



Northern New Mexico Citizens Advisory Board Meeting

December 4, 2012

1:00 p.m. to 7:00 p.m.

Cities of Gold Conference Center

Pojoaque, New Mexico 87506

Minutes

Meeting Attendees

Department of Energy

Ed Worth, Deputy Designated Federal Officer (DDFO)

Christina Houston, DOE Environmental Projects Office

Lee Bishop, Federal Project Director, Los Alamos Site Office

Thomas Longo, DOE Headquarters

Robert Pfaff, DOE Environmental Projects Office

Pete Maggiore, Assistant Manager Environmental Projects Office

David Nickless, DOE Environmental Projects Office

Laura Day, DOE Environmental Projects Office – Project Time & Cost

Bob Zulick, DOE Environmental Projects Office – Project Time & Cost

NNMCAB Members

1. Carlos Valdez, NNMCAB Chair

2. Manuel Pacheco, NNMCAB Vice Chair

3. Lawrence Longacre

4. Joey Tiano

5. Nona Girardi

6. Robert Villarreal

7. Joseph Viarrial

8. Deborah Shaw

9. Art Mascarenas

10. Lawrence Garcia

Excused Absences

1. Nicole Castellano

2. Bonnie Lucas
3. Nick Maestas
4. Allison Majure
5. Ralph Phelps
6. Douglas Sayre

Absent

1. Adam Duran
2. Brenda Lee Gallegos
3. Kyle Harwood
4. Mike Loya

NNMCAB Support Staff

Menice Santistevan, Executive Director
Edward Roybal, Sound Technician
Tiffany Ortiz, Administrative Assistant
William Alexander, Technical Programs and Outreach
David, Video Technician

Guests

Daniel Cox, Los Alamos National Security
Stephen Schmelling, Public
Daniel French, Los Alamos National Security
Dave Cobrain, New Mexico Environmental Department
Hvtce Miller, Santa Fe County
Brett Henrikson, Los Alamos National Security
Michael Brandt, Los Alamos National Security
Carolyn Bateman, Project Time & Cost
Jim Ferguson, Project Time & Cost
Chris Edgmon, EDI
John Branch, LATA
Allan Chaloupka, Public
Katie Roberts, Los Alamos National Security
Jim Davis, New Mexico Environmental Department
Alison Dorries, Los Alamos National Security
Tori George, Los Alamos National Security
Lorrie Bonds Lopez, Los Alamos National Security
Colleen Curran, Los Alamos National Security

- 1 **Kathy Johns-Hughes, Los Alamos National Security**
 - 2 **Pattie Jones, Los Alamos National Security**
 - 3 **Steve Clemmons, Los Alamos National Security**
 - 4 **Scott Kovac, Nuclear Watch New Mexico**
 - 5 **Alex Puglisi, City of Santa Fe**
 - 6 **Joni Arends, Concerned Citizens for Nuclear Safety**
 - 7 **Pat Dentler, LATA**
 - 8 **Rick Ulibarri, Los Alamos National Security**
-

9
10

MINUTES

I. Call to Order

The bi-monthly meeting of the Northern New Mexico Citizens' Advisory Board (NNMCAB) was held on December 4, 2012 at the Cities of Gold Conference Center in Pojoaque, New Mexico. Mr. Ed Worth Deputy Designated Federal Officer (DDFO) stated that on behalf of the Department of Energy (DOE) the meeting of the NNMCAB was called to order at 1:13 p.m.

Mr. Worth recognized Mr. Carlos Valdez as NNMCAB Chair. The Chair presided at the meeting.

The meeting of the NNMCAB was open to the Public and posted in the Federal Register in accordance with the Federal Advisory Committee Act (FACA).

Mr. Valdez, stated that this NNMCAB bi-monthly meeting was originally scheduled to be held on November 28, 2012. However, when the New Mexico Environment Department (NMED) was unable to attend at that time the meeting was rescheduled to December 4, 2012.

II. Establishment of a Quorum (11 Needed)

A. Roll Call

Mr. William Alexander conducted roll call as the members arrived nine members were present at the meeting at the time of roll call. The board was left two members short of the quorum required for conducting business. Lawrence Garcia arrived at 1:20 p.m; the NNMCAB was still one short of the quorum required to conduct business.

B. Excused Absences

Mr. Alexander recorded that Nicole Castellano, Bonnie Lucas, Nick Maestas, Allison Majure, Ralph Phelps, and Douglas Sayre had excused absences for this meeting

C. Absences

Mr. Alexander recorded that Adam Duran, Brenda Lee Gallegos, Kyle Harwood, and Mike Loya were absent

III. Welcome and Introductions

Mr. Valdez welcomed attendees to the meeting. He asked for introductions from board members and attending guests.

IV. Approval of Agenda

The board reviewed the agenda for the December 4, 2012 NNMCAB meeting. The board would hear a presentation from Los Alamos National Laboratory (LANL) on the Framework Agreement.

1 The agenda was not considered since the necessary quorum was not present to conduct
2 a vote.

5 **V. Approval of Minutes from the September 26, 2012 Meeting**

6 The board reviewed the minutes from the September 26, 2012 NNMCAB meeting By
7 ongoing instruction from DOE Headquarters, the minutes were previously reviewed and
8 certified by the NNMCAB Chair, Mr. Carlos Valdez. Mr. Valdez stated that the September 26th
9 minutes were included in the board packets. Dr. Deborah Shaw noted that a clarification was
10 needed on pg 17 lines 15-19. Clarifying that the discussion was to what level PCB's need to be
11 cleaned up at the sites in question, the response was that PCB cleanup requirements depend on
12 which law is regulating the cleanup.

13 The minutes were not considered as the necessary quorum was not present to conduct
14 a vote.

17 **VI. Public Comment Period**

18 Mr. Valdez announced the first public comment period. No members of the public were
19 signed up to address the board. Mr. Valdez closed the public comment period.

22 **VII. Old Business**

23 **A. Written Reports.**

24 **1. NNMCAB Chair's Report**

25 A printed copy of the Chairs report was included in the meeting packets, and a
26 copy may be obtained upon request from the NNMCAB office at (505) 989-1662.

27 **Mr. Valdez opened the floor for discussion and comment.**

28
29 Dr. Nona Girardi asked for clarification on who had written the comments
30 regarding the draft recommendations. Mr. Valdez informed the board that the
31 comments were provided by Mr. Phelps.

32 Mr. Valdez noted that with no additional comments on the written reports
33 that board would move on to the EM-SSAB Meeting.

35 **B. EM-SSAB Chairs Meeting**

36 Mr. Valdez stated that semi-annually the Site Specific Advisory Board
37 Chairs (SSAB) convenes for national meetings. The fall meeting was held in
38 Washington DC on October 2nd and 3rd. The NNMCAB was represented by Mr.

1 Valdez, Mr. Manuel Pacheco, Ms. Brenda Gallegos, Ms. Menice Santistevan, and
2 Mr. Ed Worth. During the meeting four draft recommendations were developed
3 to be voted on by the individual boards. Voting on these recommendations
4 would be postponed until the January 30th meeting of the NNM CAB.

5 Mr. Valdez asked if the Vice chair Mr. Pacheco had any additional
6 comments. Mr. Pacheco addressed the board and asked that if the board
7 members or members of the public had recommendations they would like to see
8 drafted, to please bring them before the board for consideration. Mr. Valdez
9 stated that the next meeting of the SSAB would be hosted by the Hanford CAB in
10 April 2013.

11
12 **C. Other Items**

13 Mr. Valdez recognized Mr. Lawrence Longacre. Mr. Longacre addressed
14 the board with concerns on item number seven of the Chairs report (Upcoming
15 board member travel). Mr. Longacre noted that only the Chair, Vice Chair and
16 who ever volunteers first get to attend meetings outside Los Alamos and Santa
17 Fe. Mr. Longacre recommended that in the interest of making travel for the
18 members of the board more equitable, the board adopt a lottery system. Mr.
19 Longacre recommended that once a member was picked for a trip they move to
20 the end of the draw to give everyone a chance to go on travel.

21
22 Mr. Longacre added a second recommendation, suggesting that when a
23 member goes on travel that within 24 hours they submit a written report, or
24 recommendation to the board. This would serve as a validation for the tax
25 dollars spent in sending the NNM CAB member on the trip.

26
27 Mr. Valdez noted that the Executive Committee plans the upcoming
28 travel for the year, and makes the decision on who goes on that travel. Mr.
29 Valdez stated that the first trip in 2013 would be the Waste Conference in
30 Phoenix Arizona in February. Ms. Santistevan noted that DOE Headquarters has
31 asked Mr. Ralph Phelps to present a paper at the meeting; the NNM CAB will be
32 sponsoring Mr. Phelps at this meeting. Mr. Valdez noted that there was budget
33 to send two individuals, and that two people were already signed up.

34
35 Mr. Valdez informed the board that the next available opportunity for
36 travel would be the Spring Chairs meeting held at Hanford in April. The meeting
37 is for the Chair and Vice Chair, and one other NNM CAB member may attend. The
38 Executive Committee would like to take down names of members who would

1 like to attend. Members that were recommended were Douglas Sayre, Joey
2 Tiano, and Michael Loya.

3
4 Mr. Valdez recognized Dr. Shaw. Dr. Shaw agrees with Mr. Longacre on
5 the recommendation for travel. Dr. Shaw would like to see a more formal system
6 in place for travel, providing advance information to the NNMCAB members on
7 what the upcoming travel will be.

8
9 Mr. Valdez agrees that it is a good idea. Mr. Valdez also agrees that
10 coming back and developing a recommendation is key, it is what the NNMCAB is
11 here for. Mr. Valdez noted that the NNMCAB is a little light on recommendations
12 this year; however feels that is in part due to where Los Alamos is in its site
13 cleanup.

14
15 Mr. Valdez suggested that the members who should have first pick on
16 attending the Chairs meeting are those who the Executive Committee is looking
17 at to replace the Chair and the Vice chair. Attending the Chairs meeting allows
18 the upcoming replacements to have exposure to the requirements of the
19 position.

20
21 Mr. Longacre would still like to see a lottery system. Additionally he
22 asked where the budget for the NNMCAB comes from and if it was possible to
23 adjust the budget to accommodate additional travel.

24
25 Mr. Worth replied that the budget for the NNMCAB is provided by DOE
26 through a subcontract with Project Time and Cost. The budget anticipates the
27 reimbursement for mileage, one trip for the group, and meetings, and he
28 acknowledged more could be done to anticipate the travel needs and it can
29 definitely be looked into.

30
31 Mr. Valdez advised that the board was looking at a possible trip to the
32 Waste Isolation Pilot Plant in 2013.

33
34 Dr. Shaw agreed that some meetings are more beneficial to specific
35 members than others. Meetings that have a specific purpose could have a lottery
36 system that takes into account which members would benefit most from
37 attending the meeting.

1 Mr. Valdez asked that NNM CAB members think about the Fall Chairs
2 meeting and who would be interested in holding the Chair or Vice chair
3 positions.
4

5 Mr. Robert Villarreal asked the Chair for information on the average
6 number of recommendations produced by different advisory boards.
7

8 Mr. Worth stated that currently we do not have that information but we
9 could certainly look into that. Mr. Valdez asked Mr. Longo if he had any idea on
10 the number of recommendations.
11

12 Mr. Tom Longo noted that there is no threshold for the number of
13 recommendations required; however most boards produce only a hand full
14 during the year. Mr. Longo called out Savanna River as a fairly active CAB and
15 noted production along the lines of 6 recommendations a year.
16

17 Mr. Villarreal asked what initiates the need for a recommendation. Noted
18 that the Chairs report item nine states that possible recommendations were
19 discussed, would like to know what was discussed.
20

21 Mr. Longo responded that what the NNM CAB feels is important or
22 technical issues that need to be communicated to DOE, is often the driver
23 behind recommendations.
24

25 Mr. Villarreal stated that the NNM CAB had addressed the 33 shafts, that
26 this was a large scale project at LANL. Large scale projects such as this might take
27 three or four recommendations to satisfy the needs to be addressed.
28

29 Mr. Pacheco responded that each site within the DOE complex is unique;
30 some sites are going to generate more recommendations than others due to the
31 level of cleanup required. He noted that at the Chairs Meeting specific numbers
32 were not discussed; however some sites were more active than others. Savanna
33 River, Hanford, and Nevada were given as examples.
34

35 Mr. Longacre stated the no one really knows what happens at LANL, and
36 he has been critical of the board due to its level of inaction. However it is not all
37 the board's fault, Mr. Longacre notes that the only outside consultants that show
38 up at meetings or provide information is LANS. During the NNM CAB trip to Rocky

1 Flats Mr. Longacre states that he specifically asked the person in charge how
2 much influence the CAB at Rocky Flats had on the cleanup. The response was
3 that it had only minor influence on the cleanup. The Board is only as good as the
4 parent company in this case DOE is willing to accept. The point is, unless the
5 NNMCAB can change the culture at LANS to show that we are a representative
6 group of the people, the NNMCAB will continue to be digging in the same hole.

7
8 Mr. Valdez stated that it is reassuring to know that NMED is here at the
9 table. NMED is going to hold LANL's feet to the fire, if things are not getting done
10 at LANL they are the first to know and make the correction.

11
12 Mr. Longacre stated that NMED was tough on LANL under Bearzi, not
13 sure how tough the new administration at NMED is on LANL.

14
15 Mr. Valdez responded that he appreciated Mr. Longacre's comments and
16 would encourage him to submit them as a draft recommendation to be
17 presented to the NNMCAB for consideration.

18
19 Dr. Girardi would like to see Mr. Longacre's recommendation and could
20 see offering her support of the recommendation. Dr. Girardi stated that she sent
21 an e-mail to Ms. Santistevan requesting a presentation on the health problems
22 that effect workers at LANL.

23
24 Mr. Valdez replied that the board is working on providing a presentation
25 on health effects, possibly at the January 30th meeting of the NNMCAB.

26
27 Mr. Villarreal asked if there were any cleanup jobs at LANL that included
28 legacy waste and new waste mixed in percentages that the NNMCAB was
29 overlooking. The NNMCAB only gets involved with legacy waste. Are there LANL
30 projects where the two come together; can we address these?

31
32 Mr. Jeffrey Mousseau responded that there is a lot of work that goes on
33 related to the timely disposition of newly generated waste, to the requirements
34 that NMED lays out in the regulations. There are currently new facilities that are
35 being permitted and constructed for the disposition of new waste. An example
36 of this is the new facility that will be replacing Material Disposal Area G (MDA
37 G) and the work that goes on there. I don't know if that answers your question,
38 but there is a lot of work that goes on in regards to newly generated waste.

1
2 Mr. Villarreal responded that he is just looking to see if there are waste
3 forms that are a mix of legacy waste and newly generated waste, even just five
4 or ten percent. If there are can the NNM CAB address them?

5
6 Mr. Pete Maggiore referred to Mr. Worth on the Charter for the
7 NNM CAB, and what the board had purview to address.

8
9 Mr. Worth stated that the Charter of the NNM CAB was to provide
10 recommendations to the DOE on legacy waste at LANL.

11
12 Dr. Girardi stated that in discussing legacy waste the NNM CAB needs to
13 understand the risks and hazards imposed by that waste. What are the risks of
14 leaving it in place in relation to the risk incurred by the handlers if it is moved?

15
16 There being no further discussion under Old Business, the board moved
17 on to consideration of the 2012 Annual Self Evaluation.

18
19 **VII. Consideration and Action on 2012 Self Evaluation**

20 **A. Other Items.**

21 Mr. Valdez stated that if the results from the Board were put on a grade scale,
22 the results reflect a strong B. This is not bad but it could be better. Mr. Valdez
23 would like to recommend that question number 12 (support provided by CAB
24 staff both technical and administrative), be separated into two parts. These two
25 functions are different aspects that are difficult to combine and grade together.
26 He would like this change in the survey in 2013. Mr. Valdez noted that question
27 17 needs to be changed to ask the members how they would like to receive their
28 information. Would members prefer information in synopsis form or the
29 complete report?

30
31 Dr. Shaw suggested that information could be provided in both forms, allowing
32 each member to address the information in the format easiest for that individual.

33
34 Mr. Valdez noted that the NNM CAB support staff received high marks for 2012,
35 as in previous years.

36
37 Mr. Worth presented Eddie Roybal with a certificate of appreciation in
38 recognition of his work at the NNM CAB office. Mr. Roybal also accepted a certificate

1 of appreciation on behalf of Grace Roybal. Eddie and Grace are retiring at the end of
2 the year.

3
4 **IX. Items from DDFO**

5 **A. DOE Update**

6 Mr. Worth announced that Secretary of Energy Stephen Chu and the Head of the
7 NNSA Tom D'Agostino would be leaving; no information on who will be their
8 replacements. It was also noted that Kevin Smith would be leaving LASO to be the
9 Site Manager at Hanford.

10 Mr. Worth stated that LASO has looked for ways to provide additional
11 information to the NNMCAB that is not related directly to waste but has relevance
12 to the waste arena. An example of this was the outfalls project. The project manager
13 for the outfalls was brought in to provide information to the NNMCAB on the
14 outfalls. This provided the NNMCAB with hooks into other programs that are not
15 directly related to legacy waste, but provide information that expands the NNMCAB
16 members overall knowledge base.

17 During the last week of November five potential NNMCAB board members were
18 interviewed by Mr. Worth and Ms. Santistevan. Paperwork required for the
19 appointment of the new members has to be approved by DOE HQ; if approved the
20 new members would be appointed in spring 2013.

21
22 **The NNMCAB took a fifteen minute recess.**

23
24 **B. LANL Informational Video**

25 Mr. Kurt Steinhaus presented a three minute informational video on science and
26 development at LANL. The footage that was used to create the video is from LANL's
27 YouTube channel; however LANL does not have the rights to this video and it cannot
28 be posted to any portals. However, LANL does have permission to show the video at
29 public venues.

30
31 **X. Update on Framework Agreement**

32 **A. Presentation**

33 Mr. Maggiore, Mr. Mousseau, and Mr. Dan Cox gave a presentation to the
34 NNMCAB on the plan for above ground TRU waste disposition and Priorities for
35 FY13(Fiscal Year 2013 Planning Continuing the Governor's Priorities). A hard copy of
36 the presentation was provided in the meeting packets and can also be found on the
37 NNMCAB site at <http://www.nnmcab.energy.gov> under Presentations.

B. Questions

Mr. Valdez asked what was your methodology for the decision on the 33 shafts, was it based on risk or cost.

Mr. Cox stated the decision on the 33 shafts was based on worker risk. Other factors affecting the decision are cost, and the lack of a facility to handle the type of waste found in the 33 shafts.

Mr. Villarreal noted that each of the 33 shafts has waste that would fit into a 55 gallon drum, or the equivalent of thirty-three 55 gallon drums. One shaft contains a nuclear reactor, and some individuals are afraid of that but they shouldn't be. The reactor contains Plutonium which presents the least danger in terms of exposure. The others contain Cesium-137 and Strontium-90; these would present a potential problem. LANL has an opportunity with some innovative thinking to reduce the cost of the project. Mr. Villarreal said that he is convinced that it can be done. LANL should think about it now and have a plan for how to address the 33 Shafts when the time comes. Mr. Villarreal recommended the possibility of extraction using pipes, and packing the waste into drums which can be easily placed into WIPP containers. He also suggested the use of remote handling to remove the contaminated pipes and package them for transport to WIPP. It can be done and this is LANL's challenge.

Mr. Cox responded that over the next several years LANL will continue to research ways to remove the waste safely. He agreed that everything can be done from an innovative standpoint but LANL will have to stay within the federal and local requirements.

Mr. Villarreal replied that he would hate to see the 33 shafts left in place and stated "I will work very hard to make sure it doesn't happen."

Mr. Cox said we want to make sure that we look at the safety aspects, and ask as we go forward what are our benefits; what our risks?

Dr. Girardi asked if LANL does decide to remove the 33 shafts would the facility and training be similar to the facility and training needed for the reprocessing of plutonium oxides? Secondly, if the material is left in place would another type of containment need to be put in place? Thirdly, could you explain more about the dose and its risks to the workers?

1
2 Mr. Cox responded for your first question the training required would be
3 different from what is required for plutonium oxide processes. The facility would
4 also be different and would require a new hazard category two facility to be
5 constructed, likely on the Pajarito Corridor.

6
7 Dr. Girardi asked how long the new facility would be in service?
8

9 Mr. Cox stated it would be a very robust facility to process a small amount of
10 waste. In answer to the second question on containment, until the NEPA process is
11 complete; anything said at this point would be speculation.
12

13 Mr. Cox continued, on the question of dose, most of the containers at LANL have
14 a dose rate of around 10 mrem per hour. The dose rate on the shafts would be 100s
15 of mrem per hour this is orders of magnitude greater than the dose from the drums.
16

17 Mr. Longacre asked if LANL communicates with other sites around the country as
18 to how it handles these types of complex problems.
19

20 Mr. Cox explained that, this is the foundation of the strategy for the 3706; if you
21 look at my team we have personnel from Savannah River, Rocky Flats, and Hanford.
22 The team looks at how other sites are working these problems every day. Secondly
23 we are engaging the scientists at LANL to help us to solve these types of problems
24 using new ideas.
25

26 Mr. Mousseau added that Dan Cox did study drum retrieval at similar sites,
27 looking for specific technologies and methodologies for successful accomplishment
28 of the 3706 task.
29

30 Mr. Valdez asked if the below ground waste is part of the Consent Order?
31

32 Mr. Cox replied no, it is not part of the Consent Order, and it is only indirectly
33 related through the corrective measures for MDA G.
34

35 Mr. Valdez asked what is the time frame for turning TA-21 over to Los Alamos
36 County?
37

1 Mr. Mousseau stated that there is quite a bit of work still at TA-21 to completely
2 take all the structures to grade. At this point it is still speculation; possibly in the four
3 year time range.

4
5 Mr. Valdez asked if we continue under a continuing resolution (CR) is there a
6 work plan in place for what LANL will be doing?

7
8 Mr. Maggiore replied if we continue under a CR, Carlos, LANL would need to sit
9 down with NMED and make some decisions. The current work plan for FY13 is only
10 for six months because that is the only period of time with any certainty.

11
12 Mr. Valdez said he would like to hear from Jim Davis on this matter.

13
14 Mr. Davis NMED stated that he has been talking with Mr. Mousseau and Mr.
15 Maggoire for the last six weeks on what you have heard here. At this point the
16 biggest question is what the federal government is going to do about the budget.
17 Currently every agency is in operation under a CR. NMED has asked for certain
18 amounts of state money for the coming year. The question from the Legislative
19 Finance Committee is what will the impact be on NMED if its federal grants are
20 diminished? At this point NMED honestly doesn't know. NMED agrees with LANL
21 that at this point only the first six months of the year can be addressed with any
22 certainty. As outlined here, the Framework Agreement is a logical approach;
23 however, at its foundation it relies on funding from one level or another. Depending
24 on those levels NMED will sit down with LANL and move forward on the second half
25 of the year.

26
27 Mr. Valdez asked what happens if LANL is not able to meet the Framework
28 Agreement, will there be fines.

29
30 Mr. Davis responded that the Framework Agreement is a nonbinding agreement,
31 not signed by NMED or DOE, it's not enforceable. The Consent Order is still in effect,
32 and its end date is currently 2015. He stated that he was not involved with the
33 original negotiations on the Consent Order, and it's my understanding that
34 knowledgeable persons were of the opinion that 2015 was not achievable from the
35 beginning. It was a very ambitious goal, that was likely overly ambitious. These types
36 of goals can lead to misconceptions with the citizens. If you make a public
37 commitment to accomplish a task it sets up a reasonable expectation in the minds of

1 the citizens. As public officials if we go back on these commitments it can appear
2 that the obligation was not taken seriously.

3 I believe that it was a serious commitment but it was overly ambitious. NMED
4 has said that it will consider renegotiation of the Consent Order and an
5 establishment of a new final date. However NMED will not engage in negotiations on
6 the Consent Order until we have made it clear that unless we are convinced that
7 progress has been achieved and will be maintained in the 3706 campaign. At this
8 point what do we substitute for the 2015 date? NMED will need to sit down and
9 discuss this internally, addressing how much time after the below grade inventory is
10 removed, and how much longer after that to determine a final remedy. We will need
11 to determine a logical basis for obtaining a new end date.

12
13 Mr. Valdez asked if this was the first the state had heard of the plan for the 33
14 shafts.

15
16 Mr. Davis stated that NMED has been in talks with LANL on the plan for the 33
17 shafts since summer of FY12, approximately seven or eight months.

18
19 Mr. Villarreal responded that about one third of the shafts are nicely packaged in
20 one gallon containers, while an additional third were packaged in a way that is more
21 difficult. The last third will be the most difficult, in this case the waste was dropped
22 into the shaft and broken, and these shafts are the ones to worry about.

23
24 Mr. Valdez asked Bob Pfaff to give an update on what is happening with the
25 federal budget.

26
27 Mr. Pfaff stated that he is the Business and Technical Services Supervisor for Mr.
28 Maggiore at DOE. The budget is a key driver in our work scope. For FY'13 we are
29 under a six month CR operating to less than half of the \$188 million for FY'12. Both
30 the House and the Senate marks are at \$239 million, if they act there is a good
31 chance that LANL will get \$239 million. DOE is in full support of the \$239 million, and
32 is cautiously optimistic that it will happen. If we get a \$188 million for the CR we are
33 not going to be able to meet all of our commitments, it is vitally important that we
34 get \$239 million or close to it.

35 For FY'14 we are hoping that OMB gives us what our full request is. When the
36 President rolls out his budget in February then we can discuss where we are for
37 FY'14.

1 Mr. Valdez asked what about the ten percent sequestration?

2
3 Mr. Pfaff replied that if Congress has taken no action on the sequestration by
4 January 2nd, LANL would face an immediate 9.4 percent budget hit. Moving the
5 budget from \$188 million to \$169 million; this would affect jobs and work scope.
6

7 Dr. Girardi asked within the LANL budget is there any flexibility for moving
8 money from one fund to another.
9

10 Mr. Pfaff replied that most of the money is on the NNSA side. This money cannot
11 be mixed into the EM budget or it would constitute a violation of the appropriations
12 law. Within the EM budget the only ability we have is moving money from Nevada or
13 Livermore, however there is not very much flexibility there.
14

15 Mr. Valdez asked if anyone had additional questions.
16

17 Ms. Joni Arends with Concerned Citizens for Nuclear Safety said that she had
18 questions on the proposal for the new facility at LANL for processing TRU waste.
19 What problems would you see with designing that facility to handle the waste from
20 the 33 shafts?
21

22 Mr. Cox responded that the new facility would not be processing any waste; it
23 would be basically a staging area for waste until it is shipped to WIPP. It would
24 require a significant redesign to have remote handling of waste.
25

26 Ms. Arends asked would the RULOB facility be a possibility.
27

28 Mr. Cox responded the RULOB facility does not have the necessary shielding, or
29 meet the Haz Cat 2 facility requirements.
30

31 Ms. Arends continued by asking which facilities at LANL are currently Hazard
32 Category 2 facilities?
33

34 Mr. Cox answered that CMR, TA-55, Area G, WCRR, WIPP shipping facility, and
35 the Tritium Facility, are all currently Hazard Category 2 facilities.
36

37 Ms. Arends asked could you use any of those facilities to process this small
38 amount of waste?

1
2 Mr. Cox responded that again these facilities do not meet the requirements; the
3 closest facility would be the CMR.

4
5 Ms. Arends asked what would be happening to the existing low level waste that
6 is in the trenches at Area G?

7
8 Mr. Cox replied that currently that will remain in place.

9
10 Ms. Arends stated that the presentation slide showing that LANL met all of the
11 regulatory milestones needs to be clarified with respect to the number of extensions
12 that have been granted.

13
14 Mr. Davis noted that over the past year 60 extensions had been granted for
15 deliverables.

16
17 Mr. Valdez asked what was the latest on the Greater than Class C Waste?

18
19 Mr. Longo responded that due to the sensitivities surrounding such an
20 announcement, it was postponed he believed until January 2013.

21
22 Mr. Valdez noted that an answer was promised in December. He proceeded to
23 ask what the latest was on the MOX facility, and how it would impact Los Alamos?

24
25 Mr. Longo replied that unfortunately there was no information.

26
27 Mr. Valdez asked about the Chromium plume what is happening with that.

28
29 Mr. Mousseau responded that LANL has been working on that and has put
30 together an interim measure and is currently in discussions with NMED on it.

31
32 Mr. Davis added that Mr. Mousseau is exactly correct and NMED has requested
33 that LANL begin analyses and provide a proposal by the end of the calendar year.

34
35 Mr. Valdez asked what can the NNMCAB do to help expedite the proposal?

36
37 Mr. Maggiore responded that it should be kept on the NNMCAB's agenda.
38

1 Mr. Valdez stated that on the table was the draft board meeting schedule for
2 Calendar Year 2013. It was noted that at this time without a quorum that the
3 schedule could not be voted on.
4

5 Ms. Santistevan stated that for the Albuquerque meeting, we are looking at
6 having Cochiti Pueblo do a presentation on the effects of the Los Conchas fire. For
7 the May 22nd meeting a tour of the Buckman site in Santa Fe has been arranged.
8 There is also a possibility of a tour of the Waste Isolation Pilot Plant in October.
9

10 **The NNM CAB took a sixty minute dinner break.**

11
12 **XI. Public Comment Period**

13 Mr. Valdez announced the second public comment period. No members of the
14 public were signed up to address the board. Mr. Valdez closed the public comment
15 period.

16
17 **XII. Wrap-Up**

18 Mr. Valdez opened the floor for general comments from members of the board.
19

20 Mr. Longacre noted that the board could use more members that have a higher
21 level of education. We do need more expertise or possibly we could hire an outside consultant.
22 At present we only have what LANL tells us and we have no way to argue with them. So I would
23 like to see more expertise on the board.
24

25 Mr. Worth stated that historically so long as there was no conflict of interest any
26 individual may be appointed. Some of the boards were becoming a bit too technical and were
27 missing the opinions of lay people. I feel that with the mix of new candidates that we will see
28 some additional expertise coming on board.

29 There is no way that we can get around the process that is required to appoint a
30 board member; however, we can make every effort to get additional members with more
31 technical expertise.
32

33 Mr. Longacre asked who establishes that there are only six board meetings, why
34 not four why not twelve.
35

36 Ms. Santistevan stated the historically the board has met bi-monthly, this can be
37 changed. The six meetings for FY'13 were determined by the Executive Committee based on
38 the results of the annual survey, and the requirements of the EM-SSAB Charter.

1
2 Mr. Longacre stated that he would like the board to be more independent, to
3 not depend on LANL and DOE as much. I really don't know what the charter states I only know
4 that the board is supposed to make recommendations to DOE.
5

6 Mr. Worth responded if you want to be independent you can do that, that is how
7 the citizens groups are; however then you don't have the DOE funding and support that creates
8 venues like we are at today. That is the structure that we have as a CAB and you can't really
9 change that.

10 Ms. Santistevan noted that the Member Tool Kit contains the FACA, Charter, the
11 Guidance, and the boards Bylaws. The NNMCAB staff could provide an updated copy to Mr.
12 Longacre if the original copy was misplaced.
13

14 Mr. Davis thanked everyone and stated he was glad to have the opportunity to
15 be present at the meetings. If anyone has questions NMED would be glad to answer them and
16 would make every effort to be responsive.
17

18 Mr. Mousseau stated that LANL uses this forum to communicate what is coming
19 up at LANL, the NNMCAB offers challenging questions and comments that help LANS.
20

21 Mr. Maggorie, Mr. Worth, Mr. Pacheco, and Ms. Santistevan all thanked
22 everyone for attending.
23

24 Dr. Girardi thanked the board members and presenters for their work. Dr.
25 Girardi reiterated the need to look at legacy health issues; the need for a presentation to the
26 board on these issues, and also the need for more information on the member appointment
27 process.
28

29 Mr. Worth noted that he would take an action to get a briefing set up on why the
30 appointment process is set up like it is.
31

32 Mr. Villarreal and Mr. Tiano thanked everyone for their participation.
33

34 Mr. Garcia said that I have learned since becoming a board member, that LANL
35 cares about the environment and that they push hard to find the safest best way to clean up
36 the waste. Mr. Garcia thanked everyone for participation in the meeting today.
37

1 Mr. Valdez stated that the Executive committee's next meeting would be
2 January 9th 2013. It was also noted that the combined committee meeting would also be taking
3 place on January 9th 2013. Mr. Valdez informed the members that the next full NNMCAB
4 meeting would be January 30th 2013.

5
6 **XIII. Adjournment**

7 With no further business to discuss, Mr. Worth adjourned the meeting at 6:32
8 p.m.
9

10
11
12 **Respectfully submitted,**



13 **Carlos Valdez, Chair, NNMCAB**
14

15 ***Minutes prepared by William Alexander, Technical Programs and Outreach, NNMCAB**
16

17 **Attachments:**

- 18 1. **Final NNMCAB Meeting Agenda for 12/04/2012**
- 19 2. **Final NNMCAB Meeting Minutes for 9/26/2012**
- 20 3. **Report from Carlos Valdez, NNMCAB Chair**
- 21 4. **Report from Menice Santistevan, Executive Director**
- 22 5. **Draft Recommendations Package from the 10/03/2012 EM-SSAB Chairs Meeting**
- 23 6. **Draft Schedule for 2013 NNMCAB Board Meetings**
- 24 7. **LANL Fiscal Year 2013 Planning Continuing the Governor's Priorities Presentation**

25
26 **Public Notice:**

27 ***All NNMCAB meetings are recorded. Audiotapes and Video disks have been placed on file**
28 **for review at the NNMCAB Office, 94 Cities of Gold Road, Santa Fe, New Mexico, 87506.**

29 ***Reference documents listed in the Attachments section of these minutes may be requested**
30 **for review at the NNMCAB Office by calling (505)989-1662.**