



Northern New Mexico Citizens' Advisory Board

A U.S. Department of Energy Site-Specific Advisory Board

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Final Minutes

Northern New Mexico Citizen's Advisory Board Committee Meeting of the Whole

November 29, 2006

2:00 p.m. to 5:30 p.m.

Jemez Complex, Santa Fe Community College

Santa Fe, New Mexico

Members in Attendance:

J.D. Campbell, Chair
Grace Perez, Vice Chair
Mary Pat Kraemer
Donald Jordan
Robert Gallegos
Barbara Gonzales

Members Absent:

Richard DeerTrack

Members Excused:

Fran Berting
David Church
Richard Cunningham
Erlinda Gonzales
Pamela Henline
James Janis
Raymond Loretto

NNMCAB Staff:

Menice Santistevan, Executive Director
Grace Roybal, Office Administrator
Eddie Roybal, Sound Technician

Ex Officio Members:

George Rael, DOE
James Bearzi, NMED

Carolyn Mangeng, LANS

Guests:

Larry Rapagnani

Dave McCoy

Bob Gilkeson

Kirt Kempter

John Lopez

Terry Bogle

Lorrie Bonds Lopez

Andy Lenderman

Minutes:

I. Call to Order, J.D. Campbell, Chair

The meeting was called to order at 2:00 p.m. by Chair, J.D. Campbell. The regular meeting of the NNM CAB was open to the public and posted in the Federal Register in accordance with the Federal Advisory Committee Act.

II. Establishment of Quorum

Six Board members were in attendance at the meeting. The DDFO was not present. The Chair stated that there were insufficient Board members to establish a quorum for conducting Board business. The meeting was set as a Committee of the Whole.

III. Welcome and Introductions from J.D. Campbell, Chair

The Chair welcomed the Board members and guests to the meeting and acknowledged a new member, Robert Gallegos. The Chair welcomed public participation with the acknowledgement that it would be on an informal basis. Because there was no quorum and the DOE was not present, no formal votes could be taken on recommendations, no action items could be generated, and no formal public comments could be accepted by the Board or DOE at this time. The Chair mentioned that George Rael from the Los Alamos Site Office would be present later to provide a report on CAB recommendations.

IV. Approval of Agenda

The Chair asked that the proposed Agenda be amended due to the absence of the DOE and lack of a quorum. Items on the amended Agenda would be reviewed and discussed but not voted on. Amended Agenda items included:

- The Chair requested Ms. Santistevan provide a short summary of the budget status.
- The Chair introduced the NAS Interim Status Report, "Plans and Practices for Groundwater Protection at the Los Alamos National Laboratory", stating that it does not include recommendations but contains a fact finding summary. The Chair requested this be added to the amended Agenda for review.

- The Chair asked Mr. Jordan to present an informal reading of the Proposed Amended Bylaws; however no action could be taken at this time.
- The fourteen recommendations scheduled for consideration at this meeting would be briefly reviewed but not voted on.
- The Chair reminded the Committee that public comments could not be formally taken on Agenda items without the DOE present; but comments would be accepted if those present asked to be recognized.
- The Chair stated that the Draft Strategic Plan for Public Participation would be reviewed.
- Mr. Jordan prepared a Resolution for DOE and would like to present it for review. The Chair asked that the resolution be presented after discussion of the Public Participation plan and Mr. Jordan agreed.

The Chair called for other additions or revisions to the agenda and asked for a motion to approve the amended Agenda. Mary Pat Kraemer made a motion to approve the amended Agenda and Mr. Robert Gallegos seconded the motion. As all were in favor, the amended Agenda was approved.

V. Approval of Minutes from September 27, 2006

The Chair asked that the Minutes from the previous meeting be approved at the January 31, 2007 meeting.

VI. Board Business/Reports:

a. Report from the Chair

The Chair stated that his report was available in their packet for review. The report is also attached to these Minutes.

b. There was no report from the DOE.

c. Report from the Executive Director

The report is attached to these minutes for review.

VII. New Business

- a.** The Chair stated that NNM CAB was due for a website expansion when staff becomes available.
- b.** The Chair introduced an interim status report called “Plans and Practices for Groundwater Protection of LANL”, issued Nov. 21, and released by the NAS. The report references CAB participation but does not include recommendations. John Wiley, Administrator for the National Academy, asked the Chair to present the report for review by the CAB and asked that members include corrections or deficiencies. These will be considered for inclusion in the final report due in May.

The EPA work that the CAB requested has not been referenced yet. A discussion ensued regarding the report.

- Bob Gilkeson commented extensively on the report. His research and report cited serious problems with groundwater protection. He stated DOE also wrote a report that claimed the drilling additives could mask detection of contaminants.
- The Report on Wellscreen Analysis is missing from the report the CAB requested. Mr. Jordan asked for a balanced presentation of the information and suggested the NAS have the opportunity to defend its work.
- The Chair agreed with Mr. Jordan and reiterated that the CAB should simply review deficiencies and make recommendations to John Wiley. No action could be taken today.
- Bob Gilkeson further presented chemical analysis information from his articles and documents. The Chair recommended these be referred to the EMS&R committee for presentation or discussion in mid January. He also suggested a request be placed with the DDFO to get additional information on these topics for the CAB to review.

c. Draft Public Participation Plan

The main issue is what requests the CAB needs to make of DOE and LANS for assistance with the public participation programs. Carolyn Mangeng stated that the four stakeholder meetings are in the LANS work plan and will be supported.

Area G closure: The Corrective Measures Evaluation Study is being developed now and is to be submitted within a year. The CAB needs to review and develop closure alternatives and scenarios in case there are objections to closure. The Chair suggested LANL could assist with these alternatives and recommendations regarding low level waste removal and accelerated cleanup. Comments were made regarding timing and using mature thinking as to when cleanup should be done.

The Chair reminded the Committee that a vote was not possible today. The proposal should be reviewed only and members should make comments and suggestions for improvement. The Chair stated DOE and LANL might offer quarterly updates on groundwater monitoring.

Mr. Jordan suggested preparing a resolution to LANS and DOE and introduce it at the next meeting. He suggested providing DOE and LANS with guidance regarding what kind of support the CAB is asking for, related to presentation information and staff support.

A discussion ensued about various aspects of the proposal.

- d.** Mr. Jordan introduced a Resolution asking the DOE to ensure that the NNM CAB and other site specific CABs throughout the complex be included in planning, decision-making, and policy development areas for environmental management. This Resolution is to be presented at the semi-annual Chairs meeting to be held in Las

Vegas and would represent the complex as a whole. It emphasizes a desire to be part of the participation process with LANL. Mr. Jordan will present the Resolution at the January meeting.

- e. The Chair suggested reviewing the fourteen recommendations. He reiterated that this was an informal meeting classified as a Committee of the Whole. Therefore, members cannot vote on recommendations nor is a public comment period possible. However, the Committee of the Whole can recognize members of the public if they would like to make comments.

VIII. Budget Report

Ms. Santistevan presented the CAB's FY'06 budget information. ATA's budget for the contract base year was \$383,654. The CAB was funded \$394,000. Money for Board travel is not in the ATA contract. The CAB needs more travel money from DOE to finance the remaining meetings. The DDFO needs to initiate this process.

IX. Report from Ex Officio Members

Report from George Rael, DOE

George Rael suggested not reviewing all the recommendations due to the length of time it would take. He suggested reviewing them instead at the formal meeting in January. Mr. Rael responded to outstanding recommendations. Mr. Rael stated that formal responses will be mailed to the CAB office by mid-December.

- Ms. Perez stated that she counted 19 recommendations: eight were accepted, six partially accepted; two were not accepted

Report from James Bearzi, NMED

Mr. Bearzi offered comments regarding the proposed recommendations on the Baseline and stated he did not understand some of them. He and the Chair discussed the need to establish budget guidelines and requests for some of the recommendations. A discussion ensued regarding clarifying the intent of the recommendations. Mr. Bearzi cautioned the CAB about its approach and encouraged the CAB to review the work being done by LANL, to ensure members are completely informed. This needs to be done before making recommendations.

Mr. Bearzi discussed groundwater monitoring for Area G. He questioned why Subpart F monitoring has been requested and asked for clarification of the language and intent. The Chair responded that the intent is to get groundwater monitoring around Area G in order to understand the potential impact to the groundwater from the hazardous waste, radioactive waste, and other materials that have existed for 50 years in Area G and underlying pits. Mr. Bearzi agreed with this perspective and suggested stripping the recommendation and rewriting it in common language.

Mr. Bearzi then discussed chromium interim measures and stated that he is in general agreement. He believes the chromium came from Sandia Canyon and it should be made a priority. He then announced a public meeting on MDA B on December 7, 2006 at The Cities of Gold Hotel from 7:00pm to 9:00pm.

Ms. Carolyn Mangeng stated she was working with the DOE to keep the environmental work on track and mentioned it was a difficult time as they were trying to stay in compliance with the Consent Order, during the Continuing Resolution. She has received a notice from NMED that it has approved the completion removal of five potential release sites. Seventeen TRU Waste shipments to WIPP were made in October. Also, in the last 60 days they experienced a transitory above normal reading on tritium just above ground level at Area G. It affects a sacred area to the north and seems to be transitory. They are keeping an eye on it.


Mr. Bearzi commented on the DOE getting shipping containers and getting the waste out and asked what LANL is doing. He stated that the priority is Idaho because it has an enforceable agreement to get the waste out with enforceable milestones. He suggested reviewing what Idaho has in place and what New Mexico does not have.

Mary Pat Kramer thanked the CAB members' for writing the recommendations. The Chair agreed and reminded the Committee that the Baseline Change Proposal was due 31 January.

X. Adjournment

Mary Pat Kraemer made a motion to adjourn. Barbara Gonzales seconded. The motion was approved and the meeting was adjourned at 5:30pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. D. Campbell". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

J. D. Campbell, NNM CAB Chair