



Northern New Mexico Citizens' Advisory Board Meeting
Minutes
January 19, 2005
Cities of Gold Hotel
Pojoaque, New Mexico

Members in Attendance

Timothy A. DeLong
Jim Brannon
Chris Timm
James R. Janis
Fran Berting
Dorothy Hoard
David A. Church
J. D. Campbell
Jay Fries
Sammy J. Quintana
Barbara Gonzales
Raymond Loretto

Deputy Designated Federal Officer

Ted Taylor, DOE

Members Excused

Raye Byford
Katherine Guidry
Grace I. Perez
Erlinda S. Gonzales
Matthew Deller (Nominee)
Marvin Rowe (Nominee)
Members Absent
John Gonzales

Ex-Officio Members

James Bearzi, NMED
Ken Hargis, LANL
Rich Mayer, EPA

CAB Member Nominees in Attendance

Stephen L. Gilbert
Kenn Riordan
Jon Rudnick
Pamela A. Henline
Philip Cantu
Darlene Montoya

Guests in Attendance

Mary Jane Winch, LANL
Lorrie Bonds-Lopez, LANL
A. John Alquist, UC
Dennis Hurtt, DOE
Matt J. Riggs, LANL
Judith Huchton, LANL
Doug Stavert, LANL

NNMCAB Staff:

Menice Manzanares, Executive Director
Lorelei Novak, Technical Writer /
Community Outreach Specialist
Grace Roybal, Administrative Assistant
Eddie Roybal, Sound Technician

MINUTES:

Section I.

Agenda Items Covered in Section I:

1. Call to Order by Ted Taylor, DDFO.
2. Establishment of a Quorum.

3. **Welcome and Introductions by Chairman Tim DeLong.**
4. **Approval of Agenda.**
5. **Approval of Minutes from November 17, 2004.**

1. **Call to Order by Ted Taylor, DDFO.**

Ted Taylor, Deputy Designated Federal Officer (DDFO), called the meeting to order at 1 PM. Dr. Taylor stated on behalf of the Department of Energy (DOE), the Northern New Mexico Citizens' Advisory Board (NNMCAB or CAB) meeting was called to order. Dr. Taylor welcomed the attendees to the meeting and turned the proceedings over to CAB Chair Mr. Tim DeLong.

2. **Establishment of a Quorum.**

Dr. Taylor stated that the members in attendance established a quorum for conducting Board business. The meeting was open to the public and posted in the Federal Register in accordance with the Federal Advisory Committee Act. Roll call established twelve members present at the start of the meeting.

3. **Welcome and Introductions by Timothy A. DeLong, Chair.**

Mr. DeLong welcomed members and guests to the Northern New Mexico Citizens' Advisory Board (CAB) meeting. Mr. DeLong also welcomed the group to the first CAB meeting of 2005. Mr. DeLong asked Dr. Taylor if there were some excused absences to report. Dr. Taylor replied Raye Byford, Katherine Guidry, Grace Perez and Erlinda Gonzales had all requested excused absences for today's meeting. CAB Nominees Matthew Deller and Marvin Rowe also received excused absences.

Mr. DeLong introduced Rich Mayer, CAB Ex-Officio member, from EPA Region Six in Dallas. Mr. DeLong thanked Mr. Mayer for joining the meeting and acknowledged his effort in traveling from Dallas to be a part of this meeting.

Mr. DeLong announced that this is Dorothy Hoard's last meeting prior to her appointment expiring. Mrs. Hoard has announced that she will not seek reappointment. Mrs. Hoard will be missed and her many accomplishments while serving on the CAB's technical committee were acknowledged. Mrs. Manzanares added her appreciation of Mrs. Hoard's time with the Board. Mrs. Hoard has been a steadfast member of this Board for two terms. She has helped to author many recommendations and her dedicated service to this Board has been noted.

Mrs. Hoard pointed out the reason she is not seeking re-appointment is that she has a lifetime 'to do list' that requires her attention. She stated her focus on this Board has been on the fact that the citizens of this country are paying for LANL, and especially, are paying for the clean up, too, and they deserve the "true facts, which are not to be confused with any other sort of fact." Recently, Mrs. Hoard has looked over some of the recommendations that she has helped to author during her tenure with the CAB. Her conclusion was that whatever was going on at the Lab that the citizens deserved to know the truth. Mrs. Hoard suggested to the new members and nominees that if they needed a focus for this group that they could pick up where she was leaving off.

Mr. DeLong welcomed Mrs. Hoard to come to any of the CAB's future meetings as a member of the public and also invited her to remain involved with the technical committees.

The Chair announced that Dr. Fran Berting was elected Chairperson of the Los Alamos County Council. Members of the Board and CAB staff expressed their congratulations.

4. Approval of Agenda.

The Chair announced that on today's agenda the Board will hear two proposed recommendations, committee reports, staff & DDFO reports, comments from Ex-officio members and a WIPP presentation. The Chair called for any modifications to the agenda or a motion to approve the agenda. Mrs. Hoard made a motion to approve the agenda and Dr. Campbell seconded the motion.

5. Approval of Minutes from November 17, 2004.

Mr. DeLong then asked the Board to approve the draft minutes from the November 17, 2004 CAB meeting prepared by Ms. Novak. With a few minor editorial changes noted, Dr. Berting moved that the Board approve the November 17, 2004 CAB minutes, as amended. Mr. Janis seconded the motion, and, as all were in favor the amended minutes were accepted as final. Mr. DeLong complimented Ms. Novak for the minutes. He stated that they are very thorough and reflect accurately what takes place in the meetings. Dr. Berting stated her agreement.

Section II.

Agenda Items in Section II—Board Business

- 1. Report from Chair, Tim DeLong.**
- 2. Report from DOE, Ted Taylor, DDFO.**
- 3. Report from Executive Director, Menice S. Manzanares.**
- 4. New Business.**

1. Report from Chair, Tim DeLong.

Mr. DeLong announced two upcoming public involvement opportunities that CAB members might be interested in attending: the 260 Outfall Meeting to be held on January 26, 2005 at Fuller Lodge in Los Alamos, and the LANL Quarterly Public Poster Session on Groundwater to be held February 1, 2005 at the Marriott in Santa Fe. The Chair reminded the Board of Recommendation 2004-05 which requested that the LANL carry out the intended public involvement for the 260 outfall cleanup activities.

The proposed plan to have a tour of the WIPP has been put on hold due to the heavy shipment schedule currently in effect at the WIPP. Mr. DeLong requested that the staff and Dr. Taylor keep up an ongoing request for a WIPP tour so that whenever their shipping schedule eases the CAB could then make arrangements for a tour. In the meantime, the Chair announced that this evening's presentation would include a WIPP orientation film and talk by Mr. Dennis Hurtt from the Carlsbad Field Office of DOE.

The Chair also announced that Mrs. Manzanares is currently making arrangements for CAB members and nominees to tour the LANL.

Mr. DeLong also discussed the draft Community Involvement (CI) Committee 2005 Work Plan/ Mission Statement that was developed at the last Executive Committee

meeting. Mr. DeLong explained that the draft work plan was developed by the Executive Committee to be considered as a 'go by' for the CI Committee. The focus of the CI Committee work plan is on how the Lab interacts with the public; are they communicating effectively in a timely manner and with full disclosure? The work plan encourages the CI Committee to look at the Lab's websites and publications as well as to attend the Lab's public outreach meetings and to make recommendations on their findings. Mr. DeLong encouraged the committee members to look at this draft as well as the comments received from other board members on this draft at their next committee meeting.

The Board reviewed a draft letter to Mr. Pete Nanos regarding the CAB's appreciation of Dr. Beverly Ramsey as the University of California's Ex-Officio member of the Board. The letter was approved at the last CAB meeting as well as the production of a plaque. The letter, signed by the Chair, will be sent to Director Nanos and the Chair planned to deliver the plaque to Dr. Ramsey in person.

Mr. DeLong pointed out that the letter to the DOE from the Chairs of all the Site Specific Advisory Boards (SSAB) was produced as a result of the semi annual Chairs meeting in October 2004, was included in the Board's packet.

2. Report from DOE, Ted Taylor, DDFO. (Dr. Taylor's report is located in the appendix section of these minutes.)

Dr. Taylor reported the CAB nomination packets are still at headquarters awaiting approval. Dr. Taylor acknowledged that there has been no response from the DOE regarding the last three CAB recommendations. The Environmental Management (EM) budget has not been approved yet. There has been speculation that the budget will increase by 10 percent but the budget for the CAB will stay 'as is'. The NMED has not provided any information to the DOE regarding the NMED Order on Consent.

3. Report from Executive Director, Menice S. Manzanares. (The Executive Director's report is located in the appendix section of these minutes.)

Mrs. Manzanares' report is summarized as follows:

- Dr. Taylor provided the CAB nominees with a two-hour new member orientation.
- Mrs. Manzanares announced the next CAB meeting would be held on March 30, 2005 in Pojoaque and the CAB retreat would be held on May 20-21, 2005 in Taos.
- Planning for the upcoming Area G Forum is in the works.
- The NNM CAB's Fall/Winter Newsletter was mailed in December 2004, circulation 1,200.
- The estimated completion date for the NNM CAB's Spring/Summer Newsletter is set for the end of June, 2005.
- The staff is currently advertising the CAB meetings in the New Mexican and the Albuquerque Journal North.
- The estimated completion date for the NNM CAB Annual Report is set for April 30, 2005.
- Mrs. Manzanares is working with Dr. Taylor to arrange a site tour of the LANL.
- The CAB tour to the WIPP has been postponed due to the heavy TRU Waste shipment currently in progress from INEEL.

4. New Business.

The Board discussed the lack of response from the DOE on three of the Board's recommendations. The Board agreed to draft a letter to Mr. Ed Wilmot, Manager of the Los Alamos Site Office (LASO). The Board noted that the Federal Advisory Committee Act (FACA) Guidance directs federal agencies to respond in a 'timely manner'.

The Board agreed to draft a welcome letter to new Secretary of Energy Samuel Bodman. Mr. Timm agreed to head up an Ad Hoc Committee to draft the welcome letter to Mr. Bodman.

Dr. Loretto made a statement to the Board regarding the fact that there have been tribes here for centuries before the Lab. It's now 2005 and Dr. Loretto stated only now are the tribes starting to realize what is up there (in Los Alamos) and to understand how it is affecting them. Dr. Loretto stated his interest in bringing information from this Board to the tribal level. He stated that water was the primary issue of concern for his community. The tribes use the springs for drinking water and farming. The migration patterns of wildlife, on which the tribes still depend, are affected by water. The wind and what it blows down the canyon is also of great concern. Dr. Loretto stated that these are only a few of his major questions for the Board and to get answers is the primary reason for his involvement with this Board.

Section III

Agenda Items Covered in Section III:

Reports

1. **Waste Management Committee, Jim Brannon. Introduction of Recommendation 2005-01**
2. **Environmental Monitoring, Surveillance, and Remediation Committee, Chris Timm. Introduction of Recommendation 2005-02**
3. **Community Involvement Committee, Grace Perez**
4. **Comments from Ex-Officio Members**

1. **Waste Management Committee, Jim Brannon. Introduction of Recommendation 2005-01.**

Mr. Brannon introduced Recommendation 2005-01 to the Board.

2. **Environmental Monitoring, Surveillance, and Remediation Committee, Chris Timm. Introduction of Recommendation 2005-02.**

Mr. Timm introduced Recommendation 2005-02 to the Board.

3. **Community Involvement Committee, Grace Perez.**

This report was tabled due to the absence of the Chairperson, Grace Perez.

4. **Comments from Ex-Officio Members**

Mr. Rich Mayer, CAB EPA Ex-Officio member, briefed the Board on EPA's recent activities with regards to the LANL. The EPA has sent a letter to the NMED regarding Areas of Concern (AOC) not included in the NMED Order on Consent. The EPA has informed the LANL that there are 542 AOCs that do not need to be permitted as Solid Waste Management Units (SWMU). These 542 AOCs were looked at by the EPA and were determined to be minor AOCs that did not have to be permitted as SWMUs. Only sites requiring further investigation were listed as SWMUs in the NMED Order on Consent. Many of the 542 AOCs were relatively minor, and Mr. Mayer used the example of a paint can or barrel to illustrate the type of AOCs he was referring to. Mr. Mayer also stated that these AOCs went up for public comment in the early 1990s. **Dr. Taylor agreed to request a list of all sites not permitted and not in the Order so that the Board can review the No Further Action (NFA) determination on all the sites.**

Mr. Mayer announced that Dr. Taylor Sharpe, EPA, planned to respond to comments received from the CAB regarding the issuance of the draft Federal Facilities Compliance Agreement (FFCA). Mr. Mayer stated that the FFCA is a mechanism to allow the LANL to get in compliance with the EPA.

The EPA has received the EMSR Committee's letter requesting expert review of the LANL groundwater-monitoring program.

Mr. Mayer briefly discussed surface and groundwater monitoring at TA-54, MDA G. The EPA requires the LANL to apply for a renewable PCB disposal permit every five years. Currently, disposal of PCB's at Area G is not acceptable and there is some concern regarding leachate because waste is currently stored in unlined pits and inspections have revealed cracks in the tuff.

The Government Performance Results Act (GPRA) requires that by the end of 2005 human exposure limits be applied at the LANL. Mr. Mayer discussed the Ash Pile site in Los Alamos. The EPA considers this site a big problem since it has no run off controls and no monitoring and would like to see the ash removed and the site cleaned up.

Mr. Ken Hargis, CAB Ex-Officio member from LANL, reported that the LANL is acting in good faith on the Consent Order and the FFCA as though they were already final. Mr. Hargis stated that additional sampling has been added around the SWMUs. Mr. Hargis reported that MDA G in TA54 has tritium gas plumes that are detected by the perimeter air monitoring network. There are higher levels of tritium evaporation when the weather is hot. Mr. Hargis reported that MDA L has a vapor plume next to Area G. Apparently, volatile chemicals were disposed there in unlined pits 100 to 200 yards in length. The Lab is installing passive vapor extraction and sampling ports.

The NMED will make a presentation on PCBs at the next EMSR Committee meeting to be held on February 9, 2005.

An announcement was made regarding the Environmental Impact Statement (EIS) meeting to be held January 19, 2005. Several Board members volunteered to attend, including Dorothy Hoard and Barbara Gonzales.

Ms. Lorrie Bonds-Lopez introduced herself as the Acting Project Leader for Outreach and Public Involvement with the Environmental Stewardship Program at LANL. She has been certified in the IAP2 Public Involvement Process and is working on a new draft public involvement plan for the LANL. She stated her interest in interviewing CAB members to get public feedback about public involvement at the Lab. Ms. Bonds-Lopez also mentioned she was the point of contact for arranging tours of the Lab.

Section IV.

Agenda Items Covered in Section IV:

- 1. Public Comment**
- 2. Consideration and Action on Recommendation 2005-01**
- 3. Consideration and Action on Recommendation 2005-02**
- 4. History and Overview if the Waste Isolation Pilot Plant (WIPP) Operations, Carlsbad Field Office and Los Alamos Field Office, DOE**
- 5. Comments from Board Members and Recap of Meeting**
- 6. Adjournment**

1. Public Comment

No one signed up for public comment.

2. Consideration and Action on Recommendation 2005-01

With minor changes in wording, the Board voted unanimously to approve Recommendation 2005-01 as amended.

3. Consideration and Action on Recommendation 2005-02

The EMSR Committee withdrew Recommendation 2005-02 for further review.

4. History and Overview of the Waste Isolation Pilot Plant (WIPP) Operations, Carlsbad Field Office and Los Alamos Field Office, DOE (See attachments for video and PowerPoint presentation references, available at the CAB office for review.)

5. Comments from Board Members and Recap of Meeting

The absence of Mr. James Nunz for a scheduled presentation was noted.

Dr. Berting suggested that the dates of changes to the bylaws be indicated in the text of the bylaws.

Mr. Timm expressed his opinion that he did not care for the Board's table set-up today; that he preferred the table set-up when the members sat closer together. He suggested the Board look at draft recommendations prior to the Board meeting so that the Board can more expediently get through the agenda. He would also like to see the Board meetings held in more than one location.

Dr. Berting responded to Mr. Timm by stating that the Board meets in the same location as a response to public requests during the public comment period and that the Board voted at the 2004 CAB retreat to hold the meetings in the same central location.

6. Adjournment

Dr. Berting made a motion to adjourn the meeting. Dr. Campbell seconded the motion. As all present were in favor, the CAB meeting adjourned at 8:30pm.

Respectfully submitted,



Timothy A. DeLong, NNM CAB Chair

Appendixes:

1. Final November 17, 2004 NNM CAB Meeting Agenda
2. Report from Ted Taylor, DDFO
3. Report from Menice Manzanares, NNM CAB Executive Director
4. DRAFT Recommendation 2005-01, WM Committee
5. DRAFT Recommendation 2005-02, EMSR Committee
6. WIPP Orientation Video and PowerPoint Presentation.

Public Notice:

1. All NNM CAB meetings are recorded in accordance to the Federal Advisory Committee Act. Audiotapes are available for public review at the NNM CAB office in Santa Fe, New Mexico.
2. Reference documents listed in the appendix section of these minutes are available for review at the CAB office in Santa Fe.
3. For more information regarding audio transcription or any information referenced to or contained herein these minutes, please call the CAB office at (505)-989-1662.

Approved by the Northern New Mexico Citizens' Advisory Board on March 30, 2005