



Northern New Mexico Citizens' Advisory Board Meeting

May 12, 2011

9:00 a.m. to 4:00 p.m.

Meeting Location: Santa Claran Hotel

Espanola, New Mexico

MINUTES

Meeting Attendees:

Department of Energy-

Lee Bishop, Co-Deputy Designated Federal Officer (DDFO)

Ed Worth, Co-Deputy Designated Federal Officer (DDFO)

NNMCAB Members-

1. Ralph Phelps, NNMCAB Chair

2. Robert Gallegos, NNMCAB Vice Chair

3. Pam Gilchrist, EMSR Committee Co-Chair

4. Deb Shaw, EMSR Committee Co-Chair

5. Lawrence Garcia, WM Committee Vice Chair

6. Nicole Castellano

7. Lawrence Longacre

8. Mike Loya

9. Gerry Maestas

10. Carlos Valdez

Excused Absences-

1. Jacquelyn Gutierrez

2. Caroline Mason

3. Manuel Pacheco, WM Committee Chair

4. Bob Villarreal

Absent-

1. Nick Maestas

NNMCAB Staff-

Menice Santistevan, Executive Director

Lorelei Novak, Technical Programs and Outreach

Grace Roybal, Office Administrator

Edward Roybal, Sound Technician

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Guests-

- 1. Douglas Sayre, Sayre Engineering**
 - 2. Stefanie Gallegos, LASO**
 - 3. Donivan Porterfield, Public**
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AGENDA

- I. Call to Order**
 - II. Welcome and Introductions**
 - III. Establishment of Quorum (8 needed)**
 - a. Roll Call**
 - b. Excused Absences**
 - IV. Welcome to the City of Espanola by Mayor Alice Lucero**
 - V. Approval of Agenda**
 - VI. Approval of Minutes of March 30, 2011**
 - VII. Public Comment Period**
 - VIII. Old Business**
 - a. Written Reports**
 - VIII. New Business**
 - IX. Matters from DOE/Co-DDFOs**
 - X. Consideration and Action on Draft Recommendation to the DOE**
 - a. Draft Recommendation 2011-05, "Recommendation That Los Alamos National Laboratory Not Be Selected for Disposal of Greater Than Class C Low-Level Radioactive Waste"**
 - XI. Presentation, "Basics of Radiation" with Dr. Mike McNaughton**
 - XII. Overview of New NNMCAB Website**
 - XIII. Public Comment Period**
 - XIV. Wrap-up Comments**
 - XV. Adjournment**
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1 **MINUTES**

2 **I. Call to Order**

3 The regular bi-monthly meeting of the Northern New Mexico Citizens' Advisory Board
4 (NNMCAB or CAB) meeting was held on May 12, 2011 at the Santa Claran Hotel in Espanola,
5 New Mexico. Mr. Worth, Co-Deputy Designated Federal Officer (DDFO), stated that on behalf
6 of the Department of Energy (DOE), the regular bi-monthly meeting of the NNMCAB was called
7 to order at 9:00 a.m.

8 Mr. Worth recognized Mr. Phelps as NNMCAB Chair. The Chair presided at the meeting.
9 The regular meeting of the NNMCAB was open to the public and posted in **The Federal Register**
10 in accordance with **The Federal Advisory Committee Act**.

12 **II. Welcome and Introductions**

13 Mr. Phelps welcomed everyone to the meeting. He stated his appreciation for
14 everyone's attendance. Mr. Phelps asked for introductions from the members and guests in
15 attendance. Mr. Phelps welcomed Espanola Mayor Alice Lucero to the CAB meeting. Mayor
16 Lucero welcomed the board to Espanola and announced she would nominate three citizens
17 from the City of Espanola to be members of the NNMCAB.

19 **III. Establishment of a Quorum (8 needed)**

20 **a. Roll Call**

21 Ms. Novak conducted roll call as the members arrived. Ten members were present at
22 the meeting, which comprised a quorum for conducting business.

23 **b. Excused Absences**

24 Mr. Worth and Mr. Bishop, Co-DDFOs, had previously approved excused absences for
25 Ms. Jacquelyn Gutierrez, Ms. Caroline Mason, Mr. Manuel Pacheco and Mr. Bob Villarreal. Mr.
26 Nick Maestas was marked absent.

29 **IV. Approval of Agenda**

30 The Board reviewed the May 12, 2011 CAB meeting agenda. Mr. Phelps called for any
31 comments or additions to the agenda. The board would hear a presentation by Dr. Mike
32 McNaughton on the basics of radiation, "Rad 101" and an overview of the new NNMCAB web
33 site: www.nmncab.energy.gov. The board would also consider one draft recommendation for
34 submittal to the Department of Energy (DOE): "Recommendation that Los Alamos National
35 Laboratory Not be Selected for Disposal of Greater Than Class C Low-Level Radioactive Waste."

36 **Mr. Valdez made a motion to approve the agenda as presented and Mr. Longacre**
37 **seconded the motion. The meeting agenda was approved.**

40 **V. Approval of Minutes of March 30, 2011**

41 The Board reviewed the minutes from the March 30, 2011 CAB meeting. By ongoing
42 instructions from DOE Headquarters, the minutes were previously reviewed and certified by the
43 NNMCAB Chair, Mr. Ralph Phelps. Mr. Phelps stated that the March minutes were included in
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1 the board packets and presented at this meeting for Board approval.

2 **Rev. Gilchrist made a motion to approve the minutes as presented. Ms. Castellano**
3 **seconded the motion. The minutes were unanimously approved.**
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6 **VI. Public Comment Period**

7 No one signed up for public comment.
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10 **VII. Old Business**

11 **a. Written Reports**

12 ➤ **NNMCAB Chair's Report**

13 A printed copy of the Chair's Report was included in the meeting packet and a copy may
14 be obtained by request from the CAB office at (505) 989-1662. Mr. Phelps asked for questions
15 or comments on the written reports; the intent was for the reports to be submitted in writing
16 but questions could be brought up in this section or later. Mr. Phelps briefly reviewed the main
17 points in the Chair's report:

18 **Routine Chair Activities since last NNMCAB meeting on March 30, 2011--**

19 a. Executive Committee met on April 20, 2011:

- 20 • Reported on the meeting with NMED Secretary Martin.
- 21 • Reviewed meeting attendance roster for assessment of membership needs.
- 22 • Discussed status of EMSR Committee leadership.
- 23 • Discussed CAB involvement in the Greater Than Class C (GTCC) Environmental
24 Impact Statement (EIS) hearing on April 28, 2011. CAB will get a special briefing
25 prior to the public hearing, and consider a recommendation regarding the LANL
26 option for disposal.
- 27 • CAB will invite Mr. Robert Neill for a talk on disposal of pre-1970 Transuranic (TRU)
28 Waste, an issue for Material Disposal Area G (MDA-G). Mr. Neill wrote a paper for
29 the Waste Management 2011 Forum attended by Ms. Caroline Mason.
- 30 • Approved the agendas for the CAB Educational Workshop and the CAB meeting on
31 May 11 and 12, 2011.

32 b. Supported the WM/EMSR Joint Committee meeting on April 20, 2011. The main activity
33 was a briefing on the American Recovery and Reinvestment Act (ARRA) work completed at
34 Technical Area 21 (TA-21) accompanied by a bus tour of the mesa top.

35 c. Supported an April 20, 2011 meeting of the Ad-Hoc Committee to plan, prepare for and
36 sponsor a Ground and Surface Water Forum with LANL. This CAB hosted event will require
37 support from all CAB members.

38 d. The SSAB Chairs Meeting planned for the Nevada Nuclear Security Site on April 12-14, 2011
39 was cancelled at the last minute due to the federal budget issues. DOE and NNSS CAB was
40 able to reschedule the meeting for June 14-16, 2011, same agenda.

41 e. Other Chair related Activities:

- 42 • On April 4, 2011, the Chair and Vice Chair participated in a meeting with Mr. David
43 Martin, Secretary of NMED. This was a good meeting where we were able to openly

1 discuss CAB mission, goals and priorities and establish the need for continued liaison
2 support with NMED. Secretary Martin stated that NMED would continue to
3 interface with the CAB and provide liaison support to CAB meetings whenever
4 possible. He also agreed to attend the CAB's Educational Workshop on May 11,
5 2011. He indicated that NMED was committed to the goals of the Consent Order.

- 6 • On April 27, 2011 the Chair, Vice Chair, Ms. Mason and Ms. Novak participated in a
7 poster session at the LANL Community Leaders Breakfast where they provided
8 outreach about the CAB and our mission. Mr. Phelps was able to get a few minutes
9 to chat with New Mexico Governor Susana Martinez.
- 10 • On April 28, 2011, several CAB members attended a special briefing by Arnold
11 Edelman on the DOE's draft EIS on disposal locations for GTCC waste. Information
12 will be incorporated into the draft Recommendation 2011-05 for CAB review and
13 approval at the May 12, 2011 CAB meeting.

14
15 **➤ NNMCAB Executive Director's Report**

16 A printed copy of Ms. Santistevan's report was included in the meeting packet and a
17 copy may be obtained by request from the CAB office at (505) 989-1662.

18 Ms. Santistevan's report included:

19 **Information about Board Membership:**

- 20 • The NNMCAB is currently comprised of 15 members. Ms. Michelle Medinsky and
21 Mr. John Lujan have resigned from the Board and Ms. Pam Henline has been term
22 limited. There have been two applicants from Santa Fe and Ms. Santistevan
23 expected up to three nominations from the Mayor of Espanola. Eleven current
24 members were up for re-appointment in November 2011.
- 25 • The updated CAB Directory was included in meeting packets; members were asked
26 to be sure that their contact information was correct.

27 **Next CAB Meeting:**

- 28 • The next regular CAB meeting was scheduled for July 27, 2011 at the Holiday Inn
29 Express and Suites in Los Alamos, New Mexico.

30 **Board Meeting Preparations:**

- 31 • Ms. Santistevan prepared and submitted draft agendas for this meeting and the
32 notice to **The Federal Register**, in compliance with **The Federal Advisory Committee**
33 **Act**.
- 34 • Meeting materials were copied and collated by Ms. Roybal and meeting packets
35 were mailed out on May 5, 2011.
- 36 • An advertisement for the meeting was placed in *The Rio Grande Sun* by Ms. Roybal
37 and on the NNMCAB website by Ms. Novak.

38 **EM Site-Specific Advisory Board Chairs' Meeting:**

39 Ms. Santistevan and Mr. Phelps agreed to serve on the planning committee for the next
40 meeting of the EM SSAB Chairs in Las Vegas. They have participated in the conference call
41 planning process. The April meeting was postponed because of the budget crisis; it has been
42 rescheduled for June 14-16, 2011. Mr. Ralph Phelps, Mr. Robert Gallegos and Mr. Carlos Valdez
43 will be attending the meeting and will be representing the NNMCAB.

1 **Office Management:**

2 Ms. Santistevan has been working with PT&C and Federal staff to look for a larger
3 NNMCAB office, to include the LANL Public Reading Room. They were currently looking at
4 office spaces in Santa Fe and Pojoaque. The NNMCAB would be kept informed on this issue.

5 The staff supported all committee meetings with preparation of notices, agendas and
6 committee minutes. Ms. Novak has completely re-designed the NNMCAB public web site.

7
8 ➤ **Report on Environmental Justice Conference**

9 Mr. Nick Maestas, Mr. Mike Loya and Mr. Lawrence Longacre were approved to attend
10 the Environmental Justice Conference in Washington, DC. However, Mr. Maestas was the only
11 member who attended the conference. Mr. Phelps said he would like to have a written report
12 prepared for anyone who attended an offsite conference. **Ms. Castellano made a motion to**
13 **request the report within a 48-hour time frame upon the attending member's return. Mr.**
14 **Gallegos seconded the motion.**

15 The board discussed the motion. The board considered whether to adjust the time
16 frame to 5 days and include an option to distribute the report by email. Mr. Bishop stated a
17 template could be developed to standardize the report.

18 **Ms. Castellano restated the motion as to extend the report deadline to five days and**
19 **to allow for email distribution. Mr. Gallegos, the second, agreed. Mr. Phelps called the**
20 **motion to a vote. The motion to require a written report form conference attendees with-in**
21 **five days with an email caveat for distribution passed unanimously.**

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23 ➤ **EMSR Committee Report**

24 Ms. Henline previously submitted her final report as Chair the EMSR Committee. Her
25 report is attached.

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28 **VIII. New Business**

29 Mr. Phelps discussed the option of no longer having a two-day meeting in May. The
30 original idea was to combine a day of workshops together with a meeting, which may no longer
31 be necessary. The board could discuss this option further and the Executive Committee would
32 also take up the issue during its yearly meeting planning. Dr. Shaw also mentioned shortening
33 the meetings and compressing the agendas to be more efficient with regards to time.

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36 **IX. Matters from Co-DDFOs**

37 Mr. Bishop considered the members offsite trips to conferences and meeting to be a
38 valuable teaching tool for the members who in turn bring new knowledge back to the board for
39 discussion. Mr. Bishop stated that he and Mr. Worth would continue to support member's
40 interest in these trips and would work with the DOE and the CAB's Executive committee to
41 consider board member requests for travel.

42 Mr. Bishop was encouraged by Mayor Lucero's offer to send representatives from
43 Espanola to sit on the board. He believed a strong aspect of this CAB was its relationships with
44 the state and local governments as well as with the Pueblos. Also, he found Secretary Martin's

1 talk to the board at the May 11, 2011 workshop to be very encouraging and was looking
2 forward to more interaction with a new board liaison member from the New Mexico
3 Environment Department (NMED).

4 Mr. Bishop was still looking for feedback on whether or not the board was interested in
5 taking a field trip to the Waste Isolation Pilot Plant (WIPP) in Carlsbad, New Mexico. The field
6 trip would give the board a chance to see how the facility is managed first hand. Mr. Bishop
7 requested possible dates of availability and names of those board members who were
8 interested in attending.

9 Mr. Bishop thanked everyone for its participation with the GTCC issue. Watching the
10 board deliberate on this issue has given him a sense that the board would not want the waste
11 in Los Alamos but that WIPP might be a preferred option, which was supported as well by the
12 Carlsbad community.

13 Mr. Worth discussed the interview process for new prospective members. Applicants
14 were recruited through outreach events such as Earth Day in Los Alamos and through
15 newspaper articles, flyers and press releases. Interested individual were asked to fill out a
16 standardized EM SSAB application. The Co-DDFO's and the Executive Director primarily looked
17 for conflicts of interest when they interviewed the potential nominees. For example: if the
18 individual was a current lab or contract employee that would be considered a conflict of
19 interest. Qualified nominees were then sent to Headquarters for review prior to final
20 appointment. The DDFOs strived for diversity in membership. The board should be comprised
21 of a cross section of Northern New Mexico citizens. Mr. Longacre stressed that he wanted to
22 see diversity on the board and the Co-DDFOs stated their agreement.

23 Mr. Worth went over the presentation request list developed at the board's workshop
24 on May 11, 2011. The presentation request list has been summarized.

25 **Presentation Suggestions- developed through Board Strategic Planning:**

- 26 1. Consent Order- Presentation that looks at the priorities of the Order, considers the
27 timelines, and or adjustments of priorities, the board is interested in deadlines—the
28 board wanted a presentation on these issues in order to make an informed, timely
29 recommendation.
- 30 2. Other SSABs- DOE maintains database, share information with the other labs i.e. DDFO's
31 could invite folks from some of the other sites, Hanford, etc. to give presentations.
- 32 3. GTCC Waste and Budget- How the concept of bringing GTCC Waste to Los Alamos would
33 influence budget.
- 34 4. Long-Term Stewardship- as EM gets to the completion phases of remediation; Long
35 Term Stewardship is coming to the forefront in focus, including land transfer issues and
36 deed restrictions. This is an opportunity for the CAB to weigh in on the issues, Mr.
37 Bishop offered to get a presentation scheduled to inform the board.
- 38 5. End Use- Industrial verses residential, is the cost worth it? The end use is important and
39 an opportunity for the board to provide studied advice. Deed restrictions and
40 implementation, some members already favor residential standards as a general rule.
41 Board showed interest in hearing more about the Mound Case.
- 42 6. Corrective Measures Evaluations (CME) – at the end of the summer the CME's for MDA-
43 G, H and L will be submitted and the board wanted a presentation.
- 44 7. Outside Speaker- for example: invited Robert Neal to talk.

- 1 8. Material Disposal Area (MDA) Remediation- Current options for remediation of TA-54
- 2 MDA-G, H and L.
- 3 9. Risk- Presentation on risk analysis, how risk is assessed and how risk-based decisions are
- 4 applied to remediation.
- 5 10. Air Quality- With a very dry year, has the Lab noticed any trends or peaks with air
- 6 quality? Also, touch on wind driven particulates in air.
- 7 11. City and County Presentations- the Co-DDFOs also offered to bring in representatives
- 8 from the city and county to give presentations to the board.
- 9 12. Field Trip- to see Storm water Mitigation Programs.
- 10 13. Site Wide Environmental Impact Statement (SWEIS) - when new issue is released.
- 11 14. MDA-T- what's there and what is the path forward.
- 12 15. Discuss opportunities for interim actions during the remediation process.
- 13 16. Sediment and storm water transport and mitigation in Los Alamos Canyon.
- 14 17. Wildlife studies in Los Alamos.
- 15 18. Well program presentation to ask the question of how many monitoring wells were
- 16 needed, do they have a sufficient amount now and would adding more wells equate
- 17 adding the possibility of having more pathways for possible contaminant migration.
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20 **X. Consideration and Action on Draft Recommendation 2011-05, "Recommendation**
21 **That Los Alamos National Laboratory Not Be Selected for Disposal of Greater Than**
22 **Class C Low-Level Radioactive Waste," drafted by the Waste Management (WM)**
23 **Committee. Primary author: Ms. Caroline Mason**

24 Placed before the board for final consideration, draft Recommendation 2011-05 focused
25 on the Draft Environmental Impact Statement (EIS) for the Disposal of Greater Than Class C
26 (GTCC) Low-Level Radioactive Waste (LLW) and GTCC-Like Waste (DOE/EIS-0375-D), which was
27 available for public comment through the end of June 2011. The Los Alamos National
28 Laboratory was one of five sites being evaluated for disposition of this waste.

29 The GTCC waste and the companion GTCC-like waste refers to LLW that has
30 radionuclide concentrations that exceed the limits for Class C Low Level Waste given in U.S.
31 Nuclear Regulatory Commission 10CFR 61.55 and cannot be disposed of in currently licensed
32 commercial LLW disposal facilities. The federal government has the responsibility for the
33 disposal of this waste. At this time, both types of waste have no identified path for disposal.

34 The draft recommended:

- 35 1. The DOE should not consider using LANL as an option for disposal of GTCC waste and
- 36 the GTCC-like waste.
- 37 2. The NNMCAB feels the following are more appropriate sites for disposal of GTCC waste
- 38 and GTCC-like waste (with equal priority):
 - 39 a. Waste Isolation Pilot Plant (WIPP). Although use of the WIPP facility is currently
 - 40 considered the most expensive alternative of those presented in the EIS, it
 - 41 appears to provide the most long-term permanent and perhaps safest choice.
 - 42 b. Nevada National Security Site (NNSS). NNSS presently serves as a regional
 - 43 disposal site for LLRW and mixed LLRW generated by DOE facilities and EIS tables
 - 44 indicate almost no Human Health Long-Term Impacts if this site is chosen.

- 1 c. Yucca Mountain. The EIS has failed to consider what may be the best and most
2 practical option for GTCC waste disposal. The existing demonstration tunnels,
3 shafts and underground rooms at the Yucca Mountain Project site may be suited
4 for this class of waste. DOE should add this option to the EIS.

5 The intent of the NNMCAB recommendation was to see that the required cleanup at
6 LANL is completed in the safest way, specifically relative to movement of waste.

7 The board discussed the draft. **Mr. G. Maestas made a motion to approve draft**
8 **Recommendation 2011-05. Mr. Valdez seconded the motion. The board unanimously**
9 **approved Recommendation 2011-05 for submission to the DOE.**

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11 **XI. Public Comment Period**

12 No one signed up for the second opportunity for public comment.
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15 **XII. Presentation, “Basics of Radiation” with Subject Matter Expert, Dr. Mike**
16 **McNaughton, LANS**

17 Dr. McNaughton and Ms. Burgandy Brock provided an interactive, hands-on lecture and
18 demonstration on the fundamental concepts of radiation in a “RAD 101” format. The complete
19 PowerPoint presentation has been placed on file at the CAB office. Mr. McNaughton answered
20 questions from the board.
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23 **XIII. Overview of New Public Website with Ms. Lorelei Novak, NNMCAB Technical**
24 **Programs and Outreach Staff Member**

25 Ms. Novak provided an overview of the new CAB website for the board.

26 Presentation Highlights

27 New website featured:

- 28 ○ Streamlined navigation, good organizational structure, user friendly site map
29 ○ Retained New Mexico colors and local feel while adapting to new DOE structure
30 ○ Recommendations paired with DOE Responses makes for quick and easy public
31 access to board information

32 Ms. Novak provided handouts with the new website address: www.nnmcab.energy.gov.
33 She welcomed any comments, suggestion or feedback from the board members. The new
34 website has received great response and positive feedback from board members, federal
35 officials and members of the public
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38 **XIV. Wrap-up Comments**

39 Board members held a brief wrap-up round-robin discussion. Comments are
40 summarized below:

- 41 ○ Mr. Longacre - overall good meeting.
42 ○ Mr. Garcia - appreciated the venue, nice meeting room, he liked hearing from NMED.
43 Thanked the staff for their hard work and he tipped his hat to the Co-DDFO’s - they get
44 the answers the CAB needs and they know what they are talking about.

- 1 ○ Mr. Gallegos - appreciated the Co-DDFOs hard work and to Ms. Santistevan and CAB
- 2 staff--great meeting!
- 3 ○ Mr. Bishop – thanked our guest for attending, thought we had good speakers, likes the
- 4 CAB’s direction, working to get our membership up, it’s a good group to work with, he
- 5 was looking forward to a positive Ground and Surface Water Forum, considers the
- 6 board’s strong intergovernmental interactions to be a real strength.
- 7 ○ Mr. Worth thanked everyone for volunteering their time, thanks to the CAB staff.
- 8 ○ Dr. Shaw thought it was a very good and productive meeting.
- 9 ○ Ms. Gilchrist reminded the CAB of its upcoming ground and surface water forum to be
- 10 held on June 22, 2011, asked folks to attend and help out.
- 11 ○ Ms. Castellano enjoyed the interactive and relevant presentations.
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14 **XV. Adjournment**

15 **Mr. Phelps thanked everyone for their participation. With no further business to**

16 **discuss, Mr. Bishop, Co-DDFO adjourned the meeting at 4:00 p.m.**

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18 **Respectfully submitted as a draft for review,**



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20 **Ralph Phelps, Chair, NNMCAB**

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22 ****Minutes prepared by Lorelei Novak, NNMCAB Technical Programs and Outreach***

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24 **Attachments:**

- 25 1. **Final 5-12-11 CAB Meeting Agenda.**
- 26 2. **Report from Ralph Phelps, Chair, NNMCAB.**
- 27 3. **Report from Menice Santistevan, Executive Director.**
- 28 4. **Report from Pam Henline, EMSR Committee Chair.**
- 29 5. **PowerPoint Presentation, “Basics of Radiation- Rad 101,” LA-UR 08-07159, presented by**
- 30 **Dr. Mike McNaughton.**
- 31 6. **NNMCAB Recommendation 2011-05, “Recommendation That Los Alamos National**
- 32 **Laboratory Not Be Selected for Disposal of Greater Than Class C Low-Level Radioactive**
- 33 **Waste.”**
- 34 7. **Future Presentation Requests- work product from May 11 and-12 Board Strategic**
- 35 **Planning Sessions.**
- 36 8. **Brief Report on May CAB Workshop and Meeting.**
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39 **Public Notice:**

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- 1  *All NNMCAB meetings are recorded. Audiotapes have been placed on file for review at
2 the NNMCAB Office, 1660 Old Pecos Trail, Suite B, Santa Fe, New Mexico, 87505.
3  *Reference documents listed in the Appendix section of these minutes may be requested
4 for review at the CAB office in Santa Fe. (505) 989-1662.
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