

Final

Northern New Mexico Citizens' Advisory Board
Meeting Minutes
September 25, 2002
Cities of Gold Hotel
Pojoaque, New Mexico

Members in Attendance

Jim Brannon, Chairman
Don Jordan, Vice-Chairman
Fran Berting
Dorothy Hoard
Richard Gale
P.K. Ghosh
Erlinda Gonzales
Maxine Ewankow
Agustin Garcia
Joseph Romero
Carl Friedrichs
Kathleen Garland
Valerie Espinoza
Angelina Valdez

Members Excused

June Fabryka-Martin
Debra Welsh

Members Absent

Armando Benavidez

Ex-Officio Members

Ted Taylor, Deputy Designated Federal Officer
Rich Mayer, Environmental Protection Agency
Beverly Ramsey, Los Alamos National Laboratory
James Bearzi, New Mexico Environment Department

Guests

Dolores Garcia,
Office of Sen. Jeff Bingaman
Carmen Rodriguez, Los Alamos National Laboratory
Environmental Restoration Project
Donovan Porterfield
John Parker, New Mexico Environment Department
Susan Flack, Centers for Disease Control-Los Alamos
Dose Reconstruction
Vickie Maranville, New Mexico Environment Department,
Hazardous Waste Bureau
Paula Bertino, Los Alamos National Laboratory, Environmental
Restoration Project

NNMCAB Staff

Menice S. Manzanares, Executive Director
Grace Roybal, Administrative Secretary
Ray Lopez, Staff Assistant
Edward Roybal, Sound Technician

Ted Taylor, the Deputy Designated Federal Officer, after determining the presence of a quorum, opened the Northern New Mexico Citizens' Advisory Board meeting at 1 pm and turned the proceedings over to the Board Chairman, Jim Brannon.

Chairman Brannon asked all members and staff to introduce themselves.

The Chairman acknowledged and voiced the appreciation of the Board to Rich Mayer of the Dallas office of the Environmental Protection Agency. The Chairman also introduced Joe Garcia, a tribal team leader at the Los Alamos National Laboratory.

The Chairman entertained a motion to adopt the meeting agenda. Dr. Fran Berting noted the Board's self-evaluation was to have been scheduled for the September meeting however the item was left off the agenda. Vice-chairman Don Jordan said a self-evaluation has been drafted and it will be sent to the members for review prior to the next bimonthly Board meeting. The Chairman said the evaluation would be taken up at the next NNM CAB Executive Committee meeting and finalized. After a motion by P.K Ghosh and a second by Dorothy Hoard the agenda was adopted.

The Chairman entertained a motion to adopt the July 31, 2002 NNM CAB meeting minutes. The Chairman requested three changes to the minutes: On Page 5, at the 5th bullet from the top the word "covenant" should be "covenant" so the sentence reads, "The proposed covenant bill, which addresses land which can't be cleaned up to residential standards but might be cleaned up to industrial standards, will still be of interest to the Committee if it is introduced in the upcoming legislative session which begins in January." On the same page, second bullet from the bottom the word "action" should be inserted between the words "proposed" and "levels" so the sentence reads: "It is recommended that the Department of Energy Office of Environmental Management investigate techniques to improve the level of confidence in analytical values for those environmental contaminants of interest to the DOE Complex and for which current or proposed action levels are near the method detection limit of frequently used analytical methods." The Chairman then called the Board's attention to the top of Page 7 in which a motion had been tabled which stated in part: "that the bylaws (of the Board) be amended to include a formal means of accepting the DOE response to the Board recommendation." Chairman Brannon said the issue would be revisited at today's meeting. **The motion to adopt the minutes was made by Don Jordan and with a second by Dr. Berting the minutes were adopted.** The staff was commended on the excellent meeting minutes.

The Chairman called for public comment. Mr. Joe Garcia, a tribal team leader at LANL, informed the Board that recruiting efforts continue so the Four Accord Pueblo seats can be filled on the Northern New Mexico Citizens' Advisory Board.

The Chairman then called for election of Board officers for Fiscal Year 2003 and opened the floor for nominations. Richard Gale made a motion nominating James Brannon for Chairman and Don Jordan for Vice-Chairman. In his letter to Board members Chairman Brannon said to the members, "This past year has been enormously satisfying. And the progress you have made is remarkable. The stability being built into the permanent staff is beginning to form a solid base to support all our efforts on behalf of the Department of Energy and the people of northern New Mexico. I have been privileged to help moderate our debates, and assist the committees and the Executive Committee in staying on task, meeting our obligations, and trying to ensure all the standing committees have the resources they need to do their important work. My goals and objectives are these: I would like to finish the work of stabilizing and formalizing some of our administrative processes. I would like to lead the Semi-Annual SSAB Chairs' Workshop in Carlsbad for WIPP (TRU Waste Management), increase the Boards' membership to its full compliment of 25, and make a serious adjustment in our public relations and public image posture. Finally, I want to see the CAB integrated into the legislative committee forums (i.e., the legislative interim committees: Los Alamos National Laboratory Oversight Committee and the Hazardous Waste and Materials Interim Committee), as a proper and respected resource on questions of environmental cleanup and compliance at LANL." In his letter to the Board, Vice-Chairman Jordan said he

would “Continue active participation in advising and recommending to the Department of Energy (DOE) and the Los Alamos National Laboratory (LANL) on environmental issues, including advocating the accelerated removal and disposal of legacy waste, completion of all cleanup corrective actions and transitioning to long term environmental stewardship; support policies and activities that ensures community access to information about environmental issues at LANL, including disseminating information to stakeholders, helping to educate the public about the complexity of the issues and providing an information source to the citizens of Northern New Mexico.” **Ms. Hoard provided a second to Ms. Kathleen Garland's motion to close nominations. Ms. Angelina Valdez then moved to have the nominees elected by acclamation, and with a second from Carl Friedrichs, the motion was adopted unanimously.** The Chairman and Vice-Chairman thanked the Board members for their support.

The Chairman then called the Board’s attention to the 2002 Committee Membership and Attendance record included in their packets. The record reflects attendance by Board members at its various subcommittees.

The Chairman then asked for the Recruitment/Membership Update, which was provided by Menice S. Manzanares, the NNM CAB Executive Director. She reported on various meetings with Pueblo officials in an effort to recruit members for the Board. Ms. Manzanares said the goal was to fill the four seats assigned to the Pueblos as quickly as possible. Recruitment is also centered in the Espanola and Los Alamos area. She said the Board has an unexpired term position and interviews will be held in the next few days.

The Chairman then gave his report. He said he had recently attended a meeting of the East Jemez Resource Council to which he was appointed to by the Environmental Restoration Project at Los Alamos National Laboratory. Chairman Brannon said he had volunteered to give the group a presentation at their November meeting. The Chairman also reported on a recent meeting with tribal officials in the Board’s continuing effort to recruit members from the Four Accord Pueblos or the Eight Northern Indian Pueblos. A future meeting will be held at the NNM CAB offices which would include the governor of Cochiti Pueblo. The Chairman also said he had received a draft preface to the “Site Transition Framework for Long-term Stewardship.” The report asks for comments. He said he would make copies available to the other Board members. Referring to the report, Dr. Berting asked, “What is that, as opposed to the long term Stewardship Environmental Strategic Plan?” The Chairman said, “I think there’s a relationship between the two because this appears to be a framework for couching debate with the Department of Energy on what they expect to see how long term stewardship policies and procedures look like in the future.” Ms. Hoard said the Environmental Restoration Committee would be reviewing the document. Ms. Beverly Ramsey asked to make some comments. “One thing I’d like you folks to keep in the back of your mind is that one of the real dialogues going on between those of us who are MNL contractors, and the Department of Energy, at those sites which are under the management of NNSA, which this one is, is that it is not at all clear what the relationship of the EM program is long term. Jessie has made it very clear she intends to have a “going out of business sale” with NNSA sites. It is not clear at NNSA who in NNSA is going to take that responsibility. Anything that you would say to both the Department of Energy and its internal NNSA organization would help to clarify this (issue): clarify in a reasonable period of time and (we can) clearly understand the budgetary impacts. The reason I say this is because... if you look at our performance management plan, it becomes unclear where certain activities transition to, in terms of monitoring, surveillance and continued action. That is a problem facing the entire complex. There is a context here between two major parts of the Department (DOE) which is unclear at this time and your comments could certainly affect that conversation and maybe assist them in clarifying it.”

The Chairman asked Mr. Taylor to give his report. Highlight of his report included:

- Interviews will be scheduled for two persons to fill vacancies on the Board.
- Tribal Membership. The DDFO, the Executive Director, and the Chair met with the LANL Tribal Relations Team Leader and a team member on Sept. 11, 2002 to discuss tribal membership on the Board. The Team Leader will initiate contacts with tribal leaders to discuss this matter.
- Closed Recommendations. The DOE has responded to the following NNM CAB recommendation: Recommendation 2002-10, Waste Characterization [passed on May 31, 2002, responded to on September 23, 2002]
- SSAB Chairs Conference Call. The DDFO participated in the Site Specific Advisory Board (SSAB) Chairs conference call on August 20. The chairs discussed the upcoming semi-annual meeting, to be held in Oak Ridge, Tennessee on Oct. 17-19. The chairs also discussed nationwide issues and the upcoming SSAB Chairs Workshop on Transuranic Waste Management to be held in Carlsbad in January.
- Meeting with Brookhaven National Laboratory. The DDFO participated in a meeting on August 27 between several NNM CAB members and an Assistant Director and Director of Community Outreach from Brookhaven National Laboratory. The meeting focused on citizen advisory group activities at BNL and at Los Alamos National Laboratory.
- Standard Operating Procedures. The DDFO will work with the Executive Director to prepare draft Standard Operating Procedures (SOP) to implement Bylaws revisions, as required. Potentially, SOPs will be prepared for Board member recruitment and operation of the Executive Committee.
- Planning for the SSAB Chairs Workshop on Transuranic Waste. The DDFO is a member of a Steering Group, composed of the Executive Director, the Chair of the Waste Management Committee, and two staff members of DOE's Carlsbad Field Office to continue planning this workshop, which will be held in January 2003 in Carlsbad. The NNM CAB will co-host the workshop with the Carlsbad Field Office. In consultation with the Steering Group, the DDFO prepared a draft agenda for the workshop, which has been distributed to the chairs of the Site Specific Advisory Boards (SSAB) for review, and which will be discussed at the October 17-19 SSAB Chairs meeting in Knoxville, Tennessee.
- Budget and work plans have been submitted to the Board for Fiscal Year 2003 and are included in the meeting packets.
- Articles in "Laboratory Connection." An article on the NNM CAB, its mission and objectives, based on interviews with the DDFO and the chair of the Waste Management Committee, appeared in the June-July issue of the *Laboratory Connection*, and is included in the Board packet. A second article will appear in the October issue of the magazine.
- DOE purchased copies of a parliamentary procedure book and were distributed to Board members.

The Executive Director was then asked to give her report. Highlights of her written and oral report included:

- The DDFO and the Executive Director continue working with the Carlsbad Field Office staff and with the lead facilitator, Ted McAdam, in planning the SSAB TRU Waste Workshop in January. A conference call is scheduled for Sept. 19, 2002, with the CBFO and Westinghouse staff. Ted McAdam will be at the CAB office on that day, to meet with the Chair, the DDFO and the Executive Director and to sit it on the conference call.
- The Executive Director continues to work with the Outreach Committee, in the implementation of the Committee's goals and objectives.
- Reviewed and recommended updates to the NNM CAB web site.
- Prepared for and staffed the Executive Committee meeting in August. Prepared the minutes of the meeting.
- Prepared materials for and attended luncheon meeting with Marge Lynch and Kathy Geiger of the Brookhaven Laboratory. Discussed the role of the NNM CAB and its work with DOE and LANL.

- Met with Erlinda Gonzales and State Representative Roberto Gonzales, Chairman of the LANL Oversight Committee, and requested that Chairman Brannon be placed on the Committee's August 9, 2002 agenda. Prepared overheads and handouts for the Chairman to give to the Committee members. Followed up with a letter from Chairman Brannon to each Committee member, further describing the mission of the NNM CAB. The 2001 Annual Report and Brochure were included in this mailing.
- Scheduled and conducted interviews for the Senior Science Advisor position; a recommendation will be made to ATA staffing services.
- Interviews were conducted for a new Board Member to complete the unexpired term of Myron Gonzales, through April, 2003.

The Chairman then introduced the next item on the agenda: New Business. The Chairman said he wanted to address issues which were not in the members' packets. He began by saying, "Some of the information that came out during our recent Executive Committee meeting and some of the events that occurred at the (July NNM CAB) meeting were less than pleasant. And we discussed that lack of pleasantness at the Ex Comm meeting.¹ It's important that we conduct these meetings in a civil atmosphere. That we recognize each of us brings their respective, unique set of talents to the table and I will be far more aggressive in the future if I see the need to recommend that persons vent their concerns on a personal level in some other medium than this one. This is not a board where we do that. We will treat each other with respect, it's the very least we owe each other and we will treat each other with due consideration for the work anyone has done. If there is criticism of anything, myself, the DDFO, the staff, it is appropriate. But criticism can be presented in a number of different ways and we will work very hard to present our criticism in an open, candid, fair and unbiased fashion focusing on the mission and the meat behind the subject matter and not on people or personalities. That is unacceptable."

The Chairman then called for the next order of New Business which was a tabled motion. The motion had been made at the previous meeting by June Fabryka-Martin and said, "The bylaws be amended to include a formal means of accepting the DOE response to a Board recommendation." The Chairman noted the Board had run out of time to address the issue at its last meeting and he would consider a motion bringing it off the table for reconsideration. Mr. Jordan so moved and with a second by Mr. Gale and a unanimous vote from members present, the item became the next order of business. Mr. Gale offered that each time the bylaws were amended to accommodate specific "little issues" the bylaws can become very cumbersome and he would put this item in that category. He said there does need to be agreement on how to address the issue. Mr. Jordan suggested the Board look at administrative instruction or policy to manage these kinds of issues. Dr. Berting said she agreed with Mr. Gale and Mr. Jordan. The Chairman added the administrative processes needed to be formalized and documented for future use. Dr. Garland suggested a slight amendment to the bylaws "under Section VI. DECISION MAKING, Subsection C. Requirements for Recommendation to the DOE, adding a seventh item to that section, which would simply say: 'The Board shall respond to DOE with an evaluation of the DOE's response to a Recommendation.' She went on to say, "So it would simply say we need to respond but it would not specify the procedures or the process, which would be taken care of with an administrative procedure." The Chairman asked Carl Friedrichs for his opinion. Mr. Friedrichs said he did not favor amending the bylaws on this issue. **Mr. Gale called the question. The Board**

¹ The August 21, 2002 Executive Committee meeting minutes state: "The Executive Committee agreed that discourteous behavior by any member of the Board will not be tolerated and the Chair and or DDFO have the authority to stop such behavior. Failure to do so may be grounds for removal from the Board. The Committee also agreed that the Chair has the authority and should maintain the approved agenda schedule during the meetings. Members need to be recognized by the Chair prior to speaking and should not carry on side conversations during the meeting."

voted unanimously not to amend the bylaws. Mr. Jordan then suggested the Board “start developing a set of administrative policies and procedures that could be utilized to address common administrative issues.” Mr. Taylor endorsed the idea and said he and the Executive Director would work on that project. The Chairman then asked for more volunteers to develop the administrative procedures. Mr. Jordan volunteered and the Chairman said he would also be involved.

The Chairman then told the Board he had been working on certificates of appreciation to recognize the efforts and contributions of people who aid the NNM CAB in its work.

Mr. Taylor reminded the Chairman the Board needed to reconstitute its subcommittees as required in the bylaws. The current Board Committees are the Environmental Restoration Committee, the Monitoring and Surveillance Committee, the Waste Management Committee, the Community Outreach Committee, the Executive Committee and the Budget Committee. **Mr. Friedrichs moved that “All existing Committees should be continued into the next fiscal year.” Mr. Gale provided a second and the motion passed unanimously.**

Ms. Ramsey asked for the floor and said, “The Laboratory, together with the Department will be talking to the CAB in the next month or so about an initiative in risk communication, risk assessment that would provide us much more of a design at the Laboratory for how we structure, and what our priorities are in terms of monitoring and surveillance. As the Monitoring and Surveillance Committee goes forward, as long as that group understands that the linkage we’re looking to, for long term environmental stewardship is largely that committee and that committee may have to bear some additional assistance to us as we try to get this initiative underway. We have to do more than answer the mail, and answering the mail is dealing with the remediation projects, dealing with the waste management initiatives. But our key to long term success at the Laboratory and being able to minimize operational risk from ongoing operations at the Lab is extremely important. The other question that comes up is, as we go into that new year, do understand we have taken the Groundwater Protection Program out of Environmental Restoration. Many of you know that we had parts of the groundwater protection, or groundwater investigation program within ER and we had parts of it within environmental protection. We have now combined everything that deals with groundwater under one program, that program is managed by Charlie Nylander and reports to Doug Stavert in Environmental Protection. So regardless of whether it’s investigation, source control or protection and prevention it’s all under one flag. We’re looking to you for feedback in all of these areas.”

The Chairman said an analysis had been done of the last meeting of who spoke and who didn’t, therefore the Chair was going to more actively solicit the participation of all Board members.

Mr. Gale then asked for the floor. “I find this facility to be a marvelous facility,” he said. “It is so much better than what we’ve had. Everything about this facility is very good. But I am troubled when I read the papers and I find there is a political conflict going on in this city (Pojoaque) and this state with regards to the use of water. I am concerned about the image of this organization meeting at this location because of that conflict. Perhaps I’m taking to narrow a view but I am concerned and I would like to know whether or not other people are concerned. I hate to give up this wonderful facility but I am personally of the opinion that we should not be meeting here.” Ms. Angelina Valdez responded: “I’m not concerned. I really think it’s an issue that this Board cannot address or participate in. We cannot be all things to all people. There are a lot of people who would refuse to meet in Los Alamos simply because of what it is. I just don’t have any problems with it.” Dr. Garland said, “I agree completely with Angelina. There are a lot of political issues we could raise and I think we should not go there.” Mr. Jordan added, “I would support Angelina’s position on this as well. We can’t be the social conscience of the world and try to do our jobs in terms of environmental management. I think the issues

concerning water are beyond the scope of this Board.” Ms. Hoard said, “Los Alamos is talking about piping water 800 feet out of White Rock Canyon which is on the register of historic places because of its prehistoric agricultural attributes. So I think Pojoaque Pueblo is hardly unique in the water business. It’s just a terrible mess and a lot of tragedies.” Mr. Friedrichs said, “I think what the pueblo is doing is an affront to society because they’re ignoring the courts, they’re ignoring good sense, they’re ignoring their water rights. However, I agree with what several other people have said, it’s not our fight, it’s not our position to bring this up.” Mr. Agustin Garcia asked, “What excuse or what reason would we give if we were to change facilities? What would we say?” Dr. Garland said, “I agree with what some people have said but the best thing we can do while we are here is be a good example and conserve water to the best of our abilities.” The Chairman summarized his thoughts on the matter: “The fight going on between the owners of this facility and the ground that it sits on and the state of New Mexico is really not our fight. It is all together possible that someone could look at what we’re supposed to be doing and cast aspersions on our collective character by participating here when we could easily go somewhere else. Well the fact of the matter is we cannot easily go somewhere else. When we get four or five more people on this CAB it becomes more and more difficult to find a facility that can logistically support our bimonthly meetings. And there are only six a year, and they’re all day and we work hard to get here. I’m sensitive to Richard’s point of view, I think he’s absolutely correct. Someone could always pick on us. There are places we can’t go anymore because they can’t accommodate us and that’s a very big disappointment to me because we have a philosophical responsibility that we would make a concerted effort to move about northern New Mexico so we could carry the message to the folks rather than the folks bringing the message to us.”

The Chairman then called for a break.

The Chairman called for a report from the Community Outreach Committee. The report was presented by Erlinda Gonzales. Highlights of the oral and written reports included:

- The NNM CAB Newsletter will be published the week of September 24th. The next newsletter should be ready in mid-November.
- Ben Latham has been in charge of updating the website which included changing passwords, determining access and changing email accounts. Mr. Latham said six contractors, thus far, had submitted proposals and was being reviewed by the Department of Energy at the Los Alamos National Laboratory. The deadline for submitting those proposals was August 30, 2002 and a final decision may be made two weeks after the cut-off date. Mr. Latham said Microsoft FrontPage, a web page design program was to be downloaded onto the NNM CAB office computers. Mr. Latham has since resigned and no longer attends Committee meetings.
- The Executive Director has contacted Dr. Judith Hendry, professor at the Journalism and Communication Department of the University of New Mexico. Dr. Hendry recently told the Outreach Committee she had been asked to aid the Committee and the Northern New Mexico Citizens’ Advisory Board in its community outreach efforts. She said her area of expertise was facilitating public meetings, environmental decision-making and hostile audience training. Dr. Hendry said research shows using technical vernacular doesn’t work when trying to reach a diverse and lay audience. But what does work, she said, are volunteers who are comfortable with speaking in public. She then asked the Chairperson what the Committee intended to accomplish. Ms. Welsh said the COC “was born this year and its purpose is to attract attention to ourselves and in order to do that we have to get our cause out there to a myriad of people and groups. It’s a daunting thing we are going to do. We want to define a common sense approach to the Los Alamos National Laboratory. We don’t work for the Laboratory so we can be pragmatic and we are going to have to deal with people who are anti-Los Alamos. We want to create a user-friendly board.” A Board training session has been scheduled for October 23, 2002 at the NNM CAB Offices.

Highlights from Dr. Hendry's proposal include:

- The proposal includes a menu of seminar topics that she anticipates will be of benefit to the Speakers' Bureau team as well as other members of the NNM CAB and Community Outreach Committee.
- To maximize the usefulness of the Speakers' Bureau Seminar, it is suggested that those who will be participating design their own session by choosing the topics that they would like to have covered. The amount of time listed for each topic allows for covering the necessary information as well as for discussion and questions. There is room for some time adjustment, if necessary, as well as for adding additional topics not on the list that participants may request.
- It is assumed arrangements will be made for the facilities. She said the Santa Fe headquarters seemed to be very accommodating, depending of course, on the number of people who will be participating.

Proposed Speakers' Bureau Seminar Topics:

- The Public Presentation: A Review of Public Speaking

This session will cover the do's and don'ts of public speaking with reminders on such things as movement, gestures, lectern behaviors, recommended speech rate, length of speech, and so forth.

Recommended Time: 30 minutes

- The Presentation Format: Organizing and Preparing the Persuasive Message

Rhetorical techniques have been studied, analyzed, and critiqued since the time of the classical Greeks. The research and literature on persuasion offers very useful suggestions on how to structure the presentation, establish speaker credibility, and motivate and encourage action. Included in the recommended time frame for this topic is outlining and formatting the actual presentation that the speakers will present in their community presentations.

Recommended Time: 90 minutes

- Risk, Science, and Technology Communication in the Public Sphere

A great deal of research has examined the problems that scientists face when communicating with the lay public about complex environmental and technological issues like those you must address as concerning environmental restoration at LANL. Recommendations for minimizing these problems and creating an effective presentation will be discussed.

Recommended Time: 30 minutes

- Dealing with the Difficult Crowd or Audience Member

When dealing with sensitive issues like environmental restoration, it is not unusual for the public input facilitator to encounter opposition from concerned citizens, activists, and stakeholders. There are techniques and recommended formats for structuring the public input process that can help to establish and maintain trust among agencies and stakeholders and to minimize problems you may encounter.

Recommended Time: 30 minutes

- Dealing with the Press

Subjects that will be covered include attracting media attention; writing press releases; how to do on-camera and other interviews with the press.

Recommended Time: 60 minutes

Projected Cost of a 3-hour Seminar Facilitated by Dr. Judith Hendry and Dr. Janet Cramer

3-hour training seminar ~ \$150 per person hour	\$900.00
3 hours preparation time @ \$100 per person hour	600.00
Expenses (gas and photocopies)	20.00
Gross Receipts Tax	88.35
Total	\$1608.35

Vince Velarde, of Comcast Advertising and Sales, recently addressed the Community Outreach Committee. Mr. Velarde said Comcast was currently going through a \$20 million upgrade in Santa Fe which would include high speed Internet access. Mr. Velarde outlined the benefits of using cable television as an advertising medium:

- Provides the widest variety of targeted demographics for messages for specific audiences.

Cable television campaign objectives include:

- Communicate your desired image.
- Introduce a new audience to your cause.
- Build and reinforce awareness and capture a new audience.

Mr. Velarde said his company maintains an up to date demographic profile of four counties that are within the immediate area of interest of the NNM CAB: Santa Fe, Los Alamos, Las Vegas and Taos County. The profiles include information on total households, cable households, occupations, educational attainment and household income.

The company also provides production services, Mr. Velarde said. The process includes:

Pre-production:

- Producer/client meeting
- Approach chosen
- Script written
- Client approval of script

Production:

- Talent recruited
- Production equipment and location chosen
- Shoot takes place

Post-production:

- Voice-over recorded
- Music chosen
- Logos and artwork developed
- Footage and graphics edited
- Commercial submitted to client for approval

Mr. Velarde was told the Board would be given a report on their findings and the Committee would be outlining an advertising campaign.

At its September 18, 2002 meeting the Committee was shown a draft fact sheet written by the NNM CAB Environmental Restoration Committee. The ER Committee incorporated the suggestions and format proposed by the Boards' Ad Hoc Committee on Fact Sheets in that:

- The purpose of a factsheet will be to communicate technical issues, hazard assessment and remedies
- To create intercommittee communication
- To provide general information to the Board
- To communicate Committee and Board activities among the members
- The audience will be primarily the CAB itself
- Fact sheets may be distributed to the public as decided by the Outreach Committee
- Fact sheets will be posted on the website
- A standard format has been designed, one page, two sides
- Fact sheets will be generated in one of three Committees

The appropriate Committee will determine the subject; input will be sought from the appropriate state or federal agency; the Chairperson will draft the fact sheet in the standard format; it will be submitted to an editor; fact sheets will be finalized by the Committee and then printed.

Following the conclusion of the COC report the Executive Director asked to be contacted by those Board members who are interested in participating.

The Chairman asked Dr. Garland to present to the report from the Monitoring and Surveillance Committee. Highlights of the oral and written report included:

- The committee continued its discussion of DOE's response to Recommendation 2002-2 on analytical methods. The committee discussed the list of chemicals which were analyzed in the Risk Assessment Corporation report on the Cerro Grande Fire, and lists prepared by the committee and Los Alamos National Laboratory (LANL). The committee also discussed ways DOE can seek research support for consideration of alternative analytical methods, including issuing Broad Agency Announcements, using the DOE's Environmental Measurements Laboratory, and responding to DOE Headquarters' calls for statements of technology development needs. The committee also discussed protocols at LANL for releasing information and reporting analytical results to regulatory agencies, Indian Tribes, and the public. It was noted that these protocols are specific to laws and regulations and to various memorandums of understanding. **ACTION: The DOE-DDFO will request that the DOE and the University of California submit to the committee for review existing protocols and interagency agreements for reporting analytical results to DOE Headquarters and external parties.**
- At its September 10, 2002 meeting the Committee heard the Department of Energy comments on the New Mexico Environment Department Corrective Action Order.
The committee will participate in a tour of the reactive barrier system in Mortandad Canyon and of erosion control best management practices (BMP) on Tuesday, October 8, from 1:00 p.m. to 4:00 p.m. MDT.

Mr. Joseph Romero asked for an explanation of a reactive barrier system. Dr. Ramsey offered: "This basically is a combination of largely natural materials some of which absorb those materials on the exterior of it. We don't know yet whether or not this material is the right one but based on research and not a lot of deployment in similar situations, it looks as if this a method for us to put down gradient of where we know

we have very shallow alluvial groundwater contamination by some chemicals and radio nuclides and actually have that serve as a protection measure, a source control measure so that those materials are not transported either up to the surface and along that surface in string discharge nor do they go to the intermediate aquifer. We obtained funds from the Cerro Grande Rehab Program to do the first of these tests, in our performance management plan, that the Department of Energy has accepted, and there are three more planned. The one that's going in currently is in Mortandad Canyon."

- Dr. Garland informed the Board Ms. June Fabryka-Martin had resigned as Chair of the EMS Committee and the duties had been assumed by Dr. Garland.

The Chairman then asked for a report from the Waste Management Committee. The report was presented by Mr. Gale. Highlights of the Waste Management Committee report included:

- Mr. Gale complemented his Committee for their participation, attendance record and the Recommendations which had been drafted by this Committee in the past fiscal year.
- The committee briefly discussed its Work Plan for Fiscal Year 2003. Additional text will be added to the work plan. Don Jordan, Carl Friedrichs, and Ted Taylor will revise the work plan. The Committee is still oriented towards getting the waste off the hill, Mr. Gale said.
- The committee decided to receive monthly briefings from DOE on the PMP and the work of the TRU Corporate Board, which is composed of the organizations working on transuranic waste management issues affecting Los Alamos National Laboratory. In the future, the Committee may request to be a member of this board. Ben Latham has volunteered to attend the Corporate Board meetings for the committee.
- SSAB Chairs Transuranic Waste Workshop. The committee reviewed the draft agenda for this workshop, discussed committee participation in the workshop, and made suggestions regarding discussion topics for the workshop. These topics included:
 - Availability of TRUPACT containers, drivers, and escorts.
 - Competition between sites for resources.
 - Management of remote handled waste.
 - National capacity for coring drums.
- Supplement Analysis for Site-wide Environmental Impact Statement. The committee discussed this document, which was prepared by DOE because of planned changes in management methods for characterization of transuranic waste. The committee also reviewed comments on the document, which were submitted by the Concerned Citizens for Nuclear Safety. **ACTION: The DOE-DDFO will request that DOE provide its records of consideration of all public comments submitted on the document, so the Committee can obtain a fuller understanding of the environmental effects of the change in management methods.**

The Environmental Restoration Committee report was then presented by Dr. Berting. Highlights of the report included:

- The Committee reviewed DOE's response to Recommendation 2001-5, Evaluation of Contaminants at Potential Release Sites; the Committee accepted the DOE response. However the Recommendation will be kept open pending review of the RFI report addendum.
- Recommendation 2002-3, Convents Bill Participation, was to be left open with the idea of pursuing the proposed legislation in the future with the New Mexico Environment Department.

- On Recommendation 2002-4, Evaluation of Ecological Risk Potential Release Sites, the Committee accepted the DOE's response but will remain open pending review of future reports and assessments.
- The Committee accepted the DOE response to Recommendation 2002-9, Funding for the Environmental Restoration Project and a closure Resolution will be drafted.
- In September the Committee reviewed the Performance Management Plan which was submitted by DOE's Albuquerque Operations Office to Headquarters in July 2002. The following observations were made during the discussion:
 - The strategic approach of the PMP is much preferred to that contained in the draft Corrective Action Order issued by the New Mexico Environment Department in May 2002.
 - The funding profile contained in the draft PMP raised questions. In general a more stable profile is considered to be more effective for planning and implementing cleanup. We assume that the profile peak is due to funding for Quick to WTPP and the accelerated installation of monitoring wells. We would like to see the components of the profile shown separately.
 - Long Term Environmental Stewardship (LTES) concerns should be carefully addressed in the PMP, including the consolidation of waste sites at active facilities, such as Los Alamos National Laboratory, in order to reduce the micro footprint for waste sites to be managed.
 - The text of the PMP contains too much technical language, and therefore is not readily understood by the lay reader.
 - The PMP's work schedule should be reevaluated to ensure that work in land areas planned for land transfer are investigated and cleaned up expeditiously.
 - Public involvement during the preparation of the PMP was extremely limited, and more expanded opportunities should be provided as the PMP is revised and its strategies and schedules are incorporated into project baselines.
 - The committee is interested in receiving more detailed briefings on the PMP and its implementation.
- The Committee chair will prepare a draft resolution on the PMP, which will be offered for consideration at the Northern New Mexico Citizens' Advisory Board meeting on September 25.
- The Committee also discussed the Long Term (Environmental) Stewardship (LTES) Strategic Plan. Observations made during the discussion included:
 - The plan is unclear regarding roles and responsibilities for various DOE elements and for state and local governments and citizens.
 - An implementation plan is needed, specifically to implement the actions described in Attachment A.
 - Criteria that are specific to DOE sites must be developed.
 - Funding sources and mechanisms for LTES activities are not clearly presented.
 - At DOE facilities, hazardous sites should be consolidated to the extent practicable.
 - DOE should focus also on limiting the new generation of waste.
 - LTES considerations should be included in all remedy selection actions.
 - Differences in state and site requirements and regulations should be dealt with through development of site-specific LTES plans.
- The Committee chair will prepare a draft resolution on the Strategic Plan.

The Chairman suggested a motion that the ER Committee's comments be drafted into a Board Resolution and forwarded to the Department of Energy prior to the comment deadline. Dr. Berting made such a motion and after a second by Ms. Hoard the motion was adopted with one abstention by Maxine

Ewankow. The Resolution would be drafted from the Committee's September 9, 2002 minutes and would be considered later in this meeting. Dr. Ramsey asked to address the proposed Resolution. "The third bullet from the bottom: DOE should focus also on limiting the new generation of waste...do you mean from activities of long term environmental stewardship or do you mean in general from the facilities?"

Dr. Berting said, "The meaning was from the facility." Ms. Hoard concurred with the intent.

"I understand that intent," Dr. Ramsey said, "and it's certainly something I agree with you. But do you understand that this is an EM funded initiative and the responsibility for pollution prevention sustainability is on the landlord of the site. As you draft this you might look to clarifying to DOE EM the roles and responsibilities you're trying to have them clarify address not only those things that are technically within the scope but clarify the landlord versus EM's responsibility during long term stewardship."

Ted Taylor asked to add some clarification. "I wanted to add something to what Bev Ramsey said about the function of this Board with respect to the operation of Los Alamos National Laboratory. This Board is chartered to look at the environmental management programs. Many of the activities, in particular most of the waste management activities are not environmental management functions but are landlord functions. The RCRA operating permit briefing, which Richard's (Gale) committee will receive, will deal almost exclusively with landlord operations. Therefore it's really outside the scope of this Board. Because this is an operating defense program facility, or now we call it an NNSA facility, I'm going to be asking DOE headquarters to give this Board a little bit of latitude to look into some aspects of landlord operations that do have major environmental impact. We are in a somewhat unique situation because at Hanford, Rocky Flats and Savannah River, all of their operations are environmental management operations. But because Los Alamos National Laboratory is a defense program facility most of the activities at the lab are not properly within purview of this Board. I think that's a bit restrictive and I'm trying to find a good way to get a slightly larger role for this Board without having someone say, 'That's out of scope.'" He added, "I've had several people come up to me and say: 'Your Board is doing things that are right on the borderline.' I want to make sure we don't do that but to keep it a bit broader. There are some legitimate things for this Board to look at even if they're funded by the defense program people."

Dr. Ramsey said, "That's a real advocacy position on my part. We should have citizens' advisory board that is not limited by funding category but by operations risk and environmental stewardship at the laboratory. We're totally on board with that. We do, within NNSA, have some advocates for that position including Henry Garson."

Rich Mayer added, "I would agree with Ted (Taylor) and Beverly (Ramsey). I think we're talking about semantics when you're talking about waste management which definitely has to do with environmental management. In my opinion that is not out of the purview of this Board. I have not seen anything this Board has done that is out of their purview in the meetings I've attended."

Mr. Friedrichs said, "It occurs to me that if I were not a former lab employee I would be totally buffaloeed by the relationship of landlord to operating division. And I wonder if there aren't people in this room who aren't confused by that."

"I'm frequently confused by it," the Chairman said. Mr. Ghosh also added it was a confusing issue.

The Chairman added, "I'm going to simplify this as quickly as I can. In the government, money gets colored; it gets colored by programmatic issues associated with who owns it and how it's divided up in the federal budget. In the federal budget the Department of Energy there's at least two big pots. There's a big old thing called the NNSA (National Nuclear Security Administration) and there's a big old thing called EM (Environmental Management). Before it was NNSA it was the defense programs and we called that DP. And everybody knew when it came to the ER (Environmental Restoration) program at LANL. Everybody knew it was painted to be an EM program in a DP world because they always got short shrift, there was never enough money to get the job done well. We're after a solution to that but DP ran the plant. Everything else associated

with landlord/tenant activity, getting rid of trash, waste, pollution prevention, all those kinds of things we may very well have an interest in which may technically fall outside the scope of this EM, DOE board. It wasn't our business to worry about waste management unless it was being dealt with inside the EM program of the ER project. What we're looking for is a happy medium, a balance that says: "Waste management and other such landlord activities of the University of California that are being paid for by the NNSA really do matter to us. There are some things that go on at the NNSA laboratory that don't matter to us. This is an environmental management and environmental safety risk reduction, caring about the world in which we live, board."

Mr. Romero suggested a more detailed discussion on this subject at a future Board meeting.

- The Committee also reviewed and submitted a fact sheet on the Committee's operations to the Community Outreach Committee.

Ms. Hoard asked about the status of the Board member toolkits and Ms. Manzanares said it was a staff priority for the month of October.

The Chairman then asked the Budget Committee Chairman, Mr. Jordan, to give the Board's budget report. Mr. Jordan told the members they had been given a packet which includes the FY 03 budget, an explanation on variances and increases, a copy of the FY 03 budget and the work plan for each of the Committees. The Budget Committee is comprised of Deborah Welch, Erlinda Gonzales, and Mr. Jordan with Ted Taylor's technical assistance. The work plans will help support the budget request, he said. Mr. Jordan said the budget request would be about \$506,000. In response to a question from Ms. Hoard the Budget Chairman said the Board would have a \$70,000 surplus in FY 02 which would be rolled over into next year's budget. Mr. Garcia inquired about "Committee Expenses" as outlined in the FY 2002 Budget and the FY 2003 Budget. The Chairman explained that each Committee of the Board has at its disposal a certain amount of money, which is used to contract with scientific specialists and consultants, when the Committee feels a need for such professional assistance. In the FY 02 Budget the Committee's were allocated \$10,000 each for this purpose. In the new FY 03 Budget that amount has been reduced to \$3,000 per Committee to better reflect the actual needs of each Committee based on past experience.

Mr. Taylor asked for Dr. Ramsey's observation of the proposed FY 03 Budget. She said, "We basically thing this is a very good investment and it's cheap at any price. My experience is if you spend one percent of your environmental management budget in this regard it pays back dividends in terms of cost savings and in terms of credibility and understanding of what we're delivering."

Mr. Gale made a motion to adopt the proposed FY 03 Budget and after a second by Ms. Gonzales the following budget was adopted unanimously:

Item	Proposed Budget Fiscal Year 2003	Budget Target 86,000
1. Office Expenses		
a. Rent	25,000	
b. Supplies	2,500	
c. Telephone	16,000	
d. Postage	4,000	
e. Publicity	35,000	
f. Utilities	2,000	

g. Furniture /Equipment	5,000	
h. Office Maintenance	3,000	
2.Board Meetings		5,000
a. Rent	2,900	
b. Audio Support	2,100	
3. Training		2,000
4. Staff Travel (*)		5,000
5. Committees Expenses (**)		12,000
6. Staff Compensation		386,000
a. Salaries	359,000	
b. Facilitator	2,000	
c. Community Outreach Coordinator	25,000	
7. Contingency		10,000
TOTAL		506,000

Approved by the Northern New Mexico Citizens' Advisory Board: Sept. 25, 2002
 Concurred in by the Deputy Designated Federal Officer: Sept. 26, 2002

(*) Expenditures for NNM CAB travel, including travel to Board meetings, committee meetings, national meetings, workshops, training, and tours, estimated at \$25,500 for FY 2003, are paid from DOE Headquarters' funds provided to the NNM CAB.

(**) Committee expenses are \$3,000 for each standing committee.

The Chairman then called for a review and adoption of the proposed Performance Management Plan drafted by the University of California and the Department of Energy. The Chairman explained that both the Environmental Restoration Committee and the Waste Management Committee worked on the proposed draft as a response to the UC and the DOE Performance Management Plan. The Chairman then opened the issue to discussion, amendments and revision. Following is the draft developed during the meeting.

DRAFT RESOLUTION ON
 PERFORMANCE MANAGEMENT PLAN
 September 25,2002

WHEREAS:

The managers and staff at the U.S. Department of Energy (DOE) and the University of California (UC) hold a strong desire to accelerate the work of the environmental management (EM) programs at the Los Alamos National Laboratory (LANL); and

WHEREAS:

The Performance Management Plan (PMP) sets forth an accelerated plan for completing the EM mission at LANL by the year 2015, fifteen years sooner than the current end date; and

WHEREAS:

The Northern New Mexico Citizens' Advisory Board (NNMCAB) is generally quite pleased with the contents of the PMP and are proud to have participated in the synergistic effort which resulted in completion of the PMP; and

WHEREAS:

The PMP reflects truly innovative thinking, progressive and flexible management methods, and creative solutions that have been and will be applied to previously difficult, expensive or insurmountable barriers; and

WHEREAS:

The ultimate success of the PMP is completely dependent upon the authorization and receipt of required funding by all participating organizations, consistent with the PMP's schedule of activities; and

WHEREAS:

The ultimate success of the PMP is also dependent upon its implementation consistent with the commitments made in the letters of intent signed for the accelerated environmental management program for the Waste Isolation Pilot Project program and the accelerated environmental management program for the Los Alamos National Laboratory program; and

WHEREAS:

Accelerating the EM mission completion date will realize a cost saving of approximately \$950 million and will reduce the highest risks that remain from historic operations, reduce risk to LANL's ongoing stockpile stewardship mission, and help address potential threats posed by terrorists and wildfire dangers; and

WHEREAS:

Implementing the PMP will substantially resolve issues underlying the Draft Order issued by the New Mexico Environmental Department (NMED) in May 2002, wherein there was stated to be a Determination of Imminent and Substantial Endangerment; and

NOW THEREFORE, the NNMCAB hereby resolves to affirm that:

We urge that the PMP and its implementing instruments be fully funded, staffed, and implemented as proposed.

We request that regular status updates on modifications to and implementation of the PMP and its implementing instruments be provided to the NNMCAB.

We resolve to recommend the following changes regarding the final form and content of the PMP and its implementation:

1. The language of the PMP should be carefully edited for jargon that the general public may find difficult to understand.

2. Principles of Long Term Environmental Stewardship should be integrated into all aspects of the implementation of the PMP.
3. A Risk-Based approach should be used to determine the extent to which each contaminated parcel is to be remediated; however the “as low as reasonably achievable” (ALARA) principle should be applied.
4. The specific baseline activities for implementing the PMP should be set forth on a year by year basis.
5. The priorities regarding lands to be transferred to Los Alamos County and the Pueblo of San Ildefonso should be re-examined and, if possible, the cleanup of these lands should be accelerated.
6. Adequate time should be allowed for public input and involvement to thoroughly review annual baseline plans developed by all participating organizations to implement the PMP.

A motion to adopt the Resolution was made by Mr. Gale, seconded by Dr. Berting and with one abstention, Ms. Ewankow, the motion carried unanimously.

The Chairman introduced Mat Johansen who presented a summary of the Department of Energy and University of California comments on the New Mexico Environment Department Corrective Action Order for the Los Alamos National Laboratory. Major points of the presentation included: (Please see DOE handout.)

- DOE and UC have worked in good faith;
- NMED issued a unilateral determination of an imminent and substantial danger;
- DOE and UC submitted combined comments on July 2002;
- The endangerment determination is legally and factually invalid;
- Order unlawfully attempts to regulate materials or activities already regulated under other federal acts;
- Order is arbitrary and capricious and not supported by administrative record;
- DOE and UC request that NMED withdraw the IDE determination and take no further action on the draft order.

Mr. Johansen said there had been some preliminary discussions with NMED and the CAO and both agencies were pursuing some middle ground. “It is a little cloudy out there because there are lawsuits,” he said.

In preparation to the conclusion of the meeting the Chairman then called for public comment. There was none.

The Chairman then opened the floor to suggestions as to where to hold the next meeting. It was generally agreed to meet in Santa Fe on November 20, 2002.

The Chairman entertained a motion to adjourn, Mr. Gale made the motion with a second from Dr. Berting and the meeting was adjourned at 7:30 p.m.

Certified by:

Date: _____

James R. Brannon, Chairman

Handouts:

- Meeting advertisement in Journal North
- Draft meeting minutes of July 31, 2002 NNM CAB meeting
- Deputy Designated Federal Officer's report
- NNM CAB Executive Director's report
- NNM CAB August 21, 2002 Executive Committee meeting minutes
- NNM CAB August 28, 2002 Community Outreach Committee meeting minutes
- NNM CAB September 18, 2002 Community Outreach Committee meeting minutes
- NNM CAB September 10, 2002 Environmental Monitoring and Surveillance Committee meeting minutes
- NNM CAB September 9, 2002 Environmental Restoration Committee meeting minutes
- NNM CAB Environmental Restoration Committee draft resolution on DOE/LANL Performance Management Plan, September 15, 2002
- NNM CAB Waste Management Committee revised draft response to LANL Performance Management Plan for Accelerating Cleanup, September 12, 2002
- NNM CAB September 11, 2002 Waste Management Committee meeting minutes
- NNM CAB Budget and Actual Expenditures, Fiscal Year 2002
- NNM CAB Proposed Budget, Fiscal Year 2002
- NNM CAB draft resolution on DOE/LANL Performance Management Plan
- Letter from Ralph E. Erickson, Director Office of Los Alamos Site Operations to Chairman Brannon, September 23, 2002
- Summary of DOEIUC comments to NMED on Corrective Action Order, September 25, 2002
- Nomination letter from Jim Brannon to NNM CAB members requesting another term as Chairman, September 6, 2002
- Nomination letter from Don Jordan to NNM CAB members requesting another term as ViceChairman, September 6, 2002
- 2002 NNM CAB Committee attendance sheet
- NNM CAB Bylaws, Revised July 31, 2002
- NNM CAB Fall Newsletter
- The Laboratory Connection Newsletter, June/July 2002, Vol. 3, No. 6
- The Advisor, Newsletter of the Rocky Flats Citizens Advisory Board, Autumn 2002

