



Northern New Mexico Citizens' Advisory Board Meeting

September 20, 2023

1:00 p.m. to 5:00 p.m.

Hybrid Meeting

The video for the September Board Meeting can be viewed on the NNMCAB YouTube Channel:

[NNMCAB September 2023 Meeting \(youtube.com\)](https://www.youtube.com/watch?v=...)

Minutes

Meeting Attendees

Department of Energy

1. Ellie Gilbertson, Deputy Manager, Environmental Management Los Alamos
 2. Keith Grindstaff, Co-Deputy Designated Federal Officer, Environmental Management Los Alamos
 3. John Evans, Environmental Management Los Alamos
 4. Robert Reine, Environmental Management Los Alamos
 5. Kara Hetrick, Environmental Management Los Alamos
 6. Miquela Vargas, Environmental Management Los Alamos
 7. Cheryl Rodriguez, Environmental Management Los Alamos
 8. Allison Scott Majure, Environmental Management Los Alamos
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NNMCAB Members

1. Elena Fernandez, Interim Chair
 2. Melissa Casias
 3. Sterling Grogan
 4. Mark Hayden
 5. Martinez Hewlett
 6. Anne Laurent
 7. Manuel L'Esperance
 8. Roger Life
 9. Beverly Martin
 10. Stephen McLaughlin
 11. Patricio Pacheco
 12. Jamie Viarrial
 13. Miguel Vigil
 14. Joseph Villegas
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NNMCAB Staff/Support

1. Menice Santistevan, Executive Director
2. Bridget Maestas, Executive Assistant
3. Yolanda Valdez, Administrative Assistant, Environmental Management Los Alamos

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Guests

1. Amanda Sanchez, N3B
2. Cheryl Atcitty, Public
3. Brenda Bowlby, N3B
4. Elicia Williams, Environmental Management Los Alamos
5. Brad Smith, N3B
6. Oral Saulters, Los Alamos National Laboratory
7. Scott Kovac, Nuclear Watch New Mexico
8. Michael Peterson, New Mexico Environment Department
9. Wayne Barber, Exchange Monitor Publications
10. Sarah Chandler, Environmental Management Los Alamos
11. Erich Evered, N3B
12. Gail Mattson, Longenecker & Associates
13. Patricia Medina, Environmental Management Los Alamos
14. Kevin Reid, N3B
15. Angela Martinez, Los Alamos National Laboratory
16. David Abelson, N3B
17. Caitlin Martinez, New Mexico Environment Department
18. Renee Martinez, Environmental Management Los Alamos
19. Kent Rich, Environmental Management Los Alamos
20. Matt Miller, US Representative Teresa Leger Fernandez Office
21. James Dark, Los Alamos National Laboratory
22. Kelsey Shank, theEDGE
23. Rachel Powell, Los Alamos National Laboratory
24. Sara Gerlitz Peck, Office of Natural Resources Trustee
25. Stephanie Gallagher, Environmental Management Los Alamos
26. Siona Briley, New Mexico Environment Department
27. Mitchell Schatz, New Mexico Environment Department
28. Rita Cabral, Industrial Economics, Incorporated
29. Annie Quintana-Eddins, US Representative Gabe Vasquez Office
30. Chelsie Frasure, Environmental Management Los Alamos
31. Tom McCrory, Environmental Management Los Alamos
32. Jeff Holland, N3B
33. Luciana Vigil-Holterman, Los Alamos National Laboratory
34. Nadia Martin, Industrial Economics, Incorporated
35. Neelam Dhawan, New Mexico Environment Department
36. Jennifer Green, Los Alamos National Laboratory

39 ***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 September 20, 2023, in a hybrid format. Mr. Keith Grindstaff, Co-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 1:01 p.m.

7 Mr. Grindstaff recognized Ms. Elena Fernandez, the NNMCAB Interim Chair. Ms. Fernandez
8 presided at the meeting.

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

11 **II. Establishment of a Quorum (Roll Call)**

12 Ms. Fernandez conducted roll call for board members and guests in person and on WebEx.
13 At the call to order, 12 NNMCAB members were present or online. Ms. Fernandez stated
14 that the meeting was being recorded to produce the minutes of the meeting.
15

16 **III. Welcome and Introductions**

17 Ms. Fernandez welcomed everyone to the meeting. She stated that she is the Interim Chair
18 through September 30th and Mr. Patricio Pacheco would be the incoming Vice-Chair elect
19 beginning in October. She noted that at that time, she would transition from Interim Chair
20 to Chair until the end of her term.
21

22 Ms. Ellie Gilbertson introduced two individuals that would be serving as Co-Deputy
23 Designated Federal Officers (Co-DDFO): Mr. Keith Grindstaff and Ms. Kara Hetrick. Mr.
24 Grindstaff was present at the meeting and Ms. Hetrick joined virtually. Ms. Hetrick and Mr.
25 Grindstaff gave a brief introduction.

26 **IV. Approval of Agenda**

27 The board reviewed the agenda for the September 20, 2023, meeting. Ms. Fernandez
28 opened the floor to entertain a motion to approve the agenda.
29

30 Mr. Stephen McLaughlin made a motion to approve the agenda; Mr. Mark Hayden seconded
31 the motion. The motion to approve the agenda as presented passed.

32 **V. Approval of Minutes**

33 The board reviewed the minutes from the July 19, 2023, Board Meeting. Ms. Fernandez
34 opened the floor to entertain a motion.
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36 Mr. Stephen McLaughlin made a motion to approve the minutes; Mr. Marty Hewlett
37 seconded the motion. Ms. Fernandez opened the floor for discussion.

38 Discussion:

39 Mr. Mark Hayden stated that he had a comment on Section VIII regarding the Draft
40 Recommendation on MDA H. He stated that it was a rather long discussion, and it doesn’t
41 seem to have captured it all and he has a recommendation that he will submit in writing for

1 additional comment. Ms. Fernandez stated that she looked forward to his minority report
2 for his recommendation.

3 With no further discussion, the motion to approve the minutes passed with Mr. Hayden
4 voting against.

5
6 **VI. Old Business**

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

8 **Ms. Fernandez, NNMCAB Interim Chair**

9 Ms. Fernandez stated that in the August Subcommittee Meeting, members who were
10 present voted in favor of the recommendation on Materials Disposal Area H (MDA H).
11 There was one nay vote. This was a long recommendation, and it was intentionally
12 made to capture comments from NNMCAB members, NMED and EM-LA. The comments
13 are listed in the recommendation. The recommendation also reflects the concerns of
14 the public and the rationale behind the recommendation. Ms. Fernandez stated that
15 they also recommend a third-party technical review which is not a requirement in the
16 Consent Order, but may be a beneficial aid to the cleanup crew if that is something they
17 would like to pursue.

18 Ms. Fernandez stated the subcommittees are awaiting Work Plan priorities from the
19 DOE EM-LA office so they can update their Work Plans. She noted that the
20 subcommittees must also hold elections for subcommittee Chair and Vice-Chair for
21 FY2024. She also noted that the deadline for that was the end of September, but they
22 will move the meetings and elections to October.

23 Ms. Fernandez let the public know that the subcommittees are where the work for the
24 NNMCAB is done. The subcommittee meetings are announced ahead of time with an
25 agenda and are open to the public with time for public comment and opportunity for
26 the public to engage directly with the subcommittees. These meetings are held via
27 Webex.

28 **b. Update from Subcommittee Chairs**

29 **Consent Order Subcommittee**

30 Mr. Mark Hayden stated that the Consent Order Committee has been talking about their
31 Work Plan and they were advised to hold off until after this meeting because there's
32 some discussion that will happen that will be germane to what they put in their Work
33 Plan. Mr. Hayden stated that the Consent Order Subcommittee will discuss that after
34 this meeting and will also hold elections. He noted that they lost a member, Jim
35 Murphy, Vice-Chair, and they are looking for someone to take that position. He asked
36 that anyone interested should contact him, Mr. Stephen McLaughlin, or Mr. Patricio
37 Pacheco.

38 Mr. Hayden stated that in the last meeting, there was a long discussion on MDA H and
39 on July 19th the NNMCAB voted for that recommendation, but he did not. Mr. Hayden
40 stated that he rejected it because NMED did not have an opportunity to comment in
41 writing until this month. He noted that in the Santa Fe New Mexican on Tuesday
42 (September 18, 2023), it printed the position of NMED, and they rebuffed the DOE plan.
43 In the article, NMED stated that it was not adequate and outlines their objections why.

1 Mr. Hayden stated that one of the things he asks for is a revisit of the vote based on the
 2 NMED comments. He would recommend to the board that they look at the comments
 3 and revisit that.

4 **Public Outreach Subcommittee/Risk Evaluation & Management Subcommittee**

5 Ms. Elena Fernandez stated that the Work Plans had been sent out in June or July for
 6 members to review. She noted that they would meet to finalize the Work Plans once
 7 they have the information from DOE. Ms. Fernandez stated that they would also hold
 8 their elections. She noted that she hoped to get the dates finalized soon and out to the
 9 public.

10 Members of the Public Outreach Subcommittee have met with the web design team.
 11 The web design team sent the subcommittee a beta site so members can see how the
 12 new site will function and what features it has. Ms. Fernandez noted that she has sent
 13 Public Outreach Subcommittee members an email with the link to the beta site to
 14 review.

15 **VII. New Business**

16
 17 Mr. Sterling Grogan stated that he would like to follow up on what Mr. Hayden said earlier.
 18 He asked Mr. Hayden how does the NNMCAB proceed in his view, is there a motion to be
 19 made? Mr. Hayden stated that what he would recommend is to review NMED’s concerns
 20 and then as a group revisit the recommendation that was given on MDA H in light of their
 21 comments and see if the Board still agrees on the recommendation. He noted that the
 22 Board did not have the expertise of that talent when they voted and, in his opinion, it was
 23 done prematurely so a vote to revisit that would be the next step. Mr. Grogan stated that
 24 NMED’s concern is what concerns him. He noted that the newspaper article says, “But the
 25 State Environment Department argues in a written statement that excavating the site...” He
 26 asked if Mr. Hayden or others have seen the written statement. Ms. Gilbertson stated that
 27 she would provide an update later in the meeting and that she would address the topic. She
 28 noted that the statement is available on NMED’s website, and the hyperlink would be
 29 provided to the members after the meeting. Mr. Hayden stated that when the time is right,
 30 he would be happy to make a motion and suggested the members look at the Santa Fe New
 31 Mexican from Tuesday the 18th to get some insight as to what NMED is doing and he would
 32 like the NNMCAB’s recommendation to have the benefit of that. Ms. Fernandez stated that
 33 she looks forward to Mark’s minority report that will be included in the recommendation.

34 **VIII. Update from EM Los Alamos Field Office**

35
 36 Ms. Gilbertson stated that she appreciates approaching the topic regarding the State’s
 37 response to MDA C not MDA H. It is important to know because there are similarities
 38 between what was provided to EM-LA regarding MDA C and MDA H. On September 5th EM-
 39 LA received NMED’s recommendation regarding the selection for MDA C’s final remedy.
 40 NMED’s response was based on the Corrective Measures Evaluation (CME) Report that EM-
 41 LA submitted to the regulator in June of 2021. NMED’s Statement of Basis was issued on
 42 September 7th and includes a 60-day public comment period which will end November 6th.
 43 NMED will select the final remedy after considering public input. EM-LA is reviewing NMED’s
 44 Statement of Basis, and they support the corrective action process that is laid out in the
 45 Consent Order, and it requires public comment and a hearing, if requested before NMED

1 may select a final remedy. EM-LA will continue to work with NMED on the Statement of
 2 Basis that they have provided regarding MDA C and this clearly differs from what EM-LA put
 3 forth and additionally, there has been extensive time between when EM-LA submitted their
 4 CME and the letter received from NMED. The letter is available on NMED’s website and will
 5 be made available to the NNM CAB.

6 **Hexavalent Chromium Plume** – EM-LA is working closely with the State regarding the
 7 Hexavalent Chromium Plume and the Interim Measure (IM). In March 2023, DOE received
 8 regulatory direction to cease injection and thereby stopping the IM altogether. Three party
 9 technical summits have been conducted between DOE, NMED, and the Pueblo of San
 10 Ildefonso. However, these meeting have reached an impasse, and they are working to
 11 resume the meetings. There is some urgency behind this because the recent monitoring
 12 data shows that three wells, R-70, R-45, and CrEX-5 have increased they are adversely
 13 impacting the aquifer. They have detected increased concentrations of Chromium and they
 14 have informally notified NMED that the concentrations have increased, and they did so prior
 15 to the August 21st Radioactive and Hazardous Materials Committee meeting. On September
 16 7th, EM-LA received a proposal from NMED’s Groundwater Quality Bureau and the
 17 Hazardous Waste Bureau to allow for some injection. This letter, however, was sent to EM-
 18 LA with no socialization and no notification or prior discussion. Therefore, EM-LA is
 19 presently reviewing the conditional proposal and preparing a response. EM-LA affirms that
 20 the Chromium IM restart should occur as soon as possible, but they want to ensure that the
 21 future operations of the IM protect the aquifer. EM-LA is looking forward to speaking with
 22 the State and to continue their discussions. Ms. Gilbertson stated that a copy of the letter is
 23 on the NMED website and can be made available to the NNM CAB.

24 **Strategic Vision** – This is a priority project for EM-LA to provide long-term stakeholder
 25 informed strategic vision from the ground up on the remaining legacy cleanup projects.
 26 They have completed phase 1 and 2 with diverse stakeholder groups which includes
 27 approximately 170 participants representing over 20 stakeholder and Pueblo groups. They
 28 have received close to 2,000 separate comments and pieces of feedback that they are
 29 evaluating. EM-LA is working with their contracting partner Longenecker & Associates on
 30 the details for Phase 3 which will include sharing the framework for the strategic vision
 31 document in a town hall type session. They will be showing how participant input was used
 32 and incorporated in informing their cleanup strategies for future missions to come. Ms.
 33 Gilbertson stated that they would keep members updated moving forward.

34 **IX. Update and Look Ahead from N3B**

36 Mr. Brad Smith, President and General Manager gave the update for N3B. Mr. Smith stated
 37 that he looks forward to working with the new leadership at the NNM CAB, Ms. Fernandez
 38 and Mr. Pacheco.

39 Mr. Smith stated that their priority is to protect the water quality, clean up the land, and
 40 ship waste off site. With those top three initiatives N3B’s scopes of work fit under that. Mr.
 41 Smith and his new team are emphasizing conduct of operations, operational excellence, and
 42 worker safety. N3B has increased the tempo of work, so as that increases, the workforce
 43 becomes even more important in how safely they execute the work. Around a month ago
 44 N3B declared a stop work on their training qualification. They were finding gaps in their
 45 paperwork. They have gone through readiness demonstrations for the workers in the high

1 hazard environments and the regulatory environments. They were successfully executing
2 their jobs, but it's like anything else, if you're driving on an expired license, you might be
3 proficient, but in accordance with the law you're not totally legal. N3B has been
4 emphasizing with their workforce if they see something say something and the work will
5 pause or stop. Mr. Smith stated that they now do management observations, and the
6 workforce sees him and his management team out. When they couldn't demonstrate
7 compliance, they took that time out and over the last 3 1/2 weeks they have gotten their
8 training qualification programs back in order. N3B anticipates having some external
9 oversight come in and verify what they have done.

10 N3B restarted the corrugated metal pipe campaign (CMP) and that began the week before
11 this meeting. Mr. Smith stated that he appreciates NMED and the Office of the State
12 Engineer for approving the R-76 well drilling permit.

13 Mr. Smith stated that one of the other things that they really want to do in a continuously
14 learning organization is to ensure that people like Ms. Bowlby and her teams understand the
15 requirements. N3B is upgrading their programs and processes that go in the new contract.
16 N3B has requested some HII and BWXT corporate reach back support and as N3B
17 implements the new programs, they're going to come in and do a vertical deep dive. This is
18 where they will go and look at each one of these programs to make sure that they are
19 implementing them appropriately.

20 Mr. Smith noted again that the CMP activities recommenced. Part of the stop work included
21 the CMP retrievals and the drill and drain operations and maintenance. In the last three
22 weeks they have been doing minimum staffing requirements so that they could support the
23 work as it was happening. N3B had a process that was called Senior Manager Review Board
24 led by Jeff Stevens, Executive Officer. He would report daily to Mr. Smith, Mr. Mikolanis, Ms.
25 Gilbertson, and their teams on the status of where they were at and the action planning and
26 implementation of that action plan. They have since gone to a once-a-week update.

27 Mr. Smith attended the National Cleanup Workshop in Washington, D.C. and spent some
28 time with Mr. Ike White, Mr. Jeff Avery, Mr. Dae Chung, and others to explain where they
29 are at, where they are going, and the next steps. The partnership that EM-LA has provided
30 N3B has allowed them to accelerate what could have been a longer standout. The EM-LA
31 team sat with Mr. Smith and his senior team and worked through what was coming next.
32 Mr. Smith stated that the partnership is what's going to help them execute their mission and
33 they expect to get out of the full stop work within the next two to three weeks.

34 Mr. Smith stated that there are 14 milestones for FY23 on the Consent Order and they
35 expect to achieve all of them. The one that was close to completion, the R-76 well drilling,
36 he is waiting for the text and then he will share that, but if not today, then tomorrow they
37 will achieve that well drilling milestone. Well R-73, they have completed the plug and
38 abandonment. They are moving forward with final location cleanup. The team demobilized,
39 the report is going through finalization with EM-LA and then it will be sent to NMED and
40 that will bring a conclusion to that chapter.

41 Aggregate areas – The work completed in August 2023: they had North Ancho, part of the
42 Southern External Boundary Campaign, and the Threemile Aggregate part of the Pajarito
43 Watershed Campaign.

44 TRU Waste Shipments - That is a real focus area for N3B. As part of the CMPs is that basically
45 there's a 5 to 1 ratio of the number of CMPs. There are 158 of them so multiply it by 5-ish,

1 that is how many standard waste boxes they will create and eventually those will be shipped
 2 to WIPP. The current status on shipments, they have exceeded the number of shipments, as
 3 a reminder, it was 40 for the year and thus far they have made 59 shipments.

4
 5 **X. Update from NMED**

6 Ms. Caitlyn Martinez gave the update for NMED. Ms. Martinez stated that her background is
 7 in chemical engineering and works as an Environmental Scientist for NMED and is the Acting
 8 Program Manager for LANL’s Corrective Action Program with the Hazardous Waste Bureau.

9 **Consent Order** – The proposed FY24 Appendix B was submitted to NMED July 28th. Well R-
 10 73 has been plugged and abandoned with oversight from NMED and the Office of the State
 11 Engineer (OSE). The report on the plug and abandonment is due to NMED and OSE within
 12 30-days of plugging the well.

13 **Chromium Interim Measure** – NMED sent a Notice of Disapproval (NOD) for the Chromium
 14 IM and Characterization Work Plan on May 31st. NMED is waiting on DOE’s response to the
 15 NOD comments. NMED met with DOE on July 24th for an initial discussion on DOE’s response
 16 to the NOD comments, but no written response has been received as of yet. In the NOD,
 17 NMED required that DOE propose an alternative injection location as part of the revised
 18 document.

19 The Chromium IM has been shut down since April 1st. NMED and DOE have not agreed on a
 20 path forward. NMED required that DOE propose an alternative injection location so they can
 21 re-start extraction and treatment of the contaminated water. In that direction, NMED sent a
 22 letter to DOE on September 6th with their proposal for a path forward that would allow re-
 23 start of injection operations in the chromium plume area. NMED provided acceptable
 24 corrective actions that would allow for the temporary recommencement while an
 25 alternative injection location is developed. The U.S. Government Accountability Office (GAO)
 26 and the Radioactive and Hazardous Materials Interim Committee recommended that NMED
 27 and DOE retain an independent mediator. NMED supports that recommendation.

28 There has been discussion about the chromium concentrations in response to the shutdown
 29 of the IM. NMED is closely monitoring chromium concentrations. NMED believes that the
 30 implications discussed by EM-LA were a little bit preemptive and don’t represent the overall
 31 conditions. For example: Well R-70, the August data point showed a significant decrease in
 32 concentrations that now reflect an overall decrease since the shutdown of the IM in March.
 33 Whereas the concentrations at well R-45 remain consistent at about 20% increase and well
 34 R-61 has increased about 11%. NMED’s position is that there was a significant impact to the
 35 regional aquifer when they were doing the injection and extraction, and the responses are
 36 going to take time to get back to natural equilibrium. NMED will continue to evaluate it on a
 37 holistic basis as well as a specific basis.

38 NMED presented an update on the status of this chromium project to the National Resource
 39 Damage Assessment Trustee Council on September 13th. The Pueblo de San Ildefonso
 40 invited NMED and DOE to attend a Tribal Council working session on October 16th to discuss
 41 the proposed monitoring well on Pueblo land, SIMR-3.

42 **Groundwater** – NMED has approved the drilling Work Plan for well R-76 with modifications
 43 on June 8th. Drilling for R-76 is anticipated to begin September 21st if the permit is approved
 44 by OSE by then.

1 NMED provided review comments on the Interim Facility-Wide Groundwater Monitoring
 2 Program on September 14th. In the review comments, NMED would like to increase
 3 sampling frequency from quarterly to monthly for some of the chromium wells CrPZ-1
 4 through CrPZ-5. NMED also proposed to increase sampling from semi-annually to quarterly
 5 for SCI-1.

6 **Corrective Action Documents** – NMED issued a Statement of Basis for MDA C on September
 7 7th. They have selected the excavation of waste and appropriate disposal, but the final
 8 remedy will be selected after receiving input from the public comment. The public comment
 9 period is running until November 6th. NMED also approved the Investigation Report for
 10 Lower Water/Indio Canyon’s aggregate area on August 30th and NMED has also issued
 11 review letters for three of their periodic monitoring reports: the Technical Area 21
 12 monitoring group, the MDA C monitoring group and the 2022 vapor sampling at MDA C.

13 **Middle DP Road** – DOE has completed the field investigation and NMED is awaiting the
 14 submission of the final report for the cleanup.

15 **Permit Related Activities** – The permit renewal application was submitted in 2020. NMED
 16 has sent two administrative incomplete determinations to DOE. NMED is currently waiting
 17 for DOE to submit a revised application that includes an additional storage unit. DOE has
 18 submitted a Class 2 Permit Modification for the addition of the addition of a hazardous
 19 waste management unit at TA-60. NMED send an administrative incomplete letter to DOE
 20 on June 28th. NMED received public comments during the public during the comment period
 21 provided by DOE that discuss seismic concerns. NMED is working with DOE to resolve these
 22 issues. NMED approved a Class 1 Permit Modification request on September 14th that adds
 23 treatment to building 0069 at TA-50.

24 **WIPP Update** – WIPP permit renewal, NMED is holding a hybrid public meeting September
 25 22nd on WebEx and in person in Santa Fe and Carlsbad. The final renewal permit is to be
 26 issued in early October 2023 and the effective date will be 30 days later in early November
 27 2023. More information on the WIPP renewal and the public meeting can be found on the
 28 Hazardous Waste Bureau Webpage.

29 **Shipments Update** – Total shipments are 349. They have received 268 from Idaho National
 30 Laboratory, 38 from LANL, 20 from Savannah River Site, 16 Oak Ridge National Laboratory, 5
 31 from Argon National Laboratory, and 2 from Lawrence Livermore.

32
 33 **XI. Presentation on LANL Legacy Cleanup: Aggregate Areas**

34 Ms. Brenda Bowlby, N3B, presented on, “LANL Legacy Cleanup: Aggregate Areas.” An
 35 electronic copy of the presentation may be obtained from the NNMCAB Staff
 36 (menice.santistevan@em.doe.gov or bridget.maestas@em.doe.gov or on the website at:
 37 [LANL Legacy Cleanup: Aggregate Areas Presentation | Department of Energy](#))

38 Ms. Bowlby noted that N3B’s goal is to protect the water quality, clean up the land, and ship
 39 waste off-site. The Aggregate Areas are fundamentally responsible for the dirt portion of
 40 that. Ms. Bowlby explained that an Aggregate Area is fundamentally contaminated soil and
 41 debris, but it is technically an area within a single watershed or canyon at LANL and is made
 42 up of one or more solid waste management units (SWMU) or areas of concern (AOCs).

1 Under the Consent Order, Aggregate Areas are combined into campaigns to address area-
2 wide contamination, human health and ecological risk. Each Aggregate Area campaign has
3 multiple aggregate areas. There are 21 Aggregate Areas grouped into six campaigns:
4 Historical Properties Completion Campaign, Southern External Boundary Campaign, Sandia
5 Canyon Watershed Campaign, Pajarito Watershed Campaign, TA-21 D&D and Cleanup
6 Campaign, and the Upper Watershed Campaign.

7 **a. Questions**

8 Mr. Hayden asked if there is a chart that shows when you started, when you think it will
9 finish, how much was spent and what was done.

10 Ms. Bowlby stated that they keep that internally because they have to manage their
11 projects. She doesn't know how she would share that information, but all her project
12 managers have that information.

13 Mr. Hayden asked if any of that information is shared with NMED.

14 Ms. Bowlby stated that they don't go into the dollars. They do not ask, and the dollars
15 are never discussed in those meetings., but they do go through their schedule and their
16 progress. For the settlement agreement they keep a bar chart of what sites have been
17 initiated and completed, and the remediation initiated and completed.

18 Mr. Hayden asked if something like that could be shared with the NNMCAB he would
19 appreciate it.

20 Mr. Life asked if Beryllium is a concern in those areas and is that similar to an asbestos
21 issue where there's particulates that could be stirred up in the dust and inhaled, is that a
22 contamination concern.

23 Ms. Bowlby stated that they manage that hazard similar to an asbestos hazard. That is
24 why they have the workers protected and they don't stir it up.

25 Mr. Life asked if Beryllium is something that oxidizes and causes contaminants to go into
26 the soil.

27 Ms. Bowlby stated that she could not answer that, but she would find out and get an
28 answer back to the Board. She noted that their fundamental concern is that they are
29 trying to keep it from being airborne and inhaled.

30 Mr. Life asked about the concerns with Plutonium and is some of that concern about it
31 leeching into the groundwater supply.

32 Ms. Bowlby stated that their goal for Aggregate Areas is to keep it out of the water, so if
33 they are finding contamination of any kind, plutonium or whatever, their intent is to
34 determine where it is, bound the location, and focus on remediation. They work really
35 closely with the water program, and they have a lot of Individual Permit sites that are
36 collecting samples so if they have a high hit on anything, they reprioritize that particular
37 location to evaluate and see if they can find the source of it and remove it. She noted
38 that their job is to try and keep the contamination in the soil from getting into the water
39 table and then expanding.

1 Ms. Laurent missed what she said about the TA-21 campaign and the note on the
2 presentation said it was under a separate program. She noted that she didn't go into it
3 in more detail like the other campaigns and she wanted to understand that a little more.

4 Ms. Bowlby stated that under N3B's contract, TA-21 is identified as an Aggregate Area
5 and what they are required to do contractually is the sampling and removal of buried
6 waste lines and there are 38 SWMUs and AOCs. They started doing work at TA-21,
7 repairing a roof at Building 257 and while they were gathering information and learning
8 more about that area, they determined that they needed to put additional cautionary
9 measures before they could put workers back in those locations. Concurrently there was
10 an evaluation done at CH-TRU and the qualification standards for some of their
11 employees are the same qualifications they would need in a nuclear facility at TA-21, so
12 it was an opportunity for them to pause TA-21 while TA-54 evaluated the qualifications.

13 Mr. Grogan asked about TA-21 and her mentioning something about money. He is
14 wondering about cases where their activities intersect with the core mission of LANL,
15 whose budget pays for her work.

16 Mr. Brad Smith stated that there are clear lines of demarcation and once they get into
17 environmental management work, there is a service agreement that they have that is a
18 formal contractual mechanism between NA-LA and EM-LA.

19 Mr. Pacheco stated that he heard her talk about a lot of the protected species such as
20 the salamander and the Mexican Spotted Owl, and he was curious if they included the
21 New Mexico jumping meadow mouse, is it part of that list. They have been on there in
22 Jemez since 2014.

23 Ms. Bowlby stated that it is not in the ones that they have investigated so far, but it
24 could be in others. She noted that before they go out, they have an evaluation of
25 endangered species, candidate species threatened and if it is on that list then it is
26 flagged, and restrictions are put in place before they can proceed.

27 Mr. Pacheco stated that he heard her mention the acronym ppm several times in her
28 presentation and asked if she would let the members know what it is.

29 Ms. Bowlby stated that it is parts per million and it is usually micrograms per milliliter
30 that they are looking at.

31 Mr. McLaughlin stated that on the map there is a spot designated S-Site, what is it?

32 Ms. Bowlby stated that S-Site has two SWMUs and AOCs and it is just the name of the
33 site.

34 **XII. Public Comment Period**

35 Ms. Fernandez opened the floor for public comment at 3:47 p.m.

36 Mr. Scott Kovac from Nuclear Watch New Mexico wished to make public comment. Mr.
37 Kovac could not get his audio to work. Ms. Fernandez advised Mr. Kovac to submit his
38 written public comment to Ms. Santistevan to enter into record.

39 With no further public comment, Ms. Fernandez closed public comment at 3:50 p.m.
40

XIII. Items from Board Members

Mr. Hayden stated that he had a couple of comments. **1)** He wants to make sure that it goes on record that he is asking to share the September 7, 2023, NMED comments on MDA C. He was able to find them online, but it's not a direct link and it would be helpful for members to find it. The reason why it is important is because he thinks, as echoed by a couple of NNM CAB members, that the NNM CAB should make this recommendation an agenda item for the next meeting so it can be revisited after members look at the comments from NMED and then vote on whether they still agree with what they recommended without the NMED comments. **2)** When looking at the NNM CAB July 19th minutes, they changed. Rather than the two pages that was given to EMLA's report and the 2 pages for N3B, the entire recommendation section was about 12 lines, and it referenced a YouTube citation, but that wasn't really a link that worked if you typed it in. It only worked if it was a hyperlink which they don't have here today, and they can't access it. He thinks that the words are more important because this goes into the Federal Register and rather than a link that disappears, the words are more important. He would like to see that going forward. **3)** Mr. Hayden thought this meeting was going to enlighten him on and was more about what the Work Plan expectations were. They only have a couple of weeks to do it, but he has not really gotten clear guidance today and maybe other NNM CAB members want to comment.

Ms. Fernandez asked if Mr. Hayden was referring to the recommendation on MDA C or MDA H. Mr. Hayden stated that MDA H was in the recommendation section and MDA C was what was referenced by NMED and he thinks MDA A was referenced in there also, but clarification on them would be helpful and he believes the recommendation was on MDA C. Ms. Fernandez stated that the NNM CAB's recommendation that was submitted was on MDA H. Mr. Hayden stated that MDA H would be the one that would involve a re-visit for a review of NMED's comments followed by a vote of the NNM CAB.

Mr. McLaughlin asked if it is possible when the minutes come out four hours before the meeting it isn't very helpful and is it possible to get them a couple of weeks in advance of the meeting. Second, when there is a presentation like the one today, is it possible to get those in advance so members can review them as well and be prepared to ask questions from the experts that are at the meeting.

Ms. Fernandez stated that this goes up to Headquarters and what they clear. She noted that sometimes Headquarters doesn't clear the presentations until last minute.

Ms. Santistevan stated that the presentations go through the communications office and DOE Headquarters in Washington, and they also go through the Office of Management and Budget as well. Ms. Santistevan stated that this presentation was cleared the evening before the meeting.

Mr. Hewlett stated that he had a comment about the Risk Evaluation and Management Subcommittee. He believes that the subcommittee would be very excited to review the NMED statement on MDA C when the NNM CAB is reviewing MDA C, but MDA C is not MDA H. Attending TWG meetings over the last six months and hearing all of the information about MDA H led to the recommendation that was formulated about it and he does not know what discussing MDA C would have to do with that since the Risk Management Subcommittee knows nothing about MDA C at this point to make an intelligent comment

1 about what NMED has said about it. Mr. Hewlett stated that he is unsure why the NNM CAB
2 should review their vote based on that.

3 Mr. Villegas stated that the NNM CAB staff have outstanding work that they have done. He
4 noted that he has a very busy schedule, and it is nice to get reminded about things going on
5 at LANL and it really gives him an opportunity to chime in on the article or the email, but it
6 keeps him on top of things. Mr. Villegas stated that he appreciates their work and
7 acknowledges what they are doing.

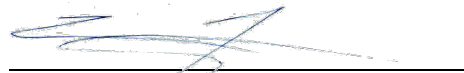
8 Mr. Patricio Pacheco thanked Mr. Grindstaff for attending today and welcomed him on
9 board. He stated that he is looking forward to the collaboration between the co-chairs for
10 the subcommittees and looking forward to some of the recommendations coming up that
11 they can help push forward. Mr. Pacheco stated that he received an email from LANL
12 regarding a copper water quality criterion at the Pajarito Plateau that will be coming up on
13 September 25th and public comment is going to be running through November 9th. It will be
14 a presentation from LANL on the copper water quality criteria that is being developed in
15 accordance with the US Environmental Protection Agency in their new Surface Water
16 Quality Act. He noted that the new Water Quality Act was passed, and those restrictions are
17 less stringent he is glad they will be looking at those.

18 Ms. Kara Hetrick wanted to say thank you for the opportunity to be here today and before
19 they adjourn, she wanted to make a small distinction for our communications. She stated
20 that there are two DOEs at the Los Alamos site, there is Environmental Management which
21 is who we are and then there is the lab side that is often called NNSA for the National
22 Nuclear Security Administration or Triad who is the contractor that runs the Laboratory for
23 DOE on that side. Ms. Hetrick thinks it may help our communications in the meetings if we
24 specify who we're talking about instead of just referring to Los Alamos because there are
25 two entities up here and if we say EM-LA and N3B, we know we're talking about the cleanup
26 side or if we're talking about the lab side if we preface it with NNSA or Triad. She thinks it
27 would help everyone to just make sure that the public that's online and in meeting minutes
28 for when those are read in the future that we all know who the intended point of contact
29 was.

30
31 **XIV. Adjournment**

32 With no additional business to discuss, Mr. Grindstaff adjourned the meeting at 4:21 p.m.

33
34 **Certified By:**

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36 _____

37 **February 18, 2024**

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

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

41
42 **Attachments**

- 43 1. **Final NNM CAB Meeting Agenda for 09/20/2023**
44 2. **Final NNM CAB Meeting Minutes for 07/19/2023**

- 1 **3. Biography, Brenda Bowlby**
- 2 **4. Presentation by Brenda Bowlby, N3B, "LANL Legacy Cleanup: Aggregate Areas"**
- 3 **5. N3B Cleanup Snapshot for April 2023**
- 4 **6. N3B Cleanup Snapshot for May 2023**
- 5 **7. N3B Cleanup Snapshot for June 2023**

6 **Public Notice:**

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