



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

**July 25, 2012**

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

**Meeting Location: Best Western Hilltop House, Taos Room  
Los Alamos, New Mexico**

**MINUTES**

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**Meeting Attendees:**

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**Department of Energy:**

**Ed Worth, Deputy Designated Federal Officer (DDFO)**

**Christina Houston, DOE Environmental Projects Office**

**Lee Bishop Federal Project Director, Los Alamos Site Office EPO**

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**NNMCAB Members:**

**1. Ralph Phelps, NNMCAB Chair**

**2. Carlos Valdez, NNMCAB Vice Chair**

**3. Doug Sayre, Environmental Monitoring & Remediation (EM&R) Committee Chair**

**4. Manuel Pacheco, Waste Management Committee Chair**

**5. Brenda Gallegos**

**6. Mike Loya**

**7. Lawrence Garcia**

**8. Joey Tiano**

**9. Nona Girardi**

**10. Allison Majure**

**11. Robert Villarreal**

**12. Nicole Castellano**

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**Excused Absences:**

**1. Joseph Viarrial**

**2. Bonnie Lucas**

**3. Adam Duran**

**4. Lawrence Longacre**

**5. Deb Shaw**

**6. Art Mascarenas**

**7. Kyle Harwood**

**8. Nick Maestas**

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**NNMCAB Support Staff:**

**Menice Santistevan, Executive Director**

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

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5 **Guests:**

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

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## **MINUTES**

### **I. Call to Order**

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

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

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

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

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

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### **II. Establishment of a Quorum (11 needed)**

#### **A. Roll Call**

Ms. Bateman conducted roll call as the members arrived. Twelve 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 Joseph Viarrial, Bonnie Lucas, Adam Duran, Lawrence Longacre, Deborah Shaw, Art Mascarenas, Kyle Harwood and Nick Maestas had excused absences for this meeting.

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### **III. Welcome and Introductions**

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

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### **IV. Approval of Agenda**

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

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

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### **V. Approval of Minutes of May 30, 2012**

The board reviewed the minutes from the May 30, 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 May 30 minutes were included in the board packets and presented at this meeting for board approval.

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

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## **VI. Public Comment Period**

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

Mr. Jack Jones further addressed the Board.

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## **VII. Old Business**

### **A. Written Reports**

#### **1. NNM CAB Chair's Report**

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

a. Routine Chair Activities since last NNM CAB meeting on May 30, 2012 included the following:

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

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

1                   3.       Supported Combined Waste Management (WM) and  
2                   Environmental Monitoring and Remediation (EM&R) Committee  
3                   meetings on 4-25-2012, which included presentations by Ed Worth on  
4                   the budget for 2014 and a water sampling tour, and 5-16-2012, which  
5                   included a presentation by Lee Bishop on the “3706 TRU Waste  
6                   Program.”

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

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

### 22 23       **3.       NNMCAB Support Staff Executive Director’s Report**

24                  A printed copy of Ms. Santistevan’s report was included in the meeting  
25                  packet and a copy may be obtained by request from the NNMCAB office at (505)  
26                  989-1662. Ms. Santistevan’s report included:

#### 27                  a.       Board Membership Update

28                               The NNMCAB is currently comprised of 20 members. The next  
29                               nomination packet is due to HQ in December. Recruitment of new  
30                               members is currently under way and will continue through the fall.

#### 31 32                  b.       Executive Committee Meetings

33                               The Committee met on June 13, 2012. The committee members  
34                               heard reports from the Chair and Vice-Chair, Committee Chairs, and  
35                               Executive Director. The committee discussed the future use of WIPP and  
36                               the role of the NNMCAB in this discussion. The committee also discussed  
37                               follow-up to the public comment on the fuel spill at Sandia; the Regional  
38                               Coalition of LANL Communities and future recommendations based on  
39                               updates on the CME’s. A request was made for a future presentation on  
40                               the Buckman Diversion Project and a possible tour.

#### 41                  c.       Board Meeting Preparations

42                               Ms. Santistevan prepared and submitted the agenda for the 7-25-  
43                               2012 meeting and submitted notice to **The Federal Register**, in  
44                               compliance with **The Federal Advisory Committee Act**, as well as **The Los**

**Alamos Monitor.** NNM CAB staff made all arrangements for the meeting.

d. Outreach:

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

e. Office Management

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

f. Important Upcoming Dates

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

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

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

**C. Other Items**

- i. None

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**VIII. New Business**

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

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

**CHAIR**

Carlos Valdez

Mike Loya

Nicole Castellano

Manuel Pacheco

**VICE CHAIR**

Allison Majure  
Manuel Pacheco  
Deb Shaw (declined)  
Mike Loya  
Joe Tiano (declined)  
Robert Villarreal (declined)  
Doug Sayre

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

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

**B. Consideration and Action on NNM CAB Top Issue and Accomplishment for Fall Chair's Meeting**

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

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

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

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

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

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

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

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

Ms. Nona Girardi asked if there was any advantage to talking about Cr plume during that meeting. She stated that it was great that the Lab is

1 addressing 3,706, but it seems that there are other issues which need to be  
2 brought to the forefront which may be more useful.

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

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

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

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

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

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

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

33 Mr. Phelps confirmed that the board was in favor about talking about  
34 3,706 as accomplishment.

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

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



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

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

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

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

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

21  
22 **C. Report on Presentation to Radioactive and Hazardous Materials Committee**

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

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30 **D. Other Items**

31 None  
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34 **IX. Items from DDFO**

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

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

43 Mr. Worth that the August 29<sup>th</sup> CAB meeting to elect officers was also a  
44 good opportunity for the Los Alamos Site Manager, Mr. Kevin Smith, to give the

CAB a briefing. Ms. Terry Tyborowski , DOE Deputy Asst. Secretary for Budget will also give a remote briefing via teleconference. Senate and House marks suggest a strong possibility that a Continuing Resolution will be in place for the first part of FY '13. What could happen with that is a sequestration will drop all budgets across the nation by 10%. Mr. Worth anticipates the site will be awarded the lower of the House or Senate mark. There is about a \$70M financial swing to try to plan for which makes planning a strategy very difficult.

Mr. John Kieling, NMED confirmed that the scheduled Corrective Measures for MDA A, L and G have been submitted and are under review. They are complex documents with all sorts of alternatives. The Statement of Basis is due in the fall. Mr. Kieling stated that DOE EPO will present priorities to NMED such as the Sandia Canyon (Cr briefing).

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

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

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

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

## **B. Other Items**

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

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## **X. Update from Liaison Members**

Mr. Ralph Phelps introduced Michael Graham (LANS) who provided an update on Environmental Program work. Mr. Graham will be leaving Los Alamos for an alternate assignment at the end of August, 2012 to manage Bechtel Govt. and Commercial Environmental work. Unfortunately, Mr. Graham missed the 1000<sup>th</sup> shipment due to a knee injury, but followed it closely. He thanked all that supported the celebration. LANL was first site to make a shipment to WIPP and will become the largest shipper. As of July 25<sup>th</sup>, 165 shipments have left LANL and LANS expects the shipments will be well

1 above 200 shipments for the year. LANS has focused on removing Material at Risk  
2 (MAR) which are the higher risk drums. The LANS team is focused and committed and  
3 with the support of the Governor of NM, LANS has made the site much safer. Mr.  
4 Graham also reported that the site had operated for 203 days without injuries.

5 Mr. Graham spoke about plans for the next deal with state of NM. LANS plans to  
6 address the remaining above and below ground waste with the submittal of a plan due  
7 in December, 2012. There has been an on-going open process in annual work planning.  
8 The FY' 13 Work Plan will be rolled out in September, 2012. House (\$215M) and Senate  
9 (\$235M) marks have been issued and LANS does not know what the rules are regarding  
10 a Continuing Resolution. There is a possibility of level funding from the Federal  
11 government at \$180M. Mr. Graham is anticipating a Continuing Resolution at the  
12 Senate mark.

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

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

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

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

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

35 Mr. Ralph Phelps presented Mr. Graham with a Certificate of Appreciation from  
36 the NNM CAB.

37 Mr. Ed Worth added that Mr. Graham has been instrumental in obtaining the  
38 support of subject matter experts to speak at the CAB and support DOE. He also said  
39 Mr. Graham was a prime example of leadership from the top down; much appreciated.  
40

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

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

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

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

21 Ms. Nicole Castellano inquired about the Cr Plume and how this issue impacts  
22 other priorities. Mr. Kieling answered saying the Lab and DOE are discussing the topic  
23 and pulling experts from across the nation to address it. Preliminarily, the planned  
24 action is the use of an Interim Measure which will require very little public input.  
25

26 Mr. Ed Worth presented for Mr. Rich Mayer from EPA, Region 6. EPA is  
27 experiencing tight travel budgets, which precludes Mr. Mayer from attending the  
28 NNMCAB meetings Mr. Mayer sent Mr. Worth an update to give the CAB. EPA provided  
29 the analytical funding for approximately 90 groundwater / spring samples taken by  
30 NMED within the past 4 months. These samples were analyzed for ultra high resolution  
31 trace metals. All results have been received and will be posted on the Intellus database  
32 within the next month. The EPA also provided funding for sampling at U. S. NASA White  
33 Sands and at Kirtland Air Force Base. Any questions for EPA will be collected by Mr.  
34 Worth, and sent to Mr. Mayer.

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

38 Mr. Ralph Phelps stated that the Regional Coalition of LANL Communities made a  
39 presentation at the Radioactive and Hazardous Materials Committee meeting. The  
40 Coalition plays more of a lobbying roll. A group from the Coalition went to Washington  
41 DC in an effort to get financial support for continued LANL operations.  
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43  
44 **XI. Introduction of Deputy Site Manager**

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

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## **XII. Presentation on the Impact of NNM CAB Recommendations**

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

Mr. Mike Loya asked how far off LANL was on next year's budget. Mr. Worth explained that LASO EPO usually gets \$215M, but there is so much uncertainty at this time, it's difficult to talk to. Mr. Loya asked if all the community outreach that the CAB participates in was doing any good. Ms. Menice Santistevan responded by stating that Congress is the appropriator of funds and that representatives of New Mexico's Congressional Delegation were in the audience today and heard the budget discussion.

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

Mr. Phelps introduced the draft recommendation and opened the floor to comments and discussion on whether the NNM CAB members were supportive of pursuing this recommendation.

Nicole Castellano began the discussion by stating that she felt that the NNM CAB mission should evolve as the DOE mission.

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

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

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

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

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

**Lawrence Garcia made a motion to approve Recommendation 2012-02, as amended. Mr. Tiano seconded the motion.** Mr. Phelps cautioned the members that if the

1 recommendation is approved, the members will have an increased workload and all should be  
2 aware of this.

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

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

#### 9 **XIV. Public Comment Period**

10 No one signed up for the second public comment period.  
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#### 13 **XV. Wrap-Up**

14 Mr. Phelps opened the floor to general comments.

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

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

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

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

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

34 Mr. Carlos Garcia expressed that the CAB missed Mr. Lee Bishop, adding that his  
35 expertise is missed and cherished. Mr. Garcia suggested that during the Rocky Flats trip,  
36 the CAB members get well versed on the topic of Chromium. Mr. Garcia expressed  
37 thanks to Ms. Menice Santistevan and her staff.

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

42 Mr. Mike Loya passed the opportunity to speak to the CAB's distinguished guest,  
43 Navajo Code Talker Jack Jones, who thanked the CAB for their support and allowing him



1 to come to the meeting. Mr. Ralph Phelps thanked Mr. Jack Jones for honoring the CAB  
2 with his presence for his service to the country.

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

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

9 Ms. Nicole Castellano reminded everyone who may decline or accept the  
10 nomination for the Chair or Vice Chair of the NNMCAB should call herself or Ms. Deb  
11 Shaw.

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

17 Mr. Doug Sayre appreciated the CAB staff stating they did a first class job, as  
18 always. He was also grateful for having access to the knowledge and expertise of Mr.  
19 Worth and Mr. Bishop. Finally, Mr. Sayre inquired about the status of the WSC project.  
20 Mr. Lee Bishop responded by informing the CAB that WCS LLC is a commercial disposal  
21 cell located in Texas. WCS is one of the three locations which receive waste now; the  
22 others two are located in NH and NJ. WCS has built a new federal cell which is the  
23 property of the State of TX DEP. However, at the end of its lifespan, it will revert to DOE  
24 for ownership. Mr. Bishop has toured the facility and stated the Federal area is the size  
25 of a Super bowl stadium. Waste would be stored in concrete bunkers. WCS is about to  
26 finalize agreements with State of TX. LANL would most likely use this facility as there  
27 are good waste types here at LANL which could be disposed of at WCS at a lesser cost.  
28 Mr. Sayre asked WCS accepted Greater Than Class C Waste? Mr. Bishop replied that  
29 WCS can accept LLW and Hazardous LLW (Class C Waste), so LANL now has outlet for  
30 Class B and C waste.

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

35 Mr. John Kielling expressed thanks for inviting him to the CAB.  
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38 **XVI. Adjournment**

39 With no further business to discuss, Mr. Worth, DDFO, adjourned the meeting at  
40 6:10 p.m.

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42 **Respectfully submitted,**  
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44

Ralph Phelps, Chair, NNMCAB

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


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**Attachments:**

1. Final 7-25-2012 NNMCAB Meeting Agenda
2. Final 5-30-2012 NNMCAB Meeting Minutes
3. Report from Ralph Phelps, NNMCAB Chair
4. Report from Menice Santistevan, NNMCAB Executive Director
5. Spring 2012 Chairs Meeting Report, Carlos Valdez, NNMCAB Vice Chair
6. Recommendation 2012-02 (DRAFT)
7. PowerPoint Presentation, "Presentation on the Impacts of NNMCAB Recommendations," Ed Worth, DOE

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**Public Notice:**

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

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

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