

NNMCAB Meeting Minutes 5-14-09
Certified by J. D. Campbell, NNMCAB Chair



Northern New Mexico Citizens' Advisory Board Meeting

May 14, 2009

9:00 a.m. to 5:00 p.m.

Courtyard by Marriott

3347 Cerrillos Road

Santa Fe, NM

MINUTES

Attending:

NNMCAB Members-

1. J.D Campbell, NNMCAB Chair
2. Ralph Phelps, NNMCAB Vice Chair
3. Mike Loya, EMSR Committee Chair
4. Pam Henline, EMSR Committee Vice Chair
5. Gerry Maestas, WM Committee Chair
6. Pete Baston
7. Robert Gallegos
8. Jane Gaziano
9. Kyo Kim
10. Ken LaGattuta
11. Deb Shaw
12. Robert Villarreal

Excused Absences-

1. Lawrence Longacre
2. Kathleen Hall
3. Jacquelyn Gutierrez
4. Caroline Mason
5. Evelyn Martinez

Absent-

Karen Torres

NNMCAB Staff-

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

Meeting Facilitator-

Jenny Freeman Strata*G,

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Also in Attendance-

Catherine Brennan, Designated Federal Officer, DOE/HQ
Jeffrey Casalina, Deputy Designated Federal Officer (DDFO)
George Rael, DOE/LASO
James Bearzi, NMED
Michael Graham, LANS
Rick Carpenter, City of Santa Fe

Guests-

Bob Gilkeson, Public
Julian Boyance, Energy Solutions
Ed Vigil, LANL
Jackie Gutierrez, Presenter, CAB Member
Lorrie Bonds-Lopez, LANL
Dan Pava, LANL/RRO/NEPA
Don Kimball, CAN
Frank Clifford, Los Angeles Times
Brad Buck, NM Free Press
Hugh Had, Buckman Direct Diversion Board
Robert Beers, LANS/LANL
Bill Loeb, Public
Maurice Lierz, Public
Stephen Wiman, Good Water Company
Nancy Werdel, LASO
John Greerspen, Public
Charlie Nylander, Water Matters, LLC
Valerie Morris, Arroyo W.
Peter Cobe, CA
Dan Englert, NMED/DOE/OB
Fred Peeper, Public
Virginia J. Miller, Public

AGENDA

- I. Call to Order
- II. Finalizing Work Plan Priorities Carry-over from Retreat
- III. Establishment of Quorum (10 needed)
 - a. Roll Call
 - b. Excused Absences
- IV. Approval of Agenda
- V. Approval of Minutes of March 25th, 2009
- VI. Approval of Minutes of April 8th, 2009
- VII. NNMCAB Chair's Report
- VIII. Old Business
 - a. Written Reports
- IX. New Business
 - a. SSAB Chairs' Letter to Dr. Ines Triay
- X. Introduction of Draft Recommendations
 - a. Draft Recommendation 2009-02 Pam Henline and Ken LaGattuta
 - b. Draft Recommendation 2009-03 Ken LaGattuta
 - c. Draft Recommendation 2009-04 J.D. Campbell
 - d. Draft Recommendation 2009-05 J.D. Campbell
 - e. Draft Recommendation 2009-06 Ralph Phelps
- XI. Committee Reports
 - a. Waste Management Committee
 - b. Environmental Monitoring and Surveillance Committee
 - c. Ad Hoc Committee Reports
 - FY '11 DOE/EM Budget
 - Public Participation
- XII. Presentation by Eight Northern Indian Pueblos, Jackie Gutierrez. Evelyn Martinez
- XIII. LASO Presentation on DOE/LANL Implementation of NNMCAB Recommendations, Jeff Casalina
- XIV. Public Comment Period
- XV. Consideration and Action on Draft Recommendations
 - a. Draft Recommendation 2009-02 (Not Approved)
 - b. Draft Recommendation 2009-03 (Approved as Amended)
 - c. Draft Recommendation 2009-04 (Approved as Amended)
 - d. Draft Recommendation 2009-05 (Approved as Amended)
 - e. Draft Recommendation 2009-06 (Tabled to 7-29-09)
- XVI. Presentation on Buckman Direct Diversion Project, Rick Carpenter
- XVII. Open Discussion from Board Members
 - a. Information Needs
 - b. Other items
- XVIII. Adjourn

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 May 14, 2009 at the Marriott Courtyard, Santa Fe, New Mexico. The Chair, J. D. Campbell presided. Jenny Freeman from Strata*G provided facilitation for the meeting. Jeffrey Casalina, 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 9:00 a.m. 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*. Mr. Casalina welcomed Ms. Cate Brennan, DOE Deputy Federal Officer (DFO) to the meeting.

II. Finalizing Work Plan Priorities Carry-over from Retreat

Before starting the regular meeting, Ms. Freeman took up the business of developing Committee Work Plan Priorities to wrap up the work product from the Board Retreat of May 13, 2009. The Board discussed options for committee structure and developed priorities for each committee. Dr. Shaw clarified the Board had discussed three committee structures and a decision needed to be made on which structure the Board would move forward with, which are described as follows:

1. Keep existing structure of two technical committees and Ad Hoc Committees as needed
2. New structure would have no formal committees but an array of focus areas with member leads as 'Task Managers'.
3. A blending of the two structures the existing and the new proposal, which would keep the committee structure as is but assign members to focus areas with a task leader, which proposes the option of keeping each committee with a task leader for each priority within the individual committee work plans.

The Board discussed the three options. Ms. Brennan stated the proposed amendment to the Federal Advisory Committee Act (FACA), may require sub committee meetings to be noticed in The Federal Register and that the substantive work of the board be completed before the whole board. Dr. LaGattuta mentioned the CAB Bylaws also stipulate the ways votes are taken in the committee, a majority of those present vote, which involves the current structure of the CAB. In essence, to consider changing the committee structure or dissolving the structure would require substantive changes to the CAB Bylaws, which has a formalized process that requires a first and second reading before the full Board. In addition, draft recommendations are crafted at the committee level generally, so eliminating the committees could disrupt this process, which comprised a major product for the Board. Mr. Maestas stated the new task oriented idea would disrupt the cohesion of the Board. He stated people either participated or not and changing the structure of the Board would not radically change this. It was tough enough to keep people on this Board, he stated and Mr. Maestas recommended leaving the structure alone and assigning the tasks within the committee. Dr. LaGattuta stated there were variables within the existing Board structure that could be worked with, such as trying a new time for the meetings that might increase Board and public participation. He thought working under the current committee structure was fine and he

1 saw no reason for dissolving the committee structure. Ms. Gaziano does not understand what
2 the difference was; Ms. Novak currently has developed a task-oriented work sheet for the
3 Committees that followed along with the Work Plan initiatives, which gave an overriding
4 structure to the committee work. She stated volunteering was different from being assigned
5 work, a critical difference between the old structure and the proposed new structure. Mr.
6 Phelps suggested the concept of a new structure because he wanted the board members to
7 put themselves in a position to be interested in the subject they choose to work on and enjoy
8 their participation which might be improved through the development of an alternative
9 structure.

10 Ms. Freeman called the discussion to a close. She asked the members to raise hands
11 for their committee structure preference. There were three members in support of the
12 proposed new structure that dissolved the current Committees and was based on Task
13 Managers. A blending of structures, the old and the new, received the support of two
14 members. The current structure of two technical Committees, an Executive Committee
15 with Ad Hoc Committees as needed received the most member support with six members
16 in favor of keeping the structure as is. Based on member's preference it was agreed to
17 continue developing Work Plans for the Committees using the existing Board structure.

18 With overall committee structure in place the following Ad Hoc Committees were
19 developed:

20 Ms. Henline made a motion to create an Ad Hoc Committee for Board Process to
21 address areas of Board Process including membership retention and training. Mr. Gallegos
22 seconded the motion. The motion passed with seven members voting in favor and two
23 members opposed.

24 The following members agreed to serve on this Ad Hoc Committee.

- 25 1. Pam Henline, Lead
- 26 2. Mike Loya
- 27 3. Ralph Phelps
- 28 4. J. D. Campbell
- 29 5. Gerry Maestas
- 30 6. Jeff Casalina (DOE Staff)
- 31 7. Menice Santistevan (NNMCAB Staff)

32 Dr. Campbell made a motion to establish another Ad Hoc Committee for a DOE/
33 Environmental Management Budget Priorities Review for FY'12. Mr. Baston seconded the
34 motion. The motion carried with ten members in favor. The following members agreed
35 to serve on this Ad Hoc Committee.

- 36 1. Peter Baston
- 37 2. J. D. Campbell
- 38 3. Bob Villarreal
- 39 4. Kathleen Hall (in absentia)
- 40 5. Jeff Casalina, (DOE Staff)

41 Dr. Campbell made a motion that the Ad Hoc Committee Reports be made to the
42 full Board. Mr. Gallegos seconded the motion. The motion passed by unanimous vote.

43 Mr. Phelps made a motion to establish an Ad Hoc Committee for Public Outreach.
44 Mr. Baston seconded the motion. The motion carried. The following members agreed to
45 serve on this committee.

1 1. Peter Baston, Lead

2 2. Ralph Phelps

3 3. J. D. Campbell

4 4. Lawrence Longacre

5 5. Gerry Maestas

6 6. Jeff Casalina (DOE Staff)

7 7. NNMCAB Staff Support, Lorelei Novak (Mr. Casalina approved Ms. Novak's
8 participation with the Ad Hoc Committee and granted her request to be included in
9 the communications and meetings.)

10 Ms. Henline made a motion to re-approve the membership of this Ad Hoc
11 Committee, Mr. Phelps seconded the motion. The motion passed and the membership
12 was approved.

13
14 **III. Establishment of Quorum (10 needed) (12 present)**

15 **a. Roll Call, Excused Absences**

16 Ms. Novak conducted roll call and announced a quorum with 12 members present at the
17 meeting. Mr. Casalina had previously approved excused absences for Jacquelyn Gutierrez,
18 Kathleen Hall, Lawrence Longacre, Evelyn Martinez and Carolyn Mason. Karen Torres was
19 marked absent.

20
21 **IV. Approval of Agenda**

22 The Board reviewed the agenda. Dr. Campbell made a motion to approve the agenda
23 and Dr. Shaw seconded the motion. The meeting agenda was approved.

24
25 **V. Approval of Minutes of March 25, 2009**

26 The Board reviewed the minutes from the March 25, 2009 CAB meeting. By previous
27 instruction from DOE Headquarters, the minutes were reviewed and certified by the NNMCAB
28 Chair. The minutes were included in the mailed meeting packet and were presented for
29 Board approval.

30 Mr. Phelps made a motion to approve the minutes as presented and Mr. Maestas
31 seconded motion. The minutes were approved as presented.

32
33 **VI. Approval of Minutes of April 8, 2009**

34 The Board reviewed the minutes from the April 8, 2009 Special Meeting of the CAB for
35 the EPA Kerr Laboratory Report Presentation. By previous instruction from DOE Headquarters,
36 the minutes were reviewed and certified by the NNMCAB Chair. The minutes were included in
37 the mailed meeting packet and were presented for Board approval.

38 Mr. Phelps made a motion to approve the minutes of April 8, 2009 as presented and
39 Mr. Loya seconded motion. The minutes were approved as presented.

40
41 **VII. Old Business**

42 – Written Reports (included in packet)

43 a. NNMCAB Chair's Report

A printed copy of Dr. Campbell's report was included in the meeting packet and a copy may be obtained by request from the CAB office at (505) 989-1662. Dr. Campbell reviewed his written report for the Board. There were no questions for Dr. Campbell.

b. 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. There were no questions for Ms. Santistevan.

VIII. New Business

a. SSAB Chairs' Letter to Dr. Ines Triay, dated March 21, 2009

The Board reviewed the Site Specific Advisory Board (SSAB) joint product letter from its semi-annual spring Chairs Meeting. The subject of the letter was "Green Initiative for Recyclable Metals within the DOE Complex." The Board discussed the letter.

Mr. Phelps made a motion for the Board to approve the letter without changes. Dr. Shaw seconded the motion. The letter was approved with a vote of 11 members in favor and 1 opposed. Ms. Freeman asked Dr. Kim why he had voted against the letter. Dr. Kim replied he thought the proposal was another expensive project that would go nowhere. For editorial reference: the Board noted the spelling of Dr. Ines Triay was incorrect and was marked for correction.

IX. Introduction of Draft Recommendations

a. Draft Recommendation 2009-02

Developed by the NNMCAB Environmental Monitoring, Surveillance and Remediation Committee, Dr. LaGattuta, one of the primary authors, introduced the draft and explained that the recommendation has had some specifics removed but that it still has quite a bit of substance. The draft has gone through many revisions by Ms. Henline and Mr. Phelps with a focus on achieving consensus. The draft recommended the following:

- DOE provide the public with a water quality database, which contains all of the water quality data that LANL has used to support its data quality objectives.
- DOE ensure that this publicly available database includes the indicators and links to the data analyses, which LANL considers necessary to meet its data quality objectives.
- In order to make the LANL/LANS cleanup operation more transparent, DOE provide the public with all of the information necessary to understand the format and content of the water quality database.
- Intent

The intent of this recommendation was to support LANL/LANS in its efforts to make the cleanup operation more transparent to the public. The Board discussed the draft recommendation, which would be taken up later in the meeting for action.

b. Draft Recommendation 2009-03

Developed by the NNMCAB Environmental Monitoring, Surveillance and Remediation Committee, Dr. LaGattuta introduced the draft. The Environmental Protection Agency's (EPA) National Risk Management Research Laboratory - Ground Water and Ecosystems Restoration Division (Kerr Lab) reviewed Los Alamos National Laboratory's (LANL) Well Screen

Analysis Report Revision 1 (WSAR Rev1). In a letter from Kerr Lab staff to EPA's Rich Mayer, dated February 16, 2006, several suggestions for the improvement of LANL's groundwater monitoring program were made. Additionally, Kerr Lab was requested by the Northern New Mexico Citizens Advisory Board (NNMCAB) in a letter dated November 20, 2007 to Mr. Rich Mayer, CAB EPA Liaison member, to review the following two Los Alamos National Laboratory (LANL) Reports, "Well Screen Analysis Report, Revision 2, LA-UR-07-2852 May 2007," and "Groundwater Background Investigation Report, Revision 3, LA-UR-07-2853 May 2007." In a memorandum to Mr. Rich Mayer, dated 3-30-09, and in a presentation to the Northern New Mexico Citizens Advisory Board (NNMCAB) on April 8, 2009, Kerr Laboratory staff presented the results from their review. The recommendation observed the results of the review that included recommendations for further improvements in LANL's groundwater monitoring program. The Board considered that the recommendations provided by the review performed by the industry experts from EPA's Kerr Laboratory to be an important contribution to the overall success of LANL's environmental remediation and protection of groundwater resources. Therefore, the draft recommends that the results of the Kerr Laboratory review described above be formally transmitted to Department of Energy Environmental Management Headquarters (DOE/EM/HQ) for its use in the scheduled review, by the Expert Panel, of LANL groundwater monitoring programs. It is also requested that the DOE forward the report to Los Alamos National Security Environmental Management (LANS/EM) for its evaluation and use in making its groundwater monitoring program as strong as practical. The Board discussed the draft recommendation, which would be taken up later up in the meeting for action.

c. Draft Recommendation 2009-04

The primary author, J.D. Campbell, introduced the draft. The focus of the draft was based on the need to make immediate progress in cleanup efforts at Technical Area 21 (TA-21) with the removal of buildings and facilities to obtain access to potential below ground contamination. Provisions to cleanup MDA-B at TA-21 were well underway and would allow this area on the perimeter of LANL and adjacent to public and commercial operations to be available for future use by Los Alamos residents. The American Recovery and Reinvestment Act of 2009 (ARRA) has provided the DOE Office of Environmental Management with funds to accelerate the cleanup of legacy waste at DOE facilities across the United States. An additional objective of ARRA was to provide work opportunities for the public in areas affected by the economic slowdown. The LASO expects to receive ARRA funding in the near term for these objectives. The NNMCAB understands LASO has targeted TA-21 for initial use of these funds. The Board agreed with the priorities developed by LASO for the removal of buildings and facilities at TA-21 and the excavation and removal of Legacy Waste remnants from MDA-B as an initial use for a majority of the ARRA funding for LANL. The draft recommended DOE request that LASO utilize available ARRA funding to ensure adequate training of workers and monitoring of site conditions to provide the public with information demonstrating safe conditions for workers and the public during the proposed cleanup operations at TA-21. Additionally, the draft recommended DOE request that LASO show immediate progress in the beneficial use of available ARRA funding so LASO and the NNMCAB may recommend to the DOE Office of Environmental Management that LANL was deserving of additional ARRA funding to further accelerate the cleanup of legacy waste at the site. The

Board discussed the draft recommendation, which would be taken up later in the meeting for action.

d. Draft Recommendation 2009-05

On behalf of Dr. Hall, the primary author, Dr. Campbell introduced the draft Recommendation to the Board. The Board was asked to identify sites/projects at LANL that should receive top priority for remediation in 2011. The selection of sites was made somewhat complicated by the current funding climate, specifically the American Recovery and Reinvestment Act (ARRA) funds that have been allocated to New Mexico sites for environmental cleanup. Proposed ARRA funding has been allotted specifically for the Decommission and Demolition (D & D) of Technical Area 21 (TA - 21). With consideration of the ARRA Funding projects, the draft recommended DOE consider the top three priorities for Fiscal Year 2011 to be as follows:

1. Emphasis on funding for closure for MDA-G.
2. Continue remediation of TA-21.
3. Continue Canyon Watershed Investigations regarding ground and surface water quality.

The Board discussed the draft recommendation, which would be taken up later in the meeting for action.

e. Draft Recommendation 2009-06

The Primary author, Mr. Phelps introduced the draft. The Board recognized the need to make immediate progress in cleanup efforts at TA-21 with the removal of buildings and facilities to obtain access to potential below ground contamination. The author considered this an exceptional opportunity to provide this information as community outreach to regional schools. In addition, the planning for the cleanup of MDA-B at TA-21 presented an immediate opportunity to interface with the schools to develop an understanding of the process of environmental cleanup. The Office of Environmental Management (DOE/EM) has requested any comment and recommendation from the NNMCAB regarding the priorities to be considered for the use of available stimulus funding at LANL. This draft recommended that a good use for a portion of the ARRA funds would be to initiate an integrated community outreach program in the four Northern New Mexico counties as represented on the CAB. Specifically, the draft recommended:

- DOE request LASO to work with the state of New Mexico to make an appropriate portion of the ARRA funding provided to perform environmental clean up at TA-21 at LANL to be dedicated to regional community outreach in Northern New Mexico counties.
- DOE establish an interface committee with the state of New Mexico through LASO to coordinate the development of interactive software and computers to use that would be placed in local schools.
- DOE use an appropriate part of the ARRA funding to sponsor training programs to be developed by LASO specifically for students approaching graduation in the local community high schools that would prepare the students for jobs in the environmental cleanup work at LANL under the Consent Order.

The Board discussed the draft recommendation, which would taken up later in the meeting for action.

X. Committee Reports

f. Waste Management Committee

Mr. Maestas, WM Committee Chair, acted as the reporting member for the Committee. A printed copy of Mr. Maestas report was included in the meeting packet and a copy may be obtained by request from the CAB office at (505) 989-1662.

g. Environmental Monitoring and Surveillance Committee

Mr. Loya, EMSR Committee Chair, acted as the reporting member for the Committee. A printed copy of Mr. Loya's report and a copy may be obtained by request from the CAB office at (505) 989-1662. Mr. Loya added a verbal request that the members review the Board's Mission Statement to his report.

h. Ad Hoc Committee Reports

• FY '11 DOE/EM Budget

Dr. Campbell provided the report for the FY'11 Budget Ad Hoc Committee. He stated that the draft Recommendation 2009-05, "Recommendation for 2011 Priorities for LANL Remediation," drafted by Dr. Hall represented the product of the Committee and that the product served as the conclusion of the work for this Ad Hoc Committee.

• Public Participation

Mr. Baston provided a verbal report to the Board. He stated this committee was on hold for the moment. He has met with LANL communications staff who endorsed the public outreach/ public participation mission of this Ad Hoc. Mr. Baston was currently waiting for direction from the DDFO.

Ms. Henline requested Mr. Baston include the full Board on the scope of the activities of the Outreach Ad Hoc Committee as all the sub committees activities were to be approved by the Board.

XI. Presentation by Eight Northern Indian Pueblos, Jackie Gutierrez. Evelyn Martinez

Ms. Jackie Gutierrez and Evelyn Martinez, Eight Northern Pueblos, provided a subject matter report entitled, "Tribal Youth Summer Camp 2008." The PowerPoint Presentation was placed on file at the CAB office. The presentation described the planning of a summer camp for native students. The summer camp curriculum was structured and approved, based around environmental training, for conceptual awareness, ecology, forestry and air quality objectives. The instructors were tribal employees, environmental specialists, game and fish and forestry professionals. The summer camp required a lot of planning but they were happy with the results of last year's camp and looking forward to this year's camp.

XII. LASO Presentation on DOE/LANL Implementation of NNMCAB Recommendations, Jeff Casalina

Mr. Casalina discussed the status of the DOE responses to CAB recommendations. The Board has recently received responses to NNMCAB Recommendations 2008-08 and 2008-11. Mr. Casalina and the LASO office are currently working on responses to the following recommendations:

- 1 • 2009-01 "Recommendation for Improved Description of Data Reporting in the Next
- 2 Environmental Surveillance Report"
- 3 • 2008-01 "Recommendation to DOE and LANL to Expedite Planned Change Request for
- 4 Shielded Containers"
- 5 • 2008-02 "Enhanced Organization and Training for LANL in Interfacing with Regulators"
- 6 • 2008-03 "Recommendation for Actions Regarding the EPA Storm Water Discharge Permit"
- 7 • 2008-05 "Develop a Simple Project Status Reporting Format for Environmental Projects
- 8 Under the Consent Order that can be used by NNMCAB and LANL for Public
- 9 Communication"
- 10 • 2008-07 "Implement DOE P 455.1, "Use of Risk-Based End States"
- 11 • 2008-09 "Regarding DOE/LANL Funding Priorities"
- 12 • 2008-10 "Regarding Independent Review of the MDA-G Corrective Measures Evaluation
- 13 Report by DOE Office of Soil and Groundwater Remediation"

14 Mr. Casalina stated that he was developing a Recommendation feedback chart and he
15 thanked Lorrie Bonds-Lopez for her assistance with the chart. He stated generally that the
16 CAB has had an impact with increased funding for EM work at the Lab. Mr. Casalina stated
17 they were hoping to get more Recommendations that had an impact on the EM decision-
18 making at LANL. Ms. Henline mentioned the impact that CAB has had on developing the
19 chromium model and the well monitoring network improvements at LANL. Mr. Casalina
20 considered the feedback chart a 'work in progress'. Dr. LaGattuta also wanted to see the
21 fate of formal Board requests.

22 Responding to Dr. Campbell's question, Mr. Rael confirmed that LASO had approved the
23 peer review recommended in 2008-10. Responding to Mr. Maestas' question regarding the full
24 closure of the whole area of TA 54, Mr. Rael stated the Board had received an interpretation
25 of what full closure meant from Mr. Ed Worth, DOE, and he agreed that the staff at LASO
26 needed to be careful with wording in communications. The Board had heard about integrated
27 closure for TA-54 from Mr. Worth, but it looked as though they still needed more explanation/
28 information; perhaps the members would request another presentation.

29 30 **XIII. Public Comment Period**

31 Mr. Don Kendle from "Citizens Against Nukes" signed up for public comment. Mr.
32 Kendle provided background information for himself that he had worked to prevent the Waste
33 Isolation Pilot Plant (WIPP) and his group had successfully prevented a nuclear 'dump'. He
34 stated he was a concerned citizen and he had wanted to hear the Buckman Direct Diversion
35 presentation before public comment period so that he could make any comments regarding
36 the presentation during public comment. He also worked with "Citizens Alert" on an
37 underground test site and he worked with issues at the Nevada Test Site. His opinion was that
38 the DOE does not listen too much to the citizens. He gave a report to be photocopied, which
39 was included in the attachments of these minutes. The report mentioned his concerns with
40 many underground test sites. He wanted to get monitoring wells for the Buckman Direct
41 Diversion Project location. He asked about money and if the ARRA Funding could be used for
42 installing monitoring wells in a location near Buckman Direct Diversion Project. He stated
43 whether we agree or not about nuclear facilities and technology was a mute point. Overall,
44 his main concern was that the water must be protected and it was a big job to convince him
45 that the public was safe.

XIV. Consideration and Action on Draft Recommendations

a. Draft Recommendation 2009-02 (Not Approved)

Motion:

Mr. Phelps made a motion to approve draft Recommendation 2009-02 for submission to the DOE. Ms. Henline seconded the motion.

Discussion:

Mr. Maestas did not see a need to submit this recommendation as he considered it unnecessary. Mr. Phelps understood Mr. Maestas position but he stated they were not disparaging LANL in any way by asking for access to additional data.

Board Action:

Seven Members Voted to Approve

Four Members Voted to Not Approve

One Member Abstained

Final Result:

Draft Recommendation 2009-02 was not approved for submission to the DOE as per Section VI, D of NNMCAB Bylaws, Page 10 specifies a vote of 75% of those present and voting are needed for approval.

b. Draft Recommendation 2009-03 (Approved as Amended)

Motion:

Mr. Phelps made a motion to approve draft Recommendation 2009-03 as amended for submission to the DOE. Dr. Campbell seconded the motion.

Discussion:

No further discussion was held.

Board Action:

Unanimous Vote to Approve

Final Result:

Draft Recommendation 2009-03 was approved for submission to the DOE as amended.

c. Draft Recommendation 2009-04 (Approved as Amended)

Motion:

Dr. Campbell made a motion to approve draft Recommendation 2009-04 as amended for submission to the DOE. Ms. Henline seconded the motion.

Discussion:

Mr. Maestas asked how this good work for the stimulus was determined. Mr. Rael stated they are developing a baseline, and there would be a matrix to measure accomplishments and a schedule and this information would be posted on a public website.

Board Action:

Eleven Members Voted to Approve

One Member Voted to Not Approve

Vote to

Final Result:

Draft Recommendation 2009-04 was approved for submission to the DOE as amended.

d. Draft Recommendation 2009-05 (Approved as Amended)

Motion:

Dr. Campbell made a motion to approve draft Recommendation 2009-05 as amended for submission to the DOE. Mr. Loya seconded the motion.

Discussion:

Dr. Campbell asked Mr. Rael if the comments were timely for FY'11 priorities?

Mr. Rael stated the comments in the recommendation were timely and that next week would begin training introductions for the budget.

Board Action:

Unanimous Vote to Approve

Final Result:

Draft Recommendation 2009-05 was approved for submission to the DOE as amended.

e. Draft Recommendation 2009-06 (Tabled to 7-29-09)

Motion:

Mr. Phelps made a motion to approve draft Recommendation 2009-06 as amended for submission to the DOE. Ms. Henline seconded the motion.

Discussion:

The Board discussed the draft recommendation. There were questions about whether the schools had requested the training recommended in the recommendation and questions as to whether the draft was within the mission and scope of the Board. Mr. Loya asked if Ms. Bonds-Lopez supported this recommendation and she said she generally supported outreach at the high school level and putting educational materials up on the web would help to make them more understandable to the public. Ms. Brennan stated it was unclear about to whom the Board was asking, what they were asking and exactly what the Board was recommending. She asked Mr. Phelps to clarify the intent and recommendations in the draft. Mr. Phelps said he was trying to cover all the bases as he was not sure how the funding flows and from what organizations. Mr. Maestas stated the recommendation was not clear enough. Dr. Shaw agreed with Mr. Maestas that the focus was not clear enough although she liked the concept and thought community outreach was a good idea, she still thought the recommendation needed work. Dr. Campbell recommended this draft be returned to the Outreach Ad Hoc Committee for additional work and clarification.

Board Action:

Dr. Campbell made a substitute motion to table the Draft recommendation to the July meeting. Mr. Phelps and Ms. Henline agreed to the substitute motion.

The Members voted unanimously to table the Draft Recommendation to July 29, 2009.

Final Result:

Draft Recommendation 2009-06 was tabled to the July 29, 2009 CAB Meeting.

XV. Presentation on Buckman Direct Diversion (BDD) Project, Rick Carpenter

Mr. Rick Carpenter, Senior Water Resources Coordinator, Water Division, City of Santa Fe Public Utilities Department, provided a subject matter presentation to the Board on the Buckman Direct Diversion Project. The PowerPoint Presentation, "Buckman Direct Diversion Project Presentation" has been placed on file at the CAB office.

Mr. Carpenter explained the BDD Project and discussed suggestions of ways the CAB has been requested to provide input/advice/recommendations to DOE regarding the Buckman Direct Diversion Project:

- Stop migration of LANL contaminants to the Rio Grande and groundwater.
- Properly monitor transport of legacy contaminants in surface water and groundwater.
- Measure LANL legacy contaminants in abandoned river channel upstream from BDD site.
- Provide early notification system for flows from Las Alamos Canyon
- Monitor mass of contaminants.
- Provide funding for BDD Board to hire independent peer reviewer.

XVI. Open Discussion from Board Members

The Board members held a round robin discussion to wrap up the meeting:

- Mr. Phelps was happy with the way the two days went, the Retreat and the CAB meeting. He thought the group had a great discussion on how to configure the CAB. He stated he appreciated Ms. Freeman's service
- Mr. Maestas wanted to get work completed by five p.m. and he thought we did, well done.
- Mr. Gallegos thought it was a productive meeting. The discussion of Board structure helped to develop good ways for the Board to move forward in a more productive way.
- Dr. Campbell thanked Ms. Freeman for her assistance.
- Dr. LaGattuta had resisted the idea of facilitation but he thought it proved to be useful. He was particularly thrilled by the members of the public who attended.
- Ms. Henline thought the meeting ended up really well. She thought facilitation needed to be flexible and that Ms. Freeman worked out well for this Board.
- Dr. Shaw was frustrated yesterday but sometimes that was necessary in the process, but she thought the meeting ended up with productive comments and she has gotten to know people a lot better. She thanked Jenny and hoped we would keep moving forward.
- Ms. Brennan thanked the Board for having her here. She hoped it was helpful in improving the operations of this site. She stated this was a very complex site with many informed people and many requests for action.
- Mr. Loya stated it was difficult for him to donate time with his job, etc. Nevertheless, he considered this work to be very important. He thought the folks at the Lab were doing the best job they could to protect our water supply. He wanted the Board not to get so involved in the dramatic, to rely more on the facts and utilize the professionals when developing recommendations.
- Ms. Freeman was able to visit Santa Fe, so she was the lucky one at the meeting. She thanked Ms. Santistevan, Ms. Novak, Mr. and Mrs. Roybal for their unflappable work behind the scenes.
- Mr. Casalina thanked the ATA Staff, who he stated go above and beyond and he thanked Ms. Freeman and Ms. Brennan. He also thanked Mr. Rael for attending. He thought the Board accomplished a lot of work and made a good start toward developing its Work Plans.

XVII. Adjournment

With no further business to discuss, Mr. Casalina, DDFO, adjourned the meeting at 4:20 p.m.

Respectfully submitted,



J. D. Campbell, Ph.D., P. E., Chair, NNMCAB

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

Attachments:

1. Final 5-14-09 CAB Meeting Agenda.
2. Report from J.D. Campbell, Chair, NNMCAB.
3. Report from Menice Santistevan, Executive Director.
4. Report from Mike Loya, Chair, EMSR Committee.
5. Report from Gerry Maestas, Chair, WM Committee.
6. Cate Brennan, DFO, Biography.
7. Jenny Freeman Strata*G, Biography.
8. Draft Recommendations 2009-02 2009-03, 2009-04, 2009-05, 2009-06.
9. Well Screen Analysis Report, Revision 2, LA-UR-07-2852 May 2007,
<http://www.lanl.gov/prr/Water/PRR-WTR-0020.pdf>.
10. Groundwater Background Investigation Report, Revision 3, LA-UR-07-2853
May 2007,
<http://www.lanl.gov/environment/h2o/docs/FinalGWBackgroundIRR3.pdf>
11. Public Comment—handout from Mr. Don Kendle.
12. PowerPoint Presentation by Eight Northern Pueblos on Youth Summer
Camp.
13. Office of Environmental and Technical Assistance Eight Northern Indian
Pueblos Informational Handout.
14. PowerPoint Presentation on Buckman Direct Diversion Project.
15. 2008 Progress Report Handout Buckman Direct Diversion Project.
16. NNMCAB Priorities for FY'10 Committee Work Plans:
ExComm
Structure of Committee Work Plans
CAB Structure
Annual EM Budget

ARRA Dollars
Authorization Basis Effectiveness

EMSR

Ground / Surface Water Issues

Web of Wells, Tech Issues

Chromium Issue

Closure of TA-54

Sediment Transport

- LA Pueblo Canyon
- Sediment Redirection Projects
- Buckman Diversion Project

Address Riparian Issues- ecology of area i.e. flora, fauna

WM

ARRA Funding

- Execution of ARRA Dollars-TA-21
- Address Community Concerns with regards to TA-21
- Consider Recommendations on how to spend additional ARRA dollars
- Alternative Projects
- Suggestions to Improve efficiency of Allocated dollars

Material Disposal Areas

- Public Outreach- input to clean up
- Subsurface Remediation
- Tritium Issue
- High Level Waste and TRU Waste Disposition
 - Waste Disposition of Materials Stored on Site to include removal above ground and pits and shafts as appropriate

Closure of TA-54

- RH Waste/High Activity Waste
- Tech Issues- Clean up
- Disposition Pathways
- Solid Waste

Public Outreach Ad Hoc

TA-54 General Outreach

TA-21 Community Information

Public Education

Public Information and Feedback

Board Process Ad Hoc


New Member Orientation / Training


Active Member Mentoring

New Member Tutorial

Address Technical and Non-technical abilities of new members with a focus on education

Public Notice:

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

 *Reference documents listed in the Appendix section of these minutes may 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.