



Northern New Mexico Citizens' Advisory Board Meeting

March 30, 2011

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

Meeting Location: Santa Fe Courtyard by Marriott

3347 Cerrillos Road, Santa Fe, New Mexico

CERTIFIED MINUTES

Meeting Attendees:

Department of Energy-

Lee Bishop, Co-Deputy Designated Federal Officer (DDFO)

Ed Worth, Co-Deputy Designated Federal Officer (DDFO)

NNMCAB Members-

- 1. Ralph Phelps, NNMCAB Chair**
- 2. Robert Gallegos, NNMCAB Vice Chair**
- 3. Pam Henline, EMSR Committee Chair**
- 4. Nicole Castellano**
- 5. Pamela Gilchrist**
- 6. Lawrence Longacre**
- 7. Mike Loya**
- 8. Gerry Maestas**
- 9. Nick Maestas**
- 10. Caroline Mason**
- 11. Carlos Valdez**

Excused Absences-

- 1. Manuel Pacheco, WM Committee Chair**
- 2. Deb Shaw, EMSR Committee Vice Chair**

Absent-

- 1. Lawrence Garcia, WM Committee Vice Chair**
- 2. Jacquelyn Gutierrez**
- 3. John Lujan**
- 4. Michelle Medinsky**
- 5. Bob Villarreal**

NNMCAB Staff-

Menice Santistevan

Lorelei Novak, Technical Programs and Outreach

Grace Roybal, Office Administrator

Edward Roybal, Sound Technician

Guests-

- 1. Kevin Smith, DOE Los Alamos Site Manager**
 - 2. Reese Fullerton, Public**
 - 3. JD Campbell, Public**
 - 4. Scott Kovak, Nuclear Watch New Mexico (NWNM)**
 - 5. Douglas Sayre, Sayre Engineering**
 - 6. Nita Patel, LANS**
 - 7. Fred DeSousa, LANS**
 - 8. Jean Dewart, LANS**
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AGENDA

- I. Call to Order**
 - II. Welcome and Introductions**
 - III. Establishment of Quorum (10 needed)**
 - a. Roll Call**
 - b. Excused Absences**
 - IV. Approval of Agenda**
 - V. Approval of Minutes of January 26, 2011**
 - VI. Public Comment Period**
 - VII. Old Business**
 - a. Written Reports**
 - b. Update on May 24, 2011 NNMCAB Sponsored Forum on “Surface and Groundwater Quality at LANL—An Update for Our Community”**
 - c. Report on Waste Management Conference**
 - d. Ratification of Vote on “Top Three Issues”**
 - VIII. New Business**
 - a. Member Interest in a possible trip to the Waste Isolation Pilot Project (WIPP)**
 - IX. Items from DOE/Co-DDFOs**
 - X. Presentation on FY’12 DOE Budget with Co-DDFOs Mr. Ed Worth and Mr. Lee Bishop**
 - XI. Presentation “Independence of Analytical Labs,” LA-UR-11-10294, with Ms. Nita Patel**
 - XII. Public Comment Period**
 - XIII. Consideration and Action on Draft Recommendation to the DOE**
 - a. Draft Recommendation 2011-04, “Achieving 2005 Consent Order Milestones in the Next Four Years”**
 - XIV. Wrap-up Comments**
 - XV. Adjournment**
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MINUTES

I. Call to Order & Introductions

The regular bi-monthly meeting of the Northern New Mexico Citizens' Advisory Board (NNMCAB or CAB) meeting was held on March 30, 2011, Santa Fe Courtyard by Marriott, 3347 Cerrillos Road, Santa Fe, New Mexico. Mr. Bishop Co-Deputy Designated Federal Officer (DDFO) stated that on behalf of the Department of Energy (DOE), the regular bi-monthly meeting of the NNMCAB was called to order at 1:00 p.m.

Mr. Bishop recognized Mr. Phelps as NNMCAB Chair. The Chair presided at the meeting. The regular meeting of the NNMCAB was open to the public and posted in **The Federal Register** in accordance with **The Federal Advisory Committee Act**.

II. Welcome and Introductions

Mr. Phelps welcomed everyone to the meeting. He stated his appreciation for everyone's attendance. He introduced new CAB member, Mr. Nick Maestas. Mr. Phelps asked for introductions from the members and guests in attendance. Mr. Phelps mentioned there were two public comment periods scheduled for the meeting. Ms. Mason would provide a report from her attendance at the Waste Management Symposium. The board would ratify its email vote on the "Top Three Issues" for the spring Semi-Annual Chairs Meeting. Additionally, the board would hear presentations regarding an "FY'12 Budget Update" and the "Independence of Analytical Labs". The board would also consider one draft recommendation for submittal to the Department of Energy (DOE).

Mr. Phelps introduced Mr. Kevin Smith, Site Manager, DOE/LASO. Mr. Smith made brief comments to the Board as summarized below:

Mr. Smith assured the board that he was well focused on the issues of this CAB. Currently, he was working on a unique template of a 50-year plan for Los Alamos. He planned to brief the CAB on the plan as it became more fully developed. Mr. Smith stated that when the plan was completed it would be posted on the Internet and would include maps, informative drop down menus, with links and information for the local communities and the Eight Northern Pueblos. Mr. Smith considered this project to be a model for the whole department and hoped it would set a standard for DOE.

Mr. Smith answered questions from the board. Board Questions have been summarized:

- Lower Los Alamos Canyon has been closed to hikers, would it be opened to the public? Mr. Smith agreed to check on this and get back with the CAB.
- How did Mr. Smith decide on 50 years, why not 75 or 100 years? Mr. Smith answered that 50 years seemed to best match the capability of the instrumentation and the clean-up abilities on site. He wanted to look at a timeframe that was realistic and specific.
- The goal and objective for performance plan would be reviewed annually. Mr. Smith considered the plan to be a rolling 50-year plan.
- Did the plan take into consideration possible seismic activity? Mr. Smith stated that it was taken into consideration.
- Does the plan embrace the energy park philosophy? Mr. Smith replied this concept has been reviewed but because the Los Alamos Site was a National Nuclear Security

Administration (NNSA) Site that they would have a continued use for the site.

- The purpose of providing the briefing on the CMRR building project was to provide information for the CAB. Mr. Smith wanted to share a factual briefing on the CMRR project with the CAB so that the members have a full picture. He believed this project needed to stand the light of day. Mr. Smith's goal was to be the best steward for Los Alamos. He wanted this 50 year plan to be a model for the future.

III. Establishment of a Quorum (10 needed)

a. Roll Call

Ms. Novak conducted roll call as the members arrived. Eleven members were present at the meeting, which comprised a quorum for conducting business.

b. Excused Absences

Mr. Worth and Mr. Bishop, Co-DDFOs, had previously approved excused absences for Dr. Deb Shaw and Mr. Manuel Pacheco. Mr. Lawrence Garcia, Ms. Jackie Gutierrez, Ms. Michelle Medinsky, Mr. John Lujan and Mr. Robert Villarreal were marked absent.

IV. Approval of Agenda

The Board reviewed the March 30, 2011 CAB meeting agenda. Mr. Phelps called for any comments or additions to the agenda. **Mr. Loya made a motion to approve the agenda as presented and Ms. Castellano seconded the motion. The meeting agenda was approved.**

V. Approval of Minutes of January 27, 2011

The Board reviewed the minutes from the January 27, 2011 CAB meeting. By ongoing instructions from DOE Headquarters, the minutes were previously reviewed and certified by the NNMCAB Chair, Mr. Ralph Phelps. Mr. Phelps stated that the January minutes were presented at the meeting for Board approval.

Rev. Gilchrist made a motion to approve the minutes as presented. Mr. Maestas seconded the motion. The minutes were unanimously approved.

VI. Public Comment Period

No one signed up for public comment.

VII. Old Business

a. Written Reports

➤ NNMCAB Chair's Report

A printed copy of the Chair's Report was included in the meeting packet and a copy may be obtained by request from the CAB office at (505) 989-1662. Mr. Phelps asked for questions or comments on the written reports; the intent was for the reports to be submitted in writing but questions could be brought up in this section or later. Mr. Phelps briefly reviewed the main

points in the Chair's report:

Routine Chair Activities since last NNMCAB meeting on January 26, 2011--

- a. Executive Committee met on February 2, 2011:
 - Agreed required Long Term Stewardship and Legacy Management Issue to be incorporated into the 2011 Committee Work Plans and beyond.
 - Guidance provided for Top Three Issues.
 - DDFOs provided favorable feedback on the CAB budget recommendation (2011-01). It was noted that NMED scope changes after the Consent Order accounted for \$107 million in new work.
- b. Executive Committee Meeting on March 9, 2011:
 - a. Set up a meeting with Chair and Vice Chair with NMED Secretary David Martin for April 4, 2011 to discuss:
 - Re-establish the NMED liaison to the NNMCAB
 - Invitation to CAB workshop on May 11, 2011
 - Describe CAB work regarding pueblo interfaces
 - Invitation to upcoming CAB water Forum
 - Present "Top Three Issues"
 - Discuss NMED current priorities (risks and options for milestones in the Consent Order)
 - c. Drafted the CAB "Top Three Issues, Accomplishment and Activity" to be used at the April 12th, 2011 Chairs meeting. These were subsequently approved by CAB via email and phone ballot for submittal to DOE/EM.
 - d. Approved Agenda for March 30, 2011 CAB Meeting.
 - e. Developed Preliminary agenda for Board Workshop on May 11, 2011.
 - f. Discussed new recommendation on achieving Consent Order Milestones.
 - g. Supported WM and EMSR Committee meetings on February 9, 2011 and EMSR Committee Meeting on February 16, 2011. The main activity for February 16th was a LANL guided demonstration of the monitoring well sampling procedures at one of the monitoring wells near White Rock.
 - h. The CAB has assembled an Ad Hoc Committee to plan, prepare for and host a Ground and Surface Water Forum with LANL. Forum will require support from all CAB members. Planning meetings have been held and will continue.
 - i. Joint committee meeting to be held on March 23, 2011 to hear a presentation on the CMRR building project at LANL.
 - j. SSAB Site-Specific Advisory Board (SSAB) Chairs related activities:
 - a. Participated in SSAB Chairs bi-monthly conference call, January 27, 2011.
 - b. SSAB Semi-annual Chairs meeting Ad Hoc Committee Planning group completed agenda for April 12-14 meeting to be held at the Nevada Nuclear Security Site.

➤ **NNMCAB Executive Director's Report**

A printed copy of Ms. Santistevan's report was included in the meeting packet and a copy may be obtained by request from the CAB office at (505) 989-1662.

Ms. Santistevan's report included:

Information about Board Membership:

- The NNMCAB currently consisted of 18 members. Deb Gill has resigned from the Board. Nick Maestas from Santa Fe has been appointed to the NNMCAB. Robert Gallegos, Ralph Phelps and Gerry Maestas have been re-appointed to serve another term. Pam Henline has been term limited on May 3, 2011. We will be initiating a recruitment campaign this spring for nomination mid-summer. Eleven current members are up for re-appointment in November.
- The updated CAB Directory was included in meeting packets; members were asked to be sure that their contact information was correct.

Next CAB Meeting:

- The next regular CAB meeting was scheduled along with the board's Annual Educational Workshop for May 11-12, 2011 at the Santa Claran Hotel, 464 North Riverside Drive, Espanola, New Mexico.

Board Meeting Preparations:

- Ms. Santistevan prepared and submitted draft agendas for this meeting and the notice to **The Federal Register**, in compliance with **The Federal Advisory Committee Act**.
- Meeting materials were copied and collated by Ms. Roybal and meeting packets were mailed out on March 23, 2011.
- An advertisement for the meeting was placed in *The Santa Fe New Mexican* by Ms. Roybal and on the NNMCAB website by Ms. Novak.

EM Site-Specific Advisory Board Chairs' Meeting:

Ms. Santistevan and Mr. Phelps agreed to serve on the planning committee for the spring meeting of the EM SSAB Chairs in Las Vegas. They have participated in the conference call planning process. The NNMCAB will be kept informed and an updated agenda has been included in the meeting packet. Ralph Phelps, Robert Gallegos and Carlos Valdez will be attending the meeting and will be representing the NNMCAB.

Executive Committee Meetings:

The Committee met on February 9, 2011 and on March 9, 2011. The committee heard reports from the Chair, Committee Chairs, Co-DDFOs and Executive Director. The committee finalized the agenda for this meeting and discussed draft recommendations for future CAB consideration. Ms. Henline also went over plans for the CAB hosted Groundwater.

Office Management:

The NNMCAB staff has archived files and has purged old files that are no longer needed. The ATA contract concluded on January 31, 2011. The NNMCAB staff now works for Project Time and Cost (PT&C). Ms. Santistevan has been working with PT&C and Federal staff to look for a larger NNMCAB office, to include the LANL Public Reading Room. They were currently looking at office spaces in Santa Fe, Pojoaque and Espanola. The NNMCAB would be kept informed on this issue. The staff supported all committee meetings with preparation of notices, agendas and committee minutes. Ms. Novak has completely re-designed the NNMCAB public web site.

b. Update on May 24, 2011 NNMCAB Sponsored Forum on “Surface and Groundwater Quality at LANL—An Update for Our Community”

Mr. Gallegos provided an update for the board on the event planning to date. Mr. Gallegos stated the event agenda was prepared, possible panelist were discussed, and the overview presentations and posters were in process. The Ad Hoc Committee would continue to meet regularly up to the event. Mr. Gallegos stated the committee was working well with the CAB staff and the LANL staff on the event planning. Mr. Bishop asked if the presentations were still based on groundwater and surface updates by canyon watershed. Mr. Gallegos stated the presentations were being organized by watershed. Mr. Bishop would relay this information to Mr. Smith as it related to the 50-year plan.

c. Report on Waste Management Conference

Ms. Mason provided a report to the board from her attendance at the Waste Management Symposium.

“First, my thanks go to Lee Bishop, Ed Worth and the CAB for sending me. There were many interesting facets to this large international gathering.

Waste Management is the premier international meeting for considering best practices and return on investment in the field of environmental cleanup and related topics.

About 2500 people attended from over 30 countries. The heart of the meeting was the Exhibition Hall where over 250 vendors from around the world had booths.

I talked to several vendors and two of them have some relevance to CAB issues.

The first is Environmental Rail Solutions. This company specializes in contaminated waste (including low level radioactive) and may be able to offer some assistance to LANL’s efforts for rail shipping of waste: www.envrail.com and info@envrail.com.

The second was a booth for DOE Office of Legacy Management. I was given their information on a memory stick. I am happy to pass this on to anyone interested: www.LM.doe.gov. It is obvious that it is an energetic forward looking organization.

In addition to the Exhibitor’s Hall, I attended many technical sessions including Citizen’s Involvement and Risk. Many papers were presented from Savannah River including one from their CAB Chairman, Donald Bridges. Donald made it clear that they have the same issues as we do after I asked him a question about outreach. Their outreach consists of workshops and tours and is advertised by word of mouth. Representatives from the legislator’s offices come to their CAB meetings.

Another presentation from Savannah River dealt with the impact of the closure of Yucca Mountain on South Carolina. The speaker, Rick McLeod, felt let down by the Federal Government and had organized a protest group from South Carolina that went to Washington.

This talk was followed by Robert H. Neill from the NM Environmental Evaluation Group who pointed out that he did not see South Carolina “stepping up to the plate” to take the waste that was supposed to go to Yucca Mountain. Neill’s presentation was by the far the liveliest of the whole meeting as he presented data in an original thought provoking way. He discussed the difference between voluntary and involuntary risk. Neill is Director Emeritus and has published a recent paper in Natural Resources Journal, “Shallow-Buried Transuranic Waste: A Comparison of Remediation

1 *Alternatives at Los Alamos National Laboratory". I suggest we invite him to address*
2 *the CAB. He can be reached at righters@highfiber.com.*

3 *After this talk I was approached by two Texans (Robert Wilson and Robert*
4 *Gregory) who are involved with the low level waste depository just over the NM border*
5 *in Texas. They simply wanted contact with NM and Los Alamos. If CAB organizes a*
6 *field trip to WIPP it might be reasonable to go to The Texas Disposal Site at the same*
7 *time (www.texasdisposal.com).*

8 *Another interesting session was entitled "Engaging Citizens – Lessons learned*
9 *from Around the World". A presentation from La Hague Reprocessing Plant described*
10 *their equivalent of CAB – a commission of about 60 local citizens with smaller*
11 *subgroups who can influence decommissioning. The speaker described what they*
12 *learned from their first unsuccessful effort to influence decommissioning was*
13 *successfully applied to a second decommissioning site.*

14 *A couple papers dealt with crisis communication (including BP). The thesis is that*
15 *you have to build up trust before an accident in order to have any credibility, in case of*
16 *an accident, with the public. This BP did not do. In the wake of this oil spill many*
17 *companies practice for a major possible disaster just in case one happens.*

18 *This was reiterated by Robert Elmer of the AECL. AECL successfully remediated U*
19 *and Ra contaminated ground in the Northern Territories with the Northern First*
20 *Nation. Their interactions with the Indian Tribes resonated with our own interactions*
21 *with our Pueblo neighbors. He talked about the need for understanding Traditional*
22 *Knowledge and psychological healing. These need to be factored into future decisions.*
23 *(zelmer@aecl.ca)*

24 *The theme of risk and trust was continued by Dennis Faulk. Trust in NASA had*
25 *been established before they discovered Cs in a ditch. Thus when they went public with*
26 *the finding they were trusted. Again, the issue is establishing trust before a challenge*
27 *arises. I pointed out to him later that this was hard at Los Alamos because of past and*
28 *on going secrecy issues. Dennis suggested that, in this case, one has to start with the*
29 *individual and work upwards.*

30 *My own poster was on Tuesday afternoon. There was some interest particularly*
31 *from Savannah River." - Ms. Caroline Mason*

32 **In conclusion, Ms. Mason made the following suggestions to the NNMCAB:**

- 33 **1. Contact Environmental Rail Solutions**
- 34 **2. Read information from DOE Office of Legacy Management**
- 35 **3. Ask Legislators (or their staff) to attend our meetings**
- 36 **4. Invite Robert Neill to address CAB**
- 37 **5. Field trip to WIPP and Texas Disposal Site**
- 38 **6. Attempt to improve trust in local communities.**

39 Mr. Bishop reiterated that CAB member attendance at this type of meeting provided an
40 excellent educational opportunity for board members. He encouraged board members to
41 submit requests for other conferences germane to the board's scope through the Executive
42 Committee, and if there is approval and travel budget, members would be welcome to attend.

43 Mr. Loya, Mr. N. Maestas and Mr. Longacre expressed interest in attending the
44 upcoming Environmental Justice Conference to be held in Washington, DC.

45 **d. Ratification of Vote on "Top Three Issues"**

46 Mr. Phelps announced that the board had ratified the current "Top Three Issues" by email and

1 telephone. He further stated that the Board's Bylaws required a formal vote at this the next full
2 board meeting. Mr. Phelps asked for a motion to ratify the "Top Three Issues." **Mr. Gallegos**
3 **made a motion to ratify the "Top Three Issues." Ms. Mason seconded the motion. The board**
4 **voted unanimously to approve the "Top Three Issues."**

5
6 **VIII. New Business**

7 **a. Member Interest in a possible trip to the Waste Isolation Pilot Project (WIPP)**

8 The Board discussed Ms. Mason's suggestion to organize another member trip to
9 Carlsbad, New Mexico to visit the Waste Isolation Pilot Plant. Mr. Bishop mentioned they could
10 consider adding a stop to nearby Waste Control Specialists. Ms. Santistevan explained this
11 would be an overnight trip for the board and would be a two night trip if they were to add the
12 stop at the Waste Control Specialists facility in Texas. She explained there would be a fair
13 amount of organization and planning to make this trip happen and she wanted to gauge the
14 board's interest in the possibility of the trip. The board discussed the possibility of the trip but
15 no final decision was made whether to go or not. Some members of the board wanted to wait
16 to make the decision until after the Chair and Vice Chair had a chance to meet with NMED
17 Secretary Martin.

18
19 **IX. Items from DDFOs**

20 Mr. Worth mentioned that Mr. Longacre has questioned how believable the lab's data
21 was, so for the benefit of the group they have brought a presentation to the board on the life of
22 a sample. This presentation follows the committee's trip to view a sampling event at one of the
23 lab's monitoring wells in White Rock. The sampling in the field saw the initial chain of events in
24 the life of a sample—tonight's presentation addressed the second part of the process. They
25 heard Mr. Longacre's concern and have worked to provide information to address his
26 comments.

27 Mr. Bishop discussed the Environmental Impact Statement (EIS) for the Greater than
28 Class C Waste. This EIS looked at how DOE should manage Greater than Class C Waste.
29 He encouraged the board to go to the public meeting in April. Ms. Novak would send the link
30 for more information to the board. The public meeting would discuss several options for
31 disposal as well as locations for disposal. Mr. Bishop encouraged the board to familiarize itself
32 with the topic, which would be an excellent topic for the board to consider commenting on in
33 future recommendations.

34
35 **X. Presentations on FY'12 DOE Budget with Co-DDFOs Mr. Ed Worth and Mr. Lee**
36 **Bishop**

37 Mr. Ed Worth and Mr. Lee Bishop provided the board with a Subject Matter
38 Presentation entitled, "FY'12 DOE Budget Update". The presentation has been summarized
39 below. Complete copies of the Power Point Presentations are available at the CAB Office for
40 review.

41 Defined Environmental Management National Priorities

- 42 • Safe, Secure, and Compliant
- 43 • Tank Waste
- 44 • Spent (used) Nuclear Fuel

- Special Nuclear Material
- High Priority Groundwater Remediation
- Transuranic and Mixed/Low-Level Waste
- Soil and Groundwater Remediation
- Deactivation and Decommissioning (D&D)

Considered LANL a Sound Investment

Discussed the LANL Cleanup Vision

American Recovery and Investment (ARRA) Accomplishments

Discussed Technical Area 21 (TA-21) progress

Accomplishments for TRU Waste Area:

- Stated a major EM Goal was the disposition 90% of Transuranic (TRU) waste by 2015.
- TRU Shipments
- Significant Upgrades to Remediation and Characterization Capabilities
- EM's 2012 Budget Request maintains compliance
- President's EM Budget for LANL
- TRU Inventory Disposition Strategy

FY'12 Priorities VL-LANL-0030

- High-priority but low-risk contaminant migration
 - Chromium in Sandia Canyon watershed
 - Storm-water driven contaminated sediment migration – Individual Permit negotiated items
- Capital asset project remediation activities
 - Cañon de Valle 260 Outfall permeable reactive barriers
 - Material Disposal Area A
 - Removal of General's Tanks/Pits/Trenches Compliance Order on Consent driven investigations and remediation
 - Phase I investigations to determine rough magnitude of problem
 - Phase II investigations to find nature and extent
 - Phase III investigations to finish
 - Various accelerated cleanups
 - Specified remediation activities
- Mesa top remediation and possible land transfer
 - Technical Area 21
 - MDAs T and V
 - Technical Area 54
 - MDAs G, L, and H – corrective measures evaluations in progress

FY'12 Priorities VL-LANL-0040-D

- Decontamination and Decommissioning
 - Technical Area 21
 - Building 21-257, Radiological Liquid Waste Facility
 - 3-4 other structures
 - Technical Area 54
 - MDA G waste disposition structures (maybe last)

- MDA G other structures
- MDA L structures (maybe first)

Mr. Worth and Mr. Bishop answered questions from the board.

Mr. Michael Graham also provided brief comments to the board. He stated that LANS has demonstrated delivery and commitment to the program with shipments of waste in compliance. They have also demonstrated that they had the capacity to do the work. A philosophy of hard work, efficiency and jobs has brought results. The money saved from efficiencies has gone to other areas of the program. LANL was smart with the American Recovery and Reinvestment Act (ARRA) workers too. These trained workers can cross pollinate to other projects. They 'knocked it out of the park' for the ARRA work. He explained Technical Area 21 (TA-21) was sending 90 trucks out a week and that work was planned to finish up in May, 2011. Many of the ARRA workers would then move over to MDA-B and this was a real success story for the Lab.

XI. Public Comment Period

No one signed up for the second opportunity for public comment.

XII. Presentation "Independence of Analytical Labs," LA-UR-11-10294, with Ms. Nita Patel

Presentation Summary:

Discussed which labs are used for:

- Payment
- Certification
- Keeping tabs through audits
- Validation of results

Explained LANL's analytical laboratories are contracted by LANL through competitive bid:

- Test America
- General Engineering Labs
- Paragon – ALS
- Cape Fear
- Air Toxics

Discussed process of Payment for services:

- Payment is not linked to concentrations of results provided
- Penalties for late reporting
- Penalties for failure to meet quality control requirements

What happens when samples arrive at the testing lab:

- Accompanied only by "chain of custody"
- No info on sampling location or expected result
- Historical concentrations associated with the site are unknown to the lab

Provided examples of chain of custody:

- Methods approved by EPA
- Include quality control requirements
- All participating labs are held to these requirements

Explained where the lab has flexibility:

- Instrument manufacturer selection
- Source of calibration standards
- However, EPA's QC control parameters, DOE manual, and contract must be met.

Discussed how lab performance is reviewed:

- Department of Energy Consolidated Audit Program (DOECAP) audits
- National Environmental Laboratory Accreditation Conference (NELAC) certifications
- Performance testing samples
- Data Validation

Described "DOECAP" audits:

- Team of assessors from 12 sites or DOECAP operations
- LANL representatives are included
- Varied backgrounds help ensure independent oversight

Accreditation Process:

- Accredited in state of residence if state is a NELAC accrediting body, or
- May seek accreditation from another state's accrediting body
 - **National accreditation program**
 - National Environmental Laboratory Accreditation Program (NELAP)
 - Consensus standards representing best professional practices
 - Recognition of compliance provided by recognized state agencies
- **Labs required to participate in routine performance Commercial and DOE sponsored testing programs**
 - Certified by International Standards Organization (ISO) to be independent and unbiased
 - "On the lab's own dime"

Data validation Process:

- Data Validation: a detailed review to determine data quality
- Performed by an independent third party
- Validation review is not biased toward the analytical lab or LANL
- Validation Protocol based on EPA's National Functional Guidelines for Data Review.
- Data are flagged with codes indicating what, if any, quality issues are present
- What the effect is on the detect status of the data
- Required by the New Mexico Compliance Order on Consent

Presentation Conclusion:

- Competitive selection with high data quality in mind
- EPA-approved standard methods and procedures followed
- Certified and audited annually
- Results verified and validated by another independent, third party

XIII. Consideration and Action on Draft Recommendation to DOE

The following final draft NNMCAB Recommendation to DOE was placed before the board for consideration and action. The draft was previously vetted and approved for final board action at the sub-committee level.

a. Draft Recommendation 2011-04, "Achieving 2005 Consent Order Milestones in the Next Four Years," drafted by the Environmental Monitoring, Surveillance and Remediation (EMSR) Committee, primary author: Ms. Henline.

Ms. Henline presented the draft recommendation for board consideration and action. Background on the draft has been provided. In March 2005, LANL, DOE and NMED signed the Order on Consent. In this document, LANL agreed to a schedule for completion of cleanup at various locations on the LANL site. Since this time, the Environmental Management (EM) department at LANL has worked to meet intermediate milestones and to complete work by the 2015 date.

The draft recommended LANL and DOE strive to define new intermediate milestones and work plans (using risk based planning) which were acceptable to NMED. Additionally, LANL and DOE work together with NMED to arrive at tasks and milestones which would best facilitate reaching all cleanup goals of the Consent Order by the end of 2015. The recommendation was drafted with the intent to ensure that the required cleanup at LANL was completed as efficiently as possible in a prioritized way that incorporates all lessons learned to meet final cleanup specifications in the Order on Consent.

The board discussed the draft. It was suggested move recommendation number one into the comments section, which would make recommendations numbers two and three move up for a total of two recommendations.

The Board took action on the draft. Mr. Gallegos made a motion to approve draft Recommendation 2011-04 as amended. Ms. Castellano seconded the motion. The board unanimously approved Recommendation 2011-04 for submission to the DOE.

XIV. Wrap-up Comments

Board members held a brief wrap-up round-robin discussion. Topics discussed are summarized below:

- Ms. Santistevan asked the board members to check on their travel reimbursements. Please let her know if there has been a delay in receiving reimbursements.
- Ms. Henline appreciated the presentations.
- Mr. Longacre enjoyed the diversity of opinions expressed at the meetings.
- Mr. Gallegos welcomed new member, Mr. Nick Maestas. He also thanked the CAB staff for their efforts.
- Mr. Worth thanked the CAB members for volunteering their time.
- Mr. Bishop liked the presentations today.
- Mr. Phelps thanked everyone for a good meeting. He noted this was Ms. Henline's last full CAB meeting although she would continue to participate with the board with the upcoming water forum. Ms. Henline has been a dedicated board member and Mr. Phelps recognized her service.

- 1 ○ Ms. Castellano thanked the CAB staff for a well planned meeting. She also thanked Mr.
2 Worth and Mr. Bishop for an excellent presentation on the budget.

5 **XV. Adjournment**

6 **Mr. Phelps thanked everyone for their participation. With no further business to**
7 **discuss, Mr. Worth, Co-DDFO adjourned the meeting at 7:00 p.m.**

9 **Respectfully submitted,**



11 **Ralph Phelps, Chair, NNMCAB**

13 ****Minutes prepared by Lorelei Novak, NNMCAB Technical Programs and Outreach***

15 **Attachments:**

- 16 1. **Final 3-30-11 CAB Meeting Agenda.**
- 17 2. **Report from Ralph Phelps, Chair, NNMCAB.**
- 18 3. **Report from Menice Santistevan, Executive Director.**
- 19 4. **Report from Pam Henline, EMSR Committee Chair.**
- 20 5. **Report from Caroline Mason, Waste Management Conference.**
- 21 6. **PowerPoint Presentation, "FY'12 Budget Update" presented by Mr. Ed Worth and Mr. Lee**
22 **Bishop, DORE Co-DDFOs.**
- 23 7. **Appendix E, Fiscal Year 2011 Work Prioritization, VL-LANL-0013.**
- 24 8. **Appendix E, Fiscal Year 2011 Work Prioritization, VL-LANL-0030.**
- 25 9. **PowerPoint Presentation "Independence of Analytical Labs," LA-UR-11-10294, with Ms.**
26 **Nita Patel.**
- 27 10. **Preliminary Agenda SSAB Chairs Meeting, April 13, 2011.**
- 28 11. **NNMCAB Recommendation 2011-04, "Achieving 2005 Consent Order Milestones in the**
29 **Next Four Years".**
- 30 12. **NNMCAB Top Three Issues.**

32 **Public Notice:**

33 📎 ***All NNMCAB meetings are recorded. Audiotapes have been placed on file for review at**
34 **the NNMCAB Office, 1660 Old Pecos Trail, Suite B, Santa Fe, New Mexico, 87505.**

35 📎 ***Reference documents listed in the Appendix section of these minutes may be requested**
36 **for review at the CAB office in Santa Fe. (505) 989-1662.**
