda	
	Approval of Minutes of May 22nd, 2013	
1:15 p.m.	<b>Public Comment Period</b>	
1:30 p.m.	Old Business	
	a. Written Reports – See Packet Enclosures (5 minutes)	
	b. Report from Nominating Committee (Section V.F of the Bylaws)	Stephen Schmelling
1:45 p.m.	New Business	
	a. <b>Election of Chair and Vice-Chair for FY '14</b>	
	b. Other items	
2:00 p.m.	Items from DDFO	Lee Bishop
	a. Update from DOE	
	b. Report on NNM CAB Recommendations and DOE Responses	
	c. Other items	
2:30 p.m.	<b>Break</b>	
2:45 p.m.	Regional Monitoring and the Consent Order	Dave McInroy
3:30 p.m.	Presentation on Community Survey Results on Environment	Kurt Steinhaus Michael Brandt
4:00 p.m.	Update from Liaison Members	
	a. Los Alamos National Laboratory	Jeff Mousseau
	b. New Mexico Environment Department	John Kieling
	c. Environmental Protection Agency (Region 6)	Lee Bishop for Rich Mayer
	d. Department of Energy	Pete Maggiore
5:00 p.m.	<b>Dinner Break</b>	
6:00 p.m.	<b>Public Comment Period</b>	Carlos Valdez
6:15 p.m.	Consideration and Action on Draft Recommendation(s)	
	• Draft Recommendation 2013-08, "Waste Isolation Pilot Plant Storage for LANL Waste"	
	• Draft Recommendation 2013-09, "Recommendation for LANL Cleanup"	
6:45 p.m.	Wrap-up and Comments from Board Members	
7:00 p.m.	Adjourn	



**Northern New Mexico Citizens Advisory Board Meeting**

**May 22, 2013**

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

**Lodge at Santa Fe**

**Santa Fe, New Mexico 87506**

**Minutes**

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**Meeting Attendees**

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**Department of Energy**

Geoffrey Beausoleil, Acting Site Manager Los Alamos Site Office  
Pete Maggiore, Assistant Manager Environmental Projects Office  
Lee Bishop, Deputy Designated Federal Officer (DDFO)  
Cheryl Rodriguez, DOE Environmental Projects Office  
Imelda Maez, DOE Environmental Projects Office

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**NNMCAB Members**

1. Carlos Valdez, NNMCAB Chair
2. Manuel Pacheco, NNMCAB Vice-Chair
3. Adrian Chavez
4. Bonnie Lucas
5. Lawrence Longacre
6. Allison Majure
7. Joseph Viarrial
8. Nona Girardi
9. Stephen Schmelling
10. Joey Tiano
11. Bob Villarreal
12. Doug Sayre
13. Alex Puglisi

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**Excused Absences**

1. Michael Loya
2. Brenda Gallegos
3. Angel Quintana
4. Deborah Shaw
5. Gerard Martinez

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**Absent**

Lawrence Garcia

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**NNMCAB Support Staff**

Menice Santistevan, Executive Director

Tiffany Ortiz, Administrative Assistant

William Alexander, Technical Programs and Outreach

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**Guests**

Erika Schwender, Buckman Direct Diversion

Gary Durrant, Buckman Direct Diversion

Scott Kovac, Nuclear Watch New Mexico

Jeff Walker, Elvaido Environmental

Dennis Roybal, Public

Patti Jones, Los Alamos National Security

Dave Cobrain, New Mexico Environmental Department

**Minutes**

**I. Call to Order**

The bi-monthly meeting of the Northern New Mexico Citizens' Advisory Board (NNMCAB) was held on May 22, 2013 at the Lodge at Santa Fe in Santa Fe New Mexico. Mr. Lee Bishop the Deputy Designated Federal Officer (DDFO) stated that on behalf of the Department of Energy (DOE) the meeting of the NNMCAB was called to order at 1:23 p.m.

Mr. Bishop recognized Mr. Carlos Valdez the NNMCAB Chair. The Chair presided at the meeting.

The Meeting of the NNMCAB was open to the public and posted in The Federal Register in accordance with the Federal Advisory Committee Act (FACA).

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**II. Establishment of a Quorum (11 Needed)**

**a. Roll Call**

Mr. William Alexander conducted roll call as the members arrived. At the call to order 13 members were present, establishing a quorum of the NNMCAB.

**b. Excused Absences**

Mr. Alexander recorded that: Mike Loya, Brenda Gallegos, Angel Quintana, Deborah Shaw, and Gerard Martinez had excused absences for this meeting.

**c. Absences**

Mr. Alexander recorded that Lawrence Garcia was absent.

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**III. Welcome and Introductions**

Mr. Valdez welcomed the members and public to the meeting. He asked for introductions from the board members and all attending guests.

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**IV. Approval of Agenda**

The board reviewed the agenda for the May 22, 2013 NNMCAB meeting.

Mr. Alex Puglisi made a motion to remove Draft Recommendation 2013-07 from the agenda for the May 22, 2013 meeting. He asked that it be moved to the July 31, 2013 board meeting agenda. Mr. Doug Sayre seconded the motion. The members discussed removing Draft Recommendation 2013-07 from the current agenda. Ms. Menice Santistevan noted that the draft recommendation could be added to the agenda for the July Combined Committee meeting or the July Board Meeting. The members voted 5 for and 6 against; the motion to remove the recommendation from the agenda failed.

Mr. Douglas Sayre made a motion to approve the agenda as is; Mr. Joey Tiano seconded the motion. The agenda for the meeting was unanimously approved.

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**V. Public Comment Period**

Mr. Valdez opened the public comment period at 1:30. With no members of the public wishing to address the board Mr. Valdez closed the public comment period.

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**VI. Approval of Minutes**

The board reviewed the minutes from the March 20, 2013 NNMCAB meeting. By ongoing instruction from DOE Headquarters, the minutes were previously reviewed and certified by the NNMCAB Chair, Mr. Valdez. Mr. Valdez opened the floor for comments from the board. Dr. Nona Girardi stated there was a typographical error on page 16 line 31 the word "shafted" should be "shafts". She also noted an issue with the wording on page 17 lines 1 and 2. Mr. Valdez responded that the lines would be reworded for clarity. Mr. Tiano made a motion to approve the minutes as amended; Mr. Stephen Schmelling seconded the motion. The board approved the minutes from the March meeting.

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**VII. Old Business****a. Written Reports**

Mr. Valdez opened the floor for comments on the written reports. With no comments on the written reports, Mr. Valdez asked for a brief comment on the Mercury Supplemental Environmental Impact Statement (SEIS) from the members who attended the public hearing.

Mr. Bob Villarreal stated that four NNMCAB members attended the hearing at the Crown Plaza in Albuquerque. He noted that very few people from the public attended the hearing; however, there was great confrontation between the public and DOE. Mr. Villarreal stated that during the hearing he felt it was not a good time to ask questions due to the contentious nature of the conversation.

Mr. Manuel Pacheco noted that he felt the atmosphere at the hearing was very polarized. He stated that he was disappointed with the fact that on the Mercury SEIS the U.S. Government was already out of compliance; based on the fact that the ACT became effective Jan 1, 2013 and the government as yet has no facility or operating funds available. Mr. Pacheco noted that he would like the board to put together comments in regards to the SEIS before the June 3, 2013 public comment deadline.

Mr. Valdez asked Mr. Bishop what the board could do in regards to developing a recommendation or a written document for the Mercury SEIS.

Mr. Bishop responded that the board could develop a recommendation to be submitted as part of the formal comment period. He noted that he had encouraged the members to attend the hearing and that this was an opportunity for the board to participate in the National Policies that DOE is currently working on. He stated that comments in the form of a recommendation or official letter would be acceptable.

Mr. Tiano stated that he would support a recommendation that proposed using the Waste Isolation Pilot Plant.

Mr. Valdez appointed an Ad-Hoc committee to draft a letter or recommendation for the board members to review at the June 12, 2013 combined committee meeting. Mr. Valdez appointed: Mr. Villarreal, Mr. Tiano, and Mr. Pacheco.

Dr. Girardi asked if everything in the Mercury SEIS was within the scope of the NNM CAB.

Mr. Bishop stated that the Mercury SEIS was within NNM CAB scope because it was an Act enacted by Congress, with responsibility of implementation given to DOE with flow down to Environmental Management Programs.

**b. Report from Nominating Committee**

Mr. Valdez asked Mr. Schmelling to update the members on the report from the Nominating Committee.

Mr. Schmelling stated that he had attempted to contact all the members either by phone or e-mail, and gather information on nominees. He noted that Mr. Valdez and Mr. Pacheco had stated that they would like to run for Chair and Vice-Chair respectively, and that there were no other nominations at this time.

Ms. Santistevan stated that nominations could be made up until the date of the election; she also noted that the elections would be held at the July 31, 2013 board meeting in Los Alamos.

Mr. Valdez noted that the election had been pushed up this year to accommodate the travel arrangements that would be necessary for the fall chairs meeting.

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**VIII. New Business**

Mr. Valdez announced that Congress had approved an additional 19 million dollars for work at LANL, with the possibility of an additional 21 million dollars from the National Nuclear Security Administration (NNSA).

Mr. Valdez noted that Art Mascarenas had resigned from the board, and that the NNM CAB was actively recruiting to back fill the position.

Ms. Santistevan stated that the next nomination package for positions being appointed in November was due the 28<sup>th</sup> of June.

Mr. Valdez stated that NMED Secretary David Martin had been replaced by Mr. Ryan Flynn. He also noted that at the national level, Dr. Ernest Moniz had been confirmed by Congress as the new DOE Secretary.

Mr. Valdez stated that he would like to draft a letter from the NNMCAB to the New Mexico Congressional Delegation for their efforts in securing the additional money for LANL. He asked the members for their opinions on drafting a letter.

Mr. Sayre noted that it would be a great idea and recommended that the NNMCAB take an action to compose a letter.

Mr. Villarreal asked if there would be a limitation on the use of the new funds, and if any of the funds would be used for the 33 Shafts.

Mr. Bishop responded that a total of 40 million dollars had been requested, noting that the 21 million dollars from NNSA is still pending. He stated that the 19 million dollars that had been reprogrammed would be used for meeting the 3706 Campaign goals. Mr. Bishop also noted that the 21 million dollars in NNSA funds would be used for cleanup: Chromium plume, Canon De Valle, Monitoring Wells, and a small amount on the 33 Shafts environmental assessment.

Ms. Allison Majure stated that she would be inclined to have language in the letter that states that "the NNMCAB appreciates you providing this funding that enables you to keep your promise."

Mr. Valdez noted that it was DOE who made the promise, and to keep in mind the proposed letter was to the New Mexico Congressional Delegation, not to DOE.

Ms. Bonnie Lucas stated that she could see where Ms. Majure was coming from, and noted that she felt the NNMCAB should make sure to word the letter in a diplomatic way.

Mr. Puglisi agreed with Ms. Majure, stating that we are not meeting the Consent Order (CO) with the additional funds only a portion of it; however, we should thank the delegation for its effort in securing the additional funding.

Mr. Pacheco noted that Ms. Majure had an excellent recommendation, and stated that the Congressional Delegation is a junior delegation and may not yet have a full grasp of the EM legacy waste cleanup. Ms. Pacheco also noted that with any contract the language always exists "as funding allows" so you will never really see the word promise.

Mr. Valdez stated that he would work on composing a letter and send it out to the members for review.

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**IX. Items form the DDFO**

Mr. Bishop stated that the position for Los Alamos Site Manager was open and currently being advertised. In the interim, Mr. Geoffrey Beausoleil the Site Manager for the Sandia Office would be the acting Site Manager for the Los Alamos Site Office.

Mr. Bishop noted that the first shipment of waste was sent to the Waste Control Specialists Facility (WCSF) near Andrews, Texas. The waste that was shipped was Class C Waste. He stated that the WCSF is the first facility that is above a Class A Disposal Site, which is available for use by the federal government that is not a federal facility

Mr. Bishop informed the members that the NNM CAB trip to the Waste Isolation Pilot Plant (WIPP) and WCSF scheduled for November had received approval from management.

He also stated that likely within the next year or so WIPP would need to stand down disposal operations, to make repairs to the disposal shaft which has started to bow-in. Mr. Bishop stated that he did not think that it would impact the 3706 campaign which is scheduled to be completed June 2014. It was noted that the stand down would not affect LANLs ability to process waste; however, it would create a back log of waste that would need to be shipped to WIPP once operations resume.

The NNM CAB took a 15 Minute Break

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**X. Presentation****a. Presentation on Chromium Field Work**

Mr. Dave McInroy and Mr. Danny Katzman from LANL gave a presentation to the NNM CAB on the Upcoming Chromium Field Work. A hard copy of the presentation may be obtained at the NNM CAB website <http://www.nnmcab.energy.gov> under presentations. A video of the presentation is also available on the NNM CAB's YouTube Channel NNM CAB.

**b. Questions**

Mr. Schmelling asked if the chromium plume was expanding.

Mr. McInroy responded that the there is not enough data to support a conclusion that it's moving.

Mr. Sayre asked if there was chromium recorded in adjacent wells.

Mr. McInroy noted that there had been detections in all of the adjacent wells.

Ms. Majure asked about pumping well R-50.

Mr. McInroy stated that R-50 sits on the border between LANL and San Ildofonso, and LANL does not want to pull contamination towards the border.

Mr. Katzman noted that LANL is going to utilize R-42 and R-48 to learn about the groundwater in the area and the pressures that pumping the wells will cause in the groundwater.

Mr. Tiano asked how long it takes for water to get down to the regional aquifer.

Mr. Katzman responded that as near as they have determined it takes sometime between 20 to 30 years.

Mr. Tiano asked about the reinjection process.

Mr. Katzman responded that the re-injected water can be used to manage the contaminated water, by pushing the water in the direction you want.

Mr. Lawrence Longacre asked if it would hurt to leave the chromium contamination as is since it was in such a remote location.

Mr. Katzman responded that the CO views all groundwater as a valid resource, and that is the stand point that LANL is taking on the chromium contamination.

Dr. Girardi asked if the plan for treating the pumped water was to reduce it using the wetlands.

Mr. McInroy stated that the water would be treated using ion exchange columns to remove the chromium, and holding ponds to store the water for testing to confirm that the chromium was removed; before the treated water would be land applied.

Dr. Girardi asked if the aquifer that had the chromium plume goes into the Buckman well field or below it.

Mr. Katzman responded that evidence suggests that there is no interaction between the chromium contaminated aquifer and the Buckman well field aquifer.

Mr. Pacheco asked if that conclusion was based on elevation.

Mr. Katzman noted that it is based on geochemical fingerprints of the aquifers, and studies on the pressures that pumping created in the groundwater formation. Mr. Katzman stated that even with the evidence suggesting that the well fields are separated LANL understands it's obligation to continue monitoring the Buckman well field.

**XI. Update from Liaison Members**

**a. Los Alamos National Laboratory**

Mr. Jeff Mousseau gave an update on the Environmental programs, status of the 3706 campaign and Corrective Actions Program (CAP) "Environmental Programs Citizens Advisory Board Update". A hard copy of the update may be obtained at the NNMCAB website <http://www.nnmcab.energy.gov> under presentations.

**b. New Mexico Environment Department**

Mr. John Kieling stated that he wanted to update the members on a few items that NMED had been working on with LANL. He stated that the permit modification for TA-63 that was submitted last year had undergone public comment with a majority of the comments coming from LANL. He noted that NMED would like to get the TA-63 facility moving forward.

Mr. Kieling informed the members that NMED had recently met with LANL concerning the work off on the 3706 campaign, and where the waste was coming from and going to.

He also noted that the state would be meeting later in the week with LANL concerning the chromium field work.

Mr. Kieling stated that NMED had issued certificates of completion for 12 sites, with an additional two submittals slated to be responded to in the next two to four weeks. He also noted that that during the week of May 13 – 17 NMED completed a RCRA inspection at LANL.

Mr. Bishop asked Mr. Kieling if he knew which state had a more favorable regulatory regime in managing mercury storage, Texas or New Mexico.

Mr. Kieling stated that at this time he could not answer that question, as he was not familiar with Texas regulations.

Dr. Girardi asked Mr. Kieling how he felt about mercury storage in New Mexico.

Mr. Kieling stated that if the application meets the regulatory requirements then we will move forward.

Mr. Puglisi asked why the facility is labeled as storage and not a disposal facility, as it appears there is not intended use for the mercury

Mr. Kieling responded that it was his understanding that there is a future intended use for the mercury.

**c. Environmental Protection Agency Region 6**

No Representative from EPA was present, as Rich Mayer was working in the areas recently hit by devastating tornados.

**d. Department of Energy**

Mr. Pete Maggiore gave the update for DOE. He stated that the sequestered budget level was 173 million dollars; the budget under the Continuing Resolution was 188 million dollars. He noted that the additional 19 million dollars from EM and the 21 million dollars proposed from NNSA would bring the budget back up to 213 million dollars. The original budget proposal for FY'13 was 239 million dollars.

Mr. Maggiore stated that groundwater discharge permit for the Radioactive Liquid Waste Treatment Facility (RLWTF) was under review with NMED. He noted that this would be the first time the RLWTF would be placed under NMED water quality authority. Additionally he noted that a permit application had been submitted for the RANT facility.

Mr. Maggiore stated that he had been working with the Governor of San Ildefonso on the status of the chromium plume, and plans regarding the proposed field work.

Mr. Maggiore introduced the new acting Los Alamos Site Manager, Geoffrey Beausoleil.

Mr. Beausoleil took the opportunity to speak to the members; he gave a brief background of his history working with the DOE.

**XII. Consideration and Action on Draft Recommendations**

**a. Draft Recommendation 2013-04 "Update on Status of Submitted Recommendations"**

Mr. Valdez gave a short overview of Draft Recommendation 2013-04 and opened the floor for questions and comments on the recommendation.

Mr. Longacre stated that it shouldn't be necessary to have a recommendation asking for a status. He noted that his aim in authoring Draft Recommendation 2013-04 was to have DOE periodically give the NNM CAB a status on recommendations that have been submitted by the board.

Mr. Valdez stated that the NNM CAB could submit this as a recommendation or make it a standing agenda item in lieu of a formal recommendation.

Mr. Schmelling stated that he thought it was a good idea but did not feel that we needed a formal recommendation.

Mr. Valdez responded that currently a table is used to track recommendations, and the table could be updated on a bi-monthly basis.

Mr. Bishop stated that the recommendation table could be added to the DDFO portion of the agenda, and he would be more than happy to provide the update to the NNMCAB during the board meetings.

Mr. Pacheco made a motion to have draft recommendation 2013-04 become a standing agenda item; Mr. Tiano seconded the motion. The members voted all in favor, the motion to have 2013-04 become a standing agenda item passed.

**b. Draft Recommendation 2013-05 “Recommendation for LANL Clean-up”**

Mr. Valdez gave an overview of Draft Recommendation 2013-05 and opened the floor for questions and comments on the recommendation.

Mr. Longacre stated that the revisions to Draft Recommendation 2013-05 that had been made with his approval, after his discussion with Mr. Valdez earlier in the month; now felt had changed the intent he was trying to convey. Mr. Longacre stated that at this time he felt this was no longer the recommendation he had authored, and wished to withdraw the recommendation from consideration.

Mr. Valdez asked for a motion to kill Draft Recommendation 2013-05.

Mr. Puglisi made a motion to disapprove the recommendation; Mr. Tiano seconded the motion. The members voted 6 for and 3 against; the motion to disapprove Recommendation 2013-05 passed.

**c. Draft Recommendation 2013-07 “Realign Consent Order Priorities”**

Mr. Valdez gave an overview of Draft Recommendation 2013-07 and opened the floor for questions and comments on the recommendation.

Mr. Puglisi stated that he was opposed to the recommendation as written. He noted his opposition was concerning the lines on renegotiation of the CO and the lines on risk based approach. Mr. Puglisi asked if he could get clarification on what risk based approach meant.

Mr. Valdez responded that when he wrote the recommendation risk based approach was referring to human health and safety, and the environment.

Mr. Puglisi responded that it was his understanding that risk based approach usually looks at the future use of a site, as an example residential use or industrial use. He noted that he thought that risk based approach had been proposed in the original CO and the NMED had rejected it at that time.

Mr. Kieling responded that the current CO was a risk based approach, with the goal being to achieve residential standards.

Mr. Puglisi asked about the timing on submitting the draft recommendation. He stated that he felt it was premature since the consent order was currently 30 months from completion, and the process for requesting extensions to the current CO seems to be working.

Mr. Valdez responded that when he drafted the recommendation he was taking into consideration that the Framework Agreement had shifted the milestones in the CO. He noted that he felt that this was a good time for the parties to sit down and look at realigning the CO milestones.

Mr. Tiano stated that if the NNMCAB passed the recommendation, the NNMCAB would be supporting the effort to renegotiate the CO, and he felt that would be a very powerful statement.

Mr. Puglisi responded that he agreed it would be a powerful statement; however, he is not sure that he disagrees with the current content in the CO. He stated that changing it in a manner that the NNMCAB has no control over could jeopardize the interest of the citizens and municipalities in the area.

Ms. Majure asked if renegotiation was the original intent of this recommendation.

Mr. Valdez responded that renegotiation was not the intent of the recommendation; but rather to take a look at what's left in the CO and realign the time table using a risk based approach.

Ms. Majure suggested that the recommendation be re written to articulate what milestones are expected to be realigned, and remove the broad based language that implies a complete renegotiation.

Dr. Girardi stated that the wording of the recommendation made it unclear as to what the recommendation was asking to have renegotiated.

Mr. Schmelling noted that he felt Ms. Majure's suggestion of postponing a vote on this recommendation until the wording could be revised was a good idea.

Mr. Sayre made a motion to move action on Draft Recommendation 2013-07 to the July 12, 2013 Combined Committee meeting; Mr. Schmelling seconded the motion. The members voted all in favor. The motion to move action on Draft Recommendation 2013-07 to July 12, 2013 passed.

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**XIII. Additional Public Comment Period**

Mr. Valdez opened a second public comment period at 5:29 p.m.

Mr. Scott Kovac stated that on the question of the mercury storage, the Mercury SEIS stated that the storage would only be for 40 years. He noted that at this time he would withhold his comments on Draft Recommendation 2013-07.

Mr. Kovac noted that there are different types of extensions, for example there are extensions for projects that run into unanticipated complications, these would be good a good use of extensions. However maybe half of the current extensions are just two year extensions due to lack of funding needed to start the project.

With no additional public comment Mr. Valdez closed the public comment period at 5:31 p.m.

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**XIV. Wrap-up and Comments**

Mr. Valdez opened the floor for general comments from members of the board.

Mr. Adrian Chavez noted that he was new to the board process; however, in his short tenure he has realized that the reason for the NNMCAB is to represent the Citizens of Northern New Mexico.

Ms. Bonnie Lucas thanked the members who attended the Mercury SEIS hearing and brought the information back to the NNMCAB.

Ms. Majure, Ms. Santistevan, Mr. Puglisi, Mr. Sayre, Mr. Schmelling, and Dr. Girardi thanked everyone for attending the meeting, and for setting up the tour of Buckman.

Mr. Pacheco thanked everyone for attending and felt that the meeting had been informative. He noted that the human element in meetings can cause complications, but at the end of the day if the members do what they're supposed to do the NNMCAB moves forward.

Mr. Bishop thanked everyone for attending the meeting; he thanked the members for their service and commitment to the board.

Mr. Beausoleil stated that though he has only lived in New Mexico for a short time he is just as passionate about protecting the state and Los Alamos as the rest of the members.

Mr. Mousseau thanked the board for its support in obtaining additional funding.

Mr. Kieling thanked everyone for their interest in what the NMED does, and for inviting him to the meeting

Mr. Villarreal thanked everyone for attending the meeting, and setting up the tour of Buckman. Mr. Villarreal stated that he felt that the NNMCAB's current process for writing recommendations had failed Mr. Longacre.

Mr. Tiano thanked Mr. Kovac for the way that he addresses the board and states his case. He noted that he had enjoyed the tour of Buckman, and thanked the staff for their work. He noted that members who are submitting recommendations should make every effort to attend the meetings where the recommendation is presented, and help work on tailoring those recommendations.

Mr. Valdez thanked the members for attending, and the staff for organizing a great meeting.

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**XV. Adjournment**

With no further business to discuss, Mr. Bishop adjourned the meeting at 5:40 p.m.

Respectfully Submitted,



**Carlos Valdez, Chair, NNMCAB**

**\*Minutes prepared by William Alexander, Technical Programs and Outreach, NNMCAB**

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**Attachments**

- 1. Final NNMCAB Meeting Agenda for 05/22/2013**
  - 2. Final NNMCAB Meeting Minutes for 03/20/2013**
  - 3. Report from Carlos Valdez, NNMCAB Chair**
  - 4. Report from Menice Santistevan, Executive Director**
  - 5. Draft Recommendation 2013-04**
  - 6. Draft Recommendation 2013-05**
  - 7. Draft Recommendation 2013-07**
  - 8. Presentation by DOE Update on Chromium Cleanup**
  - 9. Update from LANL Environmental Programs Citizens Advisory Board Update**
  - 10. Buckman Direct Diversion Project Tour Information Packet**
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**Public Notice:**

**\*All NNMCAB meetings are recorded. Audio CDs and Video disks have been placed on file for review at the NNMCAB Office, 94 Cities of Gold Road, Santa Fe, New Mexico, 87506.**

**\*Reference documents listed in the Attachments section of these minutes may be requested for review from the NNMCAB Office by calling (505)989-1662.**

**REPORT FROM THE CHAIR**

**NORTHERN NEW MEXICO CITIZENS ADVISORY BOARD**

**JULY 31, 2013 BOARD MEETING**

**LOS ALAMOS, NEW MEXICO**

**I. Routine Chair Activities since last NNM CAB meeting on 05/22/13:**

**A. The Executive Committee meeting was held on June 12, 2013, and then again on July 10, 2013. Discussions were as follows:**

- 1. The Exec. Committee discussed the results of the National Chairs webinar and follow up conference call.**
- 2. The agenda for the 07/31/13 CAB meeting was approved.**
- 3. The Chair was unable to attend the Regional Coalition Meeting on July 19<sup>th</sup>.**
- 4. Work Plans were made available and discussed as to the progress**
- 5. The Chair drafted another recommendation pertaining Order on Consent milestones, and another on WIPP storage capacity. The Chair is also working on a funding recommendation.**
- 6. The Executive Committee approved the letter on Mercury which was submitted as part of public comment.**
- 7. A possible National Chairs recommendation was drafted by the Chair and will be shared with Headquarters for review before the fall Chairs meeting.**

**II. SSAB Related Chair Activities since last NNM CAB meeting on 05/22/13:**

**A. An Ad Hoc committee that will create a letter on the modification to the WIPP permit was established. This committee will draft a letter that will be included as part of the public comment on DOE's request to have waste from Hanford shipped to WIPP.**

**III. No other activity to report**

Submitted by:

Carlos Valdez

Chair, NNM CAB

July 22, 2013

**Northern New Mexico Citizens' Advisory Board  
Executive Director's Report**

**July 31, 2013**

**Board Membership:** The NNM CAB currently consists of 19 members. Ashley Sanderson was appointed to fill Art Mascarenas' unexpired term on July 2<sup>nd</sup>. The Los Alamos Site Office submitted a formal nomination package to DOE Headquarters earlier this month. The package requested the appointment of four new members and the re-appointment of: Nona Girardi, Doug Sayre, Manuel Pacheco, Carlos Valdez, Joseph Viarrial and Bob Villarreal, who have all agreed to serve another term.

**Executive Committee Meetings:** The Committee met on June 12<sup>th</sup> and on July 10<sup>th</sup> at the NNM CAB Office. The committee heard reports from the Chair, Committee Chairs, DDFO and Executive Director. The committee finalized the agenda for this meeting and discussed meeting presentation requests and draft recommendations for future CAB consideration. The committee also discussed future tours, NNM CAB membership and attendance and out of state travel requests. The Chair, DDFO and Executive Director participated in the Bi-monthly Chairs' Conference Call on June 18<sup>th</sup>. The fall Chairs' Meeting will be hosted by the Portsmouth Advisory Board in Ohio on Oct. 15<sup>th</sup> – 17<sup>th</sup>.

**Board Meeting Preparations:** I prepared the Draft Agenda for this meeting, and submitted the notice to *The Federal Register* on June 14<sup>th</sup>, in compliance with the Federal Advisory Committee Act. I made all arrangements at Fuller Lodge, including meeting room set-up, catering and reservations for overnight accommodations for NNM CAB members. Lee Bishop and I coordinated the speakers and the Liaison Member attendance. All meeting materials were copied and collated by Tiffany Ortiz and 50 meeting packets were mailed out on July 24<sup>th</sup>. An advertisement for the meeting was placed in *The Albuquerque Journal North* by Tiffany Ortiz and on the NNM CAB website and on Facebook by William Alexander. Press releases were also sent to area news media.

**Outreach:** William Alexander prepared a Summer Newsletter that was sent out to hundreds of residents in northern New Mexico and sent via e-mail to those on our mailing list. The bi-monthly meetings are telecast via public access channels in Santa Fe, Los Alamos, Albuquerque and Taos and are posted on YouTube. The NNM CAB also has a Facebook page and all presentations, recommendations and correspondence are posted on the NNM CAB's web site: [www.nnmcab.energy.gov](http://www.nnmcab.energy.gov) I will be working with the Pojoaque Valley schools to recruit student members to the NNM CAB. I have a meeting scheduled in early August, with Superintendent Delgado to begin this process.

**Important Upcoming Dates:**

- |                              |  |
|------------------------------|--|
| <b>August 14th</b>           | <b>Executive Committee from 11:30 to 1:30</b><br><b>Combined Committee Meeting from 2:00 to 4:00</b> |
| <b>Sept. 11<sup>th</sup></b> | <b>Executive Committee from 11:30 to 1:30</b><br><b>Combined Committee Meeting from 2:00 to 4:00</b> |
| <b>Sept. 25<sup>th</sup></b> | <b>NNM CAB Bi-monthly meeting at Sagebrush Convention Center (Taos)</b>                              |
| <b>Nov. 4 -6</b>             | <b>WIPP/WCS Tour</b>   |

## Candidate's Statement

I have been a member of the Northern New Mexico Citizens' Advisory Board for three years. I have been honored to serve as Vice Chair and Chair. In that time, I have gained a great deal of knowledge and experience as it pertains to Environmental Management, and developing comprehensive recommendations. I have gained valuable experience not only with the issues facing LANL, but issues that impact sites complex-wide. I have been fortunate to attend several EM-SSAB Chairs' meetings including: Santa Fe, Nevada, Paducah, and Washington DC, and a webinar most recently. I have a good understanding of what has been done, where cleanup efforts currently stand and what still needs to be accomplished. I'm proud to say that LANL is much cleaner today than it was 3 years ago.

With the addition of new members, and the re-appointment of members to another term, we are a strong, knowledgeable, experienced and eager group of caring individuals who will work together towards reaching these goals.

As your Chair, I would like to continue the progress we have made over the last year in coordinating and leading the efforts of sound, relative and informed recommendations to DOE and to becoming an efficient sounding board for the citizens of Northern New Mexico. This coming year we can make it happen! I would like to coordinate the efforts of the Board in working hard towards reaching the goals of the Work Plans of the committees.

Funding is always an issue for meeting goals outlined in the Order on Consent. This coming year, I would like to push for increased maximized funding and to request minimal to no budget reductions due to continuing resolutions and sequestration. Every year, the NNM CAB develops and submits a funding recommendation to DOE, which I drafted the last two years. This next year could prove to be an important budget year, with the possibility of a decreased base. We need to convince Congress and DOE that the only way LANL will meet mandated deadlines is by increased funding.

I humbly ask for your continued support as we take on the challenges of LANL cleanup during Fiscal Year 2014.

Thank you,

Carlos Valdez

**NNMCAB**

Recommendation Number	Topic	Authoring Committee or Member	NNMCAB Approval	DOE Response	NOTES	Key
2013-09	Recommendation for LANL Clean-up (Funding)	CV			E-mailed to members on 07/17/2013 for review.	Submitted
2013-08	Waste Isolation Pilot Plant Storage For LANL Waste	CV/SS/GM			Provided to members for review at the July CC Meeting.	Pending DOE Resp
2013-07	Recommendation to Realign Consent Order Priorities	CV	6/12/2013	Pending	Recommendation was Tabled at May Board Meeting Request for Addition to the June CC Meeting Agenda Recommendation was Voted on and Approved at the June 12, 2013 CC Meeting.	Pending NNMCAB Review
2013-06	Recommendation for LANL Clean-up (WIPP)	LL	Not Approved	NA	Recommendation was determined to be out of EM scope.	Moved to Agenda Status Item
2013-05	Recommendation for LANL Clean-up (Funding Shift)	LL	Not Approved	NA	Recommendation was Voted on and Not Approved at the May 22, 2013 Board Meeting.	
2013-04	Recommendation for LANL Clean-up (Monthly Status Report)	LL	5/22/2013	5/22/2013	NNMCAB Members voted to have this recommendation become a Standing Board Meeting Agenda Item. Status by DDFO.	
2013-03	FY 2015 Budget Priorities	CV	5/8/2013	Administratively Accepted	Incorporated into the FY15 Budget submission to OMB. NNMCAB Budget brief at beginning of FY.	
2013-02	Recommendation to Review Material Disposal Areas at LANL in Addition to Technical Area 54 for Risks Associated With Fires	WM	3/20/2013	Pending	LANL developing a press briefing package in response as a public communication tool.	
2013-01	Recommendation for Action in Analysis of Disposal Pathways for Disposition of 33 Shafts	AM	1/30/2013	4/22/2013	Recommendation triggered Environmental Assessment under NEPA regulations. Analysis will occur Fall of 2013.	

1 NORTHERN NEW MEXICO CITIZENS' ADVISORY BOARD  
2 Recommendation to the Department of Energy  
3 No. 2013-08  
4 WASTE ISOLATION PILOT PLANT STORAGE FOR LANL WASTE  
5  
6

7 **Background**

8 The responsibility of the Environmental Management Site Specific Advisory Board at  
9 Northern New Mexico is to provide meaningful opportunities for collaborative dialogue among  
10 the diverse multicultural communities of Northern New Mexico, the Department of Energy  
11 (DOE), the Los Alamos National Laboratory (LANL) and any state or federal regulatory agency.  
12 The Northern New Mexico Citizens' Advisory Board (NNMCAB) is chartered to discuss and make  
13 recommendations for any clean-up efforts as it relates to Legacy and Cold War issues.  
14

15  
16 **Comments and observations**

17 The Waste Isolation Pilot Plant (WIPP) was chartered by Congress to provide permanent  
18 storage for defense related transuranic (TRU) waste. To date, WIPP has already received  
19 almost 87,000 cubic meters of such waste from 13 DOE sites, including LANL. It has recently  
20 come to the attention of the NNMCAB, that there are several entities that have intentions to  
21 utilize, are working on plans, or are making recommendations, to expand the mission of WIPP.  
22 More specifically this expanded mission for WIPP would include making WIPP the final disposal  
23 site for hazardous waste and the preferred alternative for greater than class C waste. The Blue  
24 Ribbon Commission has made a recommendation that spent nuclear fuel be deposited in WIPP.  
25 WIPP has applied for recertification to the New Mexico Environment Department (NMED) to be  
26 able to dispose of waste from leaking tanks located at the Hanford Nuclear Reservation in  
27 Washington State.  
28

29 LANL is currently in the process of moving 3,706 cubic meters of above-ground TRU  
30 waste off of LANL property, with a commitment to complete this project, "The 3706 Campaign"  
31 by June 30, 2014. There is additional TRU waste at LANL that is to be disposed of as part of the  
32 "2005 Order on Consent" between LANL and the NMED. The NNMCAB is concerned the  
33 proposed expansion of the WIPP mission: the additional large volume of waste being proposed  
34 for storage in WIPP from different entities, and the limited storage available for all waste; that  
35 WIPP will not have sufficient space for what remains at LANL and the obligation it has to  
36 remove all TRU waste for permanent disposal in WIPP. In addition, NNMCAB also raises  
37 concerns about possible limits on the rate at which LANL TRU waste can be accepted by WIPP.  
38  
39

40 **Recommendation:**

- 41 1. The NNMCAB recommends to the DOE that an extensive thorough inventory be  
42 conducted at LANL of all the WIPP eligible waste and that an accurate volume be  
43 reported back to the NNMCAB.
- 44 2. The NNMCAB recommends that DOE Headquarters certify in writing that in light of  
45 currently planned and proposed waste shipments from all entities, WIPP will have  
46 sufficient capacity for all WIPP eligible waste that is located at LANL and can continue to  
47 accept LANL TRU waste on a schedule that will allow it to meet the June 30, 2014  
48 commitment and the 2005 Order on Consent.  
49

50  
51 **Intent:**

52 The intent of this recommendation is that DOE/EM and WIPP set their priorities for the  
53 remaining storage facilities at WIPP to ensure that there will be enough capacity to hold all TRU  
54 waste remaining at LANL and that the current disposal schedules can be met.

1 NORTHERN NEW MEXICO CITIZENS' ADVISORY BOARD (NNMCAB)  
2 Recommendation to the Department of Energy  
3 No. 2013-09  
4 Recommendation for LANL Clean-up  
5 Authored by Carlos Valdez  
6  
7

8 **Background**

9 Los Alamos National Laboratory (LANL) has several areas and levels of responsibility.  
10 For example, they are instrumental in scientific inquiry: regarding nuclear deterrence, national  
11 security, reducing global threats, fostering energy security, Health research and development,  
12 and environmental management, to name just a few. LANL's annual budget is just over \$2.1  
13 billion, and the EM budget is between \$188 and 212 million annually.  
14

15 Protecting human health and the environment from hazardous waste produced by LANL  
16 efforts should be the top priority not just for LANL, but for the New Mexico Environment  
17 Department (NMED), Department of Energy (DOE), and for the Northern New Mexico Citizens'  
18 Advisory Board (NNMCAB). To date, clean-up efforts, as it relates to Legacy and Cold War  
19 efforts in and around LANL, have been on time and within budget. The current focus of clean-  
20 up is the 3706 campaign, which is on track to be complete by the summer of 2014.  
21

22 **Observations and Comments**

23 Over the past several years, the federal government has made several budget cuts to  
24 programs around the country. In addition, it also continues to operate under "continuing  
25 resolution" and other "sequestration" conditions. This has slowed the progress of clean-up  
26 efforts around the country; LANL included, and has put sites at jeopardy of not meeting  
27 regulated deadlines. With sites unable to meet statutory deadlines, it opens up the possibility  
28 of regulatory agencies having the right to assess excessive fines, which takes away funding from  
29 clean-up efforts. Operating under these continuing resolutions and sequestration conditions  
30 increases the risk to human health and safety and to the environment as a whole. This also  
31 presents the possibility of using clean-up funds to pay fines. Clean-up funding should have  
32 special dispensation from federal budget cuts, sequestration and continuing resolution, when it  
33 lowers funding from current levels. EM funding should be held harmless when these conditions  
34 are present.  
35

36 **Recommendation:**

37 This Board recommends to DOE that all EM funding for LANL should be held harmless as  
38 it relates to across the board cut-backs in federal programs, operating under Continuing  
39 Resolutions and Sequestration. Federal budget cuts should not include funding for remediation  
40 or clean-up.  
41

42 **Intent:**

43 It is the intent of this Board to make every possible effort to protect and secure the best  
44 possible funding scenario of EM budgets to ensure clean-up efforts are not slowed or put in  
45 jeopardy.