



Northern New Mexico Citizens' Advisory Board Meeting

August 29, 2012

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

Meeting Location: Cities of Gold Conference Center

10-A Cities of Gold Road

Pojoaque, New Mexico 87506

MINUTES

Meeting Attendees:

Department of Energy:

Kevin Smith, Los Alamos Site Manager

Ed Worth, Deputy Designated Federal Officer (DDFO)

Christina Houston, DOE/EPO

NNMCAB Members:

- 1. Ralph Phelps, NNM CAB Chair**
- 2. Carlos Valdez, NNM CAB Vice Chair**
- 3. Doug Sayre**
- 4. Brenda Gallegos**
- 5. Mike Loya**
- 6. Lawrence Garcia**
- 7. Joey Tiano**
- 8. Nicole Castellano**
- 9. Joseph Viarrial**
- 10. Bonnie Lucas**
- 11. Kyle Harwood**
- 12. Manuel Pacheco**
- 13. Lawrence Longacre**
- 14. Art Mascarenas**

Excused Absences:

- 1. Adam Duran**
- 2. Deb Shaw**
- 3. Nick Maestas**
- 4. Allison Majure**
- 5. Robert Villarreal**
- 6. Nona Girardi**

NNMCAB Support Staff:

Menice Santistevan, Executive Director
Grace Roybal, Senior Cost Analyst
Carolyn Bateman, Senior Cost Estimator
Edward Roybal, Sound Technician

Guests:

Alex Puglisi, City of Santa Fe
Jonathan Phillips, City of Santa Fe
Scott Kovac, Nuclear Watch NM
Jennifer Meisner, DOE EPO
Laura Day, DOE EPO
Robert Pfaff, DOE EPO
Pete Maggiore, DOE EPO/NNSA
Michele Jacquez-Ortiz, U.S. Senator Tom Udall's Office
Colleen Curran, LANL

MINUTES

I. Call to Order

The special meeting of the Northern New Mexico Citizens' Advisory Board (NNMCAB) meeting was held on August 29, 2012 at The Cities of Gold Conference Center in Pojoaque, New Mexico 87506. Mr. Ed Worth, Deputy Designated Federal Officer (DDFO), stated that on behalf of the Department of Energy (DOE), the special meeting of the NNM CAB was called to order at 1:10 p.m.

Mr. Worth recognized Mr. Ralph Phelps as NNM CAB Chair. The Chair presided at the meeting.

The meeting of the NNM CAB was open to the public and posted in **The Federal Register** in accordance with **The Federal Advisory Committee Act (FACA)**.

II. Establishment of a Quorum (11 needed)

A. Roll Call

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

B. Excused Absences

Ms. Bateman recorded that Adam Duran, Deb Shaw, Art Mascarenas, Kyle Harwood, Nick Maestas, Nona Girardi, Allison Majure and Robert Villarreal had excused absences for this meeting.

III. Welcome and Introductions

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

IV. Approval of Agenda

The board reviewed the August 29, 2012 NNM CAB meeting agenda. The board would hear a presentation of the FY '13 Environmental Management Budget and conduct the elections of the Chair and Vice Chair for FY '13.

Mike Loya moved to approve the agenda and Doug Sayre seconded the motion. The meeting agenda was unanimously approved.

V. Approval of Minutes of July 25, 2012

The board reviewed the minutes from the July 25, 2012 NNM CAB meeting. By ongoing instructions from DOE Headquarters, the minutes were previously reviewed and certified by the NNM CAB Chair, Mr. Ralph Phelps. Mr. Phelps stated that the July 25 minutes were included in the board packets and presented at this meeting for board approval.

Doug Sayre made a motion to accept the July 25, 2012 Meeting Minutes. Manuel Pacheco seconded the motion. The minutes were unanimously approved.

VI. Public Comment Period

Mr. Scott Kovak signed up for public comment. He thanked the CAB for all the work they do. Mr. Kovak stated the he had been trying to use Intellus online, and found it very difficult to use. He suggested that the website needed more work, as the regular public may have more trouble than he did. Mr. Kovak asked that his feedback be directed to the Intellus developers.

No other public comments.

Lawrence Longacre spoke about a meeting in Albuquerque in March where several people signed up for the public comment period. He had suggested that a letter would be written on behalf of the public representing their concerns. The meeting minutes were not inclusive of the public comments, and a resolution that was offered. Mr. Longacre has chaired the City of Santa Fe Planning Committee in the past, where they had verbatim records of meetings. He would like to see a little more depth in the meeting minutes kept by the CAB.

Mr. Ralph Phelps thanked Mr. Longacre for his comment and stated that the CAB meets in a public forum. He stated that the CAB is chartered by the DOE to make recommendations on legacy waste issues. Listening to the public may not always lead to an action. It may lead to discussion and eventually a recommendation if the topic is within the scope of the CAB.

Ms. Bonnie Lucas also commented that she took notes during that meeting, and there was a lot of emotion amongst the community. She expressed that she became more aware of the issues discussed that night and she hoped the CAB would never do away with a public hearing portion of its meetings.

Mr. Manuel Pacheco asked if the CAB (or Committee) had suggested that they would draft some form of response or support for the people who were at that meeting. Ms. Menice Santistevan stated that the Executive Committee did review that topic extensively after the March public meeting in Albuquerque, but it was decided by the leadership of the CAB that this was out of the CAB's purview to write to the Air Force. It was good information for the CAB and the public in general. It precipitated a tour of Sandia so the CAB members could get a better understanding of the relationship Sandia Lab and the environmental restoration programs have to the plume which was being discussed. The board does not have in its charter that it can make recommendations to the Mayor of Albuquerque or to the Air Force.

Doug Sayre recalled that the public was concerned about what Sandia Labs was doing with its mixed and hazardous waste and requested the CAB take a tour to monitor this situation. The gasoline problem was an issue of the US Air Force (USAF), and the public was advised that there would be a public hearing. The CAB did look into what could be done, and it was thought that since the issue dealt with Kirtland Air Force Base, its input would not be appropriate.

1
2 Mr. Ed Worth stated that he had been looking at the USAF website and stated that there
3 is a public meeting scheduled in October. Mr. Worth suggested attendance as a group, and
4 declared he would gather all the information regarding the meeting and have it distributed if to
5 the CAB members.
6

7 Mr. Mike Loya stated that the issue addressed single hull tanks which were required to
8 be replaced with double hull tanks at the end of 1998. The fuel plume has had skimmer pumps
9 installed on top of the aquifer to skim the fuel off, which takes a long time. He is not aware of
10 how far the plume has migrated since it is a DOD issue, and information or documentation is
11 not available.
12

13 Mr. Lawrence Longacre stated that he felt the NNM CAB members of the board sit in the
14 meetings and soak up what the Lab tells them, not having the knowledge and expertise to
15 challenge what the Lab shares with them. In other meetings, people came from audience with
16 knowledgeable discussions, bona fide, hardcore information from the Lab, but no information
17 was discussed in the meeting minutes. If there are going to be knowledgeable people speaking
18 from the audience, their thoughts and opinions should be acknowledged by recording. This
19 board is here to send recommendations to the Lab, not to have meetings, take field trips, or
20 have nice dinners. That's what we are here about.
21

22 Mr. Longacre wrote a request to the chair requesting a compilation of the
23 recommendations the board has made in the past two years and clarification as to whether
24 there has been offered any innovation that the Board's recommendations have led to, if they
25 were accepted or not and why. There is a letter from all the senators and representatives to
26 the Controller General alluding to the fact that the two main things at Los Alamos are the liquid
27 waste and TRU. Lee Bishop has been telling us how important the waste program is and what
28 they are doing with TRU, but we have no control over the Waste Isolation Pilot Plant (WIPP).
29 Mr. Longacre stated that when he worked at the Lab, he had an annual evaluation, and if he
30 had performed like this board has, he would have been fired. The Board is not living up to its
31 charter of presenting recommendations which are viable to the Lab. The Lab tells the public
32 there is no budget, but don't pound on desks to get the money. There were complaints from
33 the public that CMRR would cost over \$4B, but the public made no reference to the building's
34 waste which it would be exposing to the public.
35

36 Mr. Ralph Phelps stated that he respected Mr. Longacre's input, but thinks he might be
37 off base in a number of areas.
38

39 Mr. Ed worth spoke about the presentation at the last meeting which Mr. Longacre was
40 not present for. That presentation detailed the status of the recommendations made by the
41 CAB in the last two years, what happened with them, what the results, impact and values of the
42 recommendations were. Mr. Worth offered to provide Mr. Longacre with a copy of the
43 presentation, and informed him that the presentation was available on the website.
44

1 Mr. Mike Loya stated that he listened to Mr. Longacre's discussion, and stated it is
2 evident that he cares about the environment. He went on to say that the CAB was very
3 instrumental at the end of 2007 when the former Chair and Mr. Loya pummeled Mr. Paul
4 Hueber about going to casing advanced drilling. He stated that what they did really resonated
5 putting forth a recommendation and from a practical standpoint, they had the ability to
6 transfer thoughts into a practical application where the Lab then drilled all the wells casing
7 advanced. One of the last financial things that Senator Pete Domenici did was get \$26M for
8 drilling. He ended his comments with the thought that he think things are moving ahead.
9

10 Ms. Menice Santistevan commented in regards to the minutes and the concerns about
11 the public comment portion of the CAB meetings. She stated that the CAB support staff is very
12 careful and detailed when preparing the minutes, and will be careful that Mr. Longacre's
13 comments are reflected. The video camera is used at the meetings to be able to broadcast the
14 CAB meetings to the general public. Each CAB meeting is submitted to five public access
15 channels around Northern New Mexico and shown in their entirety several times during the
16 course of a month. Anyone can get a copy of the audio and video tapes by requesting the same
17 at the NNM CAB office. All meetings are documented as required by the Federal Advisory
18 Committee Act.
19

20 Mr. Ralph Phelps reaffirmed that the board is the NNM CAB, not the PHD or technical
21 advisory board for the Lab. The board's objective is to have a balanced and diverse
22 membership which represents all the communities that are affected by the Labs activities.
23 Everyone around the table may not have a PHD, but they have a strong interest. It is important
24 to listen to all comments, opinions and concerns, and each member brings strength to the
25 group.
26

27 Mr. Mike Loya stated that for the last three years there has been a continuing resolution
28 in effect and there has not been any concrete evidence about the future budgets.
29

30
31 **VII. Old Business**

- 32 **A. Chair's Report – Mr. Phelps stated that his report was in the meeting packet**
33 **and described his activities since the last CAB meeting.**
34 **B. Report on Rocky Flats Tour – Mr. Phelps and other members of the CAB stated**
35 **how impressed they were with the clean-up at Rocky Flats. The Legacy**
36 **Management Office was a great host and provided a very informative tour and**
37 **presentation.**
38 **C. Consideration and Action on "Top Issues" for Chairs' Meeting (Tabled from**
39 **7/25/12). Mr. Phelps stated that the template reflects changes from last**
40 **meeting. Mr. Phelps opened the floor to comment or discussion. The topics**
41 **align very closely with the State and Lab objectives. Carlos Valdez asked if the**
42 **Chromium plume information will be discussed at the Chair's meeting. Ms.**
43 **Santistevan stated that a Chromium presentation was scheduled for the**
44 **September 27' 2012 NNM CAB meeting in Taos, NM. Ralph Phelps asked for a**

1 motion to approve the "Top Issues" list for the Chair's meeting. Mr. Joey Tiano
2 made the motion to approve; Manual Pacheco seconded the motion. The "Top
3 Issues" for the Chairs' Meeting was unanimously approved.
4
5

6
7 **VIII. New Business**

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

9 Ms. Nicole Castellano gave an update of the current nominations for
10 chair and vice chair positions. Nominations were accepted until August 29, 2012.
11 Nominee's responses to accept or decline were made to Ms. Deb Shaw or Ms.
12 Nicole Castellano. Deb Shaw was not present. Ms. Castellano thanked all that
13 were nominated:
14

15 **CHAIR**

16 Carlos Valdez

17 Mike Loya
18

19 **VICE CHAIR**

20 Allison Majure

21 Manuel Pacheco

22 Doug Sayre
23

24 There was a motion to accept nominations from the floor. Nominee's
25 Candidate's Statements were sent out to each board member. Mr. Lawrence
26 Longacre asked if the candidates were allowed to campaign, and requested to
27 hear from each candidate about the direction they propose for the Board.
28

29 Ms. Nicole Castellano added that statements from candidates would be
30 appropriate because not all board members may have had the chance to view
31 the statement submitted by the candidates, at the Chair's discretion.
32

33 Mr. Phelps noted that not all candidates were present.
34

35 Ms. Menice Santistevan reiterated that candidate's statements were sent
36 out in the meeting packets. Mr. Longacre stated that he only has reviewed one
37 statement from Mike Loya. Ms. Santistevan stated that all candidates'
38 statements were included in the review packages, except for a statement from
39 Mr. Manuel Pacheco, as he did not prepare one.
40

41 Mr. Ralph Phelps stated that historically, candidate speeches were not
42 allowed as not all candidates were present. Mr. Phelps made the statement that
43 in light of the fact that all candidates were not present and the board had

1 followed the established procedure, he said that there will be no statements
2 from the candidates given at the meeting.
3

4 Mr. Manuel Pacheco made the motion to close the nominations from the
5 floor and the motion was seconded by Mr. Doug Sayer.
6

7 Mr. Phelps gave voting instructions to the board, asking them to write
8 down one selection for each position, Chair and Vice Chair. Ms. Menice
9 Santistevan and Ms. Grace Roybal would collect and count the votes.
10

11 **B. Election of Chair and Vice Chair for FY '13**
12

13 Mr. Carlos Valdez was elected for NNM CAB Chair and Mr. Manuel
14 Pacheco was elected Vice Chair.
15

16 Mr. Ralph Phelps stated that the elected officials become effective Oct.
17 1, 2012. He stated that the board had great new officers.
18

19 **C. Other Items**
20

21 Mr. Lawrence Garcia stated that he has been thinking about what Mr.
22 Longacre said. Mr. Garcia stated that he would like the CAB to 'start thinking
23 outside the box', making recommendations to DOE for Greater Than class C
24 Waste generated by contractors, hospitals, etc. The DOE is always looking for
25 funding; why not take their (industrial) waste and charge the producers? Mr.
26 Garcia thought it was a positive recommendation to make to DOE to recommend
27 that those owners and contractors pay for their waste. Mr. Garcia would like to
28 look for new ideas that the board can recommend on, and open this topic for
29 discussion.

30 Mr. Ralph Phelps agreed that this was a great topic and stated that there
31 was to be a presentation from DOE later in this meeting. Bonnie thinks it's a
32 great idea. Mr. Ed Worth will find point of contact for that topic, perhaps the
33 person responsible for the EIS, Mr. Arnie Edelman at DOE/HQ.
34

35 Mr. Phelps stated that the board still has the opportunity to submit
36 recommendations during the remainder of the year, as they had only submitted
37 two recommendations thus far. Last year, the board submitted seven or eight
38 recommendations, and he stated that the board was running a little behind. Mr.
39 Phelps solicited ideas for new recommendations from the board, stating all input
40 would be welcomed.
41

42 Mr. Phelps then recognized Michelle Jacquez Ortiz from Senator Udall's
43 office, and thanked her for her attendance.
44

1 **IX. Items from DDFO**

2 **A. Update on DOE**

3 Mr. Ed Worth addressed Scott Kovak's comments on Intellus and
4 requested those comments in written form so he could ensure that they get
5 forwarded to the correct people.

6 Secondly, Mr. Worth stated that Lee Bishop requested that he report that
7 everything is still going well with the TRU waste campaign. He stated that they
8 are on target to meet the shipping goals for the year. The DOE hopes to have a
9 record year.

10 Thirdly, Mr. Worth reported that Mr. Kevin Smith will be briefing the CAB
11 today, presenting an overview of the LANL mission including slides on EM which
12 Mr. Worth contributed information and data. All data is verified with lab and
13 found out there are 2 plumes. The Chromium plume has an associated plume of
14 Perchlorate with the same flow path as the Chromium but from a different
15 source. During the September 26th CAB meeting, the board will hear a
16 Chromium briefing which will include information regarding Perchlorate. Mr.
17 Danny Katzman will make the presentation.

18
19 Mr. Worth then discussed the presence of a high explosive chemical
20 known as RDX detected in the groundwater at TA-16. The levels are still below
21 standards, and this is another area that the board should keep a focus on. Mr.
22 Worth will provide an informational briefing on RDX as well.

23
24 Mr. Worth then opened the floor for questions, and mentioned that the
25 board may have heard about the release of Technisium-99 at the Lab. Mr. Kevin
26 Smith will discuss that during his briefing today and he has all the latest
27 information regarding this topic.

28
29 **B. Other Items**

30 No other items were discussed.
31

32
33 **X. Presentation on the FY '13 EM Budget**

34 Mr. Ralph Phelps introduced Terry Tyborowski, Deputy Assistant Secretary for
35 Budget and Strategic Planning at the DOE EM headquarters. Ms. Tyborowski provided
36 an update on the FY13 EM Budget via teleconference.

37
38 Ms. Tyborowski recited her credentials and background, stating that she had
39 been with DOE EM from 1991 – 1997, and then joined the appropriations committee in
40 2005. She then returned to the DOE, and stated that she has a macro-perspective of
41 Federal funding and the EM budget.

42
43 After discussing some of the historic financial figures for the DOE, Ms.
44 Tyborowski stated that the DOE had requested \$5.6 Billion and we have two marks; the

1 House Appropriations Committee has marked the DOE at \$5.5 billion and the Senate at
2 \$5.7 billion. The EM program has a difference in what it might be provided in the
3 annual appropriations bill. She stated that hopefully they will split the difference,
4 putting the amount back at the requested \$5.6 billion. This would be the case if they
5 went through the normal appropriations process; however, most are aware of the
6 government disagreement in federal spending. In the beginning of FY 2012, there was a
7 Budget Control Act which set spending targets for FY '12 and FY '13. Part of the
8 condition of that Act was that if the government did not reach an agreement on
9 spending targets that on Jan. 1, 2013 there would be a cut on government spending
10 across the board. That would mean \$5.1B for Environmental Management, almost a
11 \$500M cut from what is expected in 2013.

12
13 Ms. Tyborowski went on to say that it appeared there would be a Continuing
14 Resolution enacted in about a month, Oct. 1, 2012. Before the Congress convened for
15 its August recess, Senator Reed and House Speaker Boehner made an announcement
16 that the government would be under a Continuing Resolution when they got back in
17 September, so the government would not shut down. We have a number based on
18 what we think the Continuing Resolution would be for the Environmental Management
19 program funding of \$5.3B, down from the requested \$5.65B. Everything is still up in the
20 air as the Department of Energy does not know what number to plan for.
21 The members of Congress reconvene next week, and hopefully the government will not
22 be shut down.

23
24 More thoughts on what the Continuing Resolution might include EM being asked
25 to be at a level control point of projects and activity spending. For Los Alamos, that
26 would mean that as an NNSA site, funding for FY13 could be lower than FY12. The
27 Budget and Strategic Planning Office are keeping a very close eye on it and watching
28 very patiently. Ms. Tyborowski concluded that she had no other formal remarks, and
29 asked if there were any questions.

30
31 Mr. Carlos Valdez inquired that if the government is still on a Continuing
32 Resolution in January, would there still be a 10% reduction in budgets. Ms. Tyborowski
33 replied that the government has to be prudent in fiscal expenditures. If the Continuing
34 Resolution is passed for six months, the Department of Energy EM program would get
35 one half of the \$5.6B allocation. The Budget Control Act of 2012 would put the EM
36 program at \$5.1B. Thinking about it mechanically, if the CR is at \$5.3B but the standing
37 legislation places us at \$5.1B; we may get some money at \$5.3B, but can only spend it as
38 fast as \$5.1B. When the members of Congress convene in December, they may address
39 the January 1st date because it has a tremendous impact across the government. Keep
40 your eye on what Congress is reporting about the Budget Control Act and sequestration.

41
42 Mr. Lawrence Longacre stated that everything seems so classified and secretive
43 since the Atomic Energy law was passed in 1948. He doubts that members of Congress
44 know what the Lab does. There are many programs that are not of interest or value to

1 him or the rest of the people at the meeting, such as making instruments which search
2 for water on the planet Mars, and other programs which appear to be the whim of some
3 of the scientists. A lot of programs are not directly connected with national defense.
4 Mr. Longacre asked if it was possible for the CAB to recommend that funds are deferred
5 from other programs to the clean-up efforts. Get the money even if we have to cut non-
6 essential projects.

7
8 Ms. Cate Alexander, Designated Federal Officer, responded to this question from
9 Ms. Tyborowski's office. She stated that this was a question of scope and how funds are
10 allocated. The EM Program is authorized and allocated differently than NNSA and other
11 DOE funded programs and projects. It isn't a matter of shuffling money between the
12 two programs. Also, the Board's mission lies within EM and they are asked to give
13 advice to the program in the scope of Environmental Management activities, even if
14 they are in conjunction with other programs, such as NNSA.

15
16 Mr. Scott Kovak, Nuclear Watch New Mexico, addressed Ms. Tyborowski and Ms.
17 Alexander stating that the DOE came out with a new program for stakeholder input into
18 budgets and he is not clear if the NNM CAB had any input on it. He wanted to make sure
19 the CAB is included in the FY '15 budget recommendations next spring.

20
21 Ms. Tyborowski replied that if Mr. Kovak was referring to the budget process,
22 DOE asks that the community engage with the site to layout what the priorities are. The
23 sites take that information into consideration as they formulate their budgets. Ms.
24 Alexander added a confirmation of this process.

25
26 Ms. Nicole Castellano asked if this meant that as the CAB is actually able to
27 request a general overview of a list of projects that each site has on the table. For those
28 projects that may not have even started yet, she asked if the CAB may make
29 recommendation on priorities. The CAB will be requesting a list of future projects from
30 LANL for which they can make recommendations.

31
32 Ms. Tyborowski clarified the proper sequence of events. It is the expectation
33 that when the Office of Strategic Planning and Budget sends out guidance to the field
34 sites, they ask that the sites engage with the local community and the CAB. It is the
35 expectation that the CAB would work directly with the Site Office and develop a list of
36 priorities. After that, the Site Manager receives input and formulates his budget
37 accordingly. At that point, the information becomes embargoed. The input period is
38 before these decisions are made at the site level.

39
40 She went on to say that the executive budget development process is
41 embargoed after the Site Manager forms the budget, after receiving input from his staff.
42 The site budget supports the President's priorities. Once the President's Office of
43 Budget and Management determines that the budget supports the President's

1 priorities, the information is made public and it is released in January and February to
2 Congress.

3 Mr. Ed Worth offered thanks on behalf of the CAB to Ms. Tyborowski and Ms.
4 Alexander for taking the time to address the CAB. He stated that the insight provided
5 was very valuable and may help to form recommendations from the CAB in the future.
6 Ms. Tyborowski stated that she looked forward to meeting the new Chair and Vice Chair
7 in person in October.

8
9 Mr. Lawrence Longacre was asked to continue his question which was started
10 before the conference call. Regarding the tour at Rocky Flats, Mr. Longacre stated that
11 he inquired about all the programs and problems they had there. He asked if the local
12 CAB office was involved there and was told that it was not for the most part because the
13 Rocky Flats management would discover a problem and call in professionals to deal with
14 it. Mr. Longacre is suspicious that the Lab does not always tell us what we need to
15 know, and that they are not in a full disclosure mode. Besides the TRU waste and the 33
16 shafts, Mr. Longacre asked if Mr. Worth could tell the CAB what other issues can be
17 addressed by the CAB.

18
19 Mr. Worth stated that it is incumbent on DOE and the site office to make sure
20 that the CAB is aware of all environmental issues, so that they can make informed
21 recommendations.

22
23 Mr. Longacre asked if Mr. Worth thought that the board could make a diplomatic
24 recommendation to cut out funding on non-essential projects, and devote the funds to
25 the clean-up efforts. Mr. Longacre described his understanding of the ballet of federal
26 funding. He feels that when it comes to national defense and terrorism, congress gives
27 the NNSA a blank check which they can spend any way they want except for clean-up
28 efforts. Deferring some money to clean up might eliminate the repetitive story of
29 "there's no money for clean up".

30
31 Mr. Bob Pfaff, Business and Technical Lead for the Environmental Programs
32 Office at Los Alamos introduced himself as the person who generally coordinates the
33 budget requests for EM for Los Alamos. He addressed Mr. Longacre's questions, stating
34 that there are two separate budget requests at Los Alamos; the NNSA ("non-essential"
35 programs) and the EM cleanup efforts. The funding cannot be mixed as in the scenario
36 that Mr. Longacre is describing because it would be a violation of appropriation laws.
37 Mr. Pfaff recommended that when the CAB prepares recommendations, that a copy be
38 sent to Mr. Thomas D'Agostino of the NNSA. He over sees EM efforts to a degree, and
39 will work to coordinate with EM, work with Congressional appropriation committees to
40 lower NNSA budget and raise the EM budget. Mr. Pfaff stated that idea is not
41 impossible, but as the expression goes "it would take an act of Congress".

42
43 Mr. Lawrence Longacre stated that laws can be changed. If this committee
44 would tell them this is what they want, knowing full well ahead of time and because of

1 all the intricacies of the federal government, he would be satisfied just for the sake of
2 brashness if the board could make the recommendation to divert funds from NNSA to
3 EM clean up. Mr. Pfaff stated that there is no reason the board can't make these
4 recommendations, but it would have to be sent through Mr. D'Agostino and Mr.
5 Huizenga, and work with EM and the field office as they would need to be involved.
6

7 Mr. Carlos Valdez inquired if there has been a response to CAB Recommendation
8 2012-02. Ms. Cate Alexander was crafting a draft answer to that recommendation.
9

10 NNM CAB took a 15 minute recess.
11

12
13 **XI. Update from Los Alamos Site Manager**

14 Mr. Ralph Phelps introduced Mr. Kevin Smith, who provided a briefing of the LAB
15 mission.
16

17 Mr. Ralph Phelps thanked Mr. Smith for a great oversight presentation which
18 included information regarding the 50 year plan and regional activity that extends
19 beyond the boundaries of LANL. An audio and/or electronic copy of the presentation
20 may be obtained at the NNM CAB office.
21

22 Questions regarding Mr. Smith's presentation included topics of future Land
23 Turnovers being part of the 50 year plan as well as the recent Technetium 99
24 contamination at the Lujan facility.
25

26 Mr. Smith included information regarding the recent Technetium 99
27 contamination at the Lujan Center, indicating there will be an independent investigation
28 with the Inspector General's Office. He stated that the EM office has remained
29 transparent and forth-coming during this incident. He stated that the contamination
30 was not a public health and safety risk, but rather an inconvenient occurrence and
31 another mark as to why the CAB is so important. A publically released report will be
32 issued if sensitive information is not included, and the CAB will be briefed along with the
33 community. It will take several weeks to complete the investigation.
34

35 Mr. Phelps inquired if there was going to be an independent review or oversight
36 of the 50 Year plan for LANL to periodically monitor how things are going. Mr. Smith
37 replied that it may not be obvious, but the Site Office is an arm of independent
38 oversight, and is as aggressive in providing oversight for RAD as NNSA is. The data
39 provided by the Pueblos sampling will be included in the Lab's database as a form of
40 transparency to demonstrate that the Lab is maintaining all its commitments for long
41 term stewardship.
42

43 In response to an inquiry regarding land transfer from Mr. Phelps, Mr. Smith
44 explained that there are approximately 1,400 acres of LANL property scheduled to be

1 transferred by the end of the year. Property recipients include the Pueblo de San
2 Ildefonso and the National Parks. The transfer of 884.6 Acres in Sandia Canyon is
3 included on this year's agenda.
4

5 Mr. Doug Sayer inquired about Tech Area 21 and what is anticipated for MDA-A
6 and MDA-C. Mr. Sayer stated that he understood there were large amounts of
7 uncalculated waste in these areas and what sort of assessments are available for review.
8

9 Mr. Smith responded that Tech Area 21 is a complex area. The General's Tanks
10 results are available for review. MDA-A and MDA-T are secure as they stand today.
11 Prioritizing the TRU cleanup pushes MDA-A and MDA-T work into the out years. MDA-T
12 final disposition may be a long term monitoring as it may be too risky to remove the
13 waste. Final decisions are in the hands of the New Mexico Environment Department.
14 There is a need for more money or a technical breakthrough on how to clean-up these
15 waste areas better and more safely.
16

17 Mr. Joey Tiano asked if it would be smart to attract talent and incentivize
18 employees financially to develop great ideas in solar power, etc. Each program is
19 reviewed and approved separately by Mr. Smith. At SRS, the professional were charged
20 with the responsibility of how to develop waste storage in glass. Incentives are being
21 offered. WIPP benefitted very much from the LANL TRU program.
22

23 Mr. Sayer asked if budgets for the MDA-A and MDA-T waster removals have
24 been established. Mr. Smith responded that parametric estimates have been
25 completed, and he knows that it will be very expensive, but it is too premature to tell
26 until further investigations are completed.
27

28 Mr. Joey Tiano asked if companies had to bid on the Operations of the LAB.
29 LANS is a consortium which performs all sorts of experiments and technologies. When
30 something is discovered or approved, he asked who the trademarks belong to. Mr.
31 Smith stated that it depended on the contract structures. There are several established
32 partnerships with major corporations such as Shell, for instance.
33

34 Mr. Tiano stated that the space program collects an enormous amount of
35 intellectual property and asked if any of that money comes back to LANL. Mr. Smith
36 replied that that there is no profit in Government work. The Mars rover, for instance,
37 was a NASA contract.
38

39 Mr. Tiano stated that there was an \$80B bail out by congress, and he thought the
40 government should spend more on EM. Billions to trillions of dollars go to government.
41 Mr. Smith stated that New Mexico has been very active in sending messages to
42 Washington D.C. through Governor Susana Martinez and Mayor Coss and other
43 members of the Regional Coalition of LANL Communities. All went to enlist and redirect

1 funds to NM. There are opportunities for citizens to have their voice and preferences
2 known.
3

4 Ms. Bonnie Lucas acknowledged the tremendous responsibility Mr. Smith has to
5 the world and New Mexico and thanked him for his work and dedication.
6

7 Mr. Smith stated that the CAB's voice is very important. He reads and has the
8 responsibility for each of the CAB's recommendations and takes them very seriously.
9 Mr. Smith understands because he lives and works in Los Alamos too and is very much
10 involved in the community; he drinks the water and breathes the air. Mr. Smith
11 encouraged the CAB members to talk to their neighbors and encourage them to make
12 their voices heard. Mr. Smith closed by stating that he values what the Board does, and
13 is absolutely committed to doing the long term environmental stewardship activities
14 required by the Los Alamos site, and sustaining the environment for the future.
15
16

17
18 **XII. Presentation on the Intellus**

19 Mr. Ralph Phelps introduced Karen Schultz-Paige who offered a presentation
20 highlighting Intellus, a Cloud based Database for air, water and biota data. An audio
21 copy of the presentation can be obtained at the NNM CAB office.
22

23 Ms. Schultz-Paige informed the Board that the database administrators have
24 been loading older air and ambient air monitoring program (1950's) data. Mr. Manuel
25 Pacheco asked if there was any classified environmental data shown on this system and
26 was assured there is not.
27

28 Mr. Doug Sayre asked if Buckman Direct Diversion (BDD) data was being loaded.
29 Ms. Schultz-Paige stated she was not familiar with BDD, but if LANL has collected this
30 data, it will be included in the database.
31

32 Mr. Lawrence Longacre asked how the database can resolve conflicts in data
33 from different sources. Mr. Kyle Harwood stated that the BDD Memorandum of
34 Understanding goes a long way to answer these questions by using out of state, third
35 party samples, which mitigates the differences.
36

37 Mr. Alex Puglisi, with the City of Santa Fe, stated there was no outlet for feedback
38 available in Intellus to report discrepancies— just a "contact us" button by email.
39

40 Mr. Scott Kovak asked what the annual budget for Intellus was. Ms. Schultz-Paige stated
41 that she did not know for sure and would have to get back to Mr. Kovak with an answer.
42

43 Mr. Lawrence Garcia inquired about data quality checks. Ms. Schultz-Paige stated that
44 LANL does a lot of checks, and that approximately 2% of data is rejected – quality is

1 pretty tight.

2
3 Mr. Garcia then asked if once a problem is caught, are there configuration changes put
4 in place to catch it next time. Ms. Schultz-Paige assured him there are.

5
6 Ms. Collen Curan spoke from the audience to explain that the purpose of Intellus is to
7 display the data, not to make a judgment of the data. Lab quality control systems are in
8 effect.

9
10 Ms. Schultz-Paige conducted a live demonstration of the Intellus Website.

11
12
13 **XIII. Wrap-Up**

14 Mr. Phelps opened the floor to general comments.

15
16 Chair Elect Carlos Valdez stated that he enjoyed Mr. Smith's presentation and
17 would like to obtain a copy of it.

18 Mr. Doug Sayer thought the presentations were very informative and well worth
19 the CAB's time. He stated he was interested in getting to look at the Intellus data, and
20 commended Mr. Phelps' leadership of the CAB.

21 Mr. Manuel Pacheco thanked the board for his election as Vice Chair and stated
22 Mr. Phelps has done a wonderful job in steering "this ship".

23 Mr. Ed Worth expressed congratulations to the newly elected Chair and Vice
24 Chair and thanked all who accepted nominations. He looks forward to seeing the CAB
25 members again at the September 26th full board meeting in Taos, NM.

26 Ms. Menice Santistevan also congratulated Mr. Valdez and Pacheco and offered
27 the support staff's help with their huge responsibility. Ms. Santistevan inquired by a
28 show of hands, how many CAB members will stay overnight in Taos, on Sept. 26th. She is
29 reserving a block of rooms at the Sagebrush Inn; please coordinate with Ms. Santistevan
30 regarding arrangements.

31 Mr. Joey Tiano also congratulated the election winners and stated he looked
32 forward to working with them.

33 Mr. Art Mascarenas congratulated the newly elected officers and offered his
34 thanks to Mr. Ralph Phelps. He stated it was a great meeting.

35 Mr. Lawrence Garcia also congratulated the election winners and stated they will
36 do very well in these roles. Mr. Garcia stated that Mr. Phelps has been a key player to
37 the CAB and we look up to him and the CAB staff. Mr. Garcia stated he would like more
38 information regarding the process of requesting budget changes and asked if similar
39 distribution charts (from Mr. Smith's presentation) were available from other sites. He
40 feels that New Mexico is short changed and would like to take a different approach on
41 ultimately effecting funding.

42
43 Mr. Ed Worth introduced Ms. Christina Houston, DOE-EPO as the designated
44 alternate DDFO to act on his behalf, should he not be available.

XVI. Adjournment

With no further business to discuss, Mr. Phelps adjourned the meeting at 5:07 p.m.

Respectfully submitted,

Ralph Phelps, Chair, NNM CAB


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

Attachments:

- 1. Final 8-29-2012 NNM CAB Meeting Agenda**
- 2. Final 7-25-2012 NNM CAB Meeting Minutes**
- 3. Report from Ralph Phelps, NNM CAB Chair**

Public Notice:

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

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