



NNMCAB Minutes May 24, 2007

Approved on July 25, 2007

Northern New Mexico Citizens' Advisory Board
A U.S. Department of Energy Site-Specific Advisory Board
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Northern New Mexico Citizens' Advisory Board Meeting
May 24, 2007, 9:00 a.m. to 12:00 p.m.
Cities of Gold Hotel Conference Room, Pojoaque, New Mexico

Attending:

NNMCAB Members--

- 1) J. D. Campbell, Chair
- 2) Fran Berting, Vice Chair
- 3) Pam Henline, EMSR Committee Chair
- 4) David Church, EMSR Vice Chair
- 5) Ralph Phelps, WM Committee Chair
- 6) Larry Rapagnani WM Committee Vice Chair
- 7) Mary Pat Kraemer
- 8) Robert Gallegos
- 9) Gerald Maestas
- 10) Susan Crutchfield
- 11) Donald Dayton
- 12) Terry Boyle

NNMCAB Absent:

Erlinda Gonzales
Barbara Gonzales

Also Attending:

Christina Houston, Deputy Designated Federal Officer (DDFO)
Gaeton Falance, Assistant to the DDFO

Guests:

Andy Lenderman, Santa Fe New Mexican
Lorrie Bonds-Lopez, LANS

Facilitator:

Rosemary Romero

NNMCAB Staff:

Menice Santistevan, Executive Director
Grace Roybal, Office Administrator
Lorelei Novak, Technical Programs and Outreach
Eddie Roybal, Sound Technician

Minutes:

I. Call to Order.

The regular bi-monthly meeting of the Northern New Mexico Citizens' Advisory Board (NNMCAB or CAB) meeting was held on Thursday, May 24, 2007 at the Cities of Gold Hotel Conference Room in Pojoaque, New Mexico. The Chair, J. D. Campbell presided. Christina A. Houston, 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 9:00 a.m. 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. The meeting was held on the second day of a two day Retreat and Board meeting.

II. Establishment of Quorum.

Ms. Houston declared a quorum with twelve members present at the start of the meeting.

III. Welcome and Introductions.

J. D. Campbell, Chair, welcomed members, guests to the Board meeting. Rosemary Romero served as the facilitator for the meeting.

IV. Approval of Agenda.

The Chair asked for a motion to approve the agenda. Ms. Kraemer made a motion to approve the May 24, 2007 meeting agenda. Dr. Berting seconded the motion. The agenda was approved as presented.

V. Approval of Minutes of March 12th, 2007.

The Chair asked for a motion to approve the March 12, 2007 meeting minutes. Mr. Phelps made a motion to approve the March 12, 2007 minutes as presented. Dr. Rapagnani seconded the motion. The minutes were approved.

VI. Approval of Minutes of April 10th, 2007.

The Board also reviewed the minutes from the April 10, 2007 meeting. The Chair asked for a motion to approve the April 10, 2007 meeting minutes. Dr. Rapagnani made a motion to approve the minutes as presented. Mr. Dayton seconded the motion. The minutes were approved.

VII. Board Business / Reports

a) Report from Nominating Committee.

➤ Election of Vice-Chair to Complete Un-expired Term through Sept. 30th.

Mr. Gallegos, Chair, acted as the reporting member for the Nominating Committee. He stated that Ms. Kramer was the Co-Chair for the Committee. The following actions occurred:

- Sent out an email announcing the availability of the Board Vice Chair Position.
- Nominations were announced closed on April 5, 2007.
- Committee received one nomination: Fran Berting. Previously noted: Dr. Berting expressed her willingness to serve as Vice Chair for the Board.
- Committee received one nomination for Fran Berting as Vice Chair.

Dr. Campbell made a motion to accept the nomination of Fran Berting as Vice-Chair. Mr. Boyle seconded the motion. The Chair entertained a motion to elect Dr. Berting as Vice Chair of the Board. The motion was so moved by Ms. Crutchfield and seconded by Dr. Rapagnani. The Board decided a voice vote would be sufficient. Dr. Berting was unanimously elected as NNMCAB Vice Chair to complete an un-expired term through September 30, 2007.

b) Report from Chair J. D. Campbell. (Full text of report can be found in the attachment section of these minutes.)

The Chair reported on his activities since the Last Board Meeting on April 10, 2007:

Activities/Meetings:

- Chaired Executive Committee Meeting on April 19, 2007.
- Attended EMSR and WM Committee Meetings April 18, 2007.
- Attended Groundwater Meeting at LANL April 11, 2007.
- Visited LANL well drilling of R-35 on April 12, 2007.
- Met with George Rael, Susan Stiger and Carolyn Mangeng May 14, 2007.
 - Introduced Susan Stiger to Top Three Issues for NNMCAB.
 - Requested for LANL to assist with Public Participation in Excavation Alternative for MDA G.
 - Inquired status of requests by NNMCAB.
 - Discussed relationship of LASO and LANL with NMED.

Conference Calls and Other:

- May 3, 2007 call for SSAB Organizing Committee for Fall 07 meeting to be held in Paducah on September 25-28, 2007.
- May 10, 2007- SSAB Chair's Conference call.

Planned Activities and Events:

- Planning for NNMCAB Public Participation Programs in 2007.
- Requests to DOE/LANL for assistance with Public Participation Programs.
- Develop plan for presentation on excavation alternative for MDA G.

Ms. Romero asked for a motion to approve Dr. Campbell's report. Dr. Berting made a motion to approve the Chair's report. Mr. Phelps seconded the motion. The report was approved by acclamation.

c) Report from Vice-Chair Fran Berting.

Dr. Berting made a verbal report. She stated she had attended the Executive Committee meetings recently. She attended the spring SSAB Chairs meeting in Las Vegas.

She also attended the tour of the LANL well drilling project for R-35. Additionally, she concurred with Dr. Campbell's report.

d) Report from DOE Christina Houston.

Ms. Houston provided the DDFO report since the April 10, 2007 CAB meeting to the Board.

- Board Travel Reimbursements are on schedule.
- The CAB's Annual Report has been published and she thanked the CAB staff.
- The CAB's computer issues have been resolved. The new cable high speed Internet is operational.

e) Report from Executive Director Menice Santistevan. (Full text of report can be found in the attachment section of these minutes.)

Ms. Santistevan's report is summarized below:

Board Membership:

- The six nominees were formally appointed to the NNMCAB on April 11, 2007, for a two-year term.
- Five members were reappointed.
- Jim Janis has resigned due to time and travel requirements with his business.
- Richard DeerTrack declined to accept his appointment for a second term because of health problems. She thanked both for their time and efforts on the NNMCAB.
- Several members have indicated that they would be willing to help with the NNMCAB Speaker's Bureau. She planned to assist scheduling speaking engagements at civic clubs and organizations, along with the local schools. This effort may encourage members of the public to apply for membership on the NNMCAB
- Requested Roger Snodgrass of The Los Alamos Monitor and Andy Lenderman of The New Mexican write a feature article about the NNMCAB and its work, which will mention that we are currently recruiting new members. She has found that an article of this type to be more effective in recruiting than a general advertisement. The CAB Annual Report also included a statement on recruitment.

Executive Committee Meetings:

The Committee met on April 19, 2007 and May 15, 2007.

- The committee heard reports from the Chair, Committee Chairs, and the Executive Director.
- The committee made some changes, then approved the Final Agenda for the Retreat, and for the May 14, 2007 CAB meeting.
- The committee also finalized committee dates through August 2007 and rescheduled the September 2007 CAB meeting date to September 19, 2007.
- The Committee Chairs reviewed accomplishments toward the '07 Work Plans in anticipation of preparing the '08 Work Plans.
- The Executive Committee met with George Rael and with Carolyn Mangeng and Susan Stiger (via telephone) at the Los Alamos Site Office, on May 14, 2007.

Office Management:

- The staff supported all committee meetings with preparation of notices, agendas and committee minutes.
- Lorelei Novak has updated the NNMCAB website and has completed work on the Members Only section of the website as requested by the Executive Committee.
- The 2006 Annual Report has been prepared and printed by the CAB staff and has been mailed out to DOE HQ, the other CABs and to our smaller mailing list.
- The CAB computer connection to Comcast has been completed and the staff now has a high-speed connection
- All travel authorizations have been signed by the DDFO and vouchers have been processed by Grace Roybal.
- The DOE travel office has processed these vouchers and CAB members should have received reimbursements through direct deposit to their bank accounts.

Fall EMAB Meeting:

- The fall meeting of the Environmental Management Advisory Board will be held in Santa Fe.
- The Board plans on touring WIPP, LANL, and having a two-day meeting in Santa Fe, in mid September.
- The Board has considered adding a tour of Sandia.
- The public meeting of the EMAB will be held on Sept. 13, 2007 at La Fonda Hotel.

Ms. Romero asked for a motion to approve Ms. Santistevan's report. Mr. Church made a motion to approve Ms. Santistevan's report and Ms. Henline seconded the motion. The motion passed unanimously.

f) Environmental Monitoring, Surveillance and Remediation (EMSR) Committee.

Ms. Henline, Chair, served as the reporting member for the EMSR Committee. Her verbal report is summarized below:

- At the March meeting, the committee heard two presentations one on reliable data for wells, and another concerning the path forward for groundwater monitoring program.
- At the April meeting, which was a combined meeting of the EMSR and WM committees, the committees heard a presentation on the LANL website from Ms. Bonds-Lopez. Additionally, Ms. Novak briefly demonstrated the CAB website and encouraged members to look at the website and to utilize it as a resource.

g) Waste Management (WM) Committee.

Mr. Phelps, Chair, served as the reporting member for the WM Committee. His verbal report is summarized below:

- Since the last couple of meetings were joint meetings, Mr. Phelps stated he was looking forward to having a first meeting with WM Committee as Chair. Mr. Phelps was elected Chair of the WM Committee in April at which time Dr. Rapagnani was elected Vice Chair.
- He described what the current issues the committee is working on:

- Finishing the review of DOE responses to WM authored recommendations.
- Continue investigating the closure alternatives for Area G.
- Work on strategic planning for 2008.
- The next WM Committee meeting will be held on June 21, 2007 and will be a combined meeting with the EMSR Committee. The committees will hear a presentation on the LANL Water Stewardship Program, discuss the NAS study and review DOE's responses to CAB recommendations.

VIII. New Business.

The Board discussed the dates and times for the committee meetings. The members agreed to change the time for committee meetings from 3:00 to 5:00p.m. to 2:00 to 4:00p.m. Also, for those members who can not attend a meeting, DOE provides conference call capability which is available for committee meetings and the telephone number can be found in the calendar section of the CAB's website. The CAB staff can also email or mail the meeting packet upon request. Dr. Rapagnani suggested a private calendar for the new member's site in addition to the public calendar.

IX. Public Comment Period.

No one signed up for public comment.

X. Report from Ad Hoc Committee on Bylaws

➤ Presentation of Proposed Amendments for First Reading.

Dr. Berting acted as the reporting member for the AD Hoc Committee formed to review the CAB bylaws. Ms. Kraemer, Ms. Henline, and Dr. Campbell also served on this committee.

Dr. Berting provided the first reading of the amended bylaws, which was the final version back from General Counsel. She referred to a list of changes found in a DOE memo from Doug Frost, Headquarters. Dr. Berting summarized the changes made by General Counsel.

The Board's primary issues with the General Counsel's changes were, (1) if there was no consensus and a minority report was issued that there could be no recommendation issued rather only a majority letter (page 9, section D.1,) and (2) agreeing to the matter of an already removed redundancy (page nine, section D.5.) Both instances are referred to in a DOE Memorandum regarding the NNMCAB Bylaws revisions dated April 9, 2007, (1) *"Recommendations shall be approved by consensus; if after reasonable discussion, consensus can not be reached, a majority and minority report(s) shall be written without a recommendation. These reports may be submitted to DOE but must be clearly marked as representing two or more points of view"* and (2) *"the timeliness of responses to the Environmental Site Specific Advisory Board (EM/SSAB) is addressed in Federal Guidance. It is inappropriate and redundant to restate it in the NNMCAB bylaws."*

Ms. Houston stated that Headquarters has reviewed the Board's bylaws and changes twice and what the Board has before them today is their final version. Ms. Kraemer stated at this final stage, any changes would require an amendment as HQ/GC considered these bylaws to be final. Ms. Houston reiterated that the Board process was either to accept these bylaws or to propose an amendment. Mr. Boyle had no problem with the

Bylaws as written. Ms. Crutchfield would like to see a Board Bylaws evaluation put into strategic planning.

Ms. Henline made a motion to accept these current bylaws thereby agreeing to operate under these bylaws, to consider this a first reading and to explore with Headquarters our issues. Mr. Boyle seconded the motion. The Board discussed the motion.

Mr. Rapagnani made a motion to vote on these bylaws to accept them 'as is' and to move on with the amendment process for any further changes. Ms. Crutchfield seconded the motion. The Board discussed the motion.

Ms. Henline withdrew her motion and Dr. Rapagnani withdrew his motion as well.

The Board agreed the Bylaws will be read again at the July CAB meeting, and a vote will be taken then to approve these bylaws.

XI. Round Robin.

Members provided input on the Retreat and the Board Meeting.

Larry Rapagnani:

Thought the last 2 days have been very productive—liked actually being part of the Board—liked having 2 days to get know each of the look to working for the future

Susan Crutchfield:

Thanked Menice and agreed with Larry.

Gerry Maestas:

Lots of bricks go into making the Board work and he thanked the staff for their hard work.

Mary Pat:

Thrilled with new CAB members.

Don Dayton:

Great meeting but too bogged down in word-smithing, recommended sending the word-smithing to an ad hoc committee.

David Church:

Amusing-entertaining good process, i.e. likes to see things getting done . . .

Pam-Henline:

Has a long list for the CAB—many issues coming up and many things to look at . . .

Robert Gallegos:

Appreciated the CAB staff and looked forward to next year.

Terry Boyle:

Learned from last meeting and it is clear LANL is on a collision course with the state on the 2015 clean-up completion deadline—what will our role be? Both groups agree there is a funding problem despite the situation they work well together. The Consent Order sets up an adversarial position that he wanted the Board to think about.

Fran Berting:

Retreat was helpful and well planned. She thanked everyone.

Ralph Phelps:

Two thoughts--

*1-Board dynamic appears to be very good building up friendship expressed consensus ability for this group.
2- No members of the public out there today—wanted to invite public to CAB meetings—but public would have considered today "boring."*

Lorelei Novak:

A central meeting location is critical and good presentations will draw in the public.

Chris Houston:

This Board is a successful CAB and the DOE looks to us for leadership. She is looking forward to strategic planning.

JD Campbell:

Thanked Rosemary Romero for facilitating, looks forward to new members participating and working on public participation.

Menice Santistevan:

Thanked everyone for their participation. She liked to see the group's comradery and she appreciated the staff's work.

Rosemary Romero:

Encouraged the CAB to keep solidifying the CAB—solidify the governance of the Board by maximizing task forces, ad hocs and perhaps a governance committee that could look at the bylaws and issues. Public comes for the substantive meetings—groundwater issues, education and information sharing—we are a bridge maker between DOE LANL, NMED, which have complicated issues and relationships. The Board has been a great facilitator—thank you and good luck!

XII. Recap of Meeting: Issuance of Press Releases, Editorials, etc.

The Chair asked for volunteers for a nominating committing for the September officer election of officers. Mr. Boyle, Dr. Rapagnani and Ms. Kraemer volunteered.

Assignments from CAB meeting:

Strategic Planning Ad Hoc Committee Volunteers--

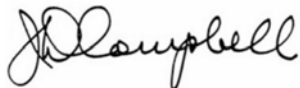
Mr. Gallegos, Ms. Crutchfield, Ms. Santistevan, Dr. Campbell, Ms. Houston, Mr. Phelps and Ms. Romero. The group will plan the agenda for the July 25, 2007 Strategic Planning meeting.

The Board considered submitting a press release regarding the meeting to encourage public participation.

XIII. Adjournment.

Christina Houston, DDFO, adjourned the meeting at 12:15 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. D. Campbell".

J. D. Campbell
Chair, NNMCAB

(Minutes prepared by Lorelei Novak, NNMCAB Technical Programs and Outreach)

Attachments:

- a) *Executive Director's Report.*
- b) *Chairs Report.*
- c) *FY'07 WM and EMSR Committee Work Plans.*
- d) *U.S. DOE/EM-13 Memorandum from Douglas Frost, DFO EM/SSAB.*
- e) *NNMCAB Bylaws.*

Public Notice:

- **All NNMCAB meetings are recorded in accordance with the Federal Advisory Committee Act. Audiotapes have been placed on file at the NNMCAB Office, 1660 Old Pecos Trail, Suite B, Santa Fe, New Mexico, 87505.**



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- **Reference documents listed in the Appendix section of these minutes are available for review at the CAB office in Santa Fe.**

For more information regarding audio transcription or any information referenced to or contained herein these minutes, please call the CAB office at (505)-989-1662.