



Northern New Mexico Citizens' Advisory Board Meeting Minutes
January 26, 2004
Cities of Gold Hotel
10 Cities of Gold Road
Pojoaque, New Mexico

Members in Attendance

Jim Brannon, Chairman
 Don Jordan
 Dr. Fran Berting
 Dorothy Hoard
 Jay Fries
 Timothy DeLong
 Shannon Aragon
 Abad Sandoval
 Jim Janis
 Grace Perez
 Barbara Gonzales

Members Excused

Katherine Guidry, Vice-Chair
 Jim Johnston
 David Church
 Wayne Wentworth
 Erlinda Gonzales

Members Absent

Governor John Gonzales
 Governor Raymond Loretto
 Elmer Torres
 Armando Benavidez

Ex-Officio Members

Beverley Ramsey, LANL

Deputy Designated Federal Officer
 Ted Taylor, DOE-LASO

Staff

Grace Roybal, Administrative Assistant
 William Hiller, Community Outreach Specialist
 Eddie Roybal, Sound Technician

Guests

Brenda Finley, DOE-LASO
 Dr. Paul Schumann, LANL/RRES
 Chris Mechels, Public
 Joni Arends, CCNS
 Adam Rankin, Albuquerque Journal
 Jeff Tollefson, Santa Fe New Mexican
 Ken Adkins, LANL/CER-1
 Doug Stavert, LANL/RRES
 Tom Starke, LANL/RRES
 Donovan Porterfield, Public
 Steve Yanicek, NMED

The meeting was called to order at 1:10 PM by Ted Taylor, Deputy Designated Federal Officer.

Noting that several members were excused for illness, and that one more member was due to arrive late, Mr. Taylor stated that the meeting was opened as an information meeting only due to the lack of a quorum, and then turned the proceedings over to Northern New Mexico Citizens' Advisory Board (NNMCAB) Chairman Jim Brannon. The meeting was open to the public and posted in the Federal Register in accordance with the Federal Advisory Committee Act. Roll call established 10 members present at the start of the meeting.

Mr. Brannon released a short statement from Executive Director Menice Manzanares, explaining her absence due to illness. He then reviewed the agenda and briefed the Board on several activities in which he had been involved.

Mr. Brannon reported that there is no significant progress on the New Mexico Environment

Department (NMED) Corrective Action Order, in terms of an agreement being reached between the Department of Energy (DOE), University of California, and NMED. Furthermore, he reported that the release of \$42 million for environmental restoration and waste management activities, which is being held up until finalization of this Order, is at a stalemate, with Senator Bingaman's office requesting that DOE release those funds immediately, and Senator Domenici's office indicating that federal law requires that the funds be held until completion of the Order.

Mr. Brannon informed the Board that the national Site-Specific Advisory Board (SSAB) chairs will be planning their semi-annual meeting during a teleconference on January 30, 2004. The annual meeting will be slated for April 2004, in Washington, D.C. He stated that following the chairs' conference in fall of 2003 he had, on behalf of the NNCMAB, signed a letter from the chairs to DOE Undersecretary Robert Card regarding the need for transition plans for all SSAB's when their associated sites are entering long-term stewardship phases at the end of cleanup activities. According to the letter, such transition plans would need to address how an ongoing public presence would be maintained at each site.

Mr. Brannon announced that the Hanford Advisory Board (HAB) in Washington had invited NNM CAB members to a tenth anniversary event February 5-6, 2004, and he highlighted HAB's status as an acknowledged key player and equal partner with the regulatory agencies at the Hanford site. In light of the non-refundable plane tickets that had been purchased for the HAB trip, Mr. Taylor asked for two volunteers to go in the place of Ms. Manzanares and Ms. Guidry, who would be unable to attend. Dr. Berting and Mr. DeLong indicated that they would go.

Mr. Taylor informed the Board that the SSAB chairs' semi-annual meeting would be a valuable meeting for Board members to attend if they were considering being the NNM CAB chair or vice-chair in 2004-2005.

Mr. Brannon reported on the trip that he and Ms. Manzanares had made to Washington, D.C., for the purpose of communicating with legislators regarding: 1) ongoing issues with the Corrective Action Order and the holdup of accelerated cleanup funding in Fiscal Years 2003 and 2004; and 2) the two long-term options that had been proposed for future operations of all SSABs, i.e. incorporating as a 501-c(3), or receiving support directly from DOE. He noted that they visited the staff at Representative Udall's office. Mr. Brannon presented a letter from Jessie Roberson, Assistant Secretary for Environmental Management at DOE, written to Wade Waters at the Savannah River CAB, acknowledging that it is advantageous for a CAB to operate under a Small Business Support Services contract, effectively providing a third option to being a 501-c(3) or receiving direct DOE support. This is the way in which the NNM CAB already operates.

Mr. Taylor suggested that Abad Sandoval report on his and Katherine Guidry's trip to the International Association for Public Participation (IAP2) certification training. Mr. Sandoval summarized from a written report prepared by Ms. Guidry, noting that they had not only attended the certification classes but had also visited with Sandra Waisley from Jessie Roberson's office, Pete Lyons from Senator Domenici's office, and Michael Collins from Representative Udall's office. Additionally, the IAP2 facilitator, Doug Sarno, and Leann Nurse with the EPA Public Involvement Program, provided a critique of the NNM CAB's Fall 2003 newsletter. A copy of Ms. Guidry's report is kept with these minutes.

Mr. Brannon introduced new Board member Barbara Gonzales from San Ildefonso Pueblo, Brenda Finley, Director of Public Affairs for the DOE Los Alamos Site Office, and Paul Schumann from LANL's Risk Reduction and Environmental Stewardship Division. He then asked all Board members present to introduce themselves.

Mr. Brannon stated that the meeting would continue to follow the agenda as closely as possible until a quorum was met.

Mr. Brannon opened up the floor for public comment.

Chris Mechels, a retired LANL employee, addressed the Board. Mr. Mechels commented that the original CAB chartered in 1994 was more representative of community interests, and suggested that the history of that CAB's creation and dissolution be included in the New Member Toolkits presented to new CAB members. He noted that the Environmental Management guidance document which is in the Toolkit stipulates that the CAB be more representative than it currently is. Mr. Mechels also stated that the CAB should consider holding all of its committee meetings after 5:00 PM to better accommodate the working public, and that committees should focus more on receiving public input than generating their own output. Additionally, Mr. Mechels expressed concern that DOE employees are CAB members, and also that CAB members should not be paid. He concluded by demanding that any CAB member conflicts should be clearly disclosed (such as financial relationships between contractors and LANL).

Mr. Brannon responded emphatically that CAB members are volunteers and are not paid. Mr. Mechels clarified his statement by asserting that DOE and LANL contractors who are CAB members could be "on the clock" during CAB activities. Tim DeLong noted that, as a sub-contractor to LANL, he utilizes vacation or compensatory time for his CAB activities during regular business hours.

Grace Perez requested that the CAB receive a summary copy of Mr. Mechels' comments in writing.

Board Business

a. Recruitment/Membership Update

This item was skipped due to the absence of the NNM CAB Executive Director.

b. Report from Chairman Brannon

Mr. Brannon briefly recapped the activities he had addressed earlier in the meeting.

c. Report from DOE, Ted Taylor, DDFO

Mr. Taylor provided a brief recruitment update, acknowledging Barbara Gonzales' recent appointment and Debra Welsh's departure in December 2003. He indicated that the CAB would be preparing a recruitment and nomination effort over the next month due to the expiration of nine Board member terms in May 2004. He also briefly noted the demographic characteristics of the current CAB membership. Mr. Taylor presented a status summary of all NNM CAB recommendations that have been made to the DOE, noting that the DOE had responded to Recommendation 2003-3 in December 2003, and to Recommendation 2003-5 in January 2004. He also noted that the DOE has not yet provided an official response to Recommendation 2003-4 on Environmental Stewardship.

Regarding ongoing funding, Mr. Taylor indicated that Ralph Erickson, DOE Los Alamos Area Manager, would likely report to Jessie Roberson that the NNM CAB will continue to be funded under the 8(a) Small Business approach.

A copy of Mr. Taylor's written report is kept with these minutes.

Mr. Brannon requested that each CAB committee actively update the status of and confirm

its assessment of DOE responses to any recommendations that they generated in 2001, 2002, and 2003. Additionally, he presented a recent letter from Jessie Roberson and asked Abad Sandoval and the Community Involvement committee to assess its merit as a response to Recommendation 2003-3 regarding public participation.

d. Report from Executive Director, Menice Manzanares

Mr. Brannon briefly reviewed Ms. Manzanares' written report, a copy of which is kept with these minutes.

e. 2004 Meeting Schedule

There was a general discussion of scheduling for both the CAB meetings and committee meetings. The CAB discussed the merits of setting a fixed location for CAB meetings. Mr. Brannon stated that the CAB could entertain a motion regarding this issue once a quorum was met.

Mr. Sandoval opened the discussion up to consider fixed or mobile meeting locations for CAB committees. It was noted that minimizing travel for committee members is an important issue. Ms. Hoard suggested that agenda topics are ultimately more important to the public than meeting location. Ideas generated for increasing public involvement at the committee level included placing meeting notices in newspaper "calendar" listings, posting notices in rural Post Offices, making meeting minutes available on the NNM CAB website, and maintaining links to "hot topic" information on the NNM CAB website home page.

Mr. Brannon noted that publishing notices in the newspaper would require that committees meet as scheduled, without last-minute changes in time or location. Mr. Taylor stated that under the rules of the Federal Advisory Committee Act, CAB committees are not actually required to post notices, stick to a pre-determined agenda, or keep meeting minutes; however, the NNM CAB Bylaws stipulate that if committee meetings are to be open to the public, they must be held in public locations after "appropriate notice." The CAB agreed that public service announcements, scripted in advance for consistency among the committees, could constitute appropriate notice.

The meeting was recessed for a break at 2:36 PM, and reconvened at 2:55 PM.

f. New Business

The CAB discussed possible further actions to be taken regarding the NMED Corrective Action Order (CAO) negotiation stalemate, focusing on the lack of public information and the apparent inflexibility of NMED and LANL to move forward on areas where they have already reached consensus. Coordination of a possible trip by CAB members to DOE headquarters was also discussed. Dr. Berting noted that both Los Alamos Site Operations (LASO) Deputy Director Dennis Martinez and NMED Secretary Ron Curry would be attending the Los Alamos County Council meeting on January 27, 2004, to make separate presentations, and that public comment from the NNM CAB would be welcome. Mr. Brannon emphasized that the NNM CAB has the responsibility to advise the DOE on budgetary priorities, and suggested that a motion or resolution could be drafted during the dinner break as a follow-up to the CAB's previous recommendations, which could then be considered for adoption when a quorum is present later in the meeting. Ted Taylor recommended that any further action by the CAB should continue to specifically demand the release of Waste Management funds earmarked for the Quick-to-WIPP program (which is not subject to the Corrective Action Order). Mr. Brannon noted that, according to correspondence from Senator Domenici's office, federal law may prevent the

release of certain funds until regulatory agreement is achieved. Mr. Brannon also stated for the record that the DOE and University of California (LANL) were represented at this CAB meeting, but that the NMED was not.

Reports from Committees

a. Environmental Monitoring, Surveillance and Remediation (EMSR)

Mr. DeLong reported that the EMSR Committee, after having been created from the separate Environmental Monitoring and Surveillance Committee and the Environmental Remediation Committee during the fall of 2003, was set to finalize its new Fiscal Year 2004 Work Plan at its February 11, 2004, meeting. He also noted that representatives from the Meteorology and Air Quality Group of LANL's Risk Reduction and Environmental Stewardship Division made a presentation on air quality and radiation monitoring programs at the committee's January 14, 2004, meeting. Additionally, Mr. DeLong informed the Board that the committee would be reviewing the initial data report regarding the Permeable Reactive Barrier (PRB) in Mortandad Canyon, stating that the PRB technology appears promising.

b. Waste Management (WM)

Mr. Taylor reported on behalf of the WM Committee, noting four issues with which the committee has been involved:

- Determining the impact of the \$10.5 million shortfall in the Quick-to-WIPP program's Fiscal Year 2004 budget, which has slowed down the characterization and delivery of waste shipments to WIPP (the Waste Isolation Pilot Plant)
- Monitoring DOE's evaluation of proposed actions for approximately 9000 buried drums of Transuranic (TRU) waste at LANL
- Coordinating a CAB-sponsored public forum on issues relating to LANL's Material Disposal Area G
- Participating in Earth Day festivities in Santa Fe and/or Los Alamos

Regarding the Area G forum, Mr. Taylor indicated that the Waste Management committee wanted the CAB as a whole to appoint a "planning committee" to coordinate the event and develop a public involvement plan (PIP) establishing the structure and goals of the forum. Mr. Sandoval stated that the Community Involvement Committee would work with the Waste Management Committee to plan the forum using the IAP2 process, with the goal of having a completed PIP by the March 31, 2004, CAB meeting.

c. Community Involvement (CI)

Mr. Sandoval updated the CAB regarding the CI Committee's priority activities for Fiscal Year 2004, including:

- Quarterly newsletter, with Katherine Guidry as editor
- Mail stuffers
- Speakers Bureau, for which speakers are needed and training could be provided
- Press releases and ads (TV/radio), as needed
- Continued website development
- Public forums, perhaps quarterly, coordinated with other CAB committees
- Informational brochure
- Survey or public interviews to receive public feedback on various issues
- School programs, such as presentations or student internships

- Possible display at the Bradbury Museum
- Earth Day involvement

Mr. Sandoval reported that the committee would be having a four-hour meeting on February 9, 2004, to develop a plan and process for improving newsletter production.

Upon arrival of an eleventh CAB member, Chairman Brannon declared a quorum.

The Chairman called for approval of the meeting agenda. Abad Sandoval made a motion to approve the agenda, with a second from Jay Fries. **The agenda was approved unanimously.**

The Chairman called for approval of the November 19, 2003, board meeting minutes. After a minor language correction, Jay Fries made a motion to approve the minutes, as amended, with a second from Fran Berting. **The minutes were approved unanimously, as amended**

Reports from Committees, continued

d. Budget

Mr. Jordan reviewed fiscal budget expenses through January 20, 2004, noting that the budget is generally on track with the exception of an over-expenditure in the Furniture/Equipment line item due to the purchase of a multi-media projector. A copy of Mr. Jordan's report is kept with these minutes. Mr. Jordan noted that during the first three and a half months of the fiscal year, the CAB has spent \$114,250 of its \$399,500 budget, or approximately 28%. Mr. Taylor added that the Training budget is fairly exhausted following the IAP2 training attended by Abad Sandoval and Katherine Guidry.

e. Ad Hoc Committee on CAB Self Evaluation

Mr. DeLong reminded the Board that he had previously distributed a self-evaluation form after January 1, 2004, and requested that any completed forms be returned to him. He also indicated that he had brought extra forms which Board members could complete during the dinner break, if necessary. Mr. Brannon noted that time was set aside later in the meeting agenda for Board members to complete the evaluation.

Chairman Brannon recognized and gave the floor to Ted Taylor, who addressed the Board as a member of the Public.

Mr. Taylor distributed a copy of his comments, entitled "Risk-Based Corrective Action and Collaboration with Regulatory Authorities at Los Alamos National Laboratory, 1993-2001" A copy of this document is kept with these minutes. He emphasized that his comments were prepared on his own time and at his own expense, and were in response to a general perception that the DOE does not actively seek or act on input from other agencies and the public on matters of environmental cleanup. Mr. Taylor described his observations and experiences with DOE's Environmental Restoration (ER) Project at LANL, and informed the Board of the following:

- The DOE has consistently used a risk-based approach at LANL throughout his time with the ER Project.
- The ER Project has consistently complied with work schedules set out by the federal Environmental Protection Agency (EPA).
- The ER Project has consistently sought to engage the regulatory community in collaborative dialogue, and has pursued such collaboration with integrity, high energy,

and good spirits.

Mr. Taylor reviewed the history of risk-based initiatives at LANL, noting how technical and regulatory innovations have improved their implementation. He described the development of the 1997 Document of Understanding (a codification of risk-based processes and interaction processes drafted by DOE, NMED, EPA, and management and operating contractors for LANL and Sandia National Laboratory). He also discussed the utilization of High-Performance Teams which addressed specific cleanup sites, as well as the SAFER model (Streamlined Approach for Environmental Restoration). Additionally, Mr. Taylor commented on DOE's good-faith cooperation prior to NMED issuance of the Corrective Action Order. In conclusion, Mr. Taylor emphasized that risk-based decision-making is not new at LANL, and that the DOE has had a history of seeking collaborative solutions and not backing away from discussions or collaborative efforts with other regulatory agencies over his nine-year tenure with the ER Project.

Chairman Brannon opened up the floor for additional comments or questions. Paul Schumann indicated that the newer CAB members would be interested to know that the DOE's original assertion that an Order, rather than a permit, would be necessary for the State of New Mexico to get secure environmental management funds occurred at a NNM CAB board meeting in 1999 or 2000. There followed a general discussion about the inefficiencies of the reporting requirements and processes in place during the 1990's under the Resource Conservation and Recovery Act (RCRA) permit, whereby DOE/LANL was submitting site cleanup reports and data for review by NMED and EPA. Additional discussion centered on the transfer of RCRA authority to NMED by EPA. Paul Schumann commented that documentation related to that process is part of the public record if any Board members would like to review and comment on it. Mr. Taylor remarked that the DOE had recommended against transferring RCRA authority to NMED from EPA because the NMED was historically understaffed and would be unable to adequately accommodate that function. Mr. Brannon noted again that the NMED was not present at the meeting, but that the Board might seek some clarification from them regarding their processes and inter-agency efforts. Mr. Brannon also informed the Board that in August-September 2003, NMED Secretary Ron Curry had inquired whether the CAB might be able to support him in requesting additional funding and manpower from the State Legislature.

The meeting was recessed for dinner at 4:57 PM, and reconvened at 6:15 PM.

Mr. Brannon opened up the floor for public comment.

Joni Arends, Executive Director of Concerned Citizens for Nuclear Safety (CCNS), addressed the Board. Ms. Arends informed the Board that she had been a member of the committee charged by DOE with determining appointments to the original NNM CAB, and indicated that she was now concerned about conflicts of interest on the CAB, as well as a lack of diversity in the member selection process. She stated that DOE's increasing involvement in and regulation of CAB issues has undermined the CAB's autonomy, noting that nominations are made by the DOE Los Alamos Site Office and appointments are made by the DOE Assistant Secretary for Environmental Management, without any citizen input. Although Ms. Arends acknowledged that current CAB members certainly bring value to the organization, she stated that the percentage of CAB members who are current/former employees of DOE, LANL, or other labs and contractors (over 50%) runs counter to the SSAB guidance which stipulates greater diversity. She also cited concern about a potential conflict-of-interest issue that was recently handled by the Waste Management Committee. She quoted the December 2003 SSAB

guidance document which requires that conflict-of-interest issues be addressed in a statement detailing such conflict and any action taken to remove it. She then stated that the potential conflict of interest on the Waste Management Committee was only mentioned in the meeting minutes without a response statement, and that the Deputy Designated Federal Officer refused to discuss the issue at the next meeting. Ms. Arends went on to express concern about New Mexico state employees being CAB members, due to the State's issuance of the Corrective Action Order (CAO) and ongoing involvement with the resulting lawsuits from DOE and LANL. Because the CAB is making recommendations related to the CAO, Ms. Arends stated her opinion that state employees sitting on the CAB could represent a conflict of interest. She requested that an investigation be performed to determine whether such a conflict of interest indeed exists, and also that an official review of the CAB membership guidelines and selection process be undertaken.

Chris Mechels again addressed the Board, noting that after his earlier comments he had failed to suggest a course of action to remedy the problems he had identified. He reiterated his belief that the CAB has major problems with lack of diversity and lack of procedures that are compliant with the SSAB guidance. Therefore, he suggested that the CAB make it a top priority to consider itself as an interim board whose main purpose is to generate a CAB that is reflective of the diversity of the stakeholder community and more in line with SSAB guidance and regulations.

Mr. Jordan asked Mr. Mechels to clarify what he meant by "diversity." Mr. Mechels referred to the SSAB guidance, indicating that the desired membership of the CAB would reflect various interests such as labor unions and environmental activists, as well as other characteristics such as ethnicity and gender.

Mr. Brannon thanked both Ms. Arends and Mr. Mechels for their comments.

Consideration and Action on Recommendation 2004-1, "Reinstate High Performance (Core) Teams"

Dorothy Hoard summarized the intent of the Recommendation, explaining that the collaborative framework of High Performance Teams had in the past enhanced and accelerated the decision-making process regarding technical aspects of cleanup issues at LANL. She stated that this approach would be very beneficial for effective completion of Material Disposal Area studies. A copy of Recommendation 2004-1 is kept with these minutes. Mr. Brannon opened the floor for discussion. Mr. Jordan expressed concern that additional references should be cited to further substantiate the use of High Performance Teams, rather than just a single EPA document. Mr. Brannon suggested that if the Board were to approve the Recommendation, additional references could be added to the document before it is submitted to the DOE, without modifying the text of the Recommendation itself. There was no objection from the Board. Fran Berting made a motion to approve Recommendation 2004-1, with a second from Tim DeLong. Mr. Brannon opened the floor for public comment. Steve Yanicek, of NMED's LANL Oversight Bureau, commented that High Performance Teams had been overwhelmed by the number of issues stemming from the Corrective Action Order. Mr. Mechels commented that High Performance Teams should not be necessary, suggesting that the collaborative approach should be utilized by default without having to create special teams. Ms. Hoard responded that High Performance Teams were created as a standard streamlining of the review process, and not as an exception to it. Joni Arends suggested that DOE and LANL should fund NMED's participation in High Performance Teams since NMED lacks sufficient resources, noting that this would also shift some of the burden of regulatory expenses away from the citizens of New

Mexico (since LANL, the regulated entity, does not pay New Mexico gross receipts tax). Don Jordan responded that if DOE/LANL were to fund NMED's activities, a conflict of interest could arise regarding NMED's regulatory decisions. The CAB briefly considered modifying the Recommendation to address funding issues, but decided that supplemental funding for NMED was an issue beyond the scope of this Recommendation. Mr. Brannon noted some minor typographical changes to be made to the Recommendation before voting.

Mr. Brannon called for a vote. Recommendation 2004-1 was approved unanimously, as amended.

Introduction of Proposed Bylaws Amendment No. 5, as per Section XII, page 13 of the NNM CAB Bylaws

Mr. Brannon reviewed the proposed change to the Bylaws, which would change the deadline date for the CAB members to conduct an annual evaluation, from September 30th of each year to December 31st. He indicated that the change had been suggested in order to move this activity away from fiscal year-end activity, which had contributed to the lateness of the 2003 evaluation. Mr. Jordan commented that the Bylaws shouldn't be changed, but rather that the CAB be more efficient in completing the evaluation on time. Mr. Brannon informed the Board that this proposed amendment would be voted on at the March 31, 2004, CAB meeting.

NNM CAB Self-Evaluation

Mr. Brannon asked the CAB members to take some time to review and complete the Self-Evaluation forms if they had not already done so.

The meeting was recessed for a break at 6:55 PM, and reconvened at 7:10 PM.

Re-consideration of Recommendation 2004-1

Mr. Brannon informed the Board that the draft of Recommendation 2004-1 included in the meeting packet and approved earlier in the meeting was not the final draft which incorporated final changes from the EMSR Committee. (The final draft was not completed until after the Board packet had been distributed.) Copies of the final draft were distributed to the CAB members; a copy is also kept with these minutes. Mr. Brannon noted that the final draft included additional background information and contained no substantive change to the recommendation language, except to stipulate that High Performance Teams should be utilized not only for Corrective Measures Studies relating to Material Disposal Areas, but for other types of sites as well. **Mr. Brannon asked those present if there were any objections to having the previous approval be applied to the final draft of the Recommendation. There was no objection.** Mr. Brannon apologized for the administrative mix-up, and indicated that the final draft would be processed for submission to the DOE.

Discussion of Greg Barbee's Report Regarding the November 19, 2003, Committee-of-the-Whole Meeting and Facilitated Session

The CAB discussed the pros and cons of the facilitated session, and generally expressed the concern that identification of problems must be followed up with implementation of solutions. Mr. Brannon reported that the Executive Committee was going to develop a mentorship program, whereby senior CAB members could help bring junior CAB members up to speed on issues and procedures, perhaps with a regular orientation schedule (e.g. monthly). Mr. Brannon also noted that the CAB might want to again consider establishing a constituency membership to

help alleviate absenteeism. The ensuing discussion focused on the need for active participation from all CAB members, especially at the committee level. In order to facilitate increased communication and camaraderie among CAB members, it was also suggested that seating charts be established and rotated at the bi-monthly Board meetings. Additionally, the issue of fixed meeting locations was again considered. Due to issues of consistency and geographic convenience, **Don Jordan made a motion to designate the Cities of Gold Hotel in Pojoaque as the permanent meeting location for the CAB's bi-monthly meetings. Tim DeLong seconded the motion.** Mr. Brannon noted that some hotel contracts might already be set in the 2004 meeting schedule. There was a brief discussion of the logistics of utilizing the same meeting place for each meeting. Mr. Sandoval called the question. **The motion to designate the Cities of Gold Hotel in Pojoaque as the permanent meeting location for the CAB's bi-monthly meetings passed unanimously.**

Board Comment and Recap of Meeting

The Board briefly discussed roles and responsibilities of CAB members for coordinating the Area G Public Forum. It was agreed that the Community Involvement Committee would coordinate with the Waste Management Committee to develop a Public Involvement Plan for the forum.

Dr. Berting proposed that a position statement regarding the funding that is being withheld due to ongoing negotiations of the Corrective Action Order, be presented at the January 27, 2004, Los Alamos County Council meeting. Tim DeLong and Jim Janis suggested that the CAB could instead present its Recommendation 2003-6 ("Consequences of the New Mexico Environment Department Order") to the Council in order to solicit support. This Recommendation was submitted to the DOE in November 2003. Dr. Berting withdrew her proposal for a separate position paper.

Ted Taylor reminded the Board that the CAB Bylaws require a majority approval for any CAB member to speak on the CAB's behalf in a public forum. Ms. Perez, Ms. Hoard, and Ms. Gonzales all indicated that they would be attending the January 27, 2004, Los Alamos County Council meeting. **Don Jordan made a motion to allow Ms. Perez, Ms. Hoard, and Ms. Gonzales to speak on behalf of the CAB and speak to the press if necessary at that meeting. Abad Sandoval seconded the motion. The Board approved the motion.**

Jim Janis informed the Board that he and Mr. DeLong had discussed some follow-up actions for Recommendation 2003-6. **Mr. Janis made a motion to: 1) request that DOE respond as soon as possible to Recommendation 2003-6; and 2) designate the CAB chair and two other CAB members to personally present Recommendation 2003-6 to Ralph Erickson, Jessie Roberson, Ron Curry, and Governor Bill Richardson and express the CAB's deep concern about the effects on the New Mexico environment and public health resulting from their continued inaction and disagreement. Fran Berting seconded the motion.** After some brief discussion regarding the logistics and costs of setting up personal meetings, **Mr. DeLong made a motion to amend the original motion to stipulate that letters could be written and personal meetings would be scheduled as opportunity allows. Shannon Aragon seconded Mr. DeLong's amendment. Mr. Sandoval called for the question regarding the amendment. The amendment was approved unanimously. Mr. Brannon asked for a vote on the original motion. The motion was passed unanimously, as amended.**

Mr. Taylor informed the Board that Ralph Erickson had announced his departure from the Los Alamos Site Office at the end of April 2004. His replacement will be Ed Wilmot, from

NNSA Operations at the Savannah River site. Mr. Brannon asked if it was the general will of the CAB to express its thanks and appreciation to Mr. Erickson for his support of the CAB during his tenure. The Board gave its approval to draft a letter of thanks. Mr. Janis suggested also that a letter of welcome be delivered to Mr. Wilmot.

William Hiller reviewed the proposed table of contents and production schedule for the 2003 Annual Report. Grace Perez suggested that any summaries of recommendations within the Annual Report also include a status of the DOE response.

Mr. Brannon reminded the committee chairs of their responsibility to submit activity summaries to the CAB staff or the Community Involvement Committee for inclusion in the Spring 2004 newsletter. There was a brief discussion regarding the formation of an editorial board to coordinate the content of CAB newsletters. Mr. Sandoval invited all CAB members to attend the February 9, 2004, Community Involvement Committee. Mr. Brannon invited suggestions for a lead article for the Spring 2004 newsletter issue. The main suggestions included Risk-Based End States, and the NMED-DOE impasse on the Corrective Action Order. Mr. Brannon asked for volunteers to form a task force to examine the Fall 2003 newsletter process from a "lessons learned" perspective. Mr. Jordan agreed to assist that process, and Mr. Brannon indicated he would ask for Ms. Guidry's assistance as well.

Mr. Brannon requested that each CAB member verify and/or update their contact info on file at the CAB office.

Abad Sandoval briefly updated the Board on the status of Earth Day plans.

The Chairman entertained a motion for adjournment. Tim DeLong made a motion to adjourn, with a second from Jim Janis. The motion passed unanimously. The meeting was adjourned at 8:37 PM.