



Northern New Mexico Citizens Advisory Board Meeting

July 31, 2013

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

Fuller Lodge

Los Alamos, New Mexico 87544

Minutes

Meeting Attendees

Department of Energy

Robert Pfaff, DOE Environmental Projects Office

Lee Bishop, Deputy Designated Federal Officer (DDFO)

Christina Houston, DOE Environmental Projects Office

Paul Torres, DOE Environmental Projects Office

NNMCAB Members

1. Carlos Valdez, NNMCAB Chair

2. Alex Puglisi

3. Gerard Martinez

4. Stephen Schmelling

5. Joseph Viarrial

6. Mike Loya

7. Joey Tiano

8. Angel Quintana

9. Doug Sayre

10. Allison Majure

11. Lawrence Longacre

12. Ashley Sanderson

NNMCAB Student Member

1. Kaitlin Martinez

Excused Absences

1. Bob Villarreal

2. Bonnie Lucas

3. Deborah Shaw

4. Nona Girardi

5. Brenda Gallegos

6. Manuel Pacheco, NNM CAB Vice-Chair

Absent

1. Adrian Chavez Sr.

NNMCAB Support Staff

Menice Santistevan, Executive Director

Tiffany Ortiz, Administrative Assistant

William Alexander, Technical Programs and Outreach

Guests

Patti Jones, Los Alamos National Security

Scott Kovac, Nuclear Watch New Mexico

Dennis Roybal, GCS, LLC.

Lisa Aldrich, Portage Inc.

Kathryn Roberts, Los Alamos National Security

Donivan Porterfield, Los Alamos Public

Kurt Steinhaus, Los Alamos National Security

Michael Brandt, Los Alamos National Security

* All NNM CAB meetings are recorded. Audio CD's and Video DVD's have been placed on file for review at the NNM CAB office, 94 Cities of Gold Road, Santa Fe, New Mexico, 87506. The written minutes are intended as a synopsis of the meeting.

Minutes

I. Call to Order

The bi-monthly meeting of the Northern New Mexico Citizens' Advisory Board (NNMCAB) was held on July 31, 2013 at Fuller Lodge in Los Alamos, New Mexico. Mr. Lee Bishop the Deputy Designated Federal Officer (DDFO) stated that on behalf of the Department of Energy (DOE) the meeting of the NNMCAB was called to order at 1:11 p.m.

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

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

II. Establishment of a Quorum (11 Needed)

a. Roll Call

Mr. William Alexander conducted roll call as the members arrived. At the call to order 10 members were present, leaving the NNMCAB 1 short of Quorum. Mr. Mike Loya arrived at 1:24 p.m. establishing a quorum of the NNMCAB. Ms. Ashley Sanderson arrived later.

b. Excused Absences

Mr. Alexander recorded that: Dr. Nona Girardi, Mr. Bob Villarreal, Ms. Deborah Shaw, Ms. Bonnie Lucas, Mr. Manuel Pacheco, and Ms. Brenda Lee Gallegos had excused absences for this meeting.

c. Absences

Mr. Alexander recorded that Mr. Adrian Chavez Sr. was absent.

III. Welcome and Introductions

Mr. Valdez welcomed the members and public to the meeting. He asked for introductions from the board members and all attending guests. Mr. Valdez also thanked the LANL Interns for the posters that they had brought for the NNMCAB poster session.

IV. Approval of Agenda

The Board reviewed the agenda for the July 31, 2013 NNMCAB Meeting.

Mr. Alex Puglisi asked that consideration and action on the recommendations be moved up from the 6:15 p.m. timeslot to before the dinner break. He noted that he had a council meeting to attend and would need to leave early, stating he would like to be present for the discussion on the recommendations.

Mr. Bishop suggested that the update from the DDFO be moved to after dinner and the consideration and action on the recommendations be moved to his 2:00 p.m. timeslot.

1 Mr. Lawrence Longacre stated that he would also need to leave, and he agreed with Mr.
2 Puglisi's suggestion of moving the recommendations to before the dinner break.

3
4 Mr. Valdez noted the suggestion and stated that at this time without a quorum the
5 NNMCAB could not make a motion and vote on the agenda; however he would revisit the
6 agenda if a quorum was established.

7 Mr. Valdez opened up the first of the public comment periods at 1:20 p.m. With no
8 members of the public wishing to address the board Mr. Valdez closed the public comment
9 period at 1:21 p.m.

10
11 Mr. Loya arrived at 1:24 p.m. establishing a quorum.

12
13 Mr. Valdez noted the proposed changes to the agenda and asked if he could have those
14 changes in the form of a motion.

15
16 Mr. Puglisi made a motion to approve the agenda as amended; Mr. Gerard Martinez
17 seconded the motion. The agenda for the meeting was unanimously approved as amended.
18

19 **V. Approval of Minutes**

20 The Board reviewed the minutes of the May 22, 2013 NNMCAB Meeting. By ongoing
21 instruction from DOE Headquarters, the minutes were previously reviewed and certified by
22 the NNMCAB Chair. Mr. Valdez opened the floor for comments from the board. Mr. Doug
23 Sayre made a motion to approve the minutes as presented; Mr. Joey Tiano seconded the
24 motion.

25
26 Mr. Longacre stated the he objected to how the minutes were presented in his section.
27 He noted that he felt that the minutes did not accurately reflect the discussion on the
28 recommendation that had occurred between himself and the board during the meeting on
29 March 20, 2013.

30
31 Mr. Valdez asked Mr. Longacre if he had any specific changes to the minutes.

32
33 Mr. Longacre responded that the minutes are a legal document and are supposed to
34 reflect exactly what happened at the meeting. He suggested that the recorder go back to
35 the tape and adjust the minutes accordingly.

36
37 Mr. Martinez asked in regards to Mr. Longacre's request was he asking that the tape be
38 checked for that specific area of the minutes or the minutes in their entirety.

39
40 Mr. Longacre responded that he was only concerned with the portion that applied to
41 him.

1 Mr. Martinez asked Mr. Longacre if it would be acceptable to approve the portions of
2 the minutes that did not pertain to him.

3
4 Mr. Longacre asked that whoever it is that does the minutes go back and transcribe the
5 minutes from the tape, to be voted on at the next meeting.

6
7 Mr. Valdez noted that if he heard a specific change to the minutes he would entertain
8 that, however he would not entertain a general statement that says go back and fix the
9 minutes.

10
11 Mr. Stephen Schmelling noted that it was his understating that the minutes were a
12 synopsis of the meeting not a transcript of the meeting.

13
14 Mr. Bishop stated that for the public record the meetings are recorded and the
15 recordings are available to the public, he asked that in the future the minutes include a
16 statement noting that the minutes are a synopsis of the meeting not a transcript.

17
18 Ms. Allison Majure stated that she felt Mr. Longacre's request for more detail in a
19 section of the minutes was acceptable. She also noted that having a recording available
20 should the need arise, satisfied her need for transparency.

21
22 Mr. Valdez responded that the point was well taken and in the future we would provide
23 as much detail in the minutes as possible.

24
25 The members voted to approve the minutes from the May 22, 2013 meeting as
26 presented.

27
28 **VI. Old Business**

29 **a. Written Reports**

30 Mr. Valdez asked if any of the members had any questions or comments regarding the
31 written reports. With no members wishing to comment Mr. Valdez moved to the next
32 item on the agenda.

33
34 **b. Report from Nominating Committee**

35 Mr. Schmelling stated that he had not received any new nominations since his report
36 at the previous meeting. He noted that the nominee for Chair was Mr. Carlos Valdez and
37 the nominee for Vice-Chair was Mr. Manuel Pacheco.

38
39 Mr. Valdez asked the members if there were any nominations that they would like to
40 submit for consideration.

1 Ms. Angel Quintana asked that Mr. Doug Sayre be added to the list of nominees for
2 Vice-Chair.

3
4 Mr. Sayre stated that he would accept the nomination for Vice-Chair.

5
6 Mr. Valdez stated that Mr. Sayre would be added to the ballot as a write-in.
7

8 **VII. New Business**

9 **a. Election of Officers**

10 Mr. Valdez asked the members to take a moment to fill out the ballots and submit
11 them to Ms. Menice Santistevan or Ms. Tiffany Ortiz.

12
13 Ms. Menice Santistevan and Ms. Tiffany Ortiz tabulated the votes and submitted the
14 results to the DDFO, Mr. Bishop.

15
16 Mr. Bishop announced that the results were as follows: Mr. Carlos Valdez was elected
17 to serve a second term as Chair, and Mr. Doug Sayre was elected to serve as Vice-Chair.
18 He noted that the elected individuals would serve from October 1, 2013 through
19 September 30, 2014.
20

21 **b. Other Items**

22 With no additional items to discuss Mr. Valdez moved to consideration and action on
23 Draft Recommendations.
24

25 **VIII. Consideration and Action on Draft Recommendations**

26 **a. Draft Recommendation 2013-08 "Waste Isolation Pilot Plant Storage for LANL Waste"**

27 Mr. Valdez opened the floor for discussion on Draft Recommendation 2013-08.
28

29 Mr. Longacre noted that the original hand written recommendation regarding space
30 at the Waste Isolation Pilot Plant (WIPP) for LANL waste had been drafted by him. He
31 stated that though that draft recommendation listed as 2013-06 had not been
32 approved; the original idea behind recommendation 2013-08 was derived from his
33 recommendation 2013-06. Mr. Longacre asked that appropriate credit be given to the
34 members responsible for drafting recommendations, and that his name be added to the
35 authors listed on Draft Recommendation 2013-08.
36

37 Mr. Valdez stated that Mr. Longacre's name would be added to the authors listed on
38 the recommendation.
39

1 Mr. Loya stated that to his knowledge DOE/LANL had already qualified how much
2 space they would need at WIPP for TRU waste disposal. He noted that as far as he knew
3 there was sufficient space available at WIPP/WCS for LANL waste.
4

5 Mr. Bishop noted that the members might consider removing "Headquarters" from
6 line 44. He noted that this would allow the local site office to handle the response to the
7 recommendation. Mr. Bishop stated that he felt this would allow for a more technically
8 valid response to the recommendation.
9

10 Mr. Valdez asked the members if they would like to remove the word "Headquarters"
11 from Line 44.
12

13 The Members agreed to strike the word "Headquarters" from line 44.
14

15 Mr. Jeff Mousseau noted that his staff is responsible for the inventory control and
16 forecasting of waste going to WIPP for disposal. He noted that he would be happy to
17 give the NNMCAB a briefing on how the inventory control for LANL waste is handled.
18

19 Mr. Longacre asked that the recommendation ask for unimpeachable information on
20 how much space is necessary for storage and how much space is left at WIPP, to be
21 provided in the response.
22

23 Mr. Bishop stated that the NNMCAB might consider holding the vote on
24 recommendation 2013-08 until after the September 25, 2013 board meeting in Taos,
25 where the NNMCAB could hear the briefing that had been proposed by Mr. Mousseau.
26

27 Mr. Schmelling stated that he did not feel that the NNMCAB should delay the vote on
28 the recommendation; he noted that he felt the recommendation was asking for what
29 Mr. Mousseau had just proposed. He also noted that he felt the word unimpeachable
30 was not necessary.
31

32 Mr. Alex Puglisi stated that he agreed with Mr. Schmelling and made a motion to
33 approve the recommendation with the proposed changes to line 44, and the authors
34 list; Mr. Martinez seconded the motion. The board voted all in favor, the motion to
35 approve Draft Recommendation 2013-08 as amended passed.
36

37 **b. Draft Recommendation 2013-09 "Recommendation for LANL Cleanup"**

38 Mr. Valdez opened the floor for comments on Draft Recommendation 2013-09. Mr.
39 Valdez thanked the members for their input.
40

41 Mr. Schmelling stated that on line 32 "increases" could be changed to "slows"; he
42 noted that it was a matter of opinion.

1 Mr. Puglisi noted that the “increases” could be changed to “perpetrates”.

2
3 Ms. Majure asked that the three points in the observations section be bullets. She
4 noted that on line 28 the sentence starting “Inability”, on line 31 the sentence starting
5 “Operating”, and on line 34 the sentence starting “Clean-up”, would become the
6 proposed bullet list.

7
8 Mr. Longacre stated that he felt it was a weak recommendation, he noted that it was
9 likely that all the CAB’s across the complex were likely proposing a recommendation
10 asking that their funds be held harmless. Mr. Longacre further stated that clean-up has
11 never been a front burner issue for LANL, and he felt the NNMCAB was only spinning its
12 wheels. He noted that he would like the recommendation to ask that LANS cut money
13 from programs other than the environmental program.

14
15 Mr. Puglisi asked that line 19 through 21 be reworded to reflect that extensions of due
16 dates in the Consent Order have allowed LANL to stay on track with the clean-up efforts,
17 or that the lines be removed.

18
19 Mr. Mousseau noted that recommendations like this one are important and are very
20 important pieces of the decision making process. Mr. Mousseau noted he believes that
21 risk does increase; he provided examples of fire risk, and containers that age over time.

22
23 Mr. Valdez asked Mr. Scott Kovac if he would like to share his comments on Draft
24 Recommendation 2013-09.

25
26 Mr. Kovac stated in his opinion Congress does pay attention to fines, however the
27 NNMCAB does need to make its intentions known. He also noted that for the most part
28 funding is out of LANL’s hands.

29
30 Mr. Valdez noted that the proposed changes to the recommendation would be made;
31 he asked the members if there were any additional changes.

32
33 Mr. Bishop advised the members that Mr. Dave McInroy would be presenting on the
34 Consent Order at 2:45 p.m. and that the members might want to hold the vote on the
35 recommendation until after the presentation.

36
37 Mr. Valdez asked the members if they would like to table the vote until after Mr.
38 McInroy’s presentation.

39
40 The Members approved moving the vote on Recommendation 2013-09 to 3:30 p.m.

41
42 The NNMCAB took a 15 Minute Break.

c. Draft Recommendation 2013-09 "Recommendation for LANL Cleanup" Vote

At 3:34 p.m. Mr. Valdez asked the members if there was any more discussion on recommendation 2013-09, or if the members were ready for a vote.

Mr. Tiano made a motion to approved Draft Recommendation 2013-09 as amended; Mr. Puglisi seconded the motion. The members voted all in favor, the motion to approve Draft Recommendation 2013-09 as amended passed.

IX. Presentations

a. Presentation on Regional Monitoring and the Consent Order

Mr. Dave McInroy gave a presentation to the NNMCAB on Los Alamos National Laboratory Environmental Programs Consent Order Overview and Status. A hard copy of the presentation may be obtained at the NNMCAB website; <http://www.nnmcab.energy.gov> under presentations. A video of the presentation is also available on the NNMCAB's YouTube Channel "NNMCAB".

b. Questions

Mr. Valdez asked what is the total dollar amount of the fines that have been assessed against LANS since the inception of the Consent Order.

Mr. McInroy responded that he did not know the number; however he would look into it and let the NNMCAB know.

Mr. Schmelling asked what was happening with the water pumped during the pump and treat at the chromium project.

Mr. McInroy responded that the water was being land applied after it was treated using ion exchange to remove the chromium.

Ms. Majure asked what was meant by head cutting in the wetlands.

Mr. McInroy responded that head cutting is when the velocity of the water coming down scores out the wetland, causing the wetland to retreat over time.

Mr. Longacre noted that he has never understood why fines are assessed by NMED against LANS, what is the point?

Mr. McInroy responded that from his point of view it is a way to show that the State of New Mexico is serious about clean-up

Mr. Sayre asked about monitoring at TA-41.

Mr. McInroy responded that LANS does monitor TA-41 and other sites in Los Alamos Canyon.

c. Presentation on Community Survey Results

Mr. Kurt Steinhaus and Mr. Michael Brandt gave a presentation to the NNMCAB on the Results of the Community Survey on the Environment. A hard copy of the presentation may be obtained at the NNMCAB website;
<http://www.nnmcab.energy.gov> under presentations.

d. Questions

Mr. Schmelling asked who is considered to be community leaders.

Mr. Steinhaus stated that community leaders are defined as: business leaders, education leaders, elected officials, and directors of nonprofit organizations.

Ms. Majure noted that it appeared that the only private sector representatives are from businesses.

Mr. Steinhaus noted that private sector would also include the nonprofit organizations.

Mr. Valdez asked what had changed from 2009 to 2012 that changed the satisfaction level.

Mr. Brandt responded that this survey was completed during the Voluntary Separation Program at LANL and it is possible that that affected the outcome of the survey.

Mr. Steinhaus noted that it is also possible that at the time the newspapers may have picked up more negative articles, and influenced the public in that way.

Ms. Majure asked about the sample size.

Mr. Steinhaus responded that the sample size was about 465 individuals.

Mr. Schmelling asked if any data was collected from other sources such as websites.

Mr. Steinhaus responded that yes, data is taken from other sources; he noted that LANS collects scores of data on every click on the webpage.

X. Update from Liaison Members

a. Los Alamos National Laboratory

Mr. Jeff Mousseau gave an update on the Environmental programs, status of the 3706 Campaign and Corrective Actions Program (CAP) "Environmental Programs Citizens Advisory Board Update". A hard copy of the update may be obtained at the NNMCAB website <http://www.nnmcab.energy.gov> under presentations.

Mr. Martinez asked what the difference was in waste sent to Waste Control Specialists (WCS) and WIPP.

Mr. Mousseau noted that TRU waste is sent to WIPP and waste that can be decontaminated to below TRU waste classification can be sent to WCS.

Mr. Longacre asked if there was enough space at WIPP to accommodate the trash at LANL, if additional waste is sent from other locations.

Mr. Mousseau responded that yes there is enough space for the identified waste at LANL; however he is not sure of the effect waste from other locations would have.

Mr. Valdez asked if the shipments are counted by fiscal year or calendar year.

Mr. Mousseau noted that the shipments are counted by fiscal year.

Ms. Majure asked if the space available at WCS is set aside for LANL or if we compete for the space.

Mr. Bishop responded that the LANL competes for space with everyone else who is shipping waste for disposal. He noted that the waste contract was a competitive bid and that WCS was the only company that had a Class C license that had responded to the RFP.

The NNMCAB had some discussion on the Yucca Mountain project, and all the groups that need a location to ship waste for disposal.

b. New Mexico Environment Department

No Representative from NMED was present.

c. Department of Energy

Mr. Bob Pfaff provided an update on the FY'13 and FY'14 budgets. Mr. Pfaff noted that the request for FY'13 by the president was \$239 million, and the budget ended up at \$173 million due to sequestration and continuing resolution (CR). He stated that DOE had successfully reprogrammed \$19 million dollars from EM funding; additionally \$21

1 million was shifted within the Readiness and Testing Basis and Facilities (RTBF) funding.
2 Mr. Pfaff stated that the final budget for FY'13 was \$213 million. He thanked the
3 NNM CAB for its recommendation on LANL funding.

4 Mr. Pfaff stated that sequestration was still on the books for the FY'14 budget cycle.
5 With that in mind he stated that for FY'14 the budget will start at \$173 million.
6 Additionally he noted that there is talk that the 7.8% tax would be applied again shifting
7 the starting budget down to \$160 million. Mr. Pfaff stated that the presidential budget
8 request for FY'14 is \$220 million, with the House and Senate marks at \$195 million and
9 \$255 million respectively. Additionally he stated that it is likely that that the budget will
10 be under a CR.

11
12 Mr. Valdez asked what that would mean for the 3706 Campaign and jobs.

13
14 Mr. Mousseau responded that LANL would prioritize its work; he noted that even
15 under a CR he felt that there would be enough funding for the 3706 Campaign, and
16 priority monitoring.

17
18 Mr. Pfaff noted that LANL would also work with NMED on the priorities and planning
19 out the deliverables.
20

21 **XI. Public Comment Period**

22 Mr. Valdez opened the floor for public comment at 6:00 p.m. With no members of the
23 public wishing to address the board Mr. Valdez closed the public comment period at 6:01
24 p.m.
25

26 **XII. Update from DDFO**

27 Mr. Bishop stated that the NNM CAB staff and DOE would be watching for information
28 on the WIPP permit modification regarding Hanford waste.

29 Mr. Bishop noted that the NNM CAB Chair, Vice-Chair, and Mr. Joseph Viarrial would be
30 attending the chairs meeting in October. He congratulated the newly elected NNM CAB
31 officers and welcomed the new student member, Kaitlin Martinez.

32 Mr. Bishop noted that the two presentations that had been proposed for upcoming
33 meetings were on the WIPP Inventory and National Resource Damage Assessment (NRDA).
34 He asked the members if there were other presentations that they would like to add to the
35 schedule.

36 Mr. Bishop gave the members an update on the status of the recommendations that
37 were submitted to DOE by the NNM CAB in calendar year 2013. A hard copy of the update is
38 available on the NNM CAB webpage www.nnmcab.energy.gov under the Recommendations
39 Link.

40 Mr. Bishop asked that Mr. Alexander send out the last 5 years of recommendations to
41 the members.

1
2 Mr. Valdez asked if there was any information on the NNMCAB's comment letter
3 regarding the Mercury Supplemental Environmental Impact Statement (SEIS).
4

5 Mr. Bishop responded that the response to the letter would be in the Mercury SEIS
6 comment response document, and at this time he was not sure exactly when the document
7 would be issued.
8

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

10 Mr. Valdez opened the floor for general comments from members of the board.
11

12 Mr. Sayre thanked everyone for a good meeting and for voting him in as the new Vice-
13 Chair.
14

15 Ms. Majure thanked the staff for their hard work, and noted that she felt the meeting
16 had been a good meeting.
17

18 Mr. Tiano thanked the staff. He stated that he would like to see a trip to Yucca Mountain
19 if possible, and thanked the members for a good meeting.
20

21 Mr. Loya stated that he hoped that upper management could find a way to keep the
22 money flowing to environmental cleanup. He also thanked everyone for attending.
23

24 Ms. Ashley Sanderson noted that she is looking forward to her time on the NNMCAB
25 and learning from all the members.
26

27 Mr. Martinez stated that he appreciates how well the meetings are run. He noted that
28 the student presentations were excellent and thought that the poster session was a good
29 idea.
30

31 Mr. Schmelling agreed that the student presentations were a great addition; he also
32 thanked everyone for attending.
33

34 Mr. Mousseau thanked the staff for a great meeting. He noted that he felt the NNMCAB
35 members did a great job in sharing ideas, and being respectful of one another.
36

37 Ms. Martinez thanked everyone for the opportunity to sit on the NNMCAB.
38

39 Mr. Bishop welcomed the new members, and noted that he liked the great cross section
40 of members that represent the diversity of Northern New Mexico. He thanked all the
41 members for attending the meeting.

Mr. Valdez thanked the members for attending the meeting.

XIV. Adjournment

With no further business to discuss, Mr. Bishop adjourned the meeting at 6:25 p.m.

Respectfully Submitted,



Carlos Valdez, Chair, NNM CAB

***Minutes prepared by William Alexander, Technical Programs and Outreach, NNM CAB**

Attachments

1. Final NNM CAB Meeting Agenda for 07/31/2013
2. Final NNM CAB Meeting Minutes for 05/22/2013
3. Report from Carlos Valdez, NNM CAB Chair
4. Report form Menice Santistevan, Executive Director
5. Candidate Statement for Nominee Carlos Valdez
6. Draft Recommendation 2013-08
7. Draft Recommendation 2013-09
8. ADEP Student Symposium Information Sheet
9. Presentation by LANL Environmental Programs Consent Order Overview and Status, Dave McInroy
10. Presentation by LANL Community Survey Results on Environment, Kurt Steinhaus and Michael Brandt
11. Update from LANL Environmental Programs Update, Jeff Mousseau
12. Los Alamos National Laboratory Environmental Report 2011 Summary

Public Notice:

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***Reference documents listed in the Attachments section of these minutes may be requested for review from the NNM CAB Office by calling (504)989-1662.**