



**Northern New Mexico Citizens' Advisory Board Meeting
July 30, 2008
2:00 p.m. to 8:00 p.m.
Santa Fe Community College
Santa Fe, New Mexico**

In Attendance:

NNMCAB Members-

1. J.D Campbell, NNM CAB Chair
2. Pam Henline, EMSR Committee Chair
3. Mike Loya, EMSR Committee Vice Chair
4. Ralph Phelps, WM Committee Chair
5. Larry Rapagnani, WM Committee Vice Chair
6. Donald Dayton
7. Robert Gallegos
8. Jane Gaziano
9. George Heindel
10. Kathleen Hall
11. Ken LaGattuta
12. Antonio Lopez
13. Lawrence Longacre
14. Gerald Maestas
15. Karen Torres

Excused Absences-

1. Kyo Kim
2. Lucy Foley
3. Joseph Mark Chavarria

NNMCAB Staff-

Menice Santistevan, Executive Director
Lorelei Novak, Technical Programs and Outreach
Grace Roybal, Office Administrator
Edward Roybal, Sound Technician

Also in Attendance-

Christina Houston, Deputy Designated Federal Officer (DDFO)
Ed Moreno, Facilitator

Guests in Attendance-

1. George Rael, DOE/LASO
2. Paul Huber, LANL
3. Danny Katzman, LANL
4. Lorrie Bonds-Lopez, LANL
5. Secretary Ron Curry, NMED

6. James Bearzi, NMED, Hazardous Waste Bureau
7. Kathryn Roberts, NMED, Hazardous Waste Bureau
8. Jon Goldstein, NMED
9. Bob Gilkeson, Public
10. Michael Vigil, Pueblo of Tesuque
11. Floyd E. Archuleta, Portage, Inc.

AMENDED MEETING AGENDA:

- I. Call to Order- Christina Houston, DDFO.
- II. Establishment of Quorum- (10 needed)
 - a. *Roll Call*
 - b. *Excused Absences*
- III. Welcome.
- IV. Approval of Agenda.
- V. Approval of Minutes of May 22, 2008.
- VI. New Business.
 - a. Consideration of Letters to Sec. Rispoli from SSABs
 - b. Discussion/Approval of NNM CAB Top Three Issues for Fall SSAB Chairs Meeting
 - c. First Reading- Proposed Amendments to the Bylaws
 - d. Report from Nominating Committee
 - e. Report/Environmental Justice Conference
 - f. Matters from Board Members
- VII. Old Business.
 - a. Chair's Report- Written Report Submitted
 - b. NNM CAB Executive Director's Report-Written Report Submitted
 - c. Other Matters
- VIII. Committee Business Reports.
 - *Waste Management Committee- Written Report Submitted*
 - *Introduction of Draft Recommendations*
 - *Environmental Monitoring, Surveillance and Remediation Committee- Written Report Submitted*
 - *Introduction of Draft Recommendations*
 - *Report from Ad Hoc Committees*
 - *NNM CAB Effectiveness and DOE Responsiveness*
 - *Rapid Response*
 - *Public Outreach*
- IX. Discussion with Secretary Ron Curry, NMED.
- X. Public Comment Period.

- XI. Presentation on Upcoming Consent Order Deliverables.
- XII. Consideration and Action on Draft Recommendations to DOE.
 - [Recommendation 2008-01](#) (Approved, as modified)
 - [Recommendation 2008-02](#) (Approved, as modified)
 - [Recommendation 2008-03](#) (Approved, as modified)
 - [Recommendation 2008-04](#) (Tabled until September 24th CAB meeting)
 - [Recommendation 2008-05](#) (Approved, as modified)
 - Recommendation 2008-06 (Not Approved)
- XIII. Wrap up Discussion.
- XIV. Adjournment- Christina Houston, DDFO.

MEETING MINUTES:

I. Call to Order.

The regular bi-monthly meeting of the Northern New Mexico Citizens' Advisory Board (NNMCAB or CAB) meeting was held on July 30, 2008 at the Santa Fe Community College, Santa Fe, New Mexico. The Chair, J. D. Campbell presided. Ed Moreno served as the facilitator for the meeting. Christina Houston, Deputy Designated Federal Officer (DDFO) stated that on behalf of the Department of Energy (DOE), the regular bi-monthly meeting of the NNM CAB was called to order at 2:00 p.m. The regular meeting of the NNM CAB was open to the public and posted in *The Federal Register* in accordance with *The Federal Advisory Committee Act*.

II. Establishment of Quorum.

Roll Call- 15 members present.

Ms. Novak conducted roll call and announced a quorum with 15 members present at the meeting. Ms. Houston had previously approved an excused absence for Kyo Kim, Lucy Foley and Joseph Mark Chavarria.

III. Welcome and Introductions.

Ms. Houston opened the meeting with a few brief remarks. She called the Board's attention to [CAB Administrative Procedure 04-001](#), which concerns e-mail protocol and procedure. She asked the Board members use the directions given in the procedure when sending electronic mail.

IV. Approval of Agenda.

The Board reviewed the agenda. The following changes or announcements regarding the agenda were made:

- Mr. Moreno reminded the Board that written reports were included in the meeting packets. To save time, the reports will not be given verbally; specific questions can be brought up in new business.
- Dr. Campbell asked for consideration and action of the Board's Top Three Issues.

Action: Mr. Moreno asked for a motion to approve the agenda, as amended. Mr. Dayton made a motion to approve the July 30, 2008 meeting agenda, as amended. Mr. Phelps seconded the motion. The agenda was approved, as amended.

V. Approval of Minutes of May 22, 2008.

Reminder: DOE Headquarters has issued instructions requesting minutes of the CAB meetings be certified by the Chair within 45 days of the meeting. The Board as a group will no longer have to approve the minutes at the CAB meetings but they can review the certified copy via email.

Action: Mr. Moreno asked for a motion to approve the May 22, 2008 CAB Meeting minutes. The members asked for a few edits. Mr. Dayton made a motion to approve the minutes as presented and Mr. Phelps seconded the motion. Dr. Campbell, Chair, previously certified the minutes within the requested 45-day time limit. Ms. Novak would incorporate the Board's edits and a revised edition of the certified minutes would be placed on file.

VI. New Business.

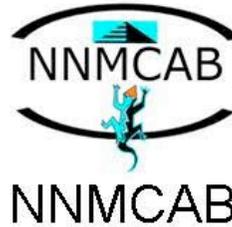
a. Consideration of Letters to Sec. Rispoli from SSABs

- Letter No. 1- subject: "To Support the Establishment and Continuation of the Office of Communication."
- Letter No. 2- subject: Recommendation that Quarterly Project Review (QPR) be Shared with the Environmental Management (EM) Site Specific Advisory Board (SSAB)."

Dr. Campbell introduced both product letters from the Spring 2008 SSAB Chairs meeting. He reminded the Board that the action regarding the letters was to approve or not to approve only and no changes could be accepted at this point by the individual boards. Board questions were addressed.

Action: Dr. Rapagnani made a motion to approve the two letters and Ms. Hall seconded the motion. The letters were approved by the NNM CAB.

b. Discussion of NNM CAB Top Three Issues for Fall SSAB Chairs Meeting



Top Three Issues September 2008

- Issue #1: DOE Funding for the past three years and probable near term funding at about 50% of Certified EM Baseline impairs implementation of Los Alamos National Laboratory's (LANL) Consent Order for clean-up by 2015 as required.
- Issue #2: Install 20+ new Groundwater Monitoring Wells to provide reliable detection of Chemicals of Concern (COC).
- Issue #3: Increase Transuranic (TRU) waste shipments to Waste Isolation Pilot Plant (WIPP) – on critical path for Consent Order.
- **NNM CAB Accomplishment:** NNM CAB had good cooperation with DOE and LANL on preparation and presentation of Public Forum on Closure Options for Material Disposal Area G (MDA-G).

Dr. Campbell introduced the draft NNM CAB Top Issues for the fall 2008 SSABs Chairs meeting. He mentioned the top three issues from Spring 2008 were also included in the meeting packet. The Board discussed the issues and the version of the Top Three Issues quoted above represents the approved version.

Action: Dr. Campbell entertained a motion to send the Board's Top Issues to Headquarters. Mr. Phelps made the requested motion and Ms. Henline seconded the motion. The motion passed.

c. First Reading- Proposed Amendments to the Bylaws

Mr. Moreno provided a first reading for the proposed bylaws changes. Minor changes were noted. The copy referred to below represents the edited version for the bylaws amendment as presented for first reading.

*Proposed Amendments to NNM CAB Bylaws
Page 8, Item J. 2*

An election to fill a vacancy will be held at the next regularly scheduled Board meeting after the meeting at which the vacancy was announced. The person to fill

the vacancy will be elected by simple majority vote of those Board Members present.

Page 10, Item VI D. Administrative Decision Making

Re-letter D. to E.

Page 10, Item VI F. Emergency Polling of the Board. When an urgent decision must be made by the Board between regular meetings, the Chair shall call and/or e-mail all members of the Board. Board members must be given full information about the issue to be decided and sufficient time to share opinions before the final decision is given. A quorum of the Board must respond. The emergency decision must be presented at the next Board meeting for ratification and official reporting in the minutes.

d. Report from Nominating Committee

Mr. Maestas acted as the reporting member for the Nominating Committee. He stated that Dr. Campbell has self-nominated for Chair and Mr. Phelps has self-nominated for Vice Chair. No other nominations have been received, however nominations will be open up to the time of the election at the September 24th CAB meeting. Nominations can be submitted to Ms. Hall, Mr. LaGattuta or Mr. Maestas. Mr. Maestas stated all members may self nominate.

e. Report/Environmental Justice Conference

Mr. Loya attended the Environmental Justice Conference held in Washington, DC. He provided a verbal report to the Board.

f. Matters from Board Members

Mr. Phelps discussed the progress of the FY'09/FY'10 CAB Public Participation Plan. The new plan will replace the FY'07 & FY08 Public Participation Plan. The Public Outreach Ad Hoc committee is working on finalizing a draft for Board review which will include taking the Speaker's Bureau on the road.

Members discussed Board recruitment with Ms. Santistevan stating that recruitment efforts will gear up in the fall of 2008. Ms. Santistevan encouraged applications for new members. There are vacant terms that can be filled.

Mr. Heindel requested The Corrective Measures Evaluation (CME) for Material Disposal Area G (MDA-G). Dr. Campbell replied that the Board will be notified as soon as electronic copies are made available, which should be sometime in September 2008.

VII. Old Business / Written Reports.

a) Reports:

1. Report from Chair J.D. Campbell.

 [View Chair's written report online](#)

A printed copy of Dr. Campbell's report can be requested from the CAB office at (505) 989-1662 or [via email](#). Dr. Campbell reviewed his written report for the Board and answered questions from the Board members.

2. Report from Executive Director Menice Santistevan.

☞ [View Executive Director's written report online](#)

A printed copy of Ms. Santistevan's report can be requested from the CAB office at (505) 989-1662 or [via email](#). Ms. Santistevan briefly highlighted the major points of her report for the Board. She announced the next Board meeting was scheduled for September 24, 2008 at the Santa Fe Community College.

VIII. Committee Business/Reports.

➤ **Waste Management Committee Report.**

☞ [View WM Committee Chair's report online](#)

Mr. Phelps, WM Committee Chair, acted as the reporting member for the WM Committee. A printed copy of Mr. Phelps report can be requested from the CAB office at (505) 989-1662 or [via email](#).

– ***Introduction of Draft Recommendation 2008-1 (WM Committee)***

Mr. Phelps introduced draft Recommendation 2008-01 to the Board, which recommended DOE and LANL expedite planned change request for shielded containers. The Board discussed the recommendation and made suggestions for clarification and improvement.

– ***Introduction of Draft Recommendation 2008-2 (WM and EMSR Committees)***

Mr. Phelps introduced draft Recommendation 2008-02 to the Board, which recommended DOE enhance organization and training for LANL with regards to interfacing with regulators. The Board discussed the recommendation and made suggestions for clarification and improvement.

– ***Introduction of Draft Recommendation 2008-6 (WM Committee)***

Mr. Phelps introduced draft Recommendation 2008-06 to the Board, which recommended that DOE develop an integrated design basis document for monitoring wells used for LANL Environmental Restoration. The Board discussed the recommendation and made suggestions for clarification and improvement.

➤ **Environmental Monitoring, Surveillance and Remediation Committee Report.**

☞ [View EMSR Committee Chair's written report online](#)

- Ms. Henline acted as the reporting member for the EMSR Committee. A printed copy of Ms. Henline's report can be requested from the CAB office at (505) 989-1662 or via email ***Introduction of Draft Recommendation 2008-03 (EMSR Committee)***

Ms. Henline introduced draft Recommendation 2008-03 to the Board, which recommended DOE take particular actions outlined in the draft recommendation regarding the EPA Storm Water Discharge Permit. The Board discussed the recommendation.

– Introduction of Draft Recommendation 2008-04 (WM and EMSR Committees)

Ms. Henline introduced draft Recommendation 2008-04 to the Board, which recommended DOE take particular actions outlined in the draft recommendation regarding Environmental Management (EM) budget planning and priorities for available funding of legacy waste clean up at LANL. The Board discussed the recommendation.

– Introduction of Draft Recommendation 2008-05 (WM and EMSR Committees)

Ms. Henline introduced draft Recommendation 2008-05 to the Board, which recommended DOE develop a simple project status-reporting format for environmental projects under the Consent Order that can be used by NNM CAB and LANL for public communication. The Board discussed the recommendation.

➤ **Verbal Reports from Ad Hoc Committees.**

– NNM CAB Effectiveness and DOE Responsiveness

Dr. Rapagnani gave a verbal report to the Board on the status/progress of the CAB Survey Results Ad Hoc Committee. Highlights of Dr. Rapagnani’s report are listed below:

- The Ad Hoc committee has met a number of times.
- The committee took numerical results classified by marginal, needs work, etc.
- Looked at ‘needs work’ questions and categorized them, passed along the questions to the Executive Committee and the other Ad Hoc Committees as appropriate.
- Groups are formulating a plan of action on how to address the ‘needs work areas.’
- The written comments portion of the survey has been categorized.
- In addition, a report to DOE report should be ready for submission by December 2008.

– Rapid Response

Ms. Gaziano gave a verbal report to the Board on the status/progress of the Rapid Response Ad Hoc Committee. She stated the committee had addressed rapid response issue with the proposal of the following proposed bylaws amendment given a first reading earlier in the agenda:

Page 10, Item VI D. Administrative Decision Making

Re-letter D. to E.

Page 10, Item VI F. Emergency Polling of the Board. When an urgent decision must be made by the Board between regular meetings, the Chair shall call and/or e-mail all members of the Board. Board members must be given full information about the issue to be decided and sufficient time to share opinions before the final decision is given. A quorum of the Board must respond. The emergency decision must be presented at the next Board meeting for ratification and official reporting in the minutes.

– Public Outreach

Mr. Lopez gave a verbal report to the Board on the status/progress of the Public Outreach Ad Hoc Committee. Highlights of Mr. Lopez’s report are bulleted below:

- The committee is addressing questions assigned from the Board Effectiveness Survey.
- Working with Ms. Novak on ways to get information to the public, specifically through the revised Outreach PowerPoint Presentation.
- Develop a presentation plan to go to civic organizations and schools.

IX. Discussion with Secretary Ron Curry, New Mexico Environment Department

Secretary Curry addressed the Board regarding continued funding for the timely implementation of the Consent Order and the continuing relationship of NMED with the NNM CAB. A summary of Secretary Curry's talk with the CAB follows:

Secretary Ron Curry discussed his background and how he has a long connection with Los Alamos, Sandia and Livermore, as well as his continuing relationship with the DOE. When he became Secretary of the New Mexico Environment Department in 2003 he brought to the position knowledge of the Los Alamos National Laboratory. At that time, the New Mexico Compliance Order on Consent (the Consent Order or Order) had been issued in 2002 and Mr. Bearzi, NMED, was in the process of negotiating the terms of the Order.

In 2003, Sec. Curry made a commitment with Jesse Roberson, who was at the time Assistant Secretary for Environmental Management, to sit down together to "hammer out" the terms of the Order by the end of September of 2003. The negotiation process started to focus more on the National Nuclear Security Administration (NNSA) versus the DOE. He felt compromised in the intent of his meetings with Roberson and he found out that the DOE preferred a project management plan to the Order. The NMED wanted to establish themselves firmly in a regulatory position to maintain oversight, enforcement and direction, which was being manifest in the form of the Order. NMED continued working on negotiating the Order, which was signed by the participating parties on March 1, 2005. During the negotiation process, the issue of increased funding for accelerated clean up had come up and some additional funding had been allotted. The message given to NMED over and over was that it would be better for LANL that the Order was an enforceable document because this would make it easier to go to congress to get funding and NMED agreed that this made sense. Some initial comments on the Order included statements that it was long on investigation and short on remediation. But Sec. Curry stated that additional investigation and characterization proved to be necessary in order to develop adequate and appropriate remediation programs. He stated this additional investigation would make the eventual clean-up better because the investigation became more thorough.

Sec. Curry addressed the Board's March 19, 2008 letter sent to Donald Winchell, Manager, Los Alamos Site Office of the DOE regarding "NNM CAB Comments to Los Alamos Site Office on the Development of the FY'10 Budget for EM at LANL." Primarily, the letter had concerned Secretary Curry because the tone seemed to be recommending a change in the scope and the schedule of the Order to available funding, and additional investigation and monitoring issues. Due to this issue of a lack of funding for timely implementation of the Consent Order, the word "renegotiation" had started to come up from congress, the Governor heard it and the NMED heard it through their EPA contact. Sec. Curry went to Washington and stated concisely that the NMED will not renegotiate the Order. At this point, Sec. Curry stated that the CAB's mention of using the current low funding levels to do needed investigations described in the letter sounded like a change to the Consent Order. The NMED's position was first that they believed the Order, as an enforceable document, was the best path for getting funding, and secondly, renegotiation of any kind would make the Order a compromised

document, which could quickly become a “slippery slope.” He stated that the NMED, Governor Richardson and Lt. Governor Denish all stand behind the Order.

By explaining the NMED’s commitment to the integrity of the Order, and by providing some background regarding the Order’s history, he hoped the Board would understand his reaction to the content of the Board’s letter sent to DOE. He tried to be as low key as possible today the Board but he stated there had been many the picks at the Order and many rumors and the facts. When there is a situation of a miscommunication, when there is even a “perceived attempt” to renegotiate the Order that the NMED will react strongly and aggressively to make sure everyone knows the position of the state of New Mexico. Sec. Curry stated emphatically that they would not renegotiate the terms of the Consent Order. If anyone in the room took his response as “surly, rude, or base” he is sorry that they took it that way but he is not apologizing for his response. It is because he believes so much in the Order that he does not want it to slide backwards one bit otherwise they could start down that “slippery slope.” With all that said, the NMED still wants to work with and understand people and groups without partnering or reopening the Consent Order. The NMED listens and tries to be responsive with all the citizen groups, the pueblos and the public, including this Board while maintaining their role as the regulator to protect the environment and the health of New Mexicans. He wants to have a continuing and productive relationship with the NNM CAB. Overall, Sec. Curry believes in the Consent Order and believes the United States Government should “keep its word.” Sec. Curry fielded questions and responded to comments from the Board.

****Specific Questions asked to be included in the minutes by Board members as an amendment to the minutes:**

Mr. Maestas comment to Sec. Curry about going to the newspapers after receiving the CAB’s letter. The way he understood the letter was investigation before remediation. That was the sole intent of the letter. He has spent many hours on this CAB he would have rather spent somewhere else and he was really offended by being accused of getting “in the tank with the DOE” because the DOE funds this Board. He also could not understand NMED going to the newspaper after words, that issue really bothered him. The other thing that concerned him was that when one makes an accusation, especially in the newspaper, that Los Alamos has a legacy of pollution, that can raise the concern of people unnecessarily. He understands the state plays “hard ball with the DOE” but he did not appreciate the notion the he represented the DOE. His intent was to serve on the Board as a citizen of New Mexico. Sec. accepted Mr. Maestas statement. As far making a statement in the newspaper, his department tries to use the press as effectively as they can to get their messages out and some people have accused them of being overly aggressive at times. He did state that in a few situations he agreed that was a legitimate criticism. The bottom line was he was concerned that the CAB was going to take a position that would weaken the NMED’s efforts at maintaining the structure/integrity of the Order. Regarding the legacy of pollution at Los Alamos the NMED has concerns, that Mr. Bearzi’s group can point out, that gives the NMED a great deal of concern about the fact that contaminants have been found and the fact that they are moving. They may not be in the largest quantities/density to cause concern now but when they find something that has made it’s way to a close proximity to a drinking water system, specifically referencing chromium, or heavy runoff/results of the Cerro Grande fire led to findings contaminants at Cochiti, these situations causes concern. This causes the NMED to think the legacy of 60 years is on the move and it becomes a leading indicator that

things might be getting worse in certain areas. He sees their job, and the CAB's, being to protect the state of New Mexico environment and the people's health.

In response to Ms. Henline's question about lack of funding in regards to meeting the schedule of deliverables laid out in the Order. Sec. Curry stated the DOE should fund the Order before other new projects. He stated it is the responsibility of the DOE and congress to make sure the funding goes in the right place. The Order has to remain firm, remain in place and be politically supported. He discussed how he has discretion in the budget he submitted to the state and he believes the DOE and congress have similar discretion. To Sec. Curry, it is a matter of setting priorities- so to him that means the DOE has to answer to 60 years of legacy waste and they are going to meet that commitment before they start new programs. The state of New Mexico has taken this position and questions how the DOE can start new programs, which cost considerably more than the clean-up, yet they don't have the money to fund the clean-up. Sec. Curry's answer to that is that people have to make decisions about budgets and the money is there, it's a matter of readjusting the money and this solution, albeit simply put, is in fact what has to be done and the Order provides the mechanism/avenue/instrument to justify that sort of activity.

X. Public Comment Period

Mr. Gilkeson signed up for public comment. He submitted a handout for the Board's review. He thanked Secretary Curry for his presentation. Mr. Gilkeson came with a prepared presentation regarding radionuclides in the groundwater. He stated that the main subject was that the data do not exist to support the approval of the Well Screen Analysis Report (WSAR). He stated his belief that there are problems with data, and he asked, do characterization wells provide reliable data for the strongly sorbing radionuclides? He believed zinc indicators would make reliable detectors for Resource Conservation and Recovery Act (RCRA) metal hazardous waste on the basis the WSAR described if 100% of the wells were reliable to predict zinc as a suitable indicator. He stated that this was the basis for NMED's approval of the WSAR.

He requested the Environmental Protection Agency (EPA) Kerr Laboratory look at the strategy used to make conclusions in the WSAR. He believed the conclusions could not be reliably predicted because they were based on a snapshot in time.

He stated that the EPA has suggested using a trend analysis of the data over time for constituents over time. The EPA has also recommended using push-pull tests for all the wells, and then re-examine the samples recovered following the test.

Mr. Gilkeson just finished a complete assessment of all the impacted LANL wells and he discovered from his own trend analysis that the wells (or practically all of the wells) do not provide reliable data. He was concerned that there was a contradiction between the Site Wide Environmental Impact Statement (SWEIS) and the LANL Water Quality (WQ) Database and he referenced a table in page four of his report. He wrote a detailed public comment for the SWEIS regarding this issue. He stated this was a serious problem because there is no reliable monitoring wells to predict the long flow paths for contaminant migration. The final SWEIS stated that contaminants are present, but he was not convinced the contaminants levels stated are accurate. He recommended an independent group to look at the contradiction he found in the SWEIS and the WSAR.

XI. Presentation on Upcoming Consent Order Deliverables (see handout)

Mr. James Bearzi, NMED, passed out a handout with upcoming Consent Order deliverables. He explained the handout was color coded as to whether the document related to groundwater issue, a Material Disposal Area (MDA) or if it was a routine Consent Order document submittal. No formal presentation was given, however, Mr. Bearzi was available to address Board member questions.

XII. Board Action on Draft Recommendations to DOE.

The Board took up the business of consideration and action on the following recommendations.

From NNM CAB Bylaws, page 9, section D, "Requirements for Recommendations to the DOE: The Board will strive for unanimity. If unanimity is not reached, then with a quorum present, recommendations shall be approved by a vote of 75 percent of those present and voting. If DOE has requested specific advice or recommendations and the Board cannot achieve the necessary vote to pass a recommendation, majority and minority positions shall be included in the report forwarded to the DOE."

a. Recommendation 2008-01- "Recommendation to DOE and LANL to Expedite Planned Change Request for Shielded Containers"

Motion:

Mr. Phelps made a motion to approve Recommendation 2008-01 with part B from line 3 to line 28 removed, and with word changes noted from page one.

Mr. Maestas seconded the motion but added that he thought major substantive changes should be made prior to a final vote at a Board meeting.

Vote:

13 members in favor

1 opposed

1 abstention

Action: Recommendation 2008-01 approved for submission to the DOE.

b. Recommendation 2008-02- "Enhanced Organization and Training for LANL in Interfacing with Regulators"

Motion: Mr. Phelps made a motion to approve Recommendation 2008-02 with minor change to page 1, line 35 noted.

Dr. Rapagnani seconded the motion.

Vote:

15 members in favor

Action: Recommendation 2008-02 was unanimously approved for submission to the DOE.

c. Recommendation 2008-03- "Recommendation for Actions Regarding the EPA Storm Water Discharge Permit"

Motion: Ms. Henline made a motion to approve Recommendation 2008-03 as amended with recommendation No. 5 stricken from the draft.

Mr. Phelps seconded the motion.

Vote:

14 in favor

1 opposed

Action: Recommendation 2008-03 approved for submission to the DOE.

d. Recommendation 2008-04- “EM Budget Planning and Priorities for Available EM Funding of Legacy Waste Cleanup at LANL”

Ms. Houston determined from the amount and scope of Board discussion regarding the draft recommendation that there was enough uncertainty to put this draft aside and she recommended no vote be taken at this time.

Motion: Dr. Campbell made a motion to table Recommendation 2008-04 to the September 24, 2008 meeting.

Mr. Loya seconded the motion.

Vote: 14 in favor (Note: 14 members remained at the table for voting.)

Action: It was unanimously approved to table Recommendation 2008-04 to the September 24, 2008 CAB meeting.

e. Recommendation 2008-05- “Develop a Simple Project Status Reporting Format for Environmental Projects Under the Consent Order that can be used by NNM CAB and LANL for Public Communications”

Motion: Mr. Phelps made a motion to approve Recommendation 2008-05 as presented. Dr. Rapagnani seconded the motion.

Vote: 14 in favor

Action: Recommendation 2008-05 was unanimously approved for submission to the DOE.

f. Recommendation 2008-06- “Develop an Integrated Design Basis Document for Monitoring Wells Used for LANL Environmental Restoration”

Motion: Mr. Maestas made a motion to approve Recommendation 2008-06 as presented. Mr. Phelps seconded the motion.

Vote: 8 in favor

1 opposed

5 abstentions

Action: Recommendation 2008-06 was not submitted to the DOE. The author agreed to take back the draft and work on member’s suggestions and comments. A renumbered draft would come back for Board action at the September meeting.

XIII. Wrap-up Discussion

- Mr. Moreno provided the group with a summary of the meeting’s action items:
 - First reading NNM CAB Bylaws amendments.
 - Approved SSAB letters to Secretary Rispoli.
 - Approved Recommendations 2008-01, 2008-02, 2008-03 and 2008-05.
 - Recommendation 2008-04 was tabled to the September 24, 2008 CAB meeting.

- Recommendation 2008-06 was not approved.
- Mr. George Rael, DOE provided the Board with responses to Recommendations 2006-07, 2007-02 and 2007-04. The responses would be posted on the NNM CAB's website.
- Mr. Bearzi, NMED provided the Board with a handout showing dates for Consent Order Deliverables.

XIV. Adjournment Christina Houston

Ms. Houston, DDFO, adjourned the meeting at 8:10 p.m.

Respectfully submitted,



J. D. Campbell, Ph.D., P. E., Chair, NNM CAB

**Minutes prepared by Lorelei Novak, NNM CAB Technical Programs and Outreach*

Attachments:

1. [Final 7-30-08 CAB Meeting Agenda.](#)
 2. [CAB Administrative Procedure 04-001.](#)
 3. SSAB correspondence to Secretary Rispoli.
 4. NNM CAB Top Three Issues for September 2008 Chairs Meeting in Washington, DC.
 5. NNM CAB Top Three Issues for Spring 2008 Chairs Meeting in Richland, Washington.
 6. [Report from Menice Santistevan, Executive Director.](#)
 7. [Report from J.D. Campbell, Chair, NNM CAB.](#)
 8. [Report from Pam Henline, Chair, EMSR Committee.](#)
 9. [Report from Ralph Phelps, Chair, WM Committee.](#)
 10. Draft Recommendations 2008-01, 2008-02, 2008-03, 2008-04, 2008-05 and 2008-06.
 11. NNM CAB Letter to Donald Winchell, March 19, 2008.
 12. Public Comment Handout from Bob Gilkeson.
 13. Handout with upcoming LANL Consent Order Deliverables from NMED.
 14. Environmental Surveillance at Los Alamos 2006, Executive Summary. (LA-14341-ENV)
 15. DOE Responses to CAB Recommendations 2006-07, 2007-02 and 2007-04.
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Public Notice:

 *All NNM CAB meetings are recorded in accordance with the Federal Advisory Committee Act. Audiotapes have been placed on file at the NNM CAB Office, 1660 Old Pecos Trail, Suite B, Santa Fe, New Mexico, 87505.

 *Reference documents listed in the Appendix section of these minutes can be requested for review at the CAB office in Santa Fe.

*For more information regarding audio transcription or any information referenced to or contained here in these minutes, please call the CAB office at (505)-989-1662.