

Northern New Mexico Citizens' Advisory Board Meeting



July 19, 2023
1:00 p.m. to 5:00 p.m.
Hybrid Meeting

Minutes

Meeting Attendees

Department of Energy

1. Michael Mikolanis, Manager, Environmental Management Los Alamos
2. Ellie Gilbertson, Deputy Manager, Interim Deputy Designated Federal Officer, Environmental Management Los Alamos
3. William "Ike" White, Senior Advisor for the Office of Environmental Management
4. Kristen Ellis, Acting Associate Principal Deputy Assistant Secretary for the Office of Regulatory and Policy Affairs, and the Director of Regulatory, Intergovernmental, and Stakeholder Engagement
5. Theodore E. Olds, Director of Communications, US Department of Energy
6. Elizabeth Lisann, Senior Policy Advisor, US Department of Energy
7. Robert Reine, Deputy Designated Federal Officer, Environmental Management Los Alamos
8. Miquela Vargas, Environmental Management Los Alamos
9. Cheryl Rodriguez, Environmental Management Los Alamos
10. John Evans, Environmental Management Los Alamos
11. Allison Scott Majure, Environmental Management Los Alamos
12. Rose Brown, Environmental Management Los Alamos
13. Patrick Hefflinger, DOE Legislative Affairs Specialist EM-2.31

NNMCAB Members

1. Elena Fernandez, Vice-Chair
2. Melissa Casias
3. Mark Hayden
4. Martinez Hewlett
5. Anne Laurent
6. Manuel L'Esperance
7. Roger Life
8. Beverly Martin
9. Stephen McLaughlin
10. James Murphy
11. Patricio Pacheco
12. Joseph Villegas

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NNMCAB Absences

- 1. Cherylin Atcitty
- 2. Sterling Grogan
- 3. Jamie Viarrial
- 4. Miguel Vigil

NNMCAB Staff/Support

- 1. Menice Santistevan, Executive Director
- 2. Bridget Maestas, Executive Assistant
- 3. Elicia Williams, Public Affairs Support Specialist

Guests

- 1. Brad Smith, N3B
- 2. David Diehl, N3B
- 3. Kevin Reid, N3B
- 4. Erich Evered, N3B
- 5. Wayne Barber, Exchange Monitor Publications
- 6. Michael Peterson, New Mexico Environment Department
- 7. Neelam Dhawan, New Mexico Environment Department
- 8. Sydney Lienemann, New Mexico Environment Department
- 9. Felicia Aguilar, N3B
- 10. Susan Coleman, Hanford Advisory Board
- 11. Melanie Snyder, Western Interstate Energy Board
- 12. Annie Quintana-Eddins, US Representative Gabe Vasquez Office
- 13. Sona Briley, New Mexico Environment Department
- 14. Dallas Croft, TetraTech
- 15. Matt Miller, US Representative Teresa Leger Fernandez Office
- 16. Maggie Hart Stebbins, New Mexico Office of the Natural Resources Trustee
- 17. Kristen Henderson, N3B
- 18. Sue Wacaster, Environmental Management Los Alamos
- 19. Mitchell Schatz, New Mexico Environment Department
- 20. Estevan Lujan, N3B
- 21. Caitlin Martinez, New Mexico Environment Department
- 22. Chelsi Frasure, Environmental Management Los Alamos
- 23. Jason Herman, New Mexico Environment Department
- 24. Joe Ritchey, Environmental Management Los Alamos
- 25. Anthony Mitchell, N3B
- 26. Matt Fesko, N3B
- 27. Ruben Rangel, Environmental Management Los Alamos
- 28. Maire O’Neil, Los Alamos Reporter
- 29. Rick Shean, New Mexico Environment Department

- 1 30. Stephanie Gallagher, Environmental Management Los Alamos
- 2 31. Sarah Chandler, Environmental Management Los Alamos
- 3 32. David Abelson, N3B
- 4 33. Peter Dillon, TetraTech
- 5 34. James Dark, Los Alamos National Laboratory
- 6 35. Jeff Holland, N3B
- 7 36. John Gonsky, TetraTech
- 8 37. Kelsey Shank, theEDGE
- 9 38. Maggie Hart Stebbins,
- 10 39. Jeff Carnahan, Sealaska Remediation Solutions
- 11 40. Tom McCrory, Environmental Management Los Alamos
- 12 41. Dallas Mahoe, Environmental Management Los Alamos
- 13 42. Clark Short, N3B
- 14 43. Luciana Vigil-Holterman, Los Alamos National Laboratory
- 15 44. Nadia Martin, Industrial Economics, Incorporated (IEc)
- 16 45. Carlos Jerez, APTIM
- 17 46. Deborah Kerrigan, N3B

18 ***The written minutes are intended as a synopsis of the meeting.**

1 **Minutes**

2 **I. Call to Order**

3 The meeting of the Northern New Mexico Citizens’ Advisory Board (NNMCAB) was held on
4 July 19, 2023, in a hybrid format. Ms. Elizabeth (Ellie) Gilbertson, Deputy Designated Federal
5 Officer (DDFO) stated that on behalf of the Department of Energy (DOE) the meeting of the
6 NNMCAB was called to order at 1:00 p.m.

7 Ms. Gilbertson recognized Ms. Elena Fernandez, the NNMCAB Vice-Chair. Ms. Fernandez
8 presided at the meeting and filled in for Ms. Cherylin Atcitty.

9 The meeting of the NNMCAB was posted in The Federal Register in accordance with the
10 Federal Advisory Committee Act.

11 **II. Welcome and Introductions**

12 Ms. Gilbertson welcomed everyone to the meeting and gave a brief introduction stating that
13 she was the Interim DDFO until a permanent DDFO is chosen. Ms. Gilbertson gave a safety
14 share on heat and thermal stress and noted that the local area was experiencing outages.
15 Ms. Gilbertson turned the meeting over to Ms. Fernandez.

16 Ms. Fernandez welcomed everyone to the July Board Meeting at Cities of Gold Conference
17 Center in Pojoaque, New Mexico.
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19 **III. Establishment of a Quorum (Roll Call)**

20 Ms. Menice Santistevan conducted roll call for board members and guests in person and on
21 WebEx. At the call to order, 12 NNMCAB members were present or online. Ms. Santistevan
22 stated that the meeting was being recorded to produce the minutes of the meeting.
23

24 **IV. Approval of Agenda**

25 The board reviewed the agenda for the July 19, 2023, meeting. Ms. Fernandez opened the
26 floor to entertain a motion to approve the agenda.
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28 Mr. Mark Hayden made a motion to approve the agenda; Mr. Jim Murphy seconded the
29 motion. The motion to approve the agenda as presented passed.

30 **V. Approval of Minutes**

31 The board reviewed the minutes from the May 19, 2023, Board Meeting. Ms. Fernandez
32 opened the floor to entertain a motion.
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34 Mr. Jim Murphy made a motion to approve the minutes as presented; Mr. Mark Hayden
35 seconded the motion. Ms. Fernandez opened the floor for discussion.

36 With no discussion, the motion to approve the minutes passed.

37 **VI. Old Business**

38 **a. Update from Chair/Vice-Chair**

39 Ms. Fernandez, NNMCAB Vice-Chair –
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- 1 Ms. Fernandez stated that she and several NNMCAB members attended the
2 June 21st tour of legacy cleanup sites at Los Alamos National Laboratory (LANL).
- 3 Ms. Fernandez and members of the NNMCAB attended the DOE O 435.1
4 Radioactive Waste Management Overview Webinar on June 29, 2023. She
5 noted that she would share the slides from the webinar when she receives
6 them.
- 7 Ms. Fernandez and a few members of the NNMCAB attended the Technical
8 Working Group Meeting (TWG) on July 12th regarding surface water and
9 stormwater monitoring programs as presented by Amanda White.
- 10 Ms. Fernandez stated that personally as Vice-Chair, she has done outreach to
11 several members of the public on becoming members of the NNMCAB and has
12 also reached out to several elected officials about attending the NNMCAB
13 meetings.

14 **b. Update from Subcommittee Chairs**

15 **Consent Order Subcommittee**

16 Mr. Mark Hayden stated that the last time the Consent Order Subcommittee met they
17 discuss the work order for this year and are particularly anxious to see changes to the
18 Consent Order and they understand it is under litigation with the New Mexico
19 Environment Department (NMED). He noted that when that comes to fruition, he has
20 been told that the NNMCAB will have an opportunity to see it and give
21 recommendations for changes to the Consent Order if they are not already in there. Mr.
22 Hayden stated that they would like to expand the jurisdiction of the NNMCAB since they
23 feel that the Transuranic waste that goes from Los Alamos down to the Waste Isolation
24 Pilot Plant (WIPP) is not part of the NNMCAB's jurisdiction at this time. Mr. Hayden
25 noted that when he met with the other Boards in Washington, D.C., they have
26 jurisdiction over their entire state and New Mexico is the only one that has three sites
27 and only have jurisdiction over this area (Santa Fe to Los Alamos).

28 Mr. Jim Murphy added that 1) Erich Evered was asked to come to the meeting in May
29 and he gave a tremendous presentation on the Consent Order. He noted that after the
30 litigation there will be a lot of work to be done. 2) Mr. Murphy noted that all the
31 notoriety that the movie Oppenheimer is getting, it points out the importance of the
32 NNMCAB's jurisdiction is. He noted that we are right in the seat where it all happened in
33 World War II, and he thinks to expand the NNMCAB's operation would be a great thing.

34 **Public Outreach Subcommittee**

35 Ms. Elena Fernandez stated that the subcommittee met with the new website design
36 team. She noted that there is a beta site that the members can see, and she has sent
37 out the link for review and input. She asked members to review the beta site and send
38 comments to Ms. Maestas as soon as possible.

39 **Risk Evaluation & Management Subcommittee**

40 Ms. Elena Fernandez stated that the Risk Evaluation and Management Subcommittee
41 met with the combined committees. She noted that with consensus from the NNMCAB,
42 the Draft Recommendation regarding Material Disposal Area (MDA) H would now be

1 under the Risk Evaluation and Management Subcommittee’s purview and they are in
2 the drafting phase of the recommendation.

3 **c. Report from Nominating Committee**

4 Mr. Patricio Pacheco stated that the nominating committee was comprised of Mr.
5 Hayden, Mr. Murphy, and himself. He stated that the nominations for Chair were Ms.
6 Fernandez and Mr. Hayden. The nominations for Vice-Chair were Mr. Pacheco, Mr.
7 Murphy, and Mr. Hayden.

8 Ms. Fernandez asked for any nominations on the floor or online. Seeing none, she stated
9 that Ms. Maestas would be handing out ballots to fill out and members should return
10 them to Ms. Santistevan or Ms. Maestas to count the votes.

11 **VII. New Business**

12 **a. Candidate’s Statements**

13 Mr. Pacheco, Mr. Murphy, Mr. Hayden, and Ms. Fernandez read their candidate
14 statements that were included in the meeting packet.

15 **b. Election of Officers for FY 2024**

16 Ms. Gilbertson thanked the members for their ongoing commitment to the Board. She
17 announced that the new Chair and Vice-Chair for Fiscal Year 2024 are as follows: Chair –
18 Ms. Elena Fernandez; vice-Chair – Mr. Patricio Pacheco.

19 Ms. Santistevan stated that Ms. Fernandez and Mr. Pacheco would take office on
20 October 1, 2023.
21

22 **VIII. Discussion Regarding Draft Recommendation on MDA H**

23 Ms. Fernandez stated that the outline in the packet has changed, and she would go over the
24 changes. She stated that based on conversations and input with members of the Risk
25 Evaluation and Management Subcommittee they have created an outline of what seems to
26 be the path toward a draft recommendation since they are in the draft phase. The draft
27 recommendation on MDA H will be ready for the NNMCAB’s review prior to the August 23rd
28 combined subcommittee meeting via WebEx from 9:00 a.m. to noon. Ms. Fernandez noted
29 that if any recommendation is passed by the NNMCAB or even within a subcommittee, any
30 member of the NNMCAB or a subcommittee may write a minority opinion if they are not in
31 agreement with the passed draft recommendation.
32

33 Ms. Fernandez went over the outline for MDA H and further discussion with Mr. Diehl
34 regarding the site specifics ensued. The details of the discussion can be viewed on the
35 NNMCAB’s YouTube page at: [NNMCAB - YouTube](#)

36 **IX. Update from EM Los Alamos Field Office**

37 Ms. Gilbertson introduced Mr. Mikolanis and Mr. Ike White.
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39 Mr. White stated that since he was here in northern New Mexico today and he knew the
40 NNMCAB had a meeting, he wanted an opportunity to drop by and make sure the members
41 understand how much he appreciates their public service that they are all engaged in and

1 providing their program input and perspective on the impact their program has and the
2 concerns members have about the program and the priorities that they have on behalf of
3 the communities where they live. He stated that when you think about the construct of
4 what we're doing from a cleanup program and why we're doing what we're doing we clean
5 up and we run the program on behalf of all the folks who could be affected by that clean up
6 and it is very important to us to be able to hear from the perspectives of folks who might be
7 impacted from that cleanup. He noted that they can't go out and meet with 10s of
8 thousands of people on a regular basis and it really helps us to have a smaller forum of folks
9 who are really interested and want to take the time to come up to speed on the various
10 details associated with the program, have an exchange, have a conversation and provide
11 thoughtful feedback to us on ways that we can improve and do better. Mr. White stated
12 that it's a public service that all of you are engaged in and he knows members do not get
13 paid so the fact that the members are all willing to spend their valuable time giving DOE
14 input to help them make the program better is very much appreciated by him. He noted
15 that he just wanted an opportunity to tell them personally how much he appreciates their
16 service in that regard and to thank them for that. He stated that DOE looks forward to
17 continuing to work with the members as DOE continues to work through developing their
18 program over the next couple of decades.

19 Mr. Mikolanis thanked Mr. White for joining the meeting today. He started out by
20 addressing an opportunity for improvement that he heard from the members when he first
21 started where they asked about what the DOE could do about the NNMCAB Website. He
22 shared with the members that they have a team that has developed a beta website for the
23 members to try out. The Public Outreach Subcommittee is getting feedback from the
24 members for the final layout. Mr. Mikolanis stated that by the end of September DOE will
25 roll out an enhancement to the EM-LA website which will have an interactive map that
26 people can interact with.

27 Mr. Mikolanis stated that he wanted to share some other accomplishments. In April of this
28 year, they began option period one, that's the 6th year of a potential 10-year contract we
29 have within N3B. Last month they initiated and signed out the letter authorizing operations
30 of the of the new corrugated metal pipe (CMP) size reduction process that began at the end
31 of June. They already processed two of those CMPs and they were starting out in a very
32 deliberative manner so they can gain proficiency and the team can build confidence doing
33 the hot operations. He noted that he anticipates that that campaign will be complete at the
34 end of March of next year. When that work is done, it's will take time to put it through
35 certification and characterization, but at the end of that process it should represent a little
36 bit over 130 shipments to WIPP of Transuranic material. Mr. Mikolanis stated that he is
37 looking forward to putting additional processing capabilities that will allow them to get into
38 the more difficult waste. Most of which is remaining above ground storage and is the more
39 difficult ways than the waste that is entombed underground.

40 **Environmental Remediation** – In the past two years they have made good progress in the
41 Aggregate Area Campaigns, they have completed two Aggregate Area Campaigns so far and
42 they are nearing completion of a third. N3B has now investigated and remediated where
43 necessary, more than 50% of the contaminated legacy waste sites. In Technical Area 21,
44 they are characterizing the holdup of radioactive waste in the last remaining above ground
45 structure Building 257 and the industrial waste lines underneath as soon as we get that
46 characterized then it will allow them to move into and the deactivation and demolition of

1 the remaining above ground structure and the waistlines and then that allows us later in the
2 contract to get into the foundations that are remaining and in a different potential
3 contaminated sites in the soil.

4 Mr. Mikolanis stated that they are very close to awarding a contract for a new D&D project
5 of the Ion Beam Facility up on the lab. He noted that they are at the end of the acquisition
6 process for that so he really can't provide a whole lot of details. DOE will be managing the
7 project directly rather than through N3B.

8 **Strategic Vision** – DOE has completed most of the Phase 1 and Phase 2 engagements. The
9 NNM CAB volunteered to be the beta test for the process. They have completed all but four
10 groups and they are winding those last 4 groups down. After that they will be moving into
11 Phase 3 and he would like to invite the NNM CAB to attend the Town Hall Meeting and he
12 will share the dates as those become available. DOE and their contractor will be taking all
13 the values, objectives, and priorities that they heard in Phase 2 and process it through
14 software that they have that will help them produce guidelines that they will be using to
15 make the cleanup decisions. The latter half of Phase 3 is where they will have that Town Hall
16 Meeting where they get together, and the public can watch DOE put together the strategic
17 vision. DOE will take for the public to come forward and give them their thoughts on what
18 they're seeing.

19 **Hexavalent Chromium Plume** - Mr. Mikolanis reviewed some of the highlights of what they
20 have accomplished under the first campaign, which is the Interim Measure (IM) Operation
21 while they ascertain sufficient characterization information to propose a remedy. Since they
22 started the IM in April of 2018 they have processed and run it through March of this year
23 they have processed 468,000,000 gallons of Chromium contaminated water in the aquifer,
24 treated and reinjected it, that is the equivalent of 709 Olympic sized swimming pools.
25 Through that process they have removed about 700 pounds of Chromium from the water.
26 That is not bad since the IM wasn't designed to be a removal process, it was designed to be
27 the hydraulic barrier that contains it into the LANL site. Thanks to the operation of the IM,
28 they were able to push the 50 parts per billion boundary which is right on the edge of the
29 Pueblo de San Ildefonso's boundary with the lab back 500 feet.

30 In an earlier discussion Mr. Mikolanis had with the NNM CAB, he discussed that in November
31 and December of last year, DOE received regulatory direction that eventually culminated in
32 the complete shutdown of the IM and the direction was to not resume operation of 6
33 injection and extraction wells and the second direction was to not operate anymore
34 injection wells. This meant that the extraction all had to stop. DOE has worked with the
35 State and shared their technical bases, their calculations, maps, and modeling that they
36 have. The State has been very open and receptive, and they have had a number of summits
37 discussing this. They have also invited the Pueblo de San Ildefonso to join those summits to
38 discuss this and the options for trying to find a solution that's acceptable to both the
39 regulator and the DOE.

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41 **X. Update and Look Ahead from N3B**

42 Mr. Brad Smith gave the update for N3B. He noted that he is now the President of N3B.

43 Mr. Smith started with a simple statement that he is a simple person, and it takes a village.
44 He noted that they have had excellent feedback from Mr. Mikolanis as well as NMED's Mr.
45 Rick Shean on the status of where N3B is at. Mr. Smith stated that he is going to take a

1 different take on this and he would like to discuss where N3B is going. He noted that Mr. Ike
2 White is present, and he has the utmost respect for him, and the sponsorship and support is
3 always appreciated. He thanked Mr. Mikolanis and Ms. Gilbertson for what they're doing
4 with N3B and noted that this is a new horizon. He stated that people will talk about what
5 happened the first 5 years, but he looks at that as a continuum of all projects that are here,
6 whether they're operational in nature or you'll hear about closure contracts, but N3B's in an
7 interesting middle ground. Mr. Smith stated that N3B's really not closing, but they are trying
8 to attain stability with certain Environmental Remediation and Contact Handled (CH) TRU
9 programs that will position them for where the laboratory can go in the future or where
10 land use can go in the future. He noted that in the EM Program, the most important
11 resource to N3B is his people, you can break it down into people, plant, and paper. You can
12 look at where N3B has come from, they came out of LANL, there was an ongoing mission,
13 they have executed a lot of work in the base period and now they find themselves in option
14 period one. Mr. Smith stated that they have had a high degree of attrition and some people
15 use that as an excuse and having been through his career over 40 years not only in the DOE,
16 but he has also managed large projects all over the world that were environmentally
17 related. He stated that you start to find similarities and the only similarity when talking
18 about diversity, you always get the people's side or you can get into religions or whatever
19 else, diversity also means what's between people's ears. He noted that what people bring in
20 thought is more important because he can provide the best tools, all the training, facilities
21 that look wonderful, but the real secret to this is how everyone interacts together. He stated
22 that they are a symbiotic organism and thanked the NNMCAB members for being curious
23 and coming from the community and asking questions, because this is a collective village.
24 Mr. Smith stated that there are no absolutes, things happen, and we've heard about the
25 different hazards that are in these facilities that have been characterized, but unless they go
26 back and really figure out what they are dealing with, they cannot provide the service and
27 the mission delivery to EM-LA with any certainty. This brings it back to his people. He noted
28 that there has recently been an Oak Ridge Associated Universities Culture Survey that some
29 have been privy to that was commissioned by Mr. Mikolanis, and his predecessors Ms. Kim
30 Lebak and Mr. Joe Legare. This survey was commissioned to see where their gaps are. He
31 noted that mentoring, training, opportunity, and development is what's going to make N3B
32 and future work here in environmental cleanup continue to progress. Mr. Smith stated that
33 it's a blessing to get the youth to come in because you get disadvantaged people that may
34 or may not have had educational opportunities but they're raw intellect is there, they're
35 curiosity is there. When you start dealing with people who are from the area, protecting and
36 being able to clean up something that means something to them, because there is nothing
37 better than being able to come to work and make a difference. He also stated that it isn't
38 just the people on the floor that they are focusing on right now, N3B has received feedback
39 from their employees, and they have stated that they don't see management in the field
40 enough and that they don't have opportunities. He noted that if they don't give them those
41 things then how do they know the regulations that NMED wants them to execute and how
42 do they know the orders and the guidelines that DOE puts in the contract. He stated that
43 what N3B is doing, and he will continue to provide updates, but in essence they are really
44 trying to live by the precept of integrated safety management where the workers on the
45 floor are accountable and own their work. N3B will provide support for what they need.
46 They have extended their boot camps for their nuclear operators and rad techs. N3B has
47 also allowed the employees to give them input into what sort of training they want. He
48 noted that this is a very diverse type of work that they do and N3B is getting people that

1 come out of casino management, McDonald's, Jiffy Lube, and they are also getting those
2 that are coming out of the military. N3B has started tapping back into all of the military
3 demobilization recruitment centers and they have 58 resumes from people that go from
4 Commanders and Generals all the way down to enlisted people that just came off the GI bill.
5 Mr. Smith stated that these are the types of people that make a really powerful diverse
6 group that can now learn from those that are here and have experience. He noted that they
7 have the cultural background because they are coming from one of the pueblos, or Santa Fe,
8 or from somewhere else in New Mexico and he honestly believes that N3B can compete
9 with Triad, and this gives people a tangible choice on what do they want to do with their
10 career. Mr. Smith stated that if you train people to give them that next opportunity,
11 hopefully they will stay here. Mr. Smith stated that one of the things that they talk about is
12 safety first and safety always. What does that mean? Everybody can go to work, and
13 everybody hears that safety means something different to everybody. N3B is training their
14 people to know that you might not have appreciated where you were at and they may have
15 had different rules but now here, the rules here are what they are expected to execute. Not
16 only for the taxpayer but for the DOE, the media, and other stakeholders. When N3B did the
17 first CMP cut on June 29th they had EM-LA and others out there with them, because this was
18 a proud day. N3B had 57 people that they wanted to give retention bonuses to in order to
19 ensure for the next year that they would have their services, but only 22 accepted. Mr. Jeff
20 Avery visited Los Alamos last week and watched what they were doing with the CMPs, and
21 he said that this was different, there was something tangible there that was different. The
22 day after the cut, June 30th, 55 of the 57 signed up for the retention bonus. Collective
23 leadership the village matters, your view of the people that work here matter, they want to
24 take pride in what they do. Mr. Smith stated that he is so proud of what they have done, so
25 thank you and congratulations.

26
27

XI. Update from NMED

28 Mr. Rick Shean gave the update for NMED. He stated that Secretary Kenney and the
29 department appreciate the permanent spot on the agenda.

30 **Groundwater** – Well R-73 was being plugged and abandoned with oversight from NMED
31 and the State Engineer's Office. The well was plugged above the water table but while
32 pulling on it, there were some problems with some of the hydraulics with the rigs, so they
33 were taken away for repairs for about 2 to 4 weeks, but they continue to receive updates
34 from N3B. There is a notice of disapproval sent for the Chromium Interim Measure and
35 Characterization Work Plan and NMED expects DOE to respond by the end of this month
36 (July) and they have planned a meeting this week to go over with them before they submit
37 it. NMED approved modifications of a drilling plan for R-76 since we last met with the
38 NNM CAB and they have also toured a potential site for a new monitoring well at the Pueblo
39 de San Ildefonso. NMED will be meeting with their Environment Department and their
40 cultural preservation staff to discuss proposed well locations for the Chromium Plume. The
41 IM for the chromium plume has been shut down since April 1st as they are still sort of at an
42 impasse and non-agreement, but NMED is currently waiting on a proposal for alternative
43 injection locations from DOE so we can continue the extraction and reinjection of the water
44 sooner than later. NMED has reviewed an annual progress report for the plume, and they
45 have also reviewed a fate and transport modeling and revised risk assessment for the RDX
46 contamination. Currently, NMED is really focusing on the chromium plume at this time

1 however the characterization will be conducted before risk of the RDX plume can be
2 evaluated.

3 **Middle DP Road** – DOE is still conducting field investigations and collecting their
4 confirmation samples and NMED still waits for completion of the work and a final report to
5 review.

6 **Permit Related Activities** – The permit application was submitted in 2020. NMED has sent
7 two administrative incomplete determinations to DOE. NMED is currently waiting for DOE to
8 submit a revised application that includes an additional storage unit. DOE submitted earlier
9 this year the re-submittal of a renewal application. NMED has postponed a renewal
10 application until a class 2 permit modification to add the storage unit at Technical Area 60 is
11 approved so changes in storage units are reflected correctly in the application that NMED
12 receives. Also earlier this year, they submitted class 2 permit mod for the addition of a
13 hazardous waste management unit at TA 60 and NMED has sent an administrative
14 incomplete letter. NMED received public comments during the public during the comment
15 period review from DOE which seismic concerns were raised in the comments as NMED is
16 currently working with DOE to resolve the issues.

17 **Consent Order** – Proposed FY24 Appendix B is due to NMED this month and they will plan to
18 review the proposal and start discussions with the DOE to finalize it.

19 **WIPP Update** – WIPP permit renewal, NMED, WIPP Permittees and Stakeholders
20 successfully negotiated a settlement agreement for the 10-year renewal during the week of
21 June 20th through June 23rd. The two parties had filed that they wanted a hearing, they
22 withdrew their hearing, and so they have freed up their summer. A public notice announcing
23 a public meeting will be issued on August 15, 2023. NMED will hold a hybrid public meeting
24 on September 22, 2023, on WebEx and in Santa Fe and Carlsbad to go over details and allow
25 the public to ask their questions and comments. NMED believes the final permit will be
26 issued early October 2023 and with an effective date 30 days after or early November.

27 **Shipments Update** – Total shipments as of January 1, 2023, are 252. They have received 185
28 from Idaho National Laboratory, 33 from LANL, 18 from Savannah River Site, 11 Oak Ridge
29 National Laboratory, and 5 from Argon National Laboratory in Illinois.

30 **XII. Public Comment Period**

31 Ms. Fernandez opened the floor for public comment at 4:15 p.m.

32 With no public comment, Ms. Atcitty closed public comment at 4:16 p.m.

33 **XIII. Comments from Board Members**

34 Mr. Life stated that in everything you do in life you learn new things from different people
35 and one of the things he has learned is when you have an emergency, the mental approach
36 is just getting there and getting the job done. What he has learned over the years is when
37 you rush in to things that may be considered an emergency, you get tunnel vision and the
38 tunnel vision is where a lot of things go wrong and people sometimes get hurt, so having
39 some kind of a collaborative approach to getting work done and thinking things through is
40 an important aspect in getting any job done whether it is an emergency or a long term
41 project. He noted that all the cleanup needs to get done but it needs to get done safely.
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1 Mr. McLaughlin stated that he would like to echo Mr. Murphy's comments about context
2 because he thinks it is critically important and he thinks it was a particularly effective day.
3 He thanked Mr. Shean, Ms. Dhawan, Mr. Smith, and Mr. Mikolanis; especially for their
4 courtesies in allowing the members to dig into things and understand what goes on and why
5 the answers are what they are.

6 Ms. Laurent stated that she appreciates being there in person because she was appointed
7 during the pandemic, and it didn't feel the same during the pandemic. She appreciates all
8 the updates and appreciates them all being at the meeting in person.

9 Mr. Hayden stated that this was for him a particularly exciting, energetic discourse that he
10 hoped the NNM CAB would be about since day 1 and he is very happy about that. He
11 thanked Mr. White for being at the meeting.

12 Ms. Martin stated that she appreciates the fact that they have NMED, DOE, N3B and
13 someone from Headquarters all at the same table and she thinks they are making really
14 good progress. She noted that she would like to see the NNM CAB take on more
15 responsibility and write more recommendations.

16 Mr. Hewlett stated that he though this meeting was phenomenal, and he agrees with Mr.
17 Hayden. This is what he was hoping this would be and to hear the discussions on MDA H and
18 the Chromium Plume has given him a much deeper understanding of where DOE is with it
19 and where the NNM CAB can be of help in forming recommendations.

20 Mr. Pacheco stated that this was a really good meeting today. It was very different
21 considering they had a roundtable discussion instead of a presentation. He really liked the
22 dialogue between the NNM CAB, DOE and NMED. He also appreciates Mr. Diehl's comments
23 on the shafts, it was really great information. Mr. Pacheco stated that he is looking forward
24 to some more great dialogues like this and more roundtable discussions.

25 Mr. Pacheco stated well done and thanked everyone for the discussion.

26 Ms. Santistevan congratulated the new officers, Ms. Fernandez and Mr. Pacheco, taking
27 over October 1st. She reminded members to turn in their mileage reimbursement forms to
28 NNM CAB Staff. Ms. Santistevan reminded members about the August 23rd virtual meeting
29 from 9:00 am to noon and that they would be considering the recommendation on MDA H
30 for approval at that meeting. The next Board meeting will be on September 20th in Taos,
31 New Mexico and might be an overnight stay for those members over 50 miles away. She
32 noted that the EM SSAB Chairs meeting would be in Oak Ridge the week of October 2nd and
33 the WIPP Tour would be November 6th and 7th.

34
35 **XIV. Adjournment**

36 Ms. Gilbertson thanked the members for the time and commitment to the NNM CAB.

37 With no additional business to discuss, Ms. Gilbertson adjourned the meeting at 5:04 p.m.

1 **Respectfully Submitted,**

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5 **Ms. Elena Fernandez, Interim Chair, NNM CAB**

6 ***Minutes prepared by Bridget Maestas, Executive Assistant, NNM CAB**

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8 **Attachments**

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- 9 **1. Final NNM CAB Meeting Agenda for 07/19/2023**
- 10 **2. Final NNM CAB Meeting Minutes for 05/17/2023**
- 11 **3. Candidate Statement, Elena Fernandez**
- 12 **4. Candidate Statement, Mark Hayden**
- 13 **5. Candidate Statement, James Murphy**
- 14 **6. Candidate Statement, Patricio Pacheco**
- 15 **7. Handout, Draft Recommendation Outline written by Elena Fernandez**
- 16 **8. N3B Cleanup Snapshot for March 2023**

17 **Public Notice:**

18 ***All NNM CAB meetings are recorded. Audio files will be placed on file for review at the NNM CAB**
19 **office, 94 Cities of Gold Road, Santa Fe, New Mexico, 87506. The written minutes are intended as a**
20 **synopsis of the meeting.**