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MAY 19 2014

NMED
Hazardous Waste Bureau

May 14, 2014

Dear NNM CAB, Liaison and Student Members,

Enclosed is the information you will need for the NNM CAB meeting scheduled for May 21, 2014 at the Cities of Gold Conference Center.

Please note that there will be a networking lunch from noon to 1:00 for all members. The meeting will adjourn at 5:15 p.m.

We will be welcoming Mona Varela, recently appointed to serve on the NNM CAB. We will also be recognizing the service of the student members, Gary Johnson, Jerry Trujillo, Deidre Roybal and Kaitlin Martinez.

You will have an update on the WIPP recovery effort by Dana Bryson, DOE Carlsbad Field Office Deputy Manager. You will also hear an update on Technical Area 21, by David Rhodes of the Los Alamos Field Office. Pete Maggiore and Jeff Mousseau will be in attendance to give their updates from DOE and LANL.

Chairman Valdez requests that members arrive before 1:00 p.m., so that a quorum may be established promptly. Please bring this packet of information with you to the meeting.

If you are not able to attend the meeting, please request an excused absence from Lee Bishop, DDFO at: Lee.Bishop@nnsa.doe.gov

Kindest regards,

Menice B. Santistevan
Executive Director
NNM CAB Support Office



Northern New Mexico Citizens' Advisory Board Meeting
May 21st, 2014
1:00 p.m. to 5:15 p.m.
Cities of Gold Conference Center
10 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	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 March 26, 2014	
1:10 p.m.	Old Business	
	a. Written Reports – See Packet Enclosures (5 minutes)	
	b. Report on Environmental Justice Conference	Irene and Angel
	c. Report on EM-SSAB Spring Chairs' Meeting (Hanford)	Carlos, Doug, Allison
	d. Report on Tour and CAB meeting at Oak Ridge	Carlos and Nona
	e. Other items	
1:35 p.m.	Presentation of Certificates of Appreciation to Student Members	Carlos, Lee, and Pete
	a. Comments by students and Pojoaque Valley High School Administrators	
2:00 p.m.	New Business	
	a. Report from Nominating Committee	Steve and Angel
	b. Consideration and Action on Proposed EM-SSAB Chairs' Letters	
	• EM Publicize Success	
	• Funding	
2:30 p.m.	Update on Waste Isolation Pilot Plant	Dana Bryson, CBFO Deputy Manager
3:15 p.m.	Break	
3:30 p.m.	Update on Technical Area 21	David Rhodes, Los Alamos Field Office
4:00 p.m.	Update from Liaisons	
	a. Update from Los Alamos National Laboratory	Jeff Mousseau
	b. Update from Department of Energy	Pete Maggiore
	c. Update from Deputy Designated Federal Official	Lee Bishop
4:45 p.m.	Public Comment Period	
5:00 p.m.	Wrap-up Comments from NNM CAB Members	
	• Were your questions answered regarding the presentations?	
	• Requests for future presentations or information.	
5:15 p.m.	Adjourn	Lee Bishop



Northern New Mexico Citizens' Advisory Board Meeting

March 26, 2014

1:00 p.m. to 5:00 p.m.

Sandia Resort

Albuquerque, New Mexico 87113



Minutes

Meeting Attendees

Department of Energy

1. Pete Maggiore, DOE Assistant Manager Environmental Projects Office
2. Lee Bishop, Deputy Designated Federal Officer (DDFO)
3. Ray Wood, DOE Environmental Projects Office
4. J.R. Stroble, DOE Carlsbad Field Office
5. Mike Gardipe, DOE Environmental Projects Office
6. Gaeton Falance, DOE Environmental Projects Office
7. Cheryl Rodriguez, DOE Environmental Projects Office

NNMCAB Members

1. Carlos Valdez, NNMCAB Chair
2. Doug Sayre, NNMCAB Vice-Chair
3. Gerard Martinez
4. Adrian Chavez Sr.
5. Danny Mayfield
6. Allison Majure
7. Manuel Pacheco
8. Alex Puglisi
9. Mary Friday
10. Joey Tiano
11. Ashley Sanderson
12. Bob Villarreal
13. Joseph Viarrial
14. Mike Loya
15. Stephen Schmelling

NNMCAB Student Members

1. Kaitlin Martinez

Excused Absences

- 1 1. Irene Tse-Pe (Environmental Justice Conference)
- 2 2. Angel Quintana (Environmental Justice Conference)
- 3 3. Nona Girardi
- 4 4. Deborah Shaw
- 5 5. Bonnie Lucas
- 6 6. Gary Johnson
- 7 7. Jerry Trujillo
- 8 8. Deidre Roybal

9
10 **NNMCAB Support Staff**

- 11 1. Menice Santistevan, Executive Director
- 12 2. Bridget Maestas, Administrative Assistant
- 13 3. William Alexander, Technical Programs and Outreach

14
15 **Guests**

- 16 1. Michele Jacques-Ortiz, U.S. Senator Tom Udall's Office
- 17 2. Scott Kovac, Nuclear Watch New Mexico
- 18 3. Patti Jones, Los Alamos National Security
- 19 4. Ralph Phelps, Public
- 20 5. Mona Varela, Public
- 21 6. Clance Madrlese, Pueblo of Jemez
- 22 7. Greg Kaufman, Pueblo of Jemez
- 23 8. Danny Katzman, Los Alamos National Security
- 24 9. Dave McInroy, Los Alamos National Security
- 25 10. Rneri Zagal, ONRI
- 26 11. Laura Day, Project Time & Cost
- 27 12. Bob Zulick, Project Time & Cost
- 28 13. Darien Cabral, Regional Coalition of LANL Communities
- 29 14. Cassandra Duran, Public

30 ***All NNMCAB meetings are recorded. Audio CD's and Video DVD's have been placed on file for review**
31 **at the NNMCAB office, 94 Cities of Gold Road, Santa Fe, New Mexico, 87506. The written minutes are**
32 **intended as a synopsis of the meeting.**

1 **Minutes**

2 **I. Call to Order**

3 The bi-monthly meeting of the Northern New Mexico Citizens' Advisory Board
4 (NNMCAB) was held on March 26, 2014 at Sandia Resort in Albuquerque, New Mexico. Mr.
5 Lee Bishop Deputy Designated Federal Officer (DDFO) stated that on behalf of the
6 Department of Energy (DOE) the meeting of the NNMCAB was called to order at 1:05 p.m.

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

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

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

12 **a. Roll Call**

13 Mr. William Alexander conducted roll call as the members arrived. At the call to
14 order 14 members were present. Mr. Alexander recorded that Mr. Joseph Viarrial
15 arrived at 1:09 p.m.

16 **b. Excused Absences**

17 Mr. Alexander recorded that the following members had excused absences: Ms.
18 Irene Tse-Pe, Ms. Angel Quintana, Dr. Nona Girardi, Ms. Deborah Shaw, Ms. Bonnie
19 Lucas, Mr. Gary Johnson, Mr. Jerry Trujillo, and Ms. Deidre Roybal.

20 **c. Absences**

21 Mr. Alexander recorded that there were no unexcused absences at this meeting.

22 **III. Welcome and Introductions**

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

25 **IV. Approval of Agenda**

26 The board reviewed the agenda for the March 26, 2014 meeting.

27 Mr. Gerard Martinez made a motion to approve the agenda as presented; Mr. Doug
28 Sayre seconded the motion. The motion to approve the agenda as presented was
29 unanimously passed.

30 **V. Approval of Minutes**

31 The board reviewed the minutes of the January 29, 2014 NNMCAB meeting. By ongoing
32 instruction from DOE Headquarters, the minutes were previously reviewed and certified by
33 the NNMCAB Chair.

34 Mr. Valdez opened the floor for comments from the board, with no comments from the
35 board Mr. Valdez asked for a motion.

36 Mr. Joey Tiano made a motion to approve the minutes as presented; Mr. Martinez
37 seconded the motion. The members voted all in favor to approve the minutes from the
38 January 29, 2014 meeting as presented.

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VI. 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 moved on to the next agenda item.

b. Report on Waste Management Symposia

Mr. Valdez asked Mr. Alex Puglisi if he would give the board a report on his attendance at the Waste Management Symposia, in Phoenix, AZ.

Mr. Puglisi stated that he found the conference to be very informative, noting that the conference offered a wealth of information on: waste transport, waste management, environmental restoration, and environmental monitoring. Additionally, he noted that the conference offered specific site histories on Hanford and Los Alamos National Laboratory (LANL). Mr. Puglisi stated that he had mostly attended the sessions on environmental monitoring and restoration; he also attended the session on Hanford and orphan source removal. Mr. Puglisi stated the he would recommend the conference to anyone and noted that the international representation at the conference was very impressive.

Mr. Puglisi noted that attendees at the symposia were amazed that a Citizens' Advisory Board was represented at the symposia. He noted that they were happy to have members of a Citizens' Advisory Board present. Mr. Puglisi stated that he felt it would be beneficial for members from all the boards to attend these types of symposia.

Mr. Valdez included his update on the Waste Management Symposia, as a written report in the packets.

c. Other Items

Mr. Valdez stated the he and Mr. Sayre had attended the Los Alamos National Laboratory Community Leaders Breakfast earlier in the day. He noted that at the meeting it was announced the Kim Davis Lebak was the new Los Alamos Site Manager.

Mr. Valdez also stated that he and Mr. Sayre had participated in the National Chairs Conference Call the week of March 17th. He noted that during the call it was announced that David Borak would be taking over Cate Alexander's position, as Acting Designated Federal Officer.

Mr. Valdez noted that Ms. Quintana and Ms. Tse-Pe were presently in Washington D.C. attending the Environmental Justice Conference. Additionally, he stated that Mr. Sayre, Ms. Allison Majure, and Mr. Valdez would be attending the Chairs meeting in Hanford the week of April 21st.

VII. New Business

Mr. Valdez stated that the schedule for the 2014 meetings had been finalized and distributed.

Ms. Menice Santistevan noted that the meeting in May that had originally been slated for Fuller Lodge had been moved to the Cities of Gold Conference Center.

Mr. Martinez stated that at the last meeting a test project for lining of a disposal pit at LANL had been discussed, noting that it had been determined that at this time a test project

1 would not fit in with the current time table. Mr. Martinez asked if there were any
 2 opportunities coming up that would allow for a test project.

3
 4 Mr. Bishop responded that TA-54 Area G is the only active Material Disposal Area, and
 5 that by the end of summer 2014 the last planned disposal area at TA-54 "Pit 38" would be
 6 closed. Mr. Bishop did note that there was the possibility of expansion into MDA L; however,
 7 a final decision on that had not yet been made.

8
 9 Mr. Martinez asked if a recommendation on a test project should be submitted now
 10 regarding the possibility of the expansion to MDA L.

11
 12 Mr. Bishop noted that he felt that at this time a recommendation would not be too early
 13 and certainly not too late, regarding the test project for a lined disposal area.

14
 15 Mr. Martinez stated that he would take the action to draft a recommendation, with the
 16 ad hoc committee. He noted that the members of the ad hoc committee were Mr. Puglisi,
 17 Mr. Scott Kovac, and himself.

18
 19 Mr. Valdez noted that recommendations have to be submitted and distributed to the
 20 members 14 days prior to action or discussion on the recommendation at a board meeting.
 21 Mr. Valdez stated that recommendation 2014-01 had been disseminated to the members
 22 for the 14 day review and was on the Agenda for the April 9th meeting for consideration and
 23 action.

24
 25 Mr. Danny Mayfield asked if the presentation for MDA H&L had been scheduled.

26
 27 Mr. Bishop noted that the presentations for the meeting through September 2014 had
 28 been tentatively scheduled. Mr. Bishop went over the schedule, noting that the schedule
 29 would be included in the packets for the April 9, 2014 meeting.

30
 31 **VIII. Presentation on Chromium**

32 **a. Chromium Presentation**

33 Mr. Danny Katzman and Mr. Dave McInroy from LANL gave a presentation entitled
 34 "Chromium Groundwater Remediation Campaign". An electronic copy of the
 35 presentation may be obtained from the NNMCAB website;
 36 <http://www.nnmcab.energy.gov/7-presentations/presentations.htm>. Video of the
 37 presentation is also available on the NNMCABs YouTube Channel (NNMCAB).

38
 39 **b. Questions**

40 Mr. Valdez asked what the distance was from ground surface to the aquifer.

41
 42 Mr. Katzman responded that from the canyon floor the distance to the regional
 43 aquifer is from 850 -900 feet.

44
 45 Mr. Valdez asked how quickly the wetland is able to reduce the chromium 6 to
 46 chromium 3.

47
 48 Mr. Katzman stated that the reduction can occur in as little as 24 hours.

1 Ms. Majure asked if the wetland had created a delaying effect on detecting the
2 chromium in Mortandad Canyon.

3
4 Mr. Katzman stated that the wetland had not created a delaying effect.

5
6 Mr. Sayre asked how often the wells in the Chromium Plume area are sampled.

7
8 Mr. Katzman responded that the wells are sampled on a quarterly basis.

9
10 Ms. Majure asked if the 1,100kg of chromium was the estimated target number, and
11 if the data was derived from the bottom-up.

12
13 Mr. Katzman responded that the 1,100kg had been derived from measurements of
14 core samples, pore water, and water samples. Additionally, noting that the remediation
15 strategy needs to take into account the source of chromium input, not just the
16 chromium in the aquifer.

17
18 Mr. Valdez asked if there were any wells located on Pueblo de San Ildefonso land.

19
20 Mr. Katzman noted that a well instillation is in the works, and hopefully plans will be
21 completed by later this fiscal year.

22
23 Mr. Maggiore stated that the Governor of the Pueblo de San Ildefonso had some
24 preliminary meetings and recently approached DOE to request a meeting to further
25 discuss the well issue. Mr. Maggiore noted that the Governor had some concerns about
26 who would own the data and how the data would be disseminated.

27
28 Mr. Mayfield asked how much water per day was pulled out during the Pilot Study
29 in 2013.

30
31 Mr. Katzman responded that R-28 had pumped at 29 gallons per minute (gpm), R-42
32 at 8 gpm.

33
34 Mr. Martinez asked how the ion exchange columns were cleaned.

35
36 Mr. Katzman stated that the tanks are sent back to the manufacturer where they
37 are cleaned and the chromium is removed from the column. Additionally, he noted that
38 the columns had not reached saturation during the pilot study.

39
40 Ms. Majure asked if the impact of the two wells pumping at different rates was
41 proportional.

42
43 Mr. Katzman responded that the pumping rates at the different wells are not
44 necessarily proportional to its impact on the water pressures, noting that there are
45 other factors that affect the water pressures.

46
47 Mr. Valdez asked if any other contaminants other than chromium had been found in
48 the samples.

1 Mr. Katzman responded that no other contaminants in the area had been detected
2 above standards.

3
4 Mr. Puglisi asked where the nitrates detected had come from.

5
6 Mr. Katzman responded that there were a couple of possibilities; one of which is
7 from the sewage nitrates from the Solid Waste Treatment Plant, another source of the
8 nitrates appear to be from nitric acid.

9
10 Mr. Stephen Schmelling asked if the Chromium Plume was changing in shape.

11
12 Mr. Katzman stated that there is some evidence that three of the wells along the
13 border may have increasing concentrations of chromium; however, it could be that the
14 plume is wobbling in place not actually changing in shape.

15
16 Ms. Majure asked if the Perchlorate Plume is at the same depth as the Chromium
17 Plume.

18
19 Mr. Katzman responded that the Perchlorate Plume is exactly the same.

20
21 Mr. Puglisi asked what the clean-up level for the aquifer would be.

22
23 Mr. Katzman noted that the level has not yet been established; however, the default
24 for the consent order is 50ppb. Mr. Katzman noted that at this time DOE/LANL is not yet
25 prepared to discuss the clean-up level with the New Mexico Environment Department.

26
27 Mr. Schmelling asked if in-situ remediation was a possibility.

28
29 Mr. Katzman responded that yes DOE/LANL is looking at ways to remediate the
30 Chromium Plume in-situ.

31
32 Mr. Martinez stated that he agreed with the proposal that Mr. Dave McInroy had
33 put forth at the beginning of the presentation for having additional information
34 provided. He noted that he would appreciate the ability to access updates on the
35 Chromium Plume in a real time format, from a website or other additional means. Mr.
36 Martinez also noted that a press release for the new information availability would be a
37 great idea.

38
39 Mr. Katzman stated that he would propose a working session with some of the
40 members to identify what information they would like to have access to in a more real
41 time environment.

42 **IX. Update from Liaisons**

43 **a. Update from NMED**

44 Mr. Bishop stated that New Mexico Environment Department Secretary Ryan Flynn
45 was on the agenda for today's meeting; however he had taken ill and was not able to
46 attend.
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b. Update from Los Alamos National Laboratory

Mr. Jeff Mousseau gave the NNMCAB an update on the Environmental Programs, the status of the 3706 Campaign, below ground waste retrieval, and safety, and the upcoming campaign process. "Associate Directorate for Environmental Programs Update for March 26, 2014" an electronic copy of the presentation may be obtained from the NNMCAB website; <http://www.nnmcab.energy.gov/7-presentations/presentations.htm>. Video of the presentation is available on the NNMCAB's YouTube Channel (NNMCAB).

Mr. Sayre asked how long the waste from the 3706 campaign can be temporarily stored at Waste Control Specialists (WCS).

Mr. Mousseau noted that to his understanding the WCS permit allows temporary storage for 1 year.

Mr. Puglisi asked if the waste being temporarily stored at WCS is LANL waste only or if it included other sites.

Mr. J.R. Stroble responded that the arrangement that Mr. Mousseau was referring to is a specific arrangement for TRU waste storage that is certified for WIPP disposal. He noted that LANL's 3706 campaign waste is number one on the list; however, there are other sites on the list if space allows.

Mr. Tiano asked if it was possible to temporarily store the waste above ground at WIPP.

Mr. Stroble responded that WIPP is not currently permitted with enough storage space on the surface to accommodate temporary storage. Additionally, he noted that WIPPs current focus is on trying to recover from the shutdown caused by the release.

Ms. Mary Friday noted that when the NNMCAB had toured the WCS facility she had not noted a temporary storage building at the site.

Mr. Mousseau responded that the temporary storage building had not been built at the time the NNMCAB toured the facility. He noted that the new building has 26,000 feet of storage space and all required safety elements for a temporary storage building.

c. Update from Department of Energy

Mr. Pete Maggiore gave the NNMCAB an update on the FY'14 & FY'15 Budget. "Fiscal Year 2014 & Fiscal Year 2015 Budget Update" an electronic copy of the presentation may be obtained from the NNMCAB website; <http://www.nnmcab.energy.gov/7-presentations/presentations.htm>. Video of the presentation is available on the NNMCAB's YouTube Channel (NNMCAB).

Mr. Valdez asked where TA-54 and the 33 Shafts would fall in the new campaign approach.

1 Mr. Mousseau stated that he believed that those areas will fall under the below
2 ground retrieval work.

3
4 Mr. Mayfield asked if newly generated waste comes out of the EM budget.

5
6 Mr. Maggiore responded that charges for the newly generated waste go back to the
7 generator.

8
9 **d. Update from Department of Energy, Carlsbad Field Office**

10 Mr. J.R. Stroble from DOE Carlsbad Field office gave the NNMCAB an update on the
11 Recovery efforts at the Waste Isolation Pilot Plant. "Waste Isolation Pilot Plant Recovery
12 Information" an electronic copy of the presentation may be obtained from the NNMCAB
13 website; <http://www.nnmcab.energy.gov/7-presentations/presentations.htm>. Video of
14 the presentation is available on the NNMCAB's YouTube Channel (NNMCAB). A link to
15 the WIPP recovery information is also available on the NNMCAB home page;
16 <http://www.nnmcab.energy.gov/>, or on the WIPP site at
17 <http://www.wipp.energy.gov/wipprecovery/recovery.html>.

18
19 Mr. Tiano asked how close to the surface the HEPA filters are.

20
21 Mr. Stroble responded that the filters are located on the surface, connected to the
22 underground through ventilation shafts.

23
24 Mr. Adrian Chavez asked if the website addressed in lay terms what the naturally
25 occurring background radiation is in the WIPP area in addition to what the standards
26 are.

27
28 Mr. Stroble replied that the information is on the website and it was the intent of
29 the site to have the information as accessible and understandable for the public as
30 possible.

31
32 Mr. Bob Villarreal stated that the HEPA filters that are used for the filtration could
33 be replaced with filters that are activated charcoal that is cryogenic and has 100%
34 efficiency.

35
36 Mr. Stroble responded that there are higher efficiency filter processes; however the
37 nature of the salt mine and filtering 60,000 ft³/ minute of salty air is a challenge.
38 Additionally, he noted that the area would be exploring some of the newer
39 technologies.

40
41 Mr. Schmelling asked if there was video monitoring equipment in the mine.

42
43 Mr. Stroble noted that they had been in the process of installing a wireless system in
44 the mine when the incident occurred.

45
46 Mr. Puglisi asked if Mr. Stroble agreed with the findings in the Defense Nuclear
47 Facility's Safety Boards (DNFSB) Report.

1 Mr. Stroble responded that at this time he did not totally agree with the report. He
2 noted that he felt there were some weaknesses in the WIPP program; however he felt
3 the DNFSB statements were very broad.
4

5 Mr. Puglisi asked if the Permit application had been withdrawn, he asked if the
6 permit application had hold put on it or if the entire application would need to be
7 resubmitted.
8

9 Mr. Stroble responded that it was a permit modification not application and that
10 NMED had chosen to put that modification on hold rather than withdrawing the
11 modification.
12

13 **X. Public Comment Period**

14 Mr. Valdez opened the floor for public comment at 4:21 p.m.
15

16 Mr. Scott Kovac of Nuclear Watch New Mexico stated that he had talked to Mr. Katzman
17 and noted that the chromium investigation is still ongoing. Mr. Kovac stated that the
18 chromium clean-up had been kicked into action, as a result of fines that LANL had received
19 for not reporting chromium samples in early monitoring reports. He noted that the
20 chromium clean-up is part of the 2005 Consent Order (CO). Mr. Kovac stated that he wanted
21 to remind the board that the 2012 Framework Agreement (FA) is not a binding agreement
22 or enforceable, unlike the 2005 CO which is a binding agreement. Mr. Kovac noted that as
23 far as reprioritizing the work at LANL, we have been through this; we did this in 2005 right
24 before the CO; all of this has already been laid out.

25 Mr. Kovac stated that in 2002 NMED issued a finding of imminent and substantial
26 endangerment and after months of negotiations the 2005 CO was agreed to by DOE, LANL,
27 and NMED. Additionally, he noted that the only projects that are not part of the 2005 CO
28 are TRU waste campaigns, like the 3706 Campaign. He stated that as far as campaigns go,
29 the CO is a bunch of campaigns that spells out what need to be done. He noted that the CO
30 is a dialog between the State and LANL. Mr. Kovac stated that the CO has mutually agreed to
31 times, noting that the 2005 CO is a very detailed order of investigations, reports and doing
32 the work "it's a plan to make a plan." Mr. Kovac asked what is the difference going to be
33 between any new CO and the existing 2005 CO, noting that it might be enforcement. He
34 noted that the 2005 CO has fines and that has gotten LANLs attention. Additionally, noting
35 that the FA is based on the theory that there might be fines.

36 Mr. Kovac addressed Mr. Valdez's statement of NMED and any statement of such is
37 incorrect. He noted that no one at NMED or the office of the Attorney General ever stated
38 that the 2005 CO was based on sufficient funding being available to complete the work. He
39 stated that the 2005 CO being based on budget appropriations would have been completely
40 contrary to the intent of NMED. Additionally, noting that no individuals at LANL or the
41 University of California ever made such statements. Mr. Kovac stated that the 2005 CO was
42 to compel DOE/LANL to complete the work according to schedule and to make sure they
43 received sufficient funding to do so. Additionally, noting that if the work was not completed
44 on time penalties and fines that would be assessed, stating that only 15 of the CO
45 deliverables each year have penalties attached to them. Mr. Kovac stated that the primary
46 feature of the 2005 CO was that it was enforceable; noting that a limitation of budget
47 appropriations would leave a loophole in the CO. Mr. Kovac stated that the current CO has

1 enforceable deadlines for the final implementation and remedies and he would like to keep
2 it that way.
3

4 Mr. Ralph Phelps from Sandia Park submitted his comments to the board in a written
5 format. Mr. Phelps noted that the situation at WIPP, which directly impacts LANL work, has
6 changed the dynamics regarding WIPP. Mr. Phelps stated that he felt the NNMCAB could
7 take the opportunity to draft some recommendations regarding WIPP. Mr. Phelps submitted
8 his recommendations to the NNMCAB as a written report, which is included in the
9 attachments to the minutes.
10

11 With no additional comments, Mr. Valdez closed the public comment period at 4:41
12 p.m.
13

14 **XI. Wrap-up and Comments**

15 Mr. Valdez opened the floor for comments from the members.
16

17 Mr. Puglisi stated that he appreciated the update on WIPP and the additional
18 information on the new campaign roll out process.
19

20 Mr. Manuel Pacheco thanked Mr. Stroble for the WIPP update and presentation, and
21 everyone for attending the meeting.
22

23 Ms. Majure stated that it was a great meeting with great information and thanked the
24 public for attending.
25

26 Mr. Mayfield stated that he appreciated all of the information and thanked everyone for
27 attending.
28

29 Mr. Martinez, Mr. Chavez, Ms. Ashley Sanderson and Mr. Schmelling thanked the public
30 for attending, and the members and presenters for a great meeting. Additionally, they
31 thanked Mr. Mike Loya for his years of service on the board. Mr. Martinez also thanked the
32 NNMCAB staff and Mr. Stroble for the daily information updates.
33

34 Ms. Kaitlin Martinez thanked the NNMCAB for the opportunity to serve as a student
35 member and noted that she hoped that the opportunity would be extended to other
36 students.
37

38 Mr. Loya stated that he was glad that he had the opportunity to serve with the board
39 members, and for the opportunity to attend conferences and seminars during his tenure on
40 the board. He thanked the members and staff for another great meeting and the presenters
41 for the information that they provide to the NNMCAB.
42

43 Mr. Villarreal noted that the Waste Management committee had started looking into
44 ways to complete the 33 Shafts below and above ground. Additionally, he noted that he
45 would like to offer WIPP any support that the NNMCAB can provide.
46

47 Mr. Tiano stated that he was honored to be a member of the NNMCAB. He thanked the
48 staff for another great meeting, and the A/V staff for recording the meetings for the public.

1 Additionally, he noted that he would like to see the environment department at a meeting
2 sometime soon. Mr. Tiano also thanked the public speakers for their comments and
3 observations during the public comment period.
4

5 Ms. Friday stated that she had learned quite a bit while serving on the board. She stated
6 that she was glad to be a part of the NNM CAB and was happy to help with any NNM CAB
7 activities.
8

9 Mr. Valdez thanked Mr. Loya for his service on the board; he also thanked the staff for
10 putting on a great meeting and the members and public for attending.
11

12 Mr. Sayre noted that he would like to see another WIPP update at the May NNM CAB
13 meeting, and thanked Mr. Stroble for his update at today's meeting. Additionally, he
14 thanked the staff for the great job that they do and the presenters for the information that
15 they provide to the NNM CAB. Mr. Sayre also thanked Mr. Loya for his service, and the public
16 for attending the meeting.

17
18 **XII. Adjournment**

19 Mr. Valdez noted that the next NNM CAB meeting would be May 21, 2014 at the Cities of
20 Gold Conference Center from 1:00 p.m. to 5:30 p.m. Additionally, he asked that as many
21 members as possible attend the Combined Committee meeting on April 9, 2014 at the Cities
22 of Gold.
23

24 With no additional business to discuss Mr. Bishop adjourned the meeting at 5:33 p.m.

25 **Respectfully Submitted,**



26 **Carlos Valdez, Chair, NNM CAB**

27 ***Minutes prepared by William Alexander, Technical Programs and Outreach, NNM CAB**

28
29 **Attachments:**

- 30 1. Final NNM CAB Meeting Agenda for 03/26/2014
 - 31 2. Final NNM CAB Meeting Minutes for 01/29/2014
 - 32 3. Report from Carlos Valdez, Chair, NNM CAB
 - 33 4. Report From Menice Santistevan, Executive Director
 - 34 5. Waste Management Symposium Report, From Carlos Valdez, Chair, NNM CAB
 - 35 6. Presentation by Danny Katzman LANL, "Chromium Groundwater Remediation Campaign"
 - 36 7. Update from LANL, Environmental Programs, Jeff Mousseau
 - 37 8. Update from DOE, Budget Update, Pete Maggiore
 - 38 9. Information reference on WIPP Recovery, J. R. Stroble
 - 39 10. Update from DDFO, DDFO EM News Flash, Lee Bishop
 - 40 11. Public Comments Submitted by Ralph Phelps
-

1 **Public Notice:**

2 ***All NNMCAB meetings are recorded. Audio CD's and Video DVD's have been placed on file for review**
3 **at the NNMCAB Office, 94 Cities of Gold Road, Santa Fe, New Mexico, 87506. The written minutes are**
4 **intended as a synopsis of the meeting.**

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

REPORT FROM THE CHAIR

NORTHERN NEW MEXICO CITIZENS' ADVISORY BOARD

MAY 21, 2014 BOARD MEETING

POJOAQUE, NEW MEXICO

I. Routine Chair Activities since the last NNM CAB meeting on March 26, 2014:

A. The Executive Committee and WM/EM Committee meetings were held at the Cities of Gold Conference Center in Pojoaque, NM on April 9, 2014.

1. Upcoming travel for board members was discussed (Rocky Flats Tour and Oak Ridge visit).
2. The agenda for the May full Board Meeting was discussed and approved.
3. Stephen Schmelling was named Interim Chair for the Environmental Monitoring and Remediation Committee until elections can be held in October.
4. Stephen Schmelling and Angel Quintana were named to the Nominating Committee for the election of Board Chair and Vice-Chair. Elections will be held on July 30, 2014 at the full Board Meeting.
5. The annual survey tool was discussed.
6. Recommendation 2014-01 was discussed and approved.
7. The next Executive Committee meeting will be held the morning of May 21, 2014, at 10:30 a.m., just before our full Board Meeting. The Combined Committee meeting will not be held in May.

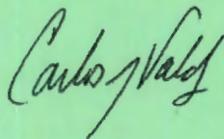
II. SSAB Related Chair Activities since last NNM CAB meeting on March 26, 2014:

- A. The Chair attended the Spring National Chairs EMSSAB meeting in Hanford, Washington. Attending with the Chair was Vice-Chair Doug Sayre, Board Member Allison Majure, Menice, Bridget, Christina, and Lee. Attendees participated in the development of two (2) national recommendations. Allison and Doug did a great job on these recommendations! We were able to meet the new EM SSAB Designated Federal Officer (Cate Alexander's replacement), David Borak. An EM Program update was given by Jack Craig, a WIPP update was given by Frank Marcinowski, and a Groundwater Demonstration was provided by Mark Triplett. Overall, it was a successful National Chairs Meeting.
- B. The Chair will be attending the SSAB meeting with the Oak Ridge CAB in Tennessee, the week of April 12, 2014. Dr. Nona Girardi will be attending with the Chair. This will allow our CAB to gain knowledge of how other boards around the complex function.

III. Other Related Chair Activities

- A. The Chair did not attend the April Regional Coalition meeting, due to being on travel. Dr. Nona Girardi attended and represented the Board.

Respectfully submitted by:



Carlos Valdez

Chair, NNM CAB

May 08, 2014

Northern New Mexico Citizens' Advisory Board
Executive Director's Report
May 21, 2014

Board Membership: The NNM CAB currently consists of 20 members. Mona Varela was recently appointed to her first term; Ms. Varela lives in Albuquerque. We currently have one nomination package at Headquarters for review. We hope to be able to have a Site Appointment made very soon for this nominee from Española. Recruitment is currently underway for new high school student members. Gary, Jerry, and Deidre will be recognized for their service on May 21st. Kaitlin Martinez has been hired at Los Alamos National Laboratory and will continue to work with the NNM CAB in her new role in the Environmental Communications office.

Executive Committee: The Executive Committee met on April 9th at the Cities of Gold Conference Center. The committee discussed the FY'15 Budget, the 3706 Campaign, reviewed and approved the Bi-monthly meeting schedule for 2014, and discussed and approved travel to the site visit at Oak Ridge. The ExCom also approved the draft agenda for this meeting and discussed possible draft recommendations.

EM-SSAB Chairs' Meeting: The Spring Chairs' Meeting was held April 22-24, in Richland, Washington (hosted by the Hanford Advisory Board). Carlos, Doug, and Allison represented the NNM CAB; Lee, Christina, Menice and Bridget also attended and went on the site tour and attended the EM-SSAB staff meeting with Headquarters staff. The NNM CAB is scheduled to host the Chairs' meeting in September 2015 and staff is currently working on setting the dates and booking the venue.

Board Meeting Preparations: I prepared the Draft Agenda and submitted the notice to *The Federal Register*, in compliance with the Federal Advisory Committee Act. The NNM CAB staff made all arrangements at the Cities of Gold Conference Center, 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 attendance. All meeting materials were copied and collated by Bridget Maestas and 60 meeting packets were mailed out on May 14th. An advertisement for the meeting was placed in *The Albuquerque Journal* and in *Pasatiempo* of the Santa Fe New Mexican. Press Releases were sent to all newspapers for publication in the Community Calendar sections. Notices were posted on the NNM CAB website and on Facebook by William Alexander. Flyers advertising the meeting were also posted around northern New Mexico.

Outreach: Recruitment is underway for nominees; especially women, tribal, and student members. 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

Important Upcoming Dates:

June 11th – Executive Committee and Combined Committee Meeting, NNM CAB Office

July 9th – Executive Committee and Combined Committee Meeting, NNM CAB Office

July 30th – Board Meeting at La Fonda on the Plaza, Santa Fe

August 19th – 21st Tour of Rocky Flats, Colorado

2014 National Environmental Justice Conference
Washington, DC
March 26-28, 2014

March 26, 2014

Grand Opening Plenary Session and Reception was held at Howard University with opening remarks by Okianer Christian Dark, Dean of Howard University. The topic was President Obama's Executive Order 13650: Improving Chemical Facility Safety and Security. Panel members were inspirational in their discussion of coming to the table with recommendations and solutions, not just problems. Panel members included members of the Environmental Justice and Health Alliance for Chemical Policy Reform, American Chemistry Council, United Steelworkers and Texas Environmental Justice Advocacy Services. A reception was held for all attendees.

March 27-28, 2014

Various panels throughout both days included:

Customizing Environmental Education, Training and Employment – Hispanic Communities: USDA Forest Service presented on Latino outreach for employment fields with their agency. Topics included employment, recruitment, training, upward mobility, promotions and other conditions of employment. Summer and school time programs are aimed toward Hispanic and minority students.

Community Experiences

- Mayflower, AK Pegasus Pipeline Rupture and Response: A presentation given by Emily Harris of the Faulkner County Citizens Advisory Board. Concerns regarding lack of attention and response/assistance to the health problems caused by the rupture. Local people hired to clean up without proper OSHA training or adequate health precautions taken.
- Peace Bridge (an international bridge) – Buffalo NY and Fort Erie, Ontario (Canada). Panel consisted of resident/advocate Kathleen Mecca, Councilman Golombeck and Ron Rienas, GM of the Peace Bridge Authority. Discussion of health concerns regarding 4000 semi-trucks passing through this area and the high level of pollution. One out of four children has asthma or respiratory problems. Little done to address these pollution and health issues. Complex issues as two countries are involved and requires two governments and as well as local government, citizens and private businesses to work together.

Social Determinants and Health Disparities

Panel with Dr. Britt Ross Ellis of Long Beach CA regarding peer programs and the educational outreach aimed at the Latino population which promotes cultural pride by youth working with the elderly.

Environmental Justice and Indigenous People

A Vermont Law School student talked about her experience with the Kivalina, Alaskan peoples' lawsuit against major oil corporations for greenhouse effect and global warming due to burning of fossil fuels which resulted in these indigenous people having to relocate from their homeland 8 mile island due to melting of the ice cap that protected the island. This is still an ongoing issue they struggle with.

EJ: The Next Generation of Leaders

- HOPE San Francisco Housing: Engaging youth as civic activists in design and development of San Francisco housing. Partners included the National Organization of Minority Architects and the American Institute of Architects. This was a very hands-on project which sparked interest and involvement by young children in housing design through their making small scale structures incorporating concepts of reusable resources and renewable energy.
- Elements of an Urban Ubuntu: A case study on best practices to lead the next generation of leaders to lead themselves which promoted youth and organizations accessing parks, public lands, and the outdoors, especially those who have little opportunity to do so. Partners included Federally Employed Job Corps Alumni and the USDA Forest Service. The two presenters were very dynamic, enthusiastic and humorous staff of the USDA Forest Service whose work they hope will be carried on, duplicated or adapted to various geographic areas.

Overall, there were many informative and inspirational panelists, citizens, conference attendees and keynote speakers, all who were committed to the principles of environmental justice and to continuing the work or taking the next steps so that all citizens can live in safe communities, to strive for environmental equity for all.

Report submitted by Angel Quintana and Irene Tse-Pe

Vice-Chairman Doug Sayre's Report
On the Environmental Management Site Specific Advisory Board (EM-SSAB)
National Chairs Meeting in Pasco, Washington
April 22-24, 2014

On Tuesday, after arriving in Pasco on Monday, we were able to start our meeting week with a tour of the Hanford Site with a "bus around the facility" which was very interesting and well worth a whole day's adventure on a bus. The first stop on the tour was at the Cold Test Facility where a photo-type tank is available to observe how new and innovative technologies can be tested to remove high-level radioactive and chemical waste safely from Hanford's 177 underground storage tanks. Next we went to see some of the Tank farms where 177 tanks store 56 million gallons of radioactive and chemical wastes in 149 single shell tanks and 28 double shell tanks. The single shell tanks are aging but most of liquid in them has been pumped to the double shell tanks for storage and ultimately treatment at the WTP currently being constructed. Next we went to the C-Farm Tank waste storage area to see how retrieval of waste is being done on 16 single shell tanks. Then it was off to the Waste Treatment and Immobilization Plant (WTP) currently under construction. We were able see on the ground as well as going inside several of the buildings where radioactive waste will be pumped from the 177 tanks to be pretreated, then separated into high-level waste (HLW) and low-activity waste (LAW) and then sent to the respective waste treatment facility for vitrification. The low level vitrified waste containers are to be 4' diameter, 7' tall, and weigh about 7 tons. The high level containers are to be 2' in diameter, 14' tall and weigh about 4 tons. Plans are to store the LAW in trenches at Hanford and the HLW in a storage building at Hanford until a more permanent facility is approved. After lunch we went to the Environmental Restoration Disposal Facility (EDRF) which receives waste material from all over the Hanford site for landfill burial in double lined 52 football sized fields. The waste is composed of low-level, radioactive and hazardous mixed waste. Thus far they have buried 15 million tons of waste. Next we went to the groundwater treatment facility where 8 contaminants are treated, including Chromium 6 and carbon-tetrachloride. After treatment much of the water is re-injected into the groundwater. Lastly we went to the historic B reactor, the first of 9 reactors built on the Hanford site. The history and the past operation of this particular reactor is certainly awesome.

The Chairs meeting in Pasco, Washington which is adjacent to the Hanford Site was truly interesting and worthwhile in a number of aspects. The first one is that the Chair, Allison, and I were able to converse and discuss with other members of the various CABs the major concerns that they are facing regarding continued operation at their respective sites. A number of sites, specifically Hanford, Idaho, Oak Ridge, and Savannah River are very concerned about the current status of WIPP and when it will become operational again. It was this face to face interaction with the individual people from the respective SSAB areas that was of particular interest to me and how they felt the general public in the area was dealing their respective problem and how they felt DOE was handling the majority of issues concerning the most noteworthy ones. Meeting with DOE EM Washington staff people was also worthwhile and interesting.

The meeting started off with an EM Program status by Dave Borak, our new EM-SSAB Designated Federal Officer who replaced Catherine Alexander. Next up was Jack Craig, Acting Associate Principal Assistant Secretary for EM providing information on some of the more interesting program activities at the respective sites and giving an update on proposed EM program budget for 2015 of \$ 5.62B and the proposed breakdown of funding by EM Mission areas. We then had discussion by each SSAB's about topics and accomplishments. Carlos gave a very commendable report on NNM CAB. Next came an updated discussion on the status of WIPP by Frank Marcinowski, Deputy Assistant Secretary for waste He Management. The most important aspect of his discussion was that WIPP may not be operational for at least a year. He also provided us with a good overall view and status of the EM waste disposition program for the entire US.

On the second day we had a very interesting presentation on the PHOENIX project for the Hanford area which are Web-based tools for accessing and being able to visualize Hanford Site Environmental Data from the early years to currently acquired data. According to the presentation, this should improve transparency, trust, and understanding of the majority of problems at the Hanford site. This kind of program is probably well worth the time and money investment at all the major EM sites dealing with legacy radioactive waste problems.

All in all the meeting for the three days was again certainly worthwhile as well as interesting. Becoming more informed about all EM site problems certainly helps to be a more learned CAB member. I look forward to NNM CAB being the host for this meeting in the fall of 2015 so that all members of our CAB will get the chance to meet and learn face to face with the other CAB chairs and the Washington DOE-EM staff as to what is currently happening, as well as future plans for the respective sites. The Washington staff and the Hanford people involved are certainly to be commended for putting on and hosting this meeting.

ENVIRONMENTAL MANAGEMENT SITE-SPECIFIC ADVISORY BOARD

Hanford
Oak Ridge

Idaho
Paducah

Nevada
Portsmouth

Northern New Mexico
Savannah River

Mr. David Huizenga
Acting Assistant Secretary for Environmental Management
U.S. Department of Energy, EM-1
1000 Independence Avenue, SW
Washington, DC 20585

Dear Mr. Huizenga:

Background

The Environmental Management Site Specific Advisory Board (EM SSAB) Chairs note the examples below that illustrate some of the positive benefits resulting from EM remediation efforts such as:

- Fernald, Ohio, where an operational uranium enrichment plant has been deconstructed and the area reconstituted as parkland;
- Oak Ridge, Tennessee, where the East Tennessee Technology Park now occupies the area previously dominated by the K-25 Gaseous Diffusion Plant;
- Rocky Flats, Colorado, where a nuclear weapons production facility has been replaced by flourishing rangeland and now serves as a wildlife refuge; and
- Hanford in Washington state, where the B Reactor Preservation Project has been completed and is under consideration for national historic preservation.

In every case of EM site remediation, the environmental recovery constitutes a powerful example of how the joint efforts of the Department of Energy (DOE) and community leaders have resulted in a return to the local community and to society of areas or facilities previously exposed to and/or contaminated by nuclear activities.

Recommendation

With full recognition of the presence and value of formal public relations and outreach programs within each DOE facility, and building upon these capabilities, the EM SSAB Chairs recommend that DOE:

- Sponsor an independent examination of the remediation efforts of DOE EM, with the intent of producing video clips and/or lengthier documentaries suitable for

public viewing through a variety of platforms and for academic/scholastic purposes.

- Engage the various EM sites in developing and producing such materials (and referencing those that already exist), so that local resources (e.g. local television organizations and academic science programs) may make use of these materials to address local issues and specific concerns.

Such communication tools would help DOE EM to further capitalize on the presentation of past and emerging EM sites to inform the public about cleanup activities at former nuclear sites to maintain and improve support for environmental cleanup.

Steve Hudson, Chair
Hanford Advisory Board

Herbert Bohrer, Chair
Idaho National Laboratory
Site EM Citizens Advisory
Board

Kathleen Bienenstein, Chair
Nevada SSAB

Carlos Valdez, Chair
Northern New Mexico
Citizens' Advisory Board

David Hemelright, Chair
Oak Ridge SSAB

Ben Peterson, Chair
Paducah Citizens
Advisory Board

William E. Henderson II, Chair
Portsmouth SSAB

Marolyn J. Parson, Chair
Savannah River Site
Citizens Advisory Board

cc: Kristen Ellis, EM-3.2
David Borak, EM-3.2

ENVIRONMENTAL MANAGEMENT SITE-SPECIFIC ADVISORY BOARD

Hanford
Oak Ridge

Idaho
Paducah

Nevada
Portsmouth

Northern New Mexico
Savannah River

Mr. David Huizenga
Acting Assistant Secretary for Environmental Management
U.S. Department of Energy, EM-1
1000 Independence Avenue, SW
Washington, DC 20585

Dear Mr. Huizenga:

Background

The Environmental Management Site Specific Advisory Board (EM SSAB) believes the fiscal year 2015 budget request is insufficient to meet the cleanup obligations facing the EM cleanup sites. We also believe that the Department of Energy (DOE) needs to honor the agreements and established milestones between the federal government, the states, Tribes and affected stakeholders in a more timely fashion.

How Underfunding Increases Cost and Risk

- Funding shortfalls increase the long-term cost of cleanup to the American taxpayers.
- Flat funding increases cleanup costs because it does not consider inflation or escalation of added costs.
- Continuing funding shortfalls result in the downward spiral of additional delays and more costs.
- Continued use of facilities past their design lives increases risk, as has been demonstrated by recent reports of leaking double shell tanks at the Hanford site.
- Loss of institutional knowledge inhibits cleanup efficiency and increases costs.

Cleanup Commitments Must Be Honored

The United States government is obligated to meet existing cleanup commitments and establish new commitments for cleanup in a timely fashion. At the larger sites, much of the low hanging fruit, the most easily completed work, is done. The remaining cleanup at these sites is more complex and will cost more money. This fact cannot be ignored. Some sites, such as Fernald and Rocky Flats, have completed all cleanup activities. Many remaining sites are facing the most difficult, risk laden, and expensive cleanup activities across the DOE EM complex. There are also sites, such as Paducah, whose end state metrics have yet to be established.

We believe these cleanup obligations must be met in real time, not delayed. Every year DOE needs to honor their current commitments by requesting all funding to support cleanup activities and milestones, and request funding for newly established milestones.

The EM SSAB, comprising about 200 people, is composed of eight regional citizens advisory boards from communities in Georgia, Idaho, Kentucky, Nevada, New Mexico, Ohio, Oregon, South Carolina, Tennessee and Washington. We are cumulatively representative of a stakeholder population totaling millions of people who are affected by generator sites, transportation routes and disposal sites.

Recommendation

The EM SSAB requests that:

- DOE meet its cleanup obligations by requesting all annual funding required to support cleanup activities and milestones at each site we represent to complete committed cleanup activities, without delay.
- DOE expedite milestone establishment, and requests funds for those sites that do not have site end state cleanup milestones in place.

The EM SSAB requests that you share this recommendation with the Secretary of Energy.

Steve Hudson, Chair
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