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Northern New Mexico Citizens' Advisory Board Meeting

January 27, 2016

1:00 p.m. to 5:15 p.m.

Ohkay Owingeh Casino

Ohkay Owingeh, New Mexico 87566



Minutes

Meeting Attendees

Department of Energy

1. Douglas Hintze, Manager, Department of Energy, Environmental Management Los Alamos Field Office
2. Lee Bishop, Co-Deputy Designated Federal Officer
3. Michael Gardipe, Co-Deputy Designated Federal Officer
4. Jennifer Hackett, DOE, Environmental Management Los Alamos Field Office
5. J.R. Stroble, DOE, Carlsbad Field Office
6. Herb Cruickshank, DOE, Carlsbad Field Office
7. Paul Strider, DOE, Environmental Management Headquarters
8. Pete Maggiore, DOE, National Nuclear Security Administration

NNMCAB Members

1. Doug Sayre, NNMCAB Chair
2. Gerard Martínez y Valencia, NNMCAB Vice-Chair
3. Angelica Gurulé, Chair Waste Management Committee
4. Carlos Valdez
5. Diahann Lopez-Cordova
6. Tessa Jo Mascareñas
7. Mona Varela
8. Ashley Sanderson
9. Carla Abeyta
10. Danny Mayfield
11. Joey Tiano
12. Michael Whiting

Student Representatives

1. Ashlee Herrera
 2. James Valerio
-

1 **NNMCAB Excused Absences**

- 2 1. Irene Tse-Pe
- 3 2. Mary Friday
- 4 3. Michael Valerio
- 5 4. Steven Schmelling

6
7 **NNMCAB Absences**

- 8 1. Alex Puglisi
- 9 2. Josh Madalena
- 10 3. Rod Sanchez
- 11 4. Angel Quintana
- 12 5. Max Baca

13
14 **NNMCAB Support Staff**

- 15 1. Menice Santistevan, Executive Director
- 16 2. Bridget Maestas, Administrative Assistant
- 17 3. William Alexander, Technical Programs and Outreach

18
19 **Guests**

- 20 1. David Swale, BWXT
- 21 2. Bob Dodge, Waste Control Specialists
- 22 3. Betsy Madru, Waste Control Specialists
- 23 4. Scott Kovac, Nuke Watch New Mexico
- 24 5. Andrea Romero, Regional Coalition of LANL Communities
- 25 6. Allison Scott Majure, New Mexico Environment Department
- 26 7. Katie Roberts, New Mexico Environment Department
- 27 8. Jake Naranjo, Santa Clara Pueblo
- 28 9. Shawn Ohato, Santa Clara Pueblo
- 29 10. Randy Erickson, Los Alamos National Security
- 30 11. Shannon Farrell, CH2M
- 31 12. Corey Chun, CH2M
- 32 13. Floyd Archuleta, Portage, Inc.
- 33 14. Michele Jacquez-Ortiz, U.S. Senator Tom Udall's Office
- 34 15. Steven Horak, Project Time and Cost, LLC.
- 35 16. Brian Bosshardt, Los Alamos County
- 36 17. Peter Hyde, Los Alamos National Security
- 37 18. Roger Snodgrass, Los Alamos Daily Post/Exchange Monitor

38 ***All NNM CAB meetings are recorded. Audio CD's and Video DVD's have been placed on file for review**
39 **at the NNM CAB office, 94 Cities of Gold Road, Santa Fe, New Mexico, 87506. The written minutes are**
40 **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
4 on January 27, 2016 at Ohkay Owingeh Conference Center, Ohkay Owingeh, New Mexico.
5 Mr. Lee Bishop, Co-Deputy Designated Federal Officer (CDDFO) stated that on behalf of the
6 Department of Energy (DOE) the meeting of the NNMCAB was called to order at 1:06 p.m.

7 Mr. Bishop recognized Mr. Doug Sayre, the NNMCAB Chair. Mr. Sayre presided at the
8 meeting.

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

11 **II. Establishment of a Quorum (11 Needed)**

12 **a. Roll Call**

13 Mr. William Alexander conducted roll call as the members arrived. At the call to
14 order 12 members were present.

15 **b. Excused Absences**

16 Mr. Alexander recorded that the following members had excused absences: Ms.
17 Irene Tse-Pe, Mr. Michael Valerio, Ms. Mary Friday, and Mr. Steven Schmelling.

18 **c. Absences**

19 Mr. Alexander recorded that the following members were absent. Mr. Alex Puglisi,
20 Mr. Josh Madalena, Mr. Rod Sanchez, Ms. Angel Quintana, and Mr. Max Baca.

21 **III. Welcome and Introductions**

22 Mr. Sayre welcomed the members and the public to the meeting. He asked for
23 introductions from the board members and attending guests.

24 **IV. Approval of Agenda**

25 The board reviewed the agenda for the January 27, 2016 meeting, Mr. Sayre opened the
26 floor for questions or comments.

27 Mr. Valdez made a motion to approve the agenda as presented; Mr. Tiano seconded the
28 motion. The motion to approve the agenda as presented was unanimously passed.

29 **V. Approval of Minutes**

30 The board reviewed the minutes from the November 12, 2015 meeting. By ongoing
31 instruction from DOE Headquarters, the minutes were previously reviewed and certified by
32 the NNMCAB Chair. Mr. Sayre opened the floor for questions or comments.

33 Mr. Whiting made a motion to approve the minutes as presented; Ms. Gurulé seconded
34 the motion. The motion to approve the minutes as presented was unanimously passed.

35 The board reviewed the minutes from the November 18, 2015 meeting. By ongoing
36 instruction from DOE Headquarters, the minutes were previously reviewed and certified by
37 the NNMCAB Chair. Mr. Sayre opened the floor for questions or comments.

1
2 Ms. Gurulé made a motion to approve the minutes as presented; Ms. Varela seconded
3 the motion. The motion to approve the minutes as presented was unanimously passed.
4

5 **VI. Old Business**

6 **a. Written Reports**

7 Mr. Sayre opened the floor for questions on the written reports. Mr. Sayre gave a
8 brief overview of the chairs written report. He noted that the members should also
9 review the Executive Director's report for important dates of upcoming meetings and
10 events, in addition to an update on the membership and NNMCAB activities.
11

12 **b. Other Items**

13 Mr. Sayre opened the floor for discussion on old business that the members might
14 have.
15

16 Mr. Valdez noted that on the budget recommendation that he was asked to
17 address, he was looking at addressing activities that need to be completed, not
18 specific dollars. He asked that the members provide him with comments for the
19 recommendation.
20

21 Mr. Bishop noted that DOE does not yet know what the FY'17 Budget will be so a
22 recommendation addressing priorities might be a better path to follow.
23

24 Mr. Hintze noted that in his presentation he would be addressing some of the FY'17
25 Budget.
26

27 Mr. Sayre noted that the only other recommendation on the table was on
28 chromium. He noted that the NNMCAB would be waiting on the resolution of public
29 comments in the Chromium Environmental Impact Statement (EIS), before completing
30 that draft.
31

32 Mr. Bishop responded that the Chromium EIS response document had been issued
33 and that a finding of No Significant Impact had been issued for the chromium interim
34 measure.
35

36 **VII. New Business**

37 Mr. Sayre opened the floor for discussion on any new business that the members might
38 have.
39

40 The members asked if they could have additional information at the February 10, 2016
41 Combined Committee meeting on the Corrective Action Plan for Remediated Nitrate Salts.
42

1 Mr. Bishop responded that an additional presentation on the corrective actions could be
2 arranged for the February meeting.

3
4 **VIII. Update from the Deputy Designated Federal Officer**

5 Mr. Bishop noted that with all the Liaisons present today he would defer the DDFO time
6 to them, since they would be covering many of the same topics. Additionally, he noted that
7 he would like to have Ms. Betsy Madru from Waste Control Specialists (WCS) give a brief
8 introduction.

9
10 Ms. Madru stated that WCS owns and operates a low level waste disposal facility in
11 Andrews, Texas. She noted that WCS is trying to attend each Citizens' Advisory Board and
12 introduce themselves to the members. She noted that she would be around during the
13 meeting to answer any questions that the members may have. Ms. Madru stated that
14 Energy Solutions had announced during December of 2015 its intent to purchase WCS. She
15 noted that the purchase contracts are currently with the Department of Justice pending a
16 review of the legality of the purchase.

17
18 **IX. Consideration and Action on Draft Recommendation.**

19 Mr. Sayre opened the floor for consideration and action on Draft Recommendation
20 2016-01. Mr. Sayre asked Mr. Valdez if he would like to provide an overview of the
21 recommendation to the board.

22
23 Mr. Valdez stated that the intent of the recommendation was to provide DOE with a
24 realistic approach to address the remaining clean-up at Los Alamos. Additionally, noting that
25 it was intended to maximize time and effort and taxpayer dollars.

26
27 Mr. Sayre noted that if the members did not have any additional questions he would like
28 to call for a motion to approve the draft recommendation.

29
30 Ms. Lopez-Cordova made a motion to approve Draft Recommendation 2016-01
31 "Campaign Approach", as presented; Mr. Martínez y Valencia seconded the motion. The
32 motion to approve the Draft Recommendation 2016-01 was unanimously passed.

33
34 **X. Presentations**

35 **a. Environmental Management Los Alamos Filed Office**

36 Budget Analyst, Ms. Genna Hackett and Site Manager, Mr. Hintze, DOE,
37 Environmental Management Los Alamos Filed Office (EM-LA); gave a presentation to
38 the NNMCAB on "Fiscal Year 2016 Budget." An electronic copy of the presentation
39 may be obtained from the NNMCAB website; <http://www.energy.gov/em/nnmcab>.
40 Video of the presentation is also available on the NNMCAB's YouTube Channel
41 (NNMCAB).
42

1 **b. Questions**

2 Mr. Valdez asked what happened with the dollars budgeted for Transuranic (TRU)
3 Waste in FY'15.

4
5 Ms. Hackett responded that while money was not spent on shipping as it was not
6 occurring in FY'15, the budget for TRU waste was used to address the corrective
7 actions and judgments of need that were presented in the Waste Isolation Pilot Plant
8 (WIPP) incident reports.

9
10 Mr. Bishop additionally noted that some of that budget was spent on the storage
11 and prep costs associated with the nitrate salt bearing wastes, in addition to the
12 research necessary to treat the waste.

13
14 Mr. Valdez asked where the money for fines comes from.

15
16 Ms. Hackett responded that the fines for the settlement agreements will be coming
17 out of FY'15 budget not the FY'16 budget.

18
19 Mr. Hintze noted that there is no fund that is set aside for fines, the money for
20 fines is derived out of the program budget.

21
22 Mr. Martínez y Valencia asked if some of the funding for the fines had come from
23 the TRU waste shipping budget.

24
25 Mr. Maggiore responded that the funding for the fines had not come out of the
26 clean-up budget for Los Alamos, it was derived from unearned fee that LANS did not
27 receive and re-appropriated moneys from Congress.

28
29 Mr. Mayfield stated that a priority for the NNMCAB should be to work towards
30 getting an approved Life Cycle Baseline for clean-up.

31
32 Mr. Valdez asked if the chromium project was going to be starting back up soon.

33
34 Mr. Hintze responded that yes, the extraction and injection wells are in the process
35 of being put in and pump and treat will resume.

36
37 Mr. Valdez asked about the Royal Demolition Explosive (RDX) plume project.

38
39 Mr. Hintze stated that characterization and investigation for the best process for
40 remediation of the RDX plume is planned in the near term.

41
42 Mr. Valdez asked what the follow on acquisition activities are.

1 Mr. Hintze responded that the follow on acquisition activities are the development
2 of the long term contract that needs to be put in place at the end of the Bridge
3 Contract.
4

5 **c. Waste Isolation Pilot Plant**

6 Mr. J. R. Stroble, DOE, Carlsbad Field Office; provided a presentation on “Waste
7 Isolation Pilot Plant Recovery.” An electronic copy of the presentation may be
8 obtained from the NNM CAB website; <http://www.energy.gov/em/nnmcab>. Video of
9 the presentation is also available on the NNM CAB’s YouTube Channel (NNM CAB).
10

11 **d. Questions**

12 Mr. Sayre asked if the WIPP reopening was going to be a soft reopening.
13

14 Mr. Stroble responded that the reopening will be a form operation readiness
15 review, being characterized as a crawl, noting that the entire facility will be evaluated
16 and formally evaluated for safety and training purposes.
17

18 Mr. Valdez noted that he thought that the new ventilation system was going to be
19 installed in a different location than the old system.
20

21 Mr. Stroble responded that the location for the new system has not been
22 determined yet. Additionally, noting that safety analysis and capability alternative
23 analysis needs to be conducted and approved.
24

25 Mr. Sayre asked if the new system would allow for the use of diesel equipment in
26 the mine.
27

28 Mr. Stroble responded that an analysis had been conducted and where applicable
29 diesel equipment is incorporated. He noted that an example of this is the hybrid rock-
30 bolter that uses both electric and diesel power for operation.
31

32 Mr. Whiting asked if an uncertainty cushion had been factored into the recovery
33 plan for WIPP.
34

35 Mr. Stroble responded that yes, risks are identified and uncertainty associated with
36 those risks must be incorporated. Additionally, noting that uncertainty had been
37 factored into the schedule and that DOE has confidence in the proposed date of
38 December 18, 2016 for resumption of operations.
39

1 **XI. Update from Liaisons**

2 **a. Update from U.S. Department of Energy**

3 Mr. Hintze noted that he only had two quick topics to cover. The first was that the
4 Defense Nuclear Safety Board was scheduled to hold a hearing associated with
5 Material Disposal Area G, in March. Mr. Hintze noted that as additional information
6 becomes available he would share it with the NNM CAB. The second topic was that the
7 new EM-LA office was still in the process of hiring personnel to fill positions; he noted
8 that the EM-LA office would be filling 18 positions, over the course of the next year.
9

10 **b. Update from Los Alamos National Security**

11 Mr. Randy Erickson noted that he would like to further the board's knowledge on
12 the safe storage of nitrate salt waste. He stated that extensive small scale testing of
13 surrogate materials was conducted, to replicate what occurred in the nitrate salt
14 bearing waste drum at WIPP. Additionally, noting that full scale drum tests were also
15 conducted. These tests provide technical information on how the materials behave,
16 and possible new safety measures that could be taken to increase safety of drum
17 storage: such as temperature control. Mr. Erickson noted that when the processing of
18 the waste begins in the latter part of FY'17, temperature control will be incorporated
19 into the remediation process.

20 Mr. Erickson stated that extensive outside testing in addition to peer review of the
21 work had been conducted, to ensure that LANL is on the correct path.
22

23 Mr. Sayre asked where the testing had taken place.
24

25 Mr. Erickson responded that the Southwest Research Institute had been
26 conducting the testing for Los Alamos.
27

28 **c. Update from New Mexico Environment Department**

29 Ms. Katie Roberts stated that the New Mexico Environment Department was
30 happy to announce that the Settlement Agreements had been signed on Friday
31 January 22, 2016. She noted that the Agreements consisted of \$74 Million dollars
32 covering 8 supplemental environmental projects, at Los Alamos and Carlsbad. She
33 stated that the goal is to have the supplemental environmental projects completed
34 within two years, with the exception of the communication plan which will be
35 ongoing.

36 Ms. Roberts noted that the NMED will be the final sign off on whether WIPP will
37 be opened on time and how the remediation of the nitrate salts will take place.
38 Additionally, noting that NMED has been very involved in both processes and will
39 continue to be.

40 Ms. Roberts noted that the NMED is moving to look at Consent Order
41 negotiations. She advised the NNM CAB that her staff is currently working on drafting
42 a new Consent Order. Ms. Roberts stated that NMED values the input of the NNM CAB

1 and that the NNMCAB will have valuable input in the drafting of the new Consent
2 Order. Ms. Roberts noted the four major concepts in the new Consent Order: Cleanup
3 vs. investigation, annual work planning process, campaign approach, and data quality
4 objectives. Ms. Roberts stated that there will be more public input into this Consent
5 Order than in the previous 2005 document. Additionally, noting that she is unsure
6 what course that input will take.

7
8 Ms. Gurulé asked for more information on the Supplemental Environmental
9 Projects (SEP) and the storm water aspect.

10
11 Ms. Roberts responded that of the eight SEPs five of them will be conducted at
12 LANL. Ms. Roberts noted that two of those projects are enhanced engineering
13 controls for storm water runoff in the canyons, and additional sampling capabilities
14 for surface water. Additionally, stating that money for those two projects has already
15 been appropriated.

16
17 Mr. Mayfield asked what NMEDs position was on the DOE Life Cycle Baseline.

18
19 Ms. Roberts noted that the campaign approach and the annual work plan process
20 feed into the Life Cycle Baseline; however, the Life Cycle Base line is not a document
21 that NMED has input on or approves.

22
23 Mr. Valdez asked if any of the eight SEPs would be a campaign approach.

24
25 Ms. Roberts responded that the SEPs would not be completed using a campaign
26 approach.

27
28
29 **XII. Public Comment**

30 Mr. Sayre opened the floor for public comment at 4:03 p.m. he invited Mr. Scott Kovac
31 from Nuke Watch New Mexico to address the board.

32
33 Mr. Kovac stated that the estimated cost of environmental cleanup across all the DOE
34 environmental sites is over \$240 billion. Additionally, noting that the cost goes up each year.
35 He stated that we need to keep funding these liabilities and a larger yearly budget should be
36 requested.

37 Mr. Kovac noted that he had a request on WIPP, and the baseline costs. He noted that
38 he did not believe that DOE had made public the new CD-1, cost schedule, or underground
39 contamination levels at WIPP, stating that he was requesting that DOE make these available.

40
41 With no additional comments Mr. Sayre closed the public comment at 4:05 p.m.

1 **XIII. Wrap-up and Comments**

2 Ms. Abeyta, Mr. Mayfield, Mr. Tiano, Mr. Martínez y Valencia, Ms. Sanderson, Mr.
3 Valerio, Ms. Mascareñas, Ms. Herrera, Ms. Lopez-Cordova, Mr. Sayre, and Ms. Gurulé;
4 stated that it was an interesting meeting and they appreciated all of the input. Additionally,
5 they thanked the presenters for the informative presentations and staff for the meeting
6 preparation.

7
8 Mr. Whiting and Ms. Varela, noted that they were looking forward to getting to
9 prioritize the clean-up projects, Additionally, Mr. Whiting asked that DOE present its
10 information in an unbiased way to the greatest extent possible.

11
12 Mr. Valdez noted that he would work on the budget recommendation and get it out to
13 the NNMCAB members for review as soon as possible. He thanked everyone for a great
14 meeting.

15
16 **XIV. Adjournment**

17 Mr. Sayre noted that the next Combined Committee meeting would be at the NNMCAB
18 office in Pojoaque on February 10, 2016. He thanked the presenters and members for attending
19 today's meeting.

20
21 Mr. Bishop and Mr. Gardipe thanked the members for volunteering their time. With no
22 additional business to discuss, Mr. Gardipe adjourned the meeting at 4:12 p.m.

23 **Respectfully Submitted,**



24 **Doug Sayre, Chair, NNMCAB**

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

26
27 **Attachments**

- 28 1. **Final NNMCAB Meeting Agenda for 01/27/2016**
 - 29 2. **Final NNMCAB Meeting Minutes for 11/12/2015**
 - 30 3. **Final NNMCAB Meeting Minutes for 11/18/2015**
 - 31 4. **Report from the Chair, Doug Sayre**
 - 32 5. **Report from the Executive Director, Menice Santistevan**
 - 33 6. **NNMCAB Bi-Monthly Meeting Schedule for CY'16**
 - 34 7. **Draft Recommendation 2016-01 "Campaign Approach"**
 - 35 8. **Presentation by Department of Energy, "Fiscal Year 2016 Budget"**
 - 36 9. **Presentation by Carlsbad Field Office, "Waste Isolation Pilot Plant Recovery"**
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