



A U.S. Department of Energy  
Site-Specific Advisory Board

## NNMCAB Members

Douglas Sayre, Chair  
Santa Fe, NM

Gerard Martínez y Valencia,  
Vice-Chair  
Santa Fe, NM

Carla Abeyta  
Chimayo, NM

Max Baca  
Las Vegas, NM

Diahann Cordova  
Alcalde, NM

Mary Friday  
Taos, NM

Nona Girardi  
Los Alamos, NM

Angelica Gurulé  
Española, NM

Joshua Madalena  
Pueblo of Jemez, NM

Tessa Mascareñas  
Española, NM

Daniel Mayfield  
Nambe, NM

Alex Puglisi  
Santa Fe, NM

Angel Quintana  
Pueblo of Pojoaque, NM

Rod Sanchez  
Corrales, NM

Ashley Sanderson  
Santa Fe, NM

Stephen Schmelling  
Santa Fe, NM

Joey Tiano  
Santa Fe, NM

Irene Tse-Pe,  
Pueblo de San Ildefonso, NM

Carlos Valdez  
Albuquerque, NM

Michael Valerio  
Taos, NM

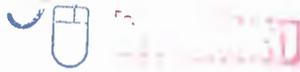
Mona Varela  
Albuquerque, NM

Michael Whiting  
Albuquerque, NM

Nicole Habbit  
Student Representative

Ashley Herrera  
Student Representative

James Valerio  
Student Representative



January 20, 2016

Dear NNM CAB Members, Liaisons, and Student Representatives,

Enclosed is the information you will need for the NNM CAB meeting scheduled for January 27, 2016, at the Ohkay Conference Center, north of Espanola.

The presentations scheduled for the meeting are: an update on the "Environmental Management Los Alamos Field Office Budget" by Genna Hackett; and an "Update on the WIPP Recovery" by J. R. Stroble.

You will also hear updates from the NNM CAB Liaisons: Doug Hintze, Randy Erickson, and Katie Roberts, NMED General Counsel.

Chairman Sayre has asked that you arrive before 1:00 p.m., so that a quorum may be established promptly.

If you are unable to attend the meeting, please request an excused absence from Lee Bishop, DDFO at: [Lee.Bishop@em.doe.gov](mailto:Lee.Bishop@em.doe.gov) or Mike Gardipe at: [Mike.Gardipe@em.doe.gov](mailto:Mike.Gardipe@em.doe.gov)

Kindest regards,

Menice B. Santistevan  
Executive Director  
NNMCAB Support Office

**Northern New Mexico Citizens' Advisory Board**  
94 Cities of Gold Road  
Santa Fe, NM 87506  
Phone: 505-989-1662 Fax: 505-989-1752  
1-800-218-5942  
[www.energy.gov/em/nnmcab](http://www.energy.gov/em/nnmcab)

37359





**Los Alamos, NM**

1. Head west on Orange St toward Nickel St
2. Turn left onto Diamond Dr
3. Turn left onto Trinity Dr
4. Continue onto NM-502/E Rd  
Continue to follow NM-502
5. Take the NM-30 N ramp to Espanola
6. Merge onto NM-30
7. Turn right onto Santa Clara Bridge Rd
8. Turn left onto S Riverside Dr/Sandía Dr  
Continue to follow S Riverside Dr
9. Continue onto NM-291 W/NM-68 N
10. Turn right  
Destination will be on the right

**Ohkay Resort**  
 68 New Mexico 291  
 Ohkay Owingeh, NM 87566

**Taos, NM**

1. Head southwest on Barela Ln toward Kit Carson Rd
2. Turn right onto Kit Carson Rd
3. Turn left onto NM-68 S/Paseo Del Pueblo Sur  
Continue to follow NM-68 S
4. Turn left  
Destination will be on the right

**Ohkay Resort**  
 68 New Mexico 291  
 Ohkay Owingeh, NM 87566

**Santa Fe, NM**

1. Head east on E San Francisco St toward Cathedral Pl
2. Turn left onto Cathedral Pl
3. Turn left onto E Palace Ave
4. Take the 1st right onto Washington Ave
5. Turn left onto Paseo De Peralta
6. Turn right onto N Guadalupe St
7. Take the ramp onto US-285 N/US-84 W/  
Hwy 84 W/N St Francis Dr  
Continue to follow US-285 N/US-84 W/Hwy 84 W
8. Continue onto NM-68 N/S Riverside Dr  
Continue to follow NM-68 N
9. Turn right  
Destination will be on the right

**Ohkay Resort**  
 68 New Mexico 291  
 Ohkay Owingeh, NM 87566

**Northern New Mexico Citizens' Advisory Board Meeting  
 January 27, 2016  
 1:00 p.m. to 5:15 p.m.  
 Ohkay Conference Center  
 Highway 68, Ohkay Owingeh, New Mexico 87566**

**AGENDA**

<u>Time</u>	<u>Action</u>	<u>Presenter</u>
1:00 p.m.	Call to Order	Lee Bishop, DDFO
	Welcome and Introductions	Doug Sayre, Chair
	Approval of Agenda	
	Approval of Minutes of November 12, 2015	
	Approval of Minutes of November 18, 2015	
1:20 p.m.	Old Business	
	a. Written Reports – See Packet Enclosures (5 minutes)	
	b. Other items	
1:30 p.m.	New Business	
1:35 p.m.	Update from Deputy Designated Federal Officer(s)	Lee Bishop/Michael Gardipe
1:45 p.m.	Consideration and Action on Draft Recommendation 2016-01, "Campaign Approach"	Doug Sayre
2:00 p.m.	Presentation on Environmental Management Los Alamos Field Office Budget	Genna Hackett
2:30 p.m.	<b>Break</b>	
2:50 p.m.	Continue Presentation	
3:30 p.m.	Update on WIPP Recovery	J. R. Stroble
4:00 p.m.	Update from Liaisons	
	a. Update from U. S. Department of Energy	Doug Hintze
	b. Update from Los Alamos National Laboratory	Randy Erickson
	c. Update from New Mexico Environment Department	Katie Roberts
4:45 p.m.	<b>Public Comment Period</b>	
5:00 p.m.	Wrap-up Comments from NNM CAB Members	
	a. Were your questions answered regarding the presentations?	
	b. Requests for future presentations or information	
	c. Proposed Recommendations	
5:15 p.m.	Adjourn	Lee Bishop



**Northern New Mexico Citizens' Advisory Board Meeting**

**November 12, 2015**

**1:00 p.m. to 4:30 p.m.**

**Cities of Gold Conference Center**

**Pojoaque, New Mexico 87506**



**Minutes**

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**Meeting Attendees**

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**Department of Energy**

1. Doug Hintze, Manager, DOE EM-LA Field Office
  2. Lee Bishop, Co-Deputy Designated Federal Officer
  3. Michael Gardipe, Co-Deputy Designated Federal Officer
  4. David Nickless, Department of Energy Environmental Management Los Alamos Field Office
  5. Brian Hennessey, Department of Energy Environmental Management Los Alamos Field Office
- 

**NNMCAB Members**

1. Doug Sayre, NNMCAB Chair
  2. Stephen Schmelling, Chair EM&R Committee
  3. Angelica Gurulé, Chair WM Committee
  4. Ashley Sanderson, Vice-Chair EM&R Committee
  5. Michael Whiting, Vice-Chair WM Committee
  6. Manuel Pacheco
  7. Mary Friday
  8. Carlos Valdez
  9. Joey Tiano
  10. Angel Quintana
  11. Max Baca
  12. Irene Tse-Pe
  13. Alex Puglisi
- 

**NNMCAB Student Representatives**

1. James Valerio
- 

**NNMCAB Excused Absences**

1. Nona Girardi
2. Joshua Madalena
3. Gerard Martínez y Valencia
4. Tessa Jo Mascareñas

- 1 5. Danny Mayfield
- 2 6. Joseph Viarrial
- 3 7. Carla Abeyta
- 4 8. Rod Sanchez
- 5 9. Diahann Lopez-Cordova
- 6 10. Michael Valerio
- 7 11. Mona Varela
- 8 12. Alyssa Schreiber
- 9 13. Ashlee Herrera

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10  
11 **NNMCAB Absences**

12 None

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13  
14 **NNMCAB Support Staff**

- 15 1. Menice Santistevan, Executive Director
- 16 2. Bridget Maestas, Administrative Assistant
- 17 3. William Alexander, Technical Programs and Outreach

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18  
19 **Guests**

- 20 1. Suzanne Valerio, Public
- 21 2. Steven Horak, PT&C, LLC.
- 22 3. Toni Chiri, National Nuclear Security Administration, Los Alamos Field Office
- 23 4. Roger Snodgrass, Los Alamos Daily Post
- 24 5. Jocelyn Buckley, Los Alamos National Security
- 25 6. Kevin Tafoya, SCP-OEA
- 26 7. Gilbert Gutierrez, SCP-OEA
- 27 8. Floyd Archuleta, Portage, Inc.
- 28 9. Scott Kovac, Nuke Watch New Mexico
- 29 10. Dave French, Los Alamos National Security
- 30 11. Shannon Farrell, CH2M Hill
- 31 12. Sean Stanfield, Canberra
- 32 13. Frazer Lockhart, SN3
- 33 14. John Stroud, Nuke Watch New Mexico
- 34 15. Felicia Aguilar, The Lakeworth Group, LLC.
- 35 16. Amy Jordan, Neptune and Company
- 36 17. John Tauxe, Neptune and Company
- 37 18. Elizabeth. Miller, Santa Fe Reporter
- 38 19. Kristine Cornils, DMI
- 39 20. Carolyn Bateman, PT&C, LLC.
- 40 21. Racquel Benedict, PT&C, LLC.
- 41 22. John McCann, Los Alamos National Security
- 42 23. Lindi Douglass, Regional Coalition of LANL Communities

- 1 24. Roy McKinney, Portage, Inc.
- 2 25. Kevin Reid, TPMC
- 3 26. Allison Scott Majure, New Mexico Environment Department
- 4 27. Secretary Ryan Flynn, New Mexico Environment Department
- 5 28. Katie Roberts, New Mexico Environment Department
- 6 29. Andrea Romero, Regional Coalition of LANL Communities
- 7 30. Joni Arends, Concerned Citizens for Nuclear Safety
- 8 31. Anna Hansen, Green Fire Times
- 9 32. Katie Gallegos, PT&C, LLC.
- 10 33. Mark Oswald, Albuquerque Journal North
- 11 34. Adam Barras, PT&C, LLC.
- 12 35. Rick Ulibarri, Los Alamos National Security
- 13 36. Steve Veenis, Los Alamos National Security
- 14 37. Jordan Arnsward, National Nuclear Security Administration, Los Alamos Field Office
- 15 38. Madeleine Faubert, National Nuclear Security Administration, Los Alamos Field Office
- 16 39. Bob Dodge, Public
- 17 40. Kelly Hunter, Waste Control Specialists
- 18 41. Jay Coghlan, Nuke Watch New Mexico
- 19 42. Danny Katzman, Los Alamos National Security
- 20 43. Jeanne Green, Public
- 21 44. Marilyn Hoff, Public
- 22 45. Kenneth Grumski, Waste Control Specialists
- 23 46. Jim Felty, Sigma Science, Inc.
- 24 47. Brian Crone, Congressional Fellow at Congressmen Ben Ray Lujan's Office
- 25 48. Robert Zulick, PT&C, LLC.

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

1 **Minutes**

2 **I. Call to Order**

3 The Special Meeting of the Northern New Mexico Citizens' Advisory Board (NNMCAB)  
4 was held on November 12, 2015 at the Cities of Gold Conference Center, Pojoaque, New  
5 Mexico. Mr. Lee Bishop, Co-Deputy Designated Federal Officer (CDDFO) stated that on  
6 behalf of the Department of Energy (DOE) the meeting of the NNMCAB was called to order  
7 at 1:13 p.m.

8 Mr. Bishop recognized Mr. Doug Sayre, the NNMCAB Chair. Mr. Sayre presided at the  
9 meeting.

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

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12  
13 **II. Establishment of a Quorum (13 Needed)**

14 **a. Roll Call**

15 Mr. William Alexander conducted roll call as the members arrived. At the call to  
16 order, 11 members were present. Mr. Alexander recorded that the following members  
17 arrived after the call to order, Ms. Irene Tse-Pe arrived at 1:35 p.m. and Mr. Max Baca  
18 Arrived at 3:00 p.m. Mr. Alexander recorded that Ms. Angel Quintana departed at 2:30  
19 p.m. Mr. Alexander recorded that a quorum was not present at the meeting.

20  
21 **b. Excused Absences**

22 Mr. Alexander recorded that the following members had excused absences: Dr.  
23 Nona Girardi, Mr. Joshua Madalena, Mr. Gerard Martínez y Valencia, Ms. Tessa Jo  
24 Mascareñas, Mr. Danny Mayfield, Mr. Joseph Viarrial, Ms. Carla Abeyta, Mr. Rod  
25 Sanchez, Ms. Diahann Lopez-Cordova, Mr. Michael Valerio, Ms. Mona Varela, Ms. Alyssa  
26 Schreiber, and Ms. Ashlee Herrera.

27  
28 **c. Absences**

29 Mr. Alexander recorded that no members were absent.

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30  
31 **III. Welcome and Introductions**

32 Mr. Sayre welcomed the members and the public to the meeting. He asked for  
33 introductions from the board members and attending guests.

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34  
35 **IV. Approval of Agenda**

36 The board reviewed the agenda for the November 12, 2015 meeting, Mr. Sayre opened  
37 the floor for questions or comments.

38  
39 With no quorum present the Board was not able to approve the agenda, the meeting  
40 proceeded with presentations only.

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41  
42 **V. Presentations**

43 **a. New Mexico Environment Department**

44 Secretary Ryan Flynn, NMED and Katie Roberts, NMED; gave a presentation to the  
45 NNMCAB on "Possible Revisions to the 2005 Order on Consent (CO) for Los Alamos  
46 National Laboratory Cleanup." An electronic copy of the presentation may be

1 obtained from the NNMCAB website; <http://www.energy.gov/em/nnmcab>. Video of  
2 the presentation is also available on the NNMCAB's YouTube Channel (NNMCAB).  
3

4 **b. Questions**

5 Mr. Pacheco asked what the date of enforcement was for the 2005 Consent Order.  
6

7 Secretary Flynn responded that the CO enforcement date was March 1, 2005.  
8

9 Mr. Pacheco asked what the standards for Corrective Measures Evaluations (CME)  
10 were based on, and how will the New Mexico Environment Department (NMED)  
11 engage the Environmental Protection Agency (EPA) on the CO revision.  
12

13 Secretary Flynn responded that the methods that are outlined in the CO were  
14 current to EPA guidelines at the time; however, changes to the guidelines would be  
15 taken into account. Additionally, noting that NMED has primacy over the Hazardous  
16 Waste Program in New Mexico and EPA will not be party to CO discussions.  
17

18 Mr. Schmelling asked what the time frame is for completing the revision of the CO.  
19

20 Secretary Flynn responded that NMED had hoped to complete it by the end of the  
21 year; however, the Settlement Agreement needs to be completed before NMED can  
22 move on the CO revision. Additionally, noting that it could take up to 18 months to  
23 complete the revision if a public hearing is necessary.  
24

25 Mr. Schmelling asked if there was an end date for completion of the cleanup in the  
26 new CO.  
27

28 Secretary Flynn responded that it would be reckless to select an end date until  
29 NMED knows what corrective measures will be necessary. At this point the  
30 evaluations are not completed, so remedies have not yet been selected, noting that  
31 NMED does not currently have an end date.  
32

33 Mr. Puglisi asked if there would be interim dates for each campaign rather than an  
34 overall completion date.  
35

36 Secretary Flynn stated that an annual work plan process may be one direction that  
37 NMED could take for setting dates in the revised CO. Noting that the plan would likely  
38 cover 3 years at a time not just a single year.  
39

40 Mr. Puglisi asked if the new CO would be following a Superfund Model.  
41

1 Secretary Flynn noted that there is different language in RCRA and CERCLA;  
2 however, both use a similar structure for cleanup: determine if there is a problem,  
3 derive nature and extent, and determine and implement a cleanup approach.  
4

5 Mr. Valdez asked how the 1.2 Billion Dollar number for cleanup was derived.  
6 Noting that without a remedy selected he was not sure how a budget could be  
7 derived.  
8

9 Secretary Flynn responded that the figure was not generated by NMED, but by  
10 DOE. He noted that he put that information out there for the benefit of the public.  
11 Secretary Flynn noted that he did not think there was any real basis behind the  
12 number, it was derived by the planning process that DOE uses for Life Cycle Base Line.  
13 Additionally, noting that the number is not definitive or accurate at this time because  
14 the CMEs are not yet complete.  
15

16 Ms. Friday noted that she likes the idea of not having a specific date. She asked if  
17 when the revised CO is signed, would it have dates placed in it.  
18

19 Secretary Flynn responded that dates would be updated in the revised CO. He  
20 noted that until the final remedy selection, any dates that are put in may possibly  
21 change. Secretary Flynn noted that DOE does; however, have a baseline that requires  
22 that the facility have an end date.  
23

24 Ms. Gurulé asked if DOE/NMED could provide the NNM CAB with: estimated cost to  
25 complete; risk to the public; estimated time for cleanup; deadline for completion, for  
26 each campaign.  
27

28 Secretary Flynn responded that he hoped that DOE would be providing that  
29 information in their presentation today.  
30

31 **c. Department of Energy**

32 Mr. Doug Hintze, DOE, EM-LA; gave two presentations to the NNM CAB: "History of  
33 Work Completed at Los Alamos National Laboratory" and "Executing Legacy Cleanup  
34 at Los Alamos National Laboratory." An electronic copy of the presentation may be  
35 obtained from the NNM CAB website; <http://www.energy.gov/em/nmcb> Video of  
36 the presentation is also available on the NNM CAB's YouTube Channel (NNM CAB).  
37

38 **d. Questions**

39 Mr. Hintze noted that there were 14 proposed campaigns and that the  
40 approximate cost listed for the campaigns was a comparison between the 14 different  
41 campaigns, not an actual cost. Additionally, noting that this cost was a best guess

1 based on the knowledge of the Subject Matter Experts and historical cost. Below is the  
2 list of cost for each of the 14 campaigns.

- 3 1. Chromium Interim Measure - \$50 million
- 4 2. Chromium Final Remedy - \$150 million
- 5 3. RDX Interim Measure & Final Remedy - \$35 million
- 6 4. TA-21 Major Acceleration - \$25 million
- 7 5. General's Tanks (MDA-A) - \$100 million
- 8 6. Historical Properties - \$10 million
- 9 7. MDAs A & T - \$125 million
- 10 8. Pajarito Canyon Watershed - \$10 million
- 11 9. Ancho & Chaquehui Watershed - \$10 million
- 12 10. Water Canyon Watershed - \$10 million
- 13 11. Remaining SWMUs - \$30 million
- 14 12. MDA-C - \$50 million
- 15 13. MDA-AB - \$50 million
- 16 14. Area G Closure MDAs G, H, L - \$225 million

17  
18 Mr. Valdez asked who are the players that are going to work on the CO revision, will  
19 there be employees from NMED, DOE, HQ, and will there be a budget person.

20  
21 Mr. Hintze responded that there will be a smaller core group of technical experts,  
22 and likely employees from HQ, LANL, NMED, and EM-LA. Additionally, noting that he  
23 does not have an exact number at this time.

24  
25 Mr. Valdez asked why not ask for additional funding in the local budget request why,  
26 only ask for \$189 million.

27  
28 Mr. Hintz responded that the Integrated Priority List is an internal process and has a  
29 set dollar amount. He noted that the department cannot tell the public the exact  
30 number that was asked for at the local level, noting that the President's budget request  
31 number is what is released to the public.

32  
33 Secretary Flynn noted that there is an executive order that requires the local sites to  
34 submit a budget for the money required to complete the work; however, submit a  
35 budget that will pass and address expectations.

36  
37 Mr. Valdez asked if the campaign list was in priority order.

38  
39 Mr. Hintze stated that the list was not in a priority order, noting that the list could be  
40 prioritized by, schedule, cost, risk, and land release.

41  
42 Mr. Schmelling asked what the next steps would be in the process for the campaign  
43 approach.

1 Mr. Hintze stated that the first decision that needs to be made is if the campaign  
2 approach is the approach to take. Additionally, noting that today's information is the  
3 first approach into what the possible campaigns could be and what direction the CO  
4 should take.

5 Mr. James Valerio asked if the schedule for each campaign was meant to be  
6 compared only between the campaigns as listed.

7  
8 Mr. Hintze responded that yes, both schedule and cost were meant to be compared  
9 only against the information provided for the campaigns today.

10  
11 Ms. Gurulé asked if the campaigns covered all the scope that the NNMCAB needs to  
12 address.

13  
14 Mr. Hintze responded that yes the campaigns cover all the scope under the CO;  
15 however, it is not all of the scope that the Environmental Management Office is  
16 responsible for.

17  
18 Mr. Puglisi asked if the campaigns need to happen individually or if some of the  
19 campaigns could occur simultaneously.

20  
21 Mr. Hintze responded that yes based on available resources campaigns could  
22 possibly be completed simultaneously.

23  
24 Mr. Puglisi asked what needed to be done to for the 2005 CO to bridge the gap  
25 between a new CO.

26  
27 Secretary Flynn responded that the 2005 CO stays in effect until a new CO is signed,  
28 stating that there is no regulatory action that needs to be signed to continue the 2005  
29 CO.

30  
31 Mr. Baca asked how much money congress allocates annually for cleanup.

32  
33 Mr. Hintze responded that he can't say for the Department of Defense only for the  
34 Department of Energy and that number is \$5.9-\$6 Billion.

35  
36 Mr. Baca asked if that number had been increasing or decreasing over the last 5  
37 years.

38  
39 Mr. Hintze responded the ARRA was the high point and since then it has been  
40 decreasing. Additionally, noting that planning has the budget as flat with a 1% increase  
41 yearly.

42  
43 Mr. Baca asked if the local office could possibly get additional funding from Congress  
44 for cleanup at Los Alamos.

45  
46 Mr. Hintze responded that he was committed to fighting within his channels to move  
47 cleanup at Los Alamos forward. Noting that he is not allowed to lobby Congress for  
48 funding.

1  
2 Mr. Baca asked who would finally make the decision on what the priority list is for  
3 the campaigns.  
4

5 Secretary Flynn responded that NMED would ultimately make the decision on what  
6 the priority list is.  
7

8 Mr. Baca asked about the unfunded liability for the 35% to the pension fund.  
9

10 Mr. Hintze responded that he would hope that money would be moved to cleanup,  
11 once the unfunded liability is complete.  
12

13 Mr. Baca asked where the \$70 million was going to fund the campaign approach this  
14 year.  
15

16 Mr. Hintze responded that the campaign approach is a proposal and is currently not  
17 funded. Additionally, noting that since cleanup is not being done as campaigns  
18 currently, he doesn't know how to answer that.  
19

20 Mr. Baca asked if there would be scalable penalties in the revised CO.  
21

22 Secretary Flynn responded yes that is in the current document and would be in the  
23 new document also. Additionally, noting that DOE's current policy is to use cleanup  
24 funding to pay any fines that are assessed.  
25

26 Ms. Friday asked for clarification on how much of the \$189 million dollars is available  
27 for cleanup.  
28

29 Mr. Hintze responded that we are not asking you to work on budget formulation,  
30 only to prioritize the scope of the campaigns.  
31

32 Mr. James Valerio asked would the stipulated penalties in the 2005 CO still be  
33 actionable while the new CO is written.  
34

35 Secretary Flynn responded that violations that have already accrued if the Settlement  
36 Agreements are executed then we would not assess penalties for past violations;  
37 however, it would be determined by how the Settlement Agreements are handled.  
38

39 Mr. Sayre asked what the next step in the process is.  
40

41 Secretary Flynn responded that the Settlement Agreement needs to be completed.  
42 Noting that after that is complete the next step will be to sit down and look at changes  
43 to the 2005 CO. Additionally, noting that public meetings and feedback would be  
44 needed to accomplish that.  
45  
46

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1           **VI.     Public Comment Period**

2                     Mr. Sayre opened the floor for public comment at 4:00 p.m. He invited Mr. Scott Kovac,  
3                     Nuke Watch New Mexico, to address the Board.

4  
5                     Mr. Kovac thanked everyone for attending today's meeting. He noted that we are here  
6                     today because the 2005 CO had an end date, noting that a lot of permits only last 10 years.  
7                     Mr. Kovac stated "how does the revised CO have a day like today." He noting that there was  
8                     no reason that the schedule in the 2005 CO could not have been updated along the way, it  
9                     doesn't seem that difficult to add projects and time to the schedule. He noted that the  
10                    schedule was never meant to be fixed in place. Mr. Kovac noted that he would like to stand  
11                    up for the deliverables schedule, how else do you show that the work has been completed.  
12                    The reports and plans are the deliverables, are we talking about getting rid of all the reports  
13                    and plans which offer transparency for the work that is being done? We need to know  
14                    exactly what the campaign approach is. Mr. Kovac noted that you have to make certain  
15                    assumptions for the schedule, as long as you know what those assumptions are you can  
16                    have an end date. Mr. Kovac asked what will be done on other campaign areas while a  
17                    campaign is being focus on, there needs to be some monitoring done on the other areas.  
18                    Mr. Kovac additionally noted that there was nothing wrong with the schedule in the 2005  
19                    CO.

20  
21                    Secretary Flynn responded that this was the first time that this topic was being  
22                    introduced, noting that he would suggest that NMED is not suggesting throwing out the  
23                    schedule, or the reports and plans. He noted that the difference between deliverables and  
24                    campaigns, is that the deliverables approach does not have a concerted effort for taking the  
25                    next step in the cleanup process. He noted that the current process does a lot of  
26                    investigations and then just sits there, DOE never has to take the next step. Secretary Flynn  
27                    noted that the campaigns would focus on an area and work from investigation to clean up,  
28                    and then moving on to the next project. Additionally, noting that NMED does not intend to  
29                    get rid of the procedural requirements that are in the 2005 CO for determining an  
30                    appropriate cleanup process.

31  
32                    Mr. Sayre invited Ms. Joni Arends of Concerned Citizens for Nuclear Safety (CCNS). To  
33                    address the Board.

34  
35                    Ms. Arends noted that "CCNS was formed in 1988 to address community concerns  
36                    about transportation of waste to the Waste Isolation Pilot Plant (WIPP)." Ms. Arends noted  
37                    that in the late 80's and early 90's she was involved in the beginnings of setting up the  
38                    NNMCAB, and noting that she appreciated the NNMCAB's work.

39                    Ms. Arends stated that she would like to point out that this was not a NMED public  
40                    meeting under the Hazardous Waste Act or RCRA. She noted that the topics discussed here  
41                    need to be discussed at the evening meetings to allow full access to the public.

42                    Ms. Arends stated that she would like to focus on the chromium plume and focus on the  
43                    process. She noted that CCNS believes that due to the complexity of the problem, the  
44                    chromium issue needs to have a full Environmental Impact Statement completed. Ms.  
45                    Arends pointed out that NMED's approval of the Chromium Work Plan had documented  
46                    uncertainties in the proposed plan to remediate chromium migration. Ms. Arends stated  
47                    that more time is needed to have the required information to protect our sole source  
48                    drinking water aquifer that provides the region's drinking water. Ms. Arends noted the

1 CCNS's concern is that if this project is not done properly there is a potential to contaminate  
2 the regional aquifer with chromium and perchlorate. Additionally, noting that the chromium  
3 plan does not address the perchlorate plume. Ms. Arends stated that the draft  
4 environmental assessment also states that DOE needs to apply for an air permit, stating that  
5 they have not applied for that permit yet, in addition to permits required from the State  
6 Engineers Office. She noted that in order for the public to provide comment on the  
7 cumulative impact of this proposal, we need the permits and a full Environmental Impact  
8 Statement. Ms. Arends noted that her request to the NNMCAB was that they draft a letter  
9 to DOE noting that a full Environmental Impact Statement is needed.

10 Ms. Arends noted that the required information on the project had not been distributed  
11 appropriately to the required individuals that are listed on the distribution list for  
12 assessments. Ms. Arends noted that the distribution list is 10 pages long and that not  
13 everyone had been notified that was on that list. Ms. Arends stated that she believes that  
14 DOE needs to begin this process all over again and follow the National Environmental Policy  
15 Act regarding notification.

16  
17 Mr. Sayre invited Mr. Jay Coghlan of Nuke Watch New Mexico to address the board.

18  
19 Mr. Coghlan noted that according to the DOE presentation, the pension fund is an  
20 astounding 35%, he noted that his question was which employees that contribution was for:  
21 LANL, DOE, Cleanup persons in general?

22  
23 Mr. Hintze responded that the LANL pension is self-funded and that the contributions  
24 are for the contract employees, not the Federal employees.

25  
26 Mr. Coghlan stated that he had never met Mr. Hintze so he was treating him strictly as a  
27 DOE Official. Noting that frankly, he regards DOE as an incredibly unrealistic department,  
28 and DOE is asking the public to be realistic with cleanup assumptions for Los Alamos. He  
29 noted that he liked to point out that DOE has been on the Government Accountability  
30 Offices high risk list for 25 consecutive years, noting that their only company is the  
31 Department of Defense. Stating that the DOE has a constant track record of blown  
32 schedules and cost. Mr. Coghlan noted that he works mostly on weapons issues and stated  
33 that DOE is spending approximately \$30 - \$40 million per bomb on the B61-12 to create the  
34 first nuclear smart bomb, while telling us that we can't spend more than \$160 million or  
35 four bombs worth on the LANL cleanup, noting, basically he was rejecting DOE's call to be  
36 realistic. Mr. Coghlan stated that his biggest fear is that through the revised CO, NMED is  
37 giving up being in the driver's seat, noting that when he hears that there may be annual  
38 planning in the revised CO, but annual planning over projects for the next year or two, I  
39 want NMED dictating what is done. We can't have DOE saying this is what I think we can do,  
40 it can't be that way. Mr. Coghlan stated that he knows for a fact that the point of the 2005  
41 CO was to make DOE/LANL go to Congress to get the necessary funding. He noted that  
42 where NMED has fallen down, is that they need to enforce the penalties. Additionally,  
43 noting the NMED gave over 100 extensions in the 2005 CO and that undermined the  
44 milestone schedule and eviscerated the CO. Mr. Coghlan also noted that the last campaign  
45 ended in disaster, with the closure of a multi-billion dollar disposal facility, the WIPP.  
46 Additionally, noting that it was arguably because corners were cut in order to expedite the  
47 waste removal from LANL. Mr. Coghlan noted that he was not against getting rid of the TRU  
48 waste; however, the campaign ended in disaster while other cleanup work was postponed.

1 Mr. Coghlan stated that he was going to reserve judgment on the new campaign approach.  
2 He additionally stated that there needs to be milestones in the new CO.

3 Mr. Coghlan stated that Nuke Watch New Mexico believes that RCRA requirements are  
4 incorporated in the existing CO and that they must stand. He noted that they would be  
5 pushing for the public participation requirements in the existing CO.

6  
7 Secretary Flynn responded that NMED wanted to get out and get the public information,  
8 noting that NMED has not yet made real progress on a revised CO. He stated that NMED  
9 absolutely intends to have public meetings, this is really just the beginning of the process for  
10 revision of the CO. Additionally, noting that NMED will not only be using the NNM CAB and  
11 Regional Coalition of LANL Communities for meeting but also Public Meetings and Non-  
12 Government Organizations. Secretary Flynn stated that he agreed that NMED does need to  
13 be in the driver seat as they are the regulator for the LANL on this issue. Secretary Flynn also  
14 stated that NMED did give extensions under the old CO; however, noting that NMED had  
15 not been lax or lenient in enforcement of the 2005 CO.

16  
17 Mr. Sayre invited Ms. Marilyn Hoff a member of the public, to address the Board.

18  
19 Ms. Hoff stated that she wanted to say that I really don't like the description in the  
20 proposal for Material Disposal Area G, Cap and Cover. Stating it's like "opening up a cancer  
21 patient stating you have a really bad disease, and here is how I'm going to cure it I'm going  
22 to sew you back up again." Ms. Hoff noted that she absolutely does not support Cap and  
23 Cover, there needs to be a much more thorough cleanup of the area. Ms. Hoff stated that  
24 we need to fire Bechtel, we need to get Los Alamos controlled by local people that are living  
25 with the horrible pollution that LANL is creating. Bechtel is a crooked organization that is  
26 taking our money and is somewhat responsible for what happened with WIPP. Additionally,  
27 stating that we need someone local that cares about our neighborhood and cares about  
28 cleaning it up so it is a livable neighborhood.

29  
30 With no additional public comment, Mr. Sayre closed the public comment period at 4:43  
31 p.m.

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32  
33 **VII. Adjournment**

34 Mr. Sayre thanked everyone for attending the meeting and turned the meeting over to  
35 Mr. Bishop, CDDFO.

36  
37 Mr. Bishop adjourned the meeting at 5:44 p.m.

38  
39 **Respectfully Submitted,**



40 **Doug Sayre, NNM CAB, Chair**

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

1 **Attachments**

- 2       1. **Final NNM CAB Meeting Agenda for 11/12/2015**  
3       2. **Presentation by New Mexico Environment Department "Revised Consent Order."**  
4       3. **Presentation by Department of Energy "Accomplishments"**  
5       4. **Presentation by Department of Energy "Executing Legacy Work"**
- 

6  
7 **Public Notice:**

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

11  
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15



**Northern New Mexico Citizens' Advisory Board Meeting**

**November 18, 2015**

**1:00 p.m. to 5:15 p.m.**

**New Mexico Highlands University**

**Student Union Building**

**Las Vegas, New Mexico 87701**



**Minutes**

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**Meeting Attendees**

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**Department of Energy**

1. Doug Hintze, Manager, Department of Energy, Environmental Management Los Alamos Field Office
  2. Lee Bishop, Co-Deputy Designated Federal Officer
  3. David Nickless, Department of Energy, Environmental Management Los Alamos Field Office
- 

**NNMCAB Members**

1. Doug Sayre, NNMCAB Chair
  2. Gerard Martínez y Valencia, NNMCAB Vice-Chair
  3. Stephen Schmelling, Chair Environmental Monitoring & Remediation Committee
  4. Angelica Gurulé, Chair Waste Management Committee
  5. Michael Valerio
  6. Carla Abeyta
  7. Carlos Valdez
  8. Angel Quintana
  9. Max Baca
  10. Danny Mayfield
  11. Tessa Jo Mascareñas
  12. Irene Tse-Pe
  13. Joey Tiano
  14. Rod Sanchez
  15. Mona Varela
- 

**Student Representatives**

1. Alyssa Schreiber
  2. James Valerio
- 

**NNMCAB Excused Absences**

1. Nona Girardi

- 1 2. Ashley Sanderson
- 2 3. Michael Whiting
- 3 4. Mary Friday
- 4 5. Joshua Madalena
- 5 6. Diahann Lopez-Cordova
- 6 7. Alex Puglisi
- 7 8. Ashlee Herrera (student)

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8  
9 **NNMCAB Absences**

10 None

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11  
12 **NNMCAB Support Staff**

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

16  
17 **Guests**

- 18 1. Dave Funk, Los Alamos National Security
- 19 2. Lindi Douglass, Regional Coalition of LANL Communities
- 20 3. Scott Kovac, Nuke Watch New Mexico
- 21 4. Charles Broom ARES Corporation
- 22 5. Steven Horak, PT&C, LLC.
- 23 6. Peter Hyde, Los Alamos National Security
- 24 7. Bob Dodge, Public
- 25 8. Stephen Salas, U.S. Congressman Ben Ray Lujan's Office

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

1 **Minutes**

2 **I. Call to Order**

3 The Meeting of the Northern New Mexico Citizens' Advisory Board (NNMCAB) was held  
4 on November 18, 2015 at New Mexico Highlands University, Student Union Building, Las  
5 Vegas, New Mexico. Mr. Lee Bishop, Co-Deputy Designated Federal Officer (CDDFO) stated  
6 that on behalf of the Department of Energy (DOE) the meeting of the NNMCAB was called to  
7 order at 1:04 p.m.

8 Mr. Bishop recognized Mr. Doug Sayre, the NNMCAB Chair. Mr. Sayre presided at the  
9 meeting.

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

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12 **II. Establishment of a Quorum (13 Needed)**

13 **a. Roll Call**

14 Mr. William Alexander conducted roll call as the members arrived. At the call to  
15 order 15 members were present.

16 **b. Excused Absences**

17 Mr. Alexander recorded that the following members had excused absences: Dr.  
18 Nona Girardi, Mr. Joshua Madalena, Ms. Diahann Lopez-Cordova, Mr. Michael Whiting,  
19 Ms. Ashley Sanderson, Ms. Mary Friday, Mr. Alex Puglisi, and Ms. Ashlee Herrera.

20 **c. Absences**

21 Mr. Alexander recorded that no members were absent.

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22 **III. Welcome and Introductions**

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

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25 **IV. Approval of Agenda**

26 The board reviewed the agenda for the November 18, 2015 meeting, Mr. Sayre opened  
27 the floor for questions or comments.

28 Mr. Tiano made a motion to approve the agenda as presented; Ms. Varela seconded the  
29 motion. The motion to approve the agenda as presented was unanimously passed.

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30 **V. Approval of Minutes**

31 The board reviewed the minutes from the September 30, 2015 meeting. By ongoing  
32 instruction from DOE Headquarters, the minutes were previously reviewed and certified by  
33 the NNMCAB Chair. Mr. Sayre opened the floor for questions or comments.

34 Ms. Quintana made a motion to approve the minutes as presented; Mr. Schmelling  
35 seconded the motion. The motion to approve the minutes as presented was unanimously  
36 passed.

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**VI. Old Business**

**a. Written Reports**

Mr. Sayre opened the floor for questions on the written reports. Mr. Sayre gave a brief overview of the chairs written report. He noted that the members should also review the Executive Director's report for important dates of upcoming meetings and events, in addition to an update on the membership and NNMCAB activities.

**b. Other Items**

Mr. Sayre opened the floor for discussion on old business that the members might have.

Ms. Gurulé noted that she would like to understand what is included in the 2005 Consent Order (CO). Ms. Gurulé asked for a presentation or information from DOE on what is in the existing 2005 CO. She asked that the information include: time to complete project, cost of project, and risk to human health and environment.

Mr. Hintze responded that DOE is working on completing the Settlement Agreements, noting that after that is complete, DOE would begin on a draft of the revised CO. Mr. Hintze noted that DOE could provide the NNMCAB with the information that is in the CO at a future meeting.

Mr. Schmelling noted that he would like to see a summary of the CO that would make it easier to understand what is included in the CO, as it is such a long complex document.

Mr. Baca requested that DOE summarize some of the legal language in the document as well, to make it have some commonsense language that is easier to read.

Mr. Hintze responded that DOE could provide the presentation in a format that incorporates the NNMCABs requests, possibly in the February time frame.

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**VII. New Business**

Mr. Sayre opened the floor for discussion on any new business that the members might have. With no new business to discuss, Mr. Sayre moved to the next item on the agenda.

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**VIII. Update from Deputy Designated Federal Officer**

Mr. Bishop noted that the NNMCAB had hosted a public meeting for the Chromium Environmental Assessment (EA). Additionally, noting that the comment period for the Chromium EA had closed on Friday, November 13, 2015. Mr. Bishop noted that Mr. Schmelling has submitted comments on the EA as a member of the public, not as a NNMCAB member. Mr. Bishop stated that the Floodplane Assessment public comment period would

1 be closing on Friday, November 20, 2015. Additionally, stating that hopefully the  
2 department would be looking at a decision document on the Chromium EA in the very near  
3 future.

4 Mr. Bishop noted that in spring of 2016 the NNMCAB would have a couple of  
5 opportunities to send members to conferences. He noted that the available conferences are  
6 Waste Management in March, and Environmental Justice (EJC) in April. Mr. Bishop noted  
7 that members that are interested in attending should submit a request to the NNMCAB  
8 Executive Committee.

9  
10 Ms. Tse-Pe stated that when she attended the EJC she found the conference to be  
11 informative and insightful, with good representation from the regions across the United  
12 States. She noted that it helped her broaden her perspective on many issues.

13  
14 Mr. Bishop noted that Student Representative, Alyssa Schreiber, had accepted a  
15 position at Los Alamos National Laboratory. Mr. Bishop presented Ms. Schreiber with a  
16 certificate of appreciation for her service on the NNMCAB.

17  
18 Ms. Schreiber stated that she had enjoyed the experience on the NNMCAB. Additionally,  
19 noting that she would recommend the NNMCAB to students as it is a great opportunity.  
20

21 Mr. Valdez asked for an update on the Waste Isolation Pilot Plant (WIPP).  
22

23 Mr. Bishop responded that WIPP has a new Site Manager, Mr. Todd Shrader, he noted  
24 that he had worked with Mr. Shrader at Yucca Mountain. Mr. Bishop stated that WIPP is  
25 looking at start-up sometime in the next year; however, they have not committed to a date  
26 at this point. Additionally, noting that WIPP is in the process of undergoing a readiness  
27 review for start-up operations. Mr. Bishop stated that WIPP has most if not all the mine  
28 open now, with some areas that require protective clothing. He also noted that WIPP is in  
29 the process of updating the ventilation system to increase airflow in the mine and get it  
30 ready for limited operations.

31  
32 Mr. Valdez asked if WIPP is operated as a nuclear site or as a mine.  
33

34 Mr. Bishop responded that it is operated under two sets of rules, and must comply with  
35 both the mine safety regulations and the nuclear site safety operations.  
36

37 Mr. Valdez asked about the fact sheets that had been generated on sites at LANL and if  
38 they could be provided to the NNMCAB.  
39

40 Mr. Bishop responded that he would take the action to get those fact sheets to the  
41 NNMCAB.  
42

1 Mr. Schmelling asked how broadly the DOE looks at the safety assessments that are  
2 conducted, do they focus on WIPP or the Complex.

3  
4 Mr. Bishop responded that he is on a detail to HQ supporting the assessments. He noted  
5 that it is really both of those. The WIPP personnel are looking at the WIPP site safety  
6 analysis and HQ is looking at the national program and how it can be improved, so that the  
7 events like the WIPP incident don't reoccur.

8  
9 Mr. Mayfield asked if there was an update on the WIPP permitting.

10  
11 Mr. Bishop responded that he had not been updated on that issue. Noting that if the  
12 board is interested in the topic, it was a possibility that Mr. Stroble could provide that  
13 information at a NNMCAB meeting in 2016.

14  
15 Mr. Mayfield asked if there was an account of the stock pile of waste across the  
16 complex.

17  
18 Mr. Hintze responded that LANL is the only site that is currently approaching the  
19 capacity for storage, followed by the Lawrence Livermore Site. Additionally, noting that the  
20 other sites had already reduced their inventory prior to the WIPP incident and were not  
21 having a storage issue.

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22  
23 **IX. Presentations**

24 **a. Southwest Research and Information Center**

25 Mr. Don Hancock, Southwest Research and Information Center (SRIC); gave a  
26 presentation to the NNMCAB on "How Does the WIPP Shutdown Impact New Mexico,  
27 Idaho, and South Carolina?" An electronic copy of the presentation may be obtained  
28 from the NNMCAB website; <http://www.energy.gov/em/nnmcab>. Video of the  
29 presentation is also available on the NNMCAB's YouTube Channel (NNMCAB).

30  
31 **b. Questions**

32 Mr. Valdez asked if DOE has any plans to dig new panels to accommodate the  
33 waste that still needs to be shipped.

34  
35 Mr. Hancock responded that most of the waste that still needs to be shipped is  
36 waiting in storage or in the process of being exhumed and repackaged for shipment.

37 Mr. Hancock also noted that there are possible plans for panels 9 and 10 at WIPP.

38  
39 Mr. Baca asked what the fiscal impact on jobs in New Mexico was with WIPP being  
40 shut down.

1 Mr. Hancock responded that with the need to restart WIPP the expenditures at  
2 WIPP have actually gone up. Additionally, noting that there have been no layoffs at  
3 WIPP, but rather an increase in personnel.  
4

5 Mr. Baca asked if the \$250 million for WIPP comes out of the \$6 billion DOE  
6 budget.  
7

8 Mr. Hintze responded that he would need to verify; however there may have been  
9 supplemental funding for the WIPP Budget in the past. Additionally, stating that now  
10 that you are coming into a steady state budget the funding all comes out of the \$6  
11 billion DOE receives for its budget.  
12

13 Mr. Schmelling asked if the SRIC is an advocacy organization and what would you  
14 like to see being done differently with the available budget.  
15

16 Mr. Hancock responded that yes SRIC is an advocate on some occasions. He noted  
17 that many of the questions on WIPP reopening need to be discussed in detail and  
18 resolved before WIPP begins operations. Additionally, noting that SRIC believes that  
19 public involvement increases safety at DOE sites across the complex.  
20

21 Ms. Gurulé asked about the financial aspects of operating WIPP, noting that the  
22 \$250 million comes out of the \$6 billion for the budget, is that also LANLs piece of the  
23 budget.  
24

25 Mr. Hancock responded that \$6 billion is simply not enough to address all of the  
26 issues across the DOE complex. Mr. Hancock responded that until more money is  
27 available the \$6 billion is split between the sites and for one site to have money  
28 another site gets shorted.  
29

30 Mr. Hintz responded that the \$250 million is not extra for WIPP it is WIPPs budget,  
31 noting that if there is a budget increase then yes it comes out of the \$6 billion for the  
32 overall budget. Additionally, Mr. Hintze stated that the Mixed Oxide Fuel (MOX)  
33 facility is under the National Nuclear Security Administration (NNSA) not  
34 Environmental Management (EM) so any questions on the MOX Facility would need to  
35 be addressed by NNSA.  
36

37 Mr. Mayfield asked where SRIC would suggest that a repository should be located.  
38

39 Mr. Hancock responded that the SRIC advocates to get the waste out of the ground  
40 and moved to a permanent disposal area. Mr. Hancock noted that WIPP is the third of  
41 the deep geologic repositories, which have not been able to successfully complete  
42 their mission without problems. He noted that WIPP is a pilot plant and that there

1 needs to be multiple repositories not just one. Additionally, stating that WIPPs  
2 purpose was to figure out the problems that can occur with this type of facility and  
3 how to correct those problems.  
4

5 Mr. Mayfield asked if there is a funding mechanism in the newly generated waste  
6 that helps to fund the reopening of WIPP or any other repository that may come  
7 online.  
8

9 Mr. Hintze responded that sites continue to generate Transuranic Waste (TRU) and  
10 some of that will be sent to WIPP. He noted that money from the yearly budget for  
11 newly generated waste is from the waste generators, since from their perspective  
12 they were not responsible for the failure of WIPP to execute correctly. Mr. Hintze  
13 noted that most of the newly generated waste is NNSA waste and the WIPP facility is  
14 an EM facility so NNSA does not necessarily have a responsibility for reopening WIPP.  
15

16 Mr. Martínez y Valencia asked if DOE was looking at deep bore disposal.  
17

18 Mr. Bishop responded that at this point DOE is not looking at deep bore, and the  
19 Los Alamos Site does not have any information on deep bore disposal.  
20

21 Mr. Hancock noted that it is the Office of Nuclear Energy that has a proposal to  
22 move forward with bore holes; however, they have not identified what sites will be  
23 part of the project.  
24

25 Ms. Gurulé asked what best practices are being implemented to reduce the waste  
26 that is currently being stored.  
27

28 Mr. Bishop responded that repacking of legacy waste is currently curtailed. He  
29 noted that for new gen waste under NNSA, packaging procedures to get the most  
30 volume for dollar have been implemented. Additionally, Mr. Bishop noted that there  
31 is a balance between radioactivity and volume that must be considered to get the  
32 most out of the shipments.  
33

34 **c. Los Alamos National Security**

35 Mr. Dave Funk, Los Alamos National Security, gave a presentation to the NNMCAB  
36 on "Treatment of Remediated Nitrate Salts." An electronic copy of the presentation  
37 may be obtained from the NNMCAB website; <http://www.energy.gov/em/nnmcab>.  
38 Video of the presentation is also available on the NNMCAB's YouTube Channel  
39 (NNMCAB).  
40

1           **d. Questions**

2                   Mr. Baca asked if more waste was produced when the drum contents are mixed  
3                   with water and zeolite. Additionally, who makes the determination on which method  
4                   is best?

5  
6                   Mr. Funk responded that the volume of waste will depend on the recipe that is  
7                   determined to be viable to remove the D001 characteristic. Mr. Funk noted that  
8                   effectiveness is the highest priority with volume coming in second. Mr. Funk noted  
9                   that there is no real natural means to remediate the material.

10  
11                  Mr. Sayre asked for clarification on how big the freezer editions are.

12  
13                  Mr. Funk responded that the freezers will hold three standard waste boxes, noting  
14                  that the freezers are about the size of a transportainer.

15  
16                  Mr. Valdez asked about the RCRA permitting not allowed in Material Disposal Area  
17                  (MDA) G?

18  
19                  Mr. Funk responded that MDA G is permitted for storage not for treatment, so a  
20                  permit modification will be needed to perform remediation of waste material at MDA  
21                  G.

22  
23                  Mr. James Valerio asked what the cations were to the nitrate salts that are in the  
24                  drums.

25  
26                  Mr. Funk responded that there is a wide variability, noting that some examples are  
27                  chromium, sodium, potassium, aluminum, iron, and many other trace elements.

28  
29                  Mr. James Valerio asked why the anion is not switched to something that does not  
30                  provide as much oxygen.

31  
32                  Mr. Funk noted that the techniques from a chemistry standpoint that can be used  
33                  to capture the plutonium in the ion exchange are limited. He noted that the nitrate  
34                  method was one of the best methods to achieve this.

35  
36                  Ms. Gurulé asked about why the zeolite or cementation process was chosen over  
37                  the other options that were proposed, such as incineration.

38  
39                  Mr. Funk responded that the incineration method is very difficult to permit if not  
40                  impossible. Additionally, he referenced problems with the open air incinerator that  
41                  LANL had previously used for other projects, and the public view on that particular  
42                  method.

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Ms. Gurulé asked if LANL had followed up with what other countries may be doing to resolve similar issues.

Mr. Funk noted that LANL had not looked into what other countries were doing to resolve similar issues. He stated that LANL had looked at a wide array of methods that are available in the United States and that extensive review had been done to ensure those methods were viable.

Mr. Michael Valerio asked about the cementation process of the salts, asking if a monolithic block is created in the process that has a relative hardness.

Mr. Funk responded that a monolithic block is created; however the structural integrity of the block is not necessarily important.

Mr. Michael Valerio asked how long the concept of cementing the salts had been used.

Mr. Funk noted that at LANL the process was first developed in the 1980's and that it is a combination of Portland cement at high pH to make sure that the cement does not dewater.

Mr. Bishop noted that in 1991 cementation was implemented at TA-55 at LANL and is the process that is used to disposition the nitrate waste.

Mr. Mayfield asked for clarification on the possibility of needing to reengineer the glovebox.

Mr. Funk stated that there are two 55 gallon bag out ports and no easy way to get the cement into the glovebox. Noting that an easy means to get the cement into the box would need to be engineered/modified for the glovebox. Additionally, noting that safety measures for the box would be needed such as fire suppression and non-sparking tools.

Mr. Mayfield asked about mitigation of concerns for the drums that are currently stored.

Mr. Bishop responded that the drums are stored in what is considered to be a safe configuration, and that the drums are actively monitored for temperature and head space gas sampling.

Mr. Mayfield asked why the drums can't be placed in WIPP in the remote handled section.

1  
2 Mr. Funk responded that the reason that it is not allowed is that ignitable TRU  
3 waste is not allowed on the road, so there is no way to transport the drums safely to  
4 WIPP.

5  
6 Mr. James Valerio asked if filling the drums with an inert gas would neutralize the  
7 autocatalytic processes.

8  
9 Mr. Funk responded it would not sufficiently neutralize the autocatalytic process  
10 and would also pressurize the drum, which may cause additional complications.

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11  
12 **X. Update from Liaisons**

13 **a. Update form U.S. Department of Energy**

14 Mr. Doug Hintze, DOE, EM-LA, Site Manager provided the update for the members.  
15 He stated that the Bridge Contract went into effect on October 1, 2015 with a 14 day  
16 transition period. He noted that EM-LA is very satisfied with the way the Bridge  
17 Contract is progressing. Mr. Hintze noted that EM is in the process of developing an  
18 acquisition process to implement the follow on contract. Additionally, stating that the  
19 Bridge Contract end date is 2017.

20 Mr. Hintze noted that the budget request for FY'17 is \$189 million for LANL for EM  
21 cleanup, he noted that the government is currently under a Continuing Resolution  
22 that is in effect till December 11, 2015. Additionally, noting that an appropriation is  
23 anticipated to be in place before that date. Mr. Hintze noted that the NNMCAB had  
24 held a special meeting to hear about the Consent Order (CO) process that is proposed  
25 for the newly revised CO. He noted that a draft of it is anticipated out after the  
26 Settlement Agreements are signed, noting that the draft of the CO may be available  
27 early in calendar year 2016.

28 Mr. Hintze stated that a contract for Natural Resource Damage Assessment at LANL  
29 had been awarded and that project had kicked off two weeks ago. He noted that the  
30 project/assessment is expected to run for multiple years. Mr. Hintze noted that the  
31 public comment for the Floodplane Assessment and the Chromium Assessment had  
32 closed, and that EM-LA is currently working to address the comments that were  
33 submitted.

34  
35 Mr. Baca asked if the public comments that were submitted would be available to  
36 the public.

37  
38 Mr. Bishop responded that 108 comments were received and would be part of the  
39 administrative record; however, a comment response document is not required for  
40 Environmental Assessments.  
41

1 Mr. Schmelling asked if the well on the Pueblo de San Ildefonso is installed and  
2 who is collecting that data.

3  
4 Mr. Bishop responded that yes the well is in place and data sets have been  
5 returned from the samples. He noted that the Pueblo has primacy over that data and  
6 that they had not yet given EM-LA permission to release the data to Intellus.

7  
8 **b. Update from Los Alamos National Security**

9 Mr. Funk provided the update for LANL. He noted that the contract transition had  
10 gone very smoothly, noting that it had been very successful and the transition had  
11 been very well executed. Mr. Funk noted that he would focus on the nitrate salts as  
12 that is his area of expertise. Mr. Funk noted that Area G is currently in warm standby  
13 mode while the safety basis for the area is reviewed. Additionally, noting that the  
14 RANT and WCRRF are in cold standby awaiting the restart of operations. He noted that  
15 an assessment is being conducted at WCRRF to identify the time required to restart  
16 the facility in the event it is needed to process the nitrate salt waste.

17 Mr. Funk noted that DOE/LANL is scheduled to go over its Corrective Actions Plan,  
18 for the NNMCAB. He stated that the plan was required by the WIPP event  
19 investigation. Additionally, noting that LANL will be supporting the actions on the  
20 interim measures on the Chromium plume.

21  
22 Mr. Sayre asked when the Corrective Actions Plans would be available.

23  
24 Mr. Hintze stated that they should be available by January 2016.

25  
26 Mr. Sayre asked about the nitrate salt drums that were already at WIPP and what  
27 would need to be done with them.

28  
29 Mr. Funk noted that all the drums that were at WIPP were already emplaced and  
30 no further action would be necessary.

31  
32 Mr. Hintze noted that at the NNMCAB meeting on the 12<sup>th</sup> of November he had  
33 committed to providing a presentation on the Life Cycle Baseline. He stated that the  
34 Life Cycle Baseline is at HQ for approval, and once it is approved he would be  
35 providing the NNMCAB with that presentation.

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36  
37 **XI. Public Comment**

38 Mr. Sayre opened the floor for public comment at 4:20 p.m., he invited Mr. Scott Kovac  
39 from Nuke Watch New Mexico to address the board.

1 Mr. Kovac noted that he did not really have any comments to offer today. He would like  
2 to urge the NNMCAB to make a good recommendation on the upcoming revised CO,  
3 including milestones and deliverables.  
4

5 With no additional public comment, Mr. Sayre closed the public comment period at 4:21  
6 p.m.  
7

---

8 **XII. Wrap-up and Comments**

9 Mr. Sayre opened the floor for wrap-up comments from the members.  
10

11 Mr. Baca thanked everyone for attending today's meeting at NMHU and stated that  
12 everyone was welcome in Las Vegas and he would enjoy hosting additional meetings.  
13

14 Ms. Schreiber thanked everyone for the great meeting and urged the NNMCAB to  
15 continue to provide good recommendations in the future.  
16

17 Mr. Tiano, Ms. Tse-Pe, Ms. Varela, Mr. Martínez y Valencia, Ms. Gurulé, Mr. Michael  
18 Valerio, Mr. James Valerio, Ms. Quintana, and Mr. Valdez stated that they wished Alyssa  
19 well and thanked everyone for the good information and great meeting. The members also  
20 noted that the venue was great. Additionally, the members thanked the staff for a well  
21 thought out meeting.  
22

23 Mr. Martínez y Valencia also asked for a presentation on climate change precautions  
24 that LANL is looking at implementing.  
25

26 Mr. Bishop responded that he looked into that and will try to make that presentation  
27 happen in the spring of 2016, as an informational presentation.  
28

29 Mr. Schmelling and Ms. Gurulé noted that a CO presentation would be very useful for  
30 the NNMCAB in making an informed recommendation.  
31

---

32 **XIII. Adjournment**

33 Mr. Sayre noted that the next Combined Committee meeting would be at the NNMCAB  
34 office in Pojoaque on January 13, 2016. He thanked the presenters and members for  
35 attending today's meeting.  
36

37 Mr. Bishop thanked Alyssa for her service and the members for taking the time to come to  
38 today's meeting. Mr. Bishop also took the time to thank Mr. Paul Torrez for providing the  
39 new EM-LA logo. With no additional business to discuss Mr. Bishop adjourned the meeting  
40 at 4:32 p.m.

1 Respectfully Submitted,

*Douglas M. Sayre*

2 Doug Sayre, Chair, NNMCAB

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

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4

5 **Attachments**

- 6 1. Final NNMCAB Meeting Agenda for 11/18/2015
  - 7 2. Final NNMCAB Meeting Minutes for 09/30/2015
  - 8 3. Report from the Chair, Doug Sayre
  - 9 4. Report from the Executive Director, Menice Santistevan
  - 10 5. Los Alamos Field Office Legacy Cleanup Information for November 2015
  - 11 7. Presentation by Southwest Research and Information Center, Don Hancock, "How Does the
  - 12 WIPP Shutdown Impact New Mexico, Idaho, and South Carolina?"
  - 13 8. Presentation by Los Alamos National Security, Dave Funk, "Treatment of Remediated Nitrate
  - 14 Salts."
- 

15

16 **Public Notice:**

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

## Report from the Chair

NNMCAB

January 27, 2016 Board Meeting

Ohkay Conference Center

Ohkay Owingeh, New Mexico (North of Española on SR 68)

### Activities and Happenings during or since last NNMCAB meeting on November 18, 2015

1. The new member welcome and tour was finally accomplished due to weather problems in the early part of November, but was able to happen on December 9, 2015. DOE and LANL provided the new members with the movie "The Town That Never Was" at the Bradbury Museum and then were able to tour TA-54/Area G with Scott Miller and Lee Bishop providing details regarding status, storage, and handling of the nitrate salt waste. We next went to the Mortandad Canyon overlook and had an excellent discussion on the Chromium groundwater problems by Danny Katzman. After that the tour went to the White Rock Overlook to have discussions on some of the surface water problems especially dealing with the Buckman Direct Diversion by Steve Veenis. The new members were then returned to the Bradbury Museum for a new member CAB orientation by Menice Santistevan. All in all a very interesting and worthwhile tour for our new members as well as providing great information about CAB activities and being a learning orientation by Menice.
2. On December 17, 2015 we had a Chairs conference call with EM Headquarters. The Chairs and EM staff had some introductory remarks by Monica Regalbutto, EM-1, Assistant Secretary for Environment Management, about keeping up the good work by the various boards and that our job as board members is very important and certainly worthwhile to the Washington staff. She indicated she hopes to make the Chairs meeting in Knoxville in April. We continued the conference call with a discussion of the current nationwide budget for EM which is slightly more than last year with many sites having a significant increase such as WIPP. I again requested the reasoning for the \$185M Los Alamos EM current budget amount but still only get the answer that it comes from "the Hill" as to maintaining the current amount at this level. I attempted to stress the importance of increasing the Los Alamos EM budget to be more in the neighborhood of \$225M which would help DOE/LANS accomplish considerably more to alleviate and/or remove legacy waste problems at Los Alamos.
3. Regarding other funding for Los Alamos, some of which is related to EM waste problems, Senators Heinrich and Udall did announce that in the recent "Omnibus Appropriations Bill" that LANL did get an increase in operations funding and also was to receive \$255.2M for construction projects of which \$11.3M is for the radioactive liquid waste treatment facility, \$40.95M for the transuranic liquid waste facility and \$155.61M for the CMR replacement.
4. We held an Executive Committee meeting on January 13, 2015 in which we discussed the Draft Recommendations regarding the campaign approach, the chromium problem, and then a budget recommendation. We recommended moving forward with the Draft Recommendation 2016-01, the Campaign Approach and requested that Carlos Valdez and Max Baca work on a budget recommendation for consideration in March. We reviewed the upcoming schedule for regular Board meetings which looked interesting especially the ones at Sandia, SFCC, NMHU and Taos. We also discussed sending people to the Waste Management Conference in Phoenix and the Environmental Justice Conference in Washington. Michael Whiting and "a person to be named later" are going to Phoenix and Carla Abeyta and Mona Varela

agreed to go to Washington. Look forward to their reports on those very interesting conferences. Also discussed updating the work plans for the EM&R and Waste Management committees.

5. At the Combined Committee meeting on Wednesday, January 13, 2016, we were provided with the Corrective Action Plan Update regarding the problems regarding disposal of Transuranic waste in 2014 by Dave Nickless. There were of 24 Conclusions and 40 Judgments of Need (JONS) in the Phase 2 Report that pertained to DOE, LANL, and WIPP operations of which 22 JONS were related or directed to LANL. Dave discussed the CAP development and management approach. We were advised of the Types of Corrective Actions but did not get into the important details regarding many of the JONS due to time constraints. It would seem like a good idea to have Dave Nickless come back to our next Combined Committee meeting in February to continue with the CAP update with an allowance for more time for discussion on this very important matter.

Respectfully submitted by:  
Doug Sayre Chair, NNM CAB  
January 20, 2016

**Northern New Mexico Citizens' Advisory Board  
Executive Director's Report  
January 27, 2016**

**Membership:** The Northern New Mexico Citizens' Advisory Board (NNMCAB) currently consists of 22 members and 3 student representatives. We welcome Nicole Habbit, our new college student member. Ms. Habbit is currently an intern at LANL. EM-LA submitted a nomination package in late November requesting the re-appointment of three members (Sanderson, Gurulé, and Varela) to another two year term. We expect those nominations will be signed by Dr. Monica Regalbuto in the spring.

**Meeting Schedule for 2016:** The meeting dates and locations have been scheduled for 2016; a copy of the schedule has been included in your meeting packet.

**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 NNMCAB staff made all arrangements at the Ohkay Conference Center, including meeting room set-up and catering. Reservations were also made for overnight accommodations for NNMCAB members. Lee Bishop and I coordinated the speakers and the Liaison attendance. Meeting packets were sent out on January 20, 2016. All Pueblo Governors in northern New Mexico were sent a meeting packet. An advertisement for the meeting was placed in the *Albuquerque Journal North*. Press Releases were sent to all newspapers for publication. Meeting time and venue were posted to the newspapers Community Calendar sections. Notices were posted on the NNMCAB website, Facebook, and Google+ by William Alexander. Flyers advertising the meeting were also posted around northern New Mexico.

**NNMCAB Website:** William Alexander has successfully transferred the NNMCAB website content from its existing site to a site hosted by DOE Headquarters. The new website was launched on November 9, 2015 and is more modern and user friendly. To view the new website please go to: [www.energy.gov/em/nnmcab](http://www.energy.gov/em/nnmcab)  
All presentations, recommendations, and correspondence are posted on the NNMCAB's web site.

**Outreach:** The bi-monthly meetings are telecast via public access channels in Santa Fe, Los Alamos, Albuquerque and Taos and are posted on YouTube. The NNMCAB also has Facebook and Google+ pages.

**Important Upcoming Dates:**

**February 10, 2016:** Executive Committee Meeting from Noon to 1:30 p.m. at the NNMCAB Office  
Combined Committee Meeting from 2:00 to 4:00 p.m. at the NNMCAB Office

**April 19 - 21, 2016:** Spring Chairs' Meeting, hosted by the Oak Ridge Advisory Board

1                   **NORTHERN NEW MEXICO CITIZENS' ADVISORY BOARD**  
2                   **Recommendation to the Department of Energy**  
3                   **No. 2016-01**  
4                   **Title: Campaign Approach**  
5                   **Drafted by: Carlos Valdez**

6    **Background**

7    The Department of Energy (DOE) and the New Mexico Environment Department entered into an Order  
8    of Consent in March 2005. In this Consent Order (CO) was a blueprint of clean-up activities that needed  
9    to be accomplished in and around Los Alamos, as it relates to legacy waste. The Environmental  
10   Management (EM) has worked diligently to meet milestones in the CO. However, due to several  
11   circumstances beyond the control of Los Alamos National Laboratory (LANL) EM, several clean-up  
12   activities remain, and will not be completed by deadlines established in the CO. Some of the reasons,  
13   but definitely not all-inclusive include insufficient funding, operating under Continuing Resolution,  
14   Budget Sequestration, the discovery of unanticipated clean-up areas not included in the CO, and the two  
15   Waste Isolation Pilot Plant (WIPP) incidents.  
16

17   **Comments and Observations**

18   LANL EM's Framework Agreement (3706 Campaign) was over 90% complete in February 2014 and  
19   was well on the way to meeting a June 30, 2014 established deadline when the two incidents happened  
20   at WIPP. These incidents resulted in a complete cessation of waste disposal at WIPP. The  
21   "Deliverables" Approach had been the historical method of clean-up efforts for LANL EM. The  
22   framework agreement was the first attempt at addressing clean-up efforts in the CO using the campaign  
23   approach. Some of the lessons learned with the Campaign Approach include: Team Synergism,  
24   focused attention, and achievable results. We should use these lessons learned to make good, solid,  
25   beneficial recommendations to DOE to assist in progressive clean-up efforts for remaining legacy waste.  
26   The Northern New Mexico Citizen's Advisory Board (NNMCAB) has always provided  
27   recommendations to that extent.  
28

29   **Recommendation**

- 30                   1. The NNM CAB recommends to the DOE and LANL EM that the remaining clean-up work  
31                   be bundled to represent an executable and logical approach to clean up.  
32                   2. The NNM CAB recommends to the DOE and LANL EM to use the "Campaign Approach"  
33                   for all remaining clean-up work included in the current and/or future CO.  
34                   3. The NNM CAB recommends that DOE and LANL EM create an overall plan that specifies  
35                   how the separate campaigns will be integrated to comprehensively clean up all remaining  
36                   legacy waste at LANL.  
37                   4. The NNM CAB recommends to the DOE and LANL EM that all future annual budget  
38                   requests be formulated and submitted based on the Campaign Approach.  
39

1 **Intent**

2 The intent of this recommendation is to provide DOE with a realistic approach at addressing the  
3 remaining clean-up of legacy waste in and around Los Alamos. It is also intended to maximize time and  
4 effort and taxpayer dollars.

5  
6 **References**

- 7 1. Douglas E. Hintze, DOE, EM-LA Presentation to NNM CAB on November 12, 2015 “Executing  
8 Legacy Cleanup at Los Alamos National Laboratory”  
9 2. Compliance Order on Consent, Signed March 1, 2005

DRAFT

## NNMCAB BI-MONTHLY MEETING SCHEDULE

2016

### **January 27<sup>th</sup>**

Noon to 1:00—Networking Lunch  
1:00 p.m. to 5:00 p.m. Board Meeting

### **Ohkay Conference Center**

68 New Mexico 291  
San Juan, NM 87566

### **March 30<sup>th</sup>**

Noon to 1:00—Networking Lunch  
1:00 p.m. to 5:00 p.m. Board Meeting

### **Sandia Resort**

30 Rainbow Road, N.E.  
Albuquerque, NM 87113

### **May 18<sup>th</sup>**

Noon to 1:00—Networking Lunch  
1:00 p.m. to 5:00 p.m. Board Meeting

### **Santa Claran Hotel**

460 N. Riverside Dr.  
Española, NM 87532

### **July 27<sup>th</sup>**

Noon to 1:00—Networking Lunch  
1:00 p.m. to 5:00 p.m. Board Meeting

### **Santa Fe Community College**

6401 Richards Ave.  
Santa Fe, NM 87508

### **September 28<sup>th</sup>**

Noon to 1:00—Networking Lunch  
1:00 p.m. to 5:00 p.m. Board Meeting

### **New Mexico Highlands**

### **University Campus**

### **Student Union Building**

800 National Avenue  
Las Vegas, New Mexico 87701

### **November 15<sup>th</sup> (Tuesday)**

Noon to 1:00—Networking Lunch  
1:00 p.m. to 5:00 p.m. Board Meeting

### **El Monte Sagrado**

317 Kit Carson Road  
Taos, NM 87571

Visit our Social Media

YouTube NNM CAB

Facebook Nnmcab

NNMCAB Office

94 Cities of Gold Rd.

Pojoaque, NM 87506

Phone 505-989-1662

Public Comment Opens @ 4:45 p.m.

New NNM CAB Website [www.energy.gov/em/nnmcab](http://www.energy.gov/em/nnmcab)



# Northern New Mexico Citizens' Advisory Board Meeting

## Ohkay Conference Center

68 New Mexico 291, Ohkay Owingeh, NM 87566

Wednesday, January 27, 2016

1:00 p.m. to 5:15 p.m.

Call to Order, Approval of Agenda/Minutes .....	1:00 p.m.
Old Business/New Business .....	1:10 p.m.
Consideration and Action on Draft Recommendation 2016-01, "Campaign Approach" .....	1:45 p.m.
<i>"Environmental Management Los Alamos Field Office Budget", Genna Hackett</i> .....	2:00 p.m.
<i>Update on WIPP Recovery, J.R. Stroble, DOE Carlsbad Field Office</i> .....	3:30 p.m.
Update from NNM CAB Liaisons .....	4:00 p.m.
Doug Hintze, Department of Energy, EM-LA Randy Erickson, Los Alamos National Laboratory Katie Roberts, New Mexico Environment Department	
Public Comment Period .....	4:45 p.m.
Adjourn .....	5:15 p.m.

# Be Informed. Get Involved. Because You Love New Mexico!