



Northern New Mexico Citizens' Advisory Board  
1660 Old Pecos Trail, Ste. B  
Santa Fe, NM 87505  
505-989-1662

**NNMCAB Meeting Minutes**  
**September 28, 2005**  
**Santa Fe Community College, Santa Fe, New Mexico**

Attending:

CAB Members:  
Jim Brannon, Chair  
Grace Perez  
J.D. Campbell  
David Church  
Barbara Gonzales  
Jim Janis  
Fran Berting  
Chris Timm  
Mary Pat Kraemer  
Sammy Quintana  
Kenn Riordan  
Pamela A. Henline  
Philip Cantu  
Darlene Montoya  
Erlinda Gonzales  
Jon Rudnick

Deputy Designated Federal Officer:  
Christina A. Houston, DOE  
Ex-Officio Members  
Attending:  
Doug Stavert, LANL  
John Ordaz, DOE / LASO  
Rich Mayer, EPA  
Ex-Officio Members Absent:  
James Bearzi, NMED

NNMCAB Members Absent:  
Excused:  
Matthew Deller  
Unexcused:  
Raymond Loretto  
Marvin Rowe

Guests:  
Scott Kovac, Nuclear Watch New Mexico (NWNM)  
Craig Bachmeler, Public  
Jack Ellvinger, LANL  
Jay Cochran, (NWNM)  
Donivan Porterfield, Public  
Lorrie Bonds-Lopez, LANL / ENV  
Judy Goldberg, Risk Assessment Corporation (RAC)  
Denise Gonzales, New Mexico Community Foundation (NMCF)  
Helen Grogan, RAC  
Ruth Ann Greenly, Public  
Tony Grieggs, Public

NNMCAB Staff:  
Menice Santistevan, Executive Director  
Lorelei Novak, Community Outreach Specialist/ Technical Writer  
Grace Roybal, Office Administrator  
Eddie Roybal, Sound Technician

**Agenda:**

---

---

**FINAL AGENDA**

- 1:00 p.m. Call to Order by Christina Houston, DDFO  
Establishment of a Quorum  
Welcome and Introductions by Chairman Jim Brannon  
Approval of Agenda  
Approval of Minutes of July 27, 2005
- 1:15 p.m. Board Business
- a. **Election of Chair and Vice-Chair for FY 2006**
  - b. Report from Chair, Jim Brannon
    - Report on SSAB Chairs' Meeting in Idaho (Sept. 21-23)
  - c. Report from DOE, Chris Houston, DDFO
  - d. Report from Executive Director, Menice B. Santistevan
  - e. Consideration and Action on FY '06 Committee Work Plans
  - f. Consideration and Action on FY'06 NNM CAB Budget
  - g. New Business
- 2:45 p.m. **Break**
- 3:00 p.m. Reports
- a. Community Involvement Committee, Grace Perez
    - Introduction and Action on Letter to Ed Wilmot Re: 2004 Executive Summary for Environmental Surveillance in Los Alamos.
    - Introduction of Recommendation 2005-9
  - b. Waste Management Committee, Jim Brannon
    - Introduction of Recommendation 2005-10
  - c. Environmental Monitoring, Surveillance and Remediation Committee, Chris Timm
    - Introduction of Recommendation 2005-6 (Tabled on July 27<sup>th</sup>)
    - Introduction of Recommendation 2005-7 (Tabled on July 27<sup>th</sup>)
  - d. Reports from Ex-Officio Members
    - EPA-Rich Mayer
    - DOE-John Ordaz
    - UC/LANL-Doug Stavert
    - NMED-James Bearzi (unavailable)
- 6:00 p.m. **PUBLIC COMMENT**
- 6:15 p.m. Consideration and Action on Recommendation 2005-6, Chris Timm  
Consideration and Action on Recommendation 2005-7, Chris Timm  
Consideration and Action on Recommendation 2005-9, Grace Perez  
Consideration and Action on Recommendation 2005-10, Jim Brannon

- 6:30 p.m. Presentation on Risk Assessment by Dr. Helen Grogan of Risk Assessment Corporation.
- 8:00 p.m. Comments from Board and Ex-Officio Members.
- 8:20 p.m. Recap of Meeting: Issuance of Press Releases, Editorials, etc.
- 8:30 p.m. Adjourn.

---

---

**MINUTES:**

**Section I- Call to Order**

**Contents:**

- a. Call to Order by Christina Houston, DDFO**
- b. Establishment of a Quorum**
- c. Welcome and Introductions by Chairman Jim Brannon**
- d. Approval of Agenda**
- e. Approval of Minutes of July 27, 2005**

---

---

**a. Call to Order**

Christina A. Houston, Deputy Designated Federal Officer (DDFO), called the September 28, 2005 meeting to order at 1:00 p.m. Ms. Houston stated on behalf of the Department of Energy (DOE), the Northern New Mexico Citizens' Advisory Board (NNMCAB or CAB) meeting was called to order. She then turned the proceedings over to CAB Chair, Mr. James R. Brannon.

**b. Establishment of a Quorum**

Mr. Jim Brannon, Chair, stated that the members in attendance established a quorum for conducting Board business. The meeting was open to the public and posted in the Federal Register in accordance with the Federal Advisory Committee Act. Roll call established nineteen members present for the CAB meeting.

**c. Welcome and Introductions by Chairman Jim Brannon**

Mr. Brannon welcomed members and guests to the September 28, 2005 CAB meeting. Mr. Brannon noted that this was Ms. Houston's first meeting as DDFO for the NNMCAB. Mr. Brannon specifically welcomed Scott Kovac from Nuclear Watch New Mexico (NWNM) for attending the CAB meeting. The meeting was held at the Santa Fe Community College in the Jemez Complex.

**d. Approval of Agenda**

The Chair announced that on today's agenda the Board would hear committee reports, consider four draft recommendations and approve FY'06 Committee Work Plans. The Board

will also hear staff and DDFO reports, as well as comments from Ex-Officio members. Election of CAB Chair and Vice Chair for FY'06 are also scheduled for today's meeting. A presentation by Dr. Helen Grogan, Risk Assessment Corporation (RAC) on Risk Assessment was scheduled for later in the program. The Chair called for any modifications to the agenda or a motion to approve the agenda. **Dr. Campbell made a motion to approve the agenda and Mr. Church seconded the motion. The agenda was approved by acclamation.**

e. **Approval of NNM CAB Minutes from May 21, 2005 CAB Meeting**

Mr. Brannon then asked the Board to approve the draft minutes from the September 28, 2005 CAB meeting prepared by Ms. Novak. With minor editorial changes noted, **Mr. Deller moved that the Board approve the September 28, 2005 CAB minutes, as amended. Mr. Church seconded the motion. As all were in favor, the amended minutes were accepted as final.**

---

## **Section II- Board Business**

### **Contents:**

- a. **Election of Chair and Vice-Chair for FY 2006**
  - b. **Report from Chair, Jim Brannon**
    - **Report on SSAB Chairs' Meeting in Idaho (Sept. 21-23), J. D. Campbell**
  - c. **Report from DOE, Chris Houston, DDFO**
  - d. **Report from Executive Director, Menice B. Santistevan**
  - e. **Consideration and Action on FY '06 Committee Work Plans**
  - f. **Consideration and Action on FY'06 NNM CAB Budget**
  - g. **New Business**
- 

a. **Election of Chair and Vice Chair for FY 2006**

**The positions of CAB Chair and Vice-Chair for FY 2006 begin on October 1, 2005 and remain continuous until September 30, 2006. Mr. Brannon stated that the Chair and Vice Chair nominations would be considered on the same ballot. Mr. Brannon then opened up the floor for nominations.**

**Mr. Jim Janis nominated J. D. Campbell for the position of Chair of the Board. Ms. Grace Perez seconded the motion. Mr. Janis provided the CAB members and guest with information about Dr. Campbell's career and achievements.** Dr. Campbell's professional experience included a 33-year career with Woodward-Clyde Consultants and URS, where he was a Senior Principal. He continues to provide strategic consultation, project leadership and expert litigation support services for a variety of engineering projects. Dr. Campbell has been engaged in providing waste management services and geotechnical engineering worldwide. His expertise lies in assessing the performance and impact of existing facilities on the environment and developing appropriate and cost effective remedial programs. He has also developed designs for new facilities to meet performance objectives and regulatory requirements. Dr. Campbell has characterized, developed and implemented remediation plans for many industrial hazardous waste facilities including landfills, lagoons and contaminant plumes. Dr. Campbell has extensive experience as an expert witness in regulatory and in public hearings and court proceedings. He was awarded the Distinguished Alumnus Award presented by the University

of Illinois at Urbana-Champaign Civil Engineering Alumni Association in 1997 for his pioneering efforts in USEPA Superfund process to clean up hazardous waste sites. Dr. Campbell currently serves as the Vice-Chair of the EMSR Committee of the NNM CAB. **Dr. Campbell accepted the nomination of Chair of the NNM CAB.**

**Mr. Kenn Riordan nominated Mr. Chris Timm for the position of Chair of the Board. Mr. Riordan provided the CAB members and guest with information about Mr. Timm's background and experience.** Mr. Timm is the Vice President / Senior Project Manager for Pecos Management Services, Inc., a management consulting firm that specializes in environmental compliance and federal contract administration. He is also a member of the Water Environment Federation and the Albuquerque Hispano Chamber of Commerce. He received his BS from Purdue University in Civil Engineering and his MS from the University of New Mexico in Environmental Engineering. He holds a Professional Civil Engineer's license in Colorado and in New Mexico. A civil sanitary engineer, Mr. Timm is an accomplished hands-on technical and operations manager who has more than 25 years experience in project and program management of engineering and environmental compliance contracts. His knowledge of federal environmental programs, including DOE and EPA, stems from over 15 years of technical and management support experience. His experience includes strategic planning, development, designing and managing environmental and remediation and cleanup projects; staffing and controlling waste management support services; engineering evaluations and design projects; and risk analysis of nuclear and non-nuclear facilities. Mr. Timm currently serves as the Chair of the Environmental Monitoring, Surveillance and Remediation Committee of the NNM CAB.

**Mr. Timm declined to accept the nomination stating his schedule constraints would not allow enough time for him to fulfill the duties that are required as the CAB Chair.**

**Mr. Sammy Quintana nominated Ms. Grace Perez for the position of Vice Chair of the CAB. Mr. Church seconded the motion.** Mr. Quintana stated that Ms. Perez has worked for many years in the environmental and information technology fields, combining her engineering skills with resource management and advocacy. For the past five years, she served as the Executive Director of the Mystic River Watershed Association in Massachusetts, a non-profit group supporting programs aimed at protection and restoration of water resources and representing public concerns to local, state and federal agencies. In the late 1970's, while working on her undergraduate degree in physics from the University of California, Ms. Perez interned at the Los Alamos Meson Physics Laboratory. Her early career included various technical and leadership positions in systems engineering and administration, quality assurance, network analysis, and project and marketing management. During her graduate studies in resource management at Antioch University in New Hampshire, Ms. Perez completed internships at the Conservation Law Foundation, where she represented the group at public hearings and on discussion panels regarding the science and policy of environmental contamination. Ms. Perez earned her M.S. in Resource Management in 1997. Ms. Perez currently serves as the Chair of the Community Involvement Committee of the NNM CAB. **Ms. Perez accepted the nomination of Vice Chair for the NNM CAB.**

**With no additional nominations offered to the Board, Mr. Church made a motion to close nominations for the election of CAB officers. Ms. Henline seconded the motion. With no objections nominations were closed. The Chair entertained a motion to elect officers by acclamation. Ms. Henline made a motion to elect the Chair and Vice Chair by**

**acclamation. Ms. Kramer seconded the motion. The Board agreed to elect officers by acclamation.**

**Dr. Campbell was elected Chair of the NNM CAB for FY'06 by acclamation. Ms. Perez was elected Vice Chair of the NNM CAB for FY'06 by acclamation.**

**b. Report from Chair, Jim Brannon**

Mr. Brannon announced that this is his last Board meeting. Mr. Brannon submitted his resignation from the Board effective October 19, 2005. He turned the remainder of the Chair's report over to Dr. Campbell.

**c. Report on Site Specific Advisory Board (SSAB) Chairs' Meeting in Idaho (Sept. 21-23)**

Dr. Campbell's report on the recent SSAB Chairs meeting is summarized below:

Several representatives from the NNM CAB attended the Chairs' Semi-Annual Meeting in Idaho Falls, September 20-24, hosted by the INL CAB. The NNM CAB attendees were Chairman Jim Brannon, J. D. Campbell, Grace Perez, Chris Houston, DDFO, Menice Santistevan, NNM CAB Executive Director and Lorrie Bonds-Lopez, UC/LANL. The attendees toured the INL facility on September 21<sup>st</sup> and attended a two-day meeting of the Chairs and Headquarters staff. The meeting included a welcoming BBQ dinner, two-days of presentations and discussion among the SSAB Chairs and a tour of Idaho facilities. Participants heard from Frank Marcinowski, Deputy Assistant Secretary for Logistics and Waste Disposition Enhancement and Christine Gellas, Director of the Office of Commercial Disposition Options regarding DOE's national strategies for waste disposition. The Chairs also participated in round robin discussions regarding their individual site's top waste disposition issues.

The Chairs worked to develop a letter that conveyed the SSABs desire to take a strong leadership role in facilitating public involvement in national waste disposition strategies. The letter offers support to the New Mexico Environment Department regarding the Waste Isolation Pilot Plant permit modification for remote-handled transuranic waste and also offers some support for the proposed EPA standards for Yucca Mountain. The letter expresses concern about pre-1970 alpha waste that remains an open question at many sites and asked DOE to let them help develop a national policy to address this waste and its proper disposition. There was considerable discussion surrounding several issues, but the Board Chairs agreed to seek approval of the letter from their individual boards.

**SSAB Chairs Letter:**

The SSAB's letter, co-written by all the Chairs of the nine site-specific advisory boards across the DOE complex, to Mr. James Rispoli, Assistant Secretary for Environmental Management, U.S. DOE, was considered for approval 'as written' by the NNM CAB. The Chair, Mr. Brannon entertained a motion for the CAB to endorse the letter. **Dr. Campbell made a motion to approve the letter to Mr. Rispoli. Mr. Church seconded the motion. With no objections noted the letter was approved for distribution.** (The SSAB's Chairs letter to Mr. Rispoli, dated September 23, 2005 is included in the Appendix section.)

**d. Report from DOE, Chris Houston, DDFO**

*The CAB members and staff would like to welcome Christina A. Houston as the new Deputy Designated Federal Officer (DDFO) for the NNM CAB. Ms. Houston, DOE / Albuquerque, replaced retiring DDFO Ted Taylor.*

Ms. Houston's report is summarized below:

This was Ms. Houston's first CAB meeting as the new Deputy Designated Federal Officer (DDFO.) Ms. Houston is based in Albuquerque and has considerable experience as a program analyst in the Waste Management Division of DOE. With only five weeks in her new position as DDFO, Ms. Houston stated she has been studying what SSABs do for the DOE. One immediate positive she found was that EMs from across the complex started to meet with each other, communicating and interacting more due to the CAB's influence, which she considered to be a positive step towards better communication overall for the DOE. Her first and primary concern would be to address the approximately 30 recommendations that the NNM CAB has written the Los Alamos Site Office (LASO) office of the DOE to which they have yet to receive a response. Under the Federal Advisory Committee Act (FACA) the DOE is required to submit a response to recommendations written by a federally chartered SSAB in a 'timely manner.' She has been in contact with management at the LASO office and will be pursuing this issue further as a first order of business.

**e. Report from Executive Director, Menice B. Santistevan**

Ms. Santistevan's report is provided below:

- **Board Membership:** Dr. Beverly Ramsey has agreed to fill an unexpired term through May 2007. Her name will be submitted to Ed Wilmot for appointment. Ms. Santistevan will be recruiting new members to fill two other unexpired terms. She asked the Board to let her know if there is anyone the Board would like to nominate.
- **August 9, 2005 and Sept. 13th, 2005 Executive Committee Meetings:** The committee heard reports from the Chair, Committee Chairs, the DDFO and the Executive Director. The committee reviewed the draft FY '06 Committee Work plans and the Draft NNM CAB Budget. The Committee approved the Final Agenda for the September 28, 2005 Board Meeting. The Committee also discussed NNM CAB reply to DOE responses to CAB Recommendations. The next quarterly meeting with Ed Wilmot was scheduled for October 19, 2005.
- **Legislative Finance Committee Meetings:** Ms. Santistevan and Dr. Campbell plan to attend the Legislative Finance Committee Meeting on October 4, 2005. They will present the members with NNM CAB Recommendation 2005-8, regarding increased funding for the NMED Oversight Bureau. The next LFC meeting has been scheduled for December 7, 2005. Ms. Santistevan requested that the CAB be placed on the agenda.
- **Office Staff:** The staff supported all committee meetings with preparation of notices, agendas and minutes and followed-up on any requests of the committee.
- **SSAB Semi-Annual Chairs' Meeting:** Ms. Santistevan attended the Chairs' Semi-Annual Meeting in Idaho Falls, September 20-24, hosted by the INL CAB. Other NNM CAB attendees were Chairman Jim Brannon, J. D. Campbell, Grace Perez, Chris Houston, DDFO and Lorrie Bonds-Lopez, UC/LANL. We toured the INL facility on Sept. 21st and attended a two-day meeting of the Chairs and Headquarters staff.
- **WIPP Tour:** I have scheduled a tour of the WIPP Site for October 18th, 2005. We have chartered a bus and will leave from the NNM CAB office on October 17th. We will tour the Skeen-Whitlock Building and meet with CBFO staff upon our arrival in Carlsbad.
- The NNM CAB has agreed to host the fall 2006 SSAB Chairs' Meeting.

**(Ms. Santistevan's full report is available in the Appendix section.)**

**A lengthy discussion occurred during Ms. Santistevan's report regarding the merits and concerns CAB members had about Beverly Ramsey serving on this Board. A transcription of the conversation is printed below for the record.**

---

Transcript Subject: Possible Appointment of Beverly Ramsey to the CAB.

Date: 9-27-05

Brannon:

*It's now time for the Executive Director's report, Menice?*

Santistevan:

*Thank you, Mr. Chairman. . . . I'd like to first mention that I have asked Dr. Beverly Ramsey (to serve on this Board.), I think many of you know her from her previous work on the Board, she was an Ex-officio member from UC / LANL. She is now in a new role at LANL, but she has agreed to serve as a member of this Board. Her name will be submitted by the DOE to Ed Wilmot who can appoint (a new member) to an unexpired term. We have three unexpired terms right now and she may be filling one of those. I think many of you know her as very well educated, very familiar with the ER issues at LANL. We are happy to report that she has agreed to do that.*

*. . . Are there any other questions?*

Timm:

*This goes back to an earlier on, you were talking about nominating Beverly Ramsey to be a member. I like Beverly and I think she brings a lot of capabilities but that is pushing the envelope a bit on conflict of interest even though (technically) it is allowable under the rules. We had enough flack last year on conflict of interest. The word was that people that were direct employees of the Lab were really not encouraged to be on the Board. So I am curious as to why we are making this change. Particularly, because there other concerns about potential conflicts for people who might be in involved in the future. It strikes me that all of the sudden we are going from the position we had last year that said LANL employees really shouldn't be Board members to saying it's okay now. I'm just curious as to why?*

Santistevan:

*Well, I don't recall that we ever said LANL employees weren't encouraged (to be Board members.) DOE has always allowed or encouraged any site employee to be a member of their CABs. We have had LANL employees on the CAB in the past and she (Beverly Ramsey) was RRES director, as you know. She is no longer in that position. She also raised the issue when I asked her, and I said, we had brought her name up in Executive Committee months ago and with Ted Taylor and he thought it was a wonderful recommendation. With her being Native American, and her being from Espanola, and with her background-- we thought that this was not an issue. We don't have any LANL employees right now at all and we would really value her expertise and DOE does not have an issue with it.*

Timm:

*I understand, as I said, and I know her background and it would make a tremendous addition but it does concern me and I'm curious about the SSABs around the country and how many of them have members out of the M&O and if we are the only ones it would worry me more. There have been major issue raised several times about conflict of interest and I think the cleaner we keep the Board in terms of involvement with the Lab the better off we are.*

Santistevan:

*I know that there are other sites around the complex that have (employees from) their M&O contractors as members of their Board.*

Timm:

*Can we get a report on that?*

Brannon:

*We can request, Chris, a synopsis from DOE headquarters, as they keep statistical values on the make-up of all the Boards. But, in fairness to your question, let me share with you some things we have experienced in the past and where they have led us. It is, and we have tents up too, . . . the University of California, as the M&O Contractor of record, a fact we have had UC direct hire employees serve on this Board before. When the sub-committee met with (the possible members) the overriding concern . . . had to do with how close they were to Environmental Remediation (Environmental) Restoration Waste Management Work at the Laboratory. In each case in the past we've had no more than two UC/LANL employees on this Board at any one time. At that set a standard because of the voting capabilities of the Board . . . Then the key issue with those individuals is that they needed to be well removed from the division and the directorate responsible for Waste Management and Environmental Remediation. We had someone from the Chemistry Division and someone from Community Relations. The division that Beverly used to run no longer exists--RRES has been re-organized to the Environment Department. Dr. Ramsey now serves in a unique role in --I believe-- Homeland Security part of the Laboratory . . . We can always object, we can always discuss, but the DOE is the appointing authority.*

Janis:

*I think Chris raises a good point . . .Dr. Ramsey is an exceedingly well-qualified person. I know her and I respect her very much. I think she did a great job in the Environment Division. She is however, Jim--I'm not sure you were correct, she's not responsible for Homeland security I believe she's the Emergency Operations Manager.*

Brannon:

*I thought it was Homeland Security.*

Janis:

*As we saw during the Cerro Grande Fire and related events, Emergency Operations can have a very substantial effect on the environment, and the preparations for emergencies has a very substantial effect on the Environment. So I think Dr. Ramsey's official position with LAB, contrary to what you said, has a lot to do with the Environment . . . Perhaps on the second issue regarding how many M & O Contractors should be on a CAB—perhaps the bylaws should be looked at to talk about a percentage of M & O Contractors . . . So there's somewhere between none and all that might be the right number. I also agree none may not be the right number, but with respect to Dr. Ramsey I do say that we have to be careful because the position she has and her important responsibilities with the Laboratory can have a very very major effect on the environment . . . .*

Riordan:

*I support Mr. Timm-- this is not a good idea. This is my thirteenth month of participating (with the Board) and what I take from this now is how difficult an issue this is. If she becomes a member of one of the Committees or the Executive Committee the conflict of interest becomes more acute. You cannot expect her to criticize the organization that she works for . . . The reality is people who criticize the organizations they work for don't do well. If she is as valuable as we are led to believe and I'm sure that she is—I would be happy to see her as an Ex-Officio member.*

Berting:

*I also was interested in the fact that right now she is Director of Emergency Services and I hadn't thought of it in the same terms as James Janis. (I was) thinking therefore that it was far enough removed from Environmental Management (EM) to be safe but that she is rather high up in the organization does make it more difficult for her and for us. I think Kenn's idea of having her, as an Ex-Officio, is an excellent one, however, on second thought.*

Campbell:

*What made an impression on me at the Chairs meeting and other wise is what the DOE is chartered us with is the existing waste and Jim (Janis) I think you make a good point with the fire and the impact on the MDAs and existing waste and what actions are being taken. But that is where I know, where we at the Chairs meeting and I know here that's where, we have to draw the line sometimes as to what we can comment on . . . I certainly- in my early days-appreciated Bev Ramsey's contributions and knowledge and I don't worry about her being truthful and criticizing action. We have seen that many people at the Lab have better firsthand knowledge than us and know what the real issues are. I don't have a concern there. I just think we would have to be cautious about what our charter is and I doubt we would have a problem with that respect.*

Brannon:

*Thank you and I appreciate the feedback. Perhaps what we will do is ask Lorelei transcribe your concerns . . . and provide that to the Executive Director and Chris Houston. It's sort of a double-edged sword because I can see both sides of the coin. If we are interested in knowing what happens in Emergency Management Response I'd sure like to have the boss sitting on the Board so that I could ask him . . . On the other hand there are folks in the community who have a perpetual disdain for UC as an institution and as a nuclear weapons and research facility who would seize the opportunity to challenge the influence of that one voice. If this were a young clerk in the DX Division . . . that didn't know or had never heard of the Waste Management program than it might not be so big a deal.*

**f. Consideration and Action on FY'06 NNCAB Work Plans (Approved)  
(All Final FY'06 Committee Work Plans are attached in the Appendix section of these minutes.)**

**g. Consideration and Action on FY'06 NNCAB Budget (Tabled-Continuing Resolution for 90 days.)**

**At this time the NNCAB is operating on the FY'05 Budget during a 90-day continuing resolution period for the DOE. The ATA professional staff contract has also been approved for a 90-day extension until the FY'06 budget is approved.**

**h. New Business**

Mr. Timm mentioned to the Board that he had been approached to write a paper for the 2006 Waste Management Symposium. Mr. Brannon replied that any written document that represents the Board has to be approved by the Board. Mr. Timm stated he would consider writing a paper for the symposium as a citizen and not as a representative of this Board.

---

---

### Section III- Reports

#### Contents:

a. Community Involvement Committee, Grace Perez

Introduction and Action on Letter to Ed Wilmot Re: 2004 Executive Summary for Environmental Surveillance in Los Alamos.

Introduction of Recommendation 2005-9

b. Waste Management Committee, Jim Brannon

Introduction of Recommendation 2005-10

c. Environmental Monitoring, Surveillance and Remediation Committee, Chris Timm

Introduction of Recommendation 2005-6 (Tabled on July 27<sup>th</sup>)

Introduction of Recommendation 2005-7 (Tabled on July 27<sup>th</sup>)

d. Reports from Ex-Officio Members

- EPA-Rich Mayer
- DOE-John Ordaz
- UC/LANL-Doug Stavert
- NMED-James Bearzi (unavailable)

---

---

a. Community Involvement (CI) Committee, Grace Perez

- Introduction and Action on Letter to Ed Wilmot Re: 2004 Executive Summary for Environmental Surveillance in Los Alamos. **(Withdrawn.) (Motion to withdraw: First: Dr. Campbell, second: Dr. Rudnick.**

Ms. Perez asked the Board to consider withdrawing the letter to Ed Wilmot (see attached letter in the Appendix section of these minutes) because Terry Morgan from LANL had already acted upon the CI Committee's comments. The letter was drafted as a review of the 2004 Executive Summary of the Environmental Surveillance Report issued by LANL. Ms. Perez stated that the CI Committee considered the actions taken by Mr. Morgan to incorporate the Committee's comments into the final version of the Executive Summary had satisfied the Committee's request.

"The Laboratory thanked the NNM CAB for its input to the draft of the Executive Summary for the 2004 Environmental Surveillance Report. We have attempted to address the comments to the extent possible at this late time in the preparation of the report. The NNM CAB has raised important issues of how to present environmental data with a helpful and objective perspective. We look forward to discussions with the NNM CAB on how to better address the NNM CAB's concerns during the preparation of next year's report." Terry Morgan, LANL.

Ms. Perez suggested drafting a new letter to Mr. Wilmot thanking him for involving the CAB in the review process and requesting that the Committee get the opportunity to review future publications of this type. **Dr. Campbell made a motion to withdraw the letter and Dr. Rudnick seconded the motion. As all were in favor the motion to withdraw the letter was approved.**

- Introduction of Recommendation 2005-9 **(Approved.)**

In May 2005, Los Alamos National Laboratory (LANL) made public a report titled *Environmental Stewardship-Environmental Remediation and Surveillance Program Public Involvement Plan (ESER-PIP)*. The draft public involvement plan satisfied a requirement of the New Mexico Environment Department (NMED) Order on Consent for a public involvement plan. The CI Committee reviewed the document made comments, and

recommendation on how to improve and update the document. (Full text of Recommendation 2005-09 can be found in the attachment section of these minutes.)

**Mr. Timm made a motion to approve Recommendation 2005-09 and Dr. Campbell seconded the motion. As all were in favor Recommendation 2005-09 was approved for submittal to the DOE.**

**b. Waste Management Committee, Jim Brannon**

- Introduction of Recommendation 2005-10 (**Approved with minority report to be submitted by CAB member, Mr. Timm.**)

Mr. Brannon introduced 2005-10 to the Board. He explained that Area G might be the only remaining DOE laboratory that continues to bury its radioactive waste at an on-site facility. Current plans, approved by the EPA under a 1999 Site-Wide Environmental Impact Statement, call for an additional 30 acres to be used for ongoing disposal. DOE has proposed the continued use of unlined pits and shafts for burial of waste, a plan that was strongly opposed by members of the public and citizen groups at a public educational forum hosted by the CAB on May 3, 2005. According to CAB chair J.D. Campbell, “public comment made at the forum provided the Board with a comprehensive picture of the public’s attitude toward operations at Area G and the proposed expansion.” Following the forum, the CAB’s Waste Management Committee began the process of evaluating the public comment, available materials, and regulatory perspectives on the future of Area G and the potential impacts of its expansion. Recommendation No. 2005-10 represented the culmination of the CAB’s analysis.

The recommendation requested that the DOE and its Office of Environmental Management (EM) reset the standard for responsible stewardship by increasing their programs for waste minimization and pollution prevention and implementing a program to cease on-site radioactive waste disposal at LANL. The CAB encourages the DOE to set a goal of no more buried radioactive waste, and to implement that goal as soon as possible. It suggested that DOE invest instead in developing waste management, waste reduction, waste recycling and hazardous and radioactive waste treatment technologies that would support the broader goal of true “zero discharge” from LANL. While the CAB recognized the challenges presented by this recommendation, “our job was to listen to the public and advise the DOE. This recommendation was written about stewardship of the land and our obligation to the future generations that will live in Northern New Mexico,” according to Mr. Brannon.

A lengthy Board discussion ensued regarding Recommendation 2005-10, (audio transcripts are available at the CAB office in Santa Fe) resulting in the issuance of the CAB’s first minority report representing a dissenting vote from Mr. Timm. Mr. Timm expressed his opinion that perhaps 2005-10 was too far reaching in scope and hence the DOE might over look the most immediate matters addressed in the recommendation. The Recommendation requests that DOE discontinue its plans to expand Area G at LANL, a 63-acre dumpsite for low level radioactive, transuranic, and mixed wastes in operation since 1957. Furthermore, the CAB requested that DOE address the challenge to permanently stop disposing of radiologically contaminated and hazardous wastes by means of underground burial at Area G, and that DOE work to reduce and eliminate the production of contaminated wastes at LANL through process and treatment alternatives. Concerns were raised that the recommendation tackled too wide of a subject range and

was not focused enough. Ms. Henline supported Mr. Timm by suggesting that CAB members try to keep recommendations focused and succinct for maximum effectiveness. After counting a dissenting vote of one Mr. Brannon suggested Mr. Timm compose a minority report to attach to the final recommendation. Ms. Santistevan requested Mr. Timm have his minority report completed by November 7, 2005, and he agreed.

- b. Environmental Monitoring, Surveillance and Remediation Committee, Chris Timm**
- Introduction of Recommendation 2005-6 (Tabled on July 27<sup>th</sup>) (Approved with EMSR Committee revisions complete.) (See July 27, 2005 CAB minutes for first description of Recommendation 2005-06.)

**Mr. Timm made a motion to approve Recommendation 2005-06 with EMSR Committee support and Dr. Campbell seconded the motion. As all were in favor Recommendation 2005-06 was approved as final.**

- Introduction of Recommendation 2005-7 (Tabled on July 27<sup>th</sup>) (Approved with EMSR Committee revisions complete.) (See July 27, 2005 CAB minutes for first description of Recommendation 2005-07.)

**Ms. Henline made a motion to approve Recommendation 2005-07 with EMSR Committee support and Mr. Church seconded the motion. As all were in favor Recommendation 2005-07 was approved as final.**

**c. Reports from Ex-Officio Members**

**EPA-Rich Mayer**

**Summary:**

- The new national Multi-Sector General Stormwater Permit is on hold and the October 2000 permit will remain in effect until issues with the new permit are resolved.
- The EPA Ada Group will complete their review of the LANL Groundwater Monitoring Program shortly and will provide the CAB members of the EMSR Committee an opportunity to review the draft report.
- There will be an opportunity for public comment on the PCB Landfill Disposal at Area G prior to final determination of the renewal of the EPA permit. Dr. Campbell stated his intention to write to Carl Edlund, EPA Region 6 Division Director, requesting public comment for PCB landfill permit at Area G. Dr. Campbell's letter would be vetted through the Executive Committee.

**DOE-John Ordaz**

**Summary:**

- Federal Facilities Compliance Agreement (FFCA) has been signed and implementation is in progress.
- DOE signed a Memorandum of Agreement (MOA) for supplemental funding to assist the NMED in the implementation of the Consent Order.
- The DOE is "drilling lots of wells."
- The Airport Landfill design has been revised from the approved original design to take into consideration public comment received.
- The LASO has submitted 2006 budget baseline to DOE/EM for approval.

**UC/LANL-Doug Stavert**

**Summary:**

- Mr. Stavert passed out the LANL Consent Order Schedule of Deliverables for October/November 2005 to the CAB for reference and review.
- Mr. Stavert supported the CAB's comments on the Executive Summary for Environmental Surveillance at Los Alamos 2004. He encouraged future discourse with the CAB regarding LANL publications.

**NMED-James Bearzi (unavailable)**

Mr. Riordan suggested that for future CAB meetings, Mr. Bearzi send a representative in the case of his absence.

---

---

**Section IV- Public Comment**

**Scott Kovac, Nuclear Watch New Mexico, signed up for public comment.**

Mr. Kovac made comments in support of Recommendation 2005-10 and asked the CAB to issue this recommendation with the strong support of his organization. He stated that Recommendation 2005-10 represented the public comments heard at the May 3, 2005 CAB Area G Forum and urged the CAB not to back down on the statements made in the draft recommendation.

Mr. Kovac summarized his public comment in the Autumn 2005 Nuclear Watch New Mexico Newsletter. The article is reprinted below:

## **“Area G Expansion? Chorus of Opposition Grows”**

*In May 2005 the Northern New Mexico Citizens' Advisory Board (NNMCAB, or simply "CAB") convened a public forum on the unlined "low-level" radioactive waste dump, Area G, at the Los Alamos National Laboratory (LANL). The CAB considered the public's majority views and has now spoken out against the imminent Area G expansion (please see enclosed fact sheet for more details). NukeWatch applauds this opposition and looks forward to the CAB pressuring LANL to better protect the public and environment in the future. The CAB is a community advisory group chartered by the Department of Energy (DOE) to provide citizen input on cleanup, waste management, monitoring, surveillance, and long-term stewardship issues at LANL. The first CAB was created in 1995. DOE pays the CAB's support costs, but the Board members serve voluntarily.*

*Since its inception, the CAB has undergone a few incarnations. In the late 90's, DOE reconstituted the CAB by replacing half of the CAB with Lab employees after some members questioned the safety of locating plutonium pit production at Los Alamos. Over the past several years, the CAB has regained its independence from DOE with new Board members. This CAB is generally against having LANL employees serve on the Board because of inherent conflicts of interest, and currently there are none.*

*Over the last few years, the CAB has made many very strong recommendations to DOE. Sadly, DOE has not responded to a full 30 of them. We encourage DOE to weigh carefully the CAB's Area G recommendations:*

- 1. **No expansion.** LANL planned for 30 additional acres dumping ground over the next 30-60 years because increasing radioactive wastes from expanding nuclear weapons programs. Before a "closure" plan for the existing 65 acres is submitted to the New Mexico Environment Department, a comprehensive long-term performance assessment must be completed by an independent board of nationally recognized experts.*
- 2. **Boldly, the CAB recommended that LANL permanently and irrevocably cease and desist from disposing of radiologically contaminated and hazardous wastes by underground burial.** The CAB further recommended that no waste pits, trenches or shafts be dug or constructed at that no more radioactive or hazardous wastes be buried.*

3. The CAB recommended that DOE and LANL use the best available science to **shift costs** away from burial of radioactive and hazardous wastes to **creating lasting solutions for reducing and eliminating waste production**.

The CAB's stated "Intent" in these recommendation is to encourage DOE to stop burying radioactive wastes and instead invest in advanced waste management technology, that would support a broader goal of "zero discharge" for LANL. Further, the potential spin-off technologies would offer opportunities for regional economic development are genuine "world-class science" in solving down-to-earth waste disposal and management problems for the entire nation. We hope this is not failing on deaf ears because LANL zeroed out funding for research and development, cleanup technologies for fiscal years 2005 and 2006. NukeWatch urges the CAB to push the Lab into restoring that funding and becoming a leader in developing cleanup and waste management technologies. --Scott Kovac

---

## **Section V- Consideration and Action on Pending Recommendations**

### **Summary of Actions:**

**2005-06, Approved as written.**

**2005-07, Approved with minor edits.**

**2005-09, Approved with minor edits.**

**2005-10, Approved with substantive changes incorporated, and minority report by Chris Timm due by October 7, 2005.**

### **Brief Description of Recommendations:**

2005-06 EMSR - [EPA NAREL Plans for a National Monitoring System](#)

The intent of this recommendation is to encourage the EPA to co-locate at least one new air monitoring system adjacent to a currently existing LANL air monitoring system, for comparative data collection opportunities.

2005-07 EMSR - [Regarding LANL's Quality Assurance and Quality Control Programs](#)

The intent of this recommendation is that DOE and LANL must be clear, accurate, and transparent when providing environmental data to the public. Further, by presenting environmental data with the appropriate qualifiers with respect to use, DOE and LANL will prevent the inadvertent misuse of the data and/or misrepresentation of the effects, if any, of LANL operations on environmental quality.

2005-09 CI - [Review of Environmental Stewardship—Environmental Remediation and Surveillance Public Involvement Plan](#)

This recommendation attempts to clarify, update, and stress the delineation of the purpose of the Environmental Stewardship-Environmental Remediation and Surveillance Program Public Involvement Plan (ESER-PIP), draft issued May 2005. The NNM CAB would like to see this ESER-PIP driven not by regulatory necessity but by a sincere invitation from the DOE and LANL to involve the public in the decision-making processes for the Environmental Surveillance and Remediation programs directly associated with the Consent Order.

2005-10 WM – [Re: Expansion of Low-Level Radioactive Waste Disposal at Area G](#)

The intent of these recommendations is to encourage the DOE to set as a goal, for implementation as soon as possible, to stop burying radioactive wastes and invest instead in developing waste management, waste reduction, waste recycling and hazardous and radioactive waste purification technologies that will support the broader goal of true "zero discharge" from LANL.

---

---

## **Section VI- Presentation-Risk Assessment, Dr. Helen Grogan, RAC**

Dr. Helen Grogan of Risk Assessment Corporation (RAC) provided the CAB a presentation on risk assessment. For more information on the RAC Corporation contact the CAB office in Santa Fe at 505-989-1662. (See Appendix for Environmental Risk Assessment Program PowerPoint Presentation.)

---

---

## **Section VII- Thank you to resigning NNM CAB member, Jim Brannon**

*The members of the CAB would like to express appreciation to retiring Board member and Chair, James R. Brannon. Mr. Brannon was a Board member from December 2000 to October 2005. During Mr. Brannon's appointment to the CAB he was elected a two-term CAB Chair, CAB Vice-chair, and Chair of the Waste Management and Executive Committees.*

On behalf of the CAB, Dr. Campbell presented Mr. Brannon with a gift of appreciation from the Board. This CAB has had the privilege of having Mr. Brannon on the Board for five years. Known for his 'words are us' enthusiasm and talent, Mr. Brannon authored many key recommendations to the DOE. Mr. Brannon was also instrumental in helping to plan and organize the Transuranic (TRU) Waste Workshop in Carlsbad and the recent Education Forum on LANL's Area G. He was a great leader and an effective Chair. Mr. Brannon's work on this Board has earned him a great deal of respect with the SSAB's across the county. Mr. Brannon was instrumental in helping to put together a recent SSAB Chairs letter requesting a DOE national workshop on the disposition of TRU Waste. The CAB's new DDFO, Christina Houston, presented Mr. Brannon with a framed certificate of distinguished service. The CAB professional staff stood up to say thank you to Mr. Brannon and presented him with a parting gift. The Board would like to recognize this meeting as Mr. Brannon's last-- as a Board member. His experience, drive, skill and enthusiasm will truly be missed.

---

---

## **VIII. Recap of Meeting: Issuance of Press Releases, Editorials, etc.**

- Ms. Novak was asked to draft a Press Release on Recommendation 2005-10 to be reviewed for Executive Committee approval.
- Ms. Novak was asked to draft a Press Release describing the topics covered at this Board meeting and to include an announcement regarding the election of CAB Chair and Vice Chair for FY'06 for Executive Committee approval.
- The next meeting of the NNM CAB is scheduled for November 30, 2005 from 1 to 8:30p.m. at the Santa Fe Community College in the Jemez Complex. The agendas for Board meetings can be viewed at the CAB's website at the address:  
<http://www.huntcal.com/cgi/calview.cgi/nmcb/nmcb?vm=r-w>

---

---

**Section IX. - Adjournment**

Mr. Riordan made a motion to adjourn the meeting. Dr. Rudnick seconded the motion. As all present were in favor, the CAB meeting adjourned at 8:30pm.

Respectfully submitted,



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

**Adopted by the Northern New Mexico Citizens' Advisory Board on November 30, 2005.**

---

---

**Public Notice:**

- All NNM CAB meetings are recorded in accordance with the Federal Advisory Committee Act. Audiotapes are available for public review at the NNM CAB office in Santa Fe, New Mexico.
  - Reference documents listed in the Appendix section of these minutes are available for review at the CAB office in Santa Fe.
  - For more information regarding audio transcription or any information referenced to or contained herein these minutes, please call the CAB office at (505)-989-1662.
- 
- 

**Appendices:**

1. September 28, 2005 Final Agenda.
2. Attendance Sign-in Sheets.
3. The SSAB's Chairs letter to Mr. Rispoli, dated September 23, 2005.
4. September 28, 2005 CAB Meeting Transcript Summary, Subject: Possible Appointment of Beverly Ramsey to the CAB.
5. Withdrawn Letter to Ed Wilmot, dated September 28, 2005.
6. Recommendation 2005-06.
7. Recommendation 2005-07.
8. Recommendation 2005-09.
9. Executive Summary, Environmental Surveillance at Los Alamos 2004.
10. Response To Comments From The Community Involvement (CI) Committee Of The Northern New Mexico Citizens' Advisory Board (Nnmcab Or Cab) On The Draft 2004 Executive Summary (Es2004) For Environmental Surveillance In Los Alamos.
11. Final FY'06 NNM CAB Committee Work Plans.
12. Recommendation 2005-10.
13. Environmental Risk Assessment Program PowerPoint Presentation by Dr. Helen Grogan, RAC.