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Northern New Mexico Citizens' Advisory Board Meeting

September 24, 2014

1:00 p.m. to 5:15 p.m.

Sagebrush Conference Center

Taos, New Mexico 87571



Minutes

Meeting Attendees

Department of Energy

1. Pete Maggiore, DOE Assistant Manager, Environmental Projects Office
2. Lee Bishop, Deputy Designated Federal Officer
3. Cheryl Rodriguez, DOE Environmental Projects Office
4. Christina Houston, DOE Environmental Projects Office
5. Annette Russell, DOE Environmental Projects Office

NNMCAB Members

1. Carlos Valdez, NNMCAB Chair
2. Ashley Sanderson
3. Danny Mayfield
4. Mary Friday
5. Manuel Pacheco
6. Michael Valerio
7. Joseph Viarrial
8. Irene Tse-Pe
9. Joey Tiano
10. Angel Quintana
11. Alex Puglisi
12. Mona Varela
13. Gerard Martinez
14. Stephen Schmelling
15. Allison Majure

NNMCAB Student Members

1. Alicia Bowyer
 2. Alyssa Schreiber
-

1 **NNMCAB Excused Absences**

- 2 1. Nona Girardi
- 3 2. Bob Villarreal
- 4 3. Tessa Jo Mascareñas
- 5 4. Doug Sayre
- 6 5. Deidre Roybal
- 7 6. Bonnie Lucas

8

9 **NNMCAB Support Staff**

- 10 1. Menice Santistevan, Executive Director
- 11 2. Bridget Maestas, Administrative Assistant
- 12 3. William Alexander, Technical Programs and Outreach

13

14 **Guests**

- 15 1. Morgan R. Nelson, New Mexico Environment Department
- 16 2. Danny Katzman, Los Alamos National Security
- 17 3. Kiki Torres, Los Alamos National Security
- 18 4. Kaitlin Martinez, Los Alamos National Security
- 19 5. Patti Jones, Los Alamos National Security
- 20 6. Jeff Mousseau, Los Alamos National Security
- 21 7. Laura Day, PT&C, LLC.
- 22 8. Susan A. Tessier, Public
- 23 9. Mike Loya, Public
- 24 10. Mayor Pro Tem Frederick Peralta, Taos

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

1 **Minutes**

2 **I. Call to Order**

3 The Bi-monthly meeting of the Northern New Mexico Citizens' Advisory Board
4 (NNMCAB) was held on September 24, 2014 at the Sagebrush Conference Center, Taos, New
5 Mexico. Mr. Lee Bishop, Deputy Designated Federal Officer (DDFO) stated that on behalf of
6 the Department of Energy (DOE) the meeting of the NNMCAB was called to order at 1:05
7 p.m.

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

10 The meeting of the NNMCAB was open to the public and posted in The Federal Register
11 in accordance with the Federal Advisory Committee Act.

12 **II. Establishment of a Quorum (11 Needed)**

13 **a. Roll Call**

14 Mr. William Alexander conducted roll call as the members arrived. At the call to
15 order 13 members were present. Mr. Alexander recorded that Ms. Irene Tse-Pe arrived
16 at 1:27 p.m. and Mr. Joseph Viarrial arrived at 1:40 p.m.

17 **b. Excused Absences**

18 Mr. Alexander recorded that the following members had excused absences: Dr.
19 Nona Girardi, Mr. Bob Villarreal, Ms. Tessa Jo Mascareñas, Mr. Doug Sayre, Ms. Deidre
20 Roybal, and Ms. Bonnie Lucas.

21 **c. Absences**

22 Mr. Alexander recorded that no members were absent.

23 **III. Welcome and Introductions**

24 Mr. Valdez welcomed the members and the public to the meeting. He asked for
25 introductions from the board members and all attending guests.

26 Taos Mayor Pro Tem Frederick Peralta welcomed the NNMCAB members to the Town of
27 Taos.

28 **IV. Approval of Agenda**

29 The board reviewed the agenda for the September 24, 2014 meeting.

30 Mr. Joey Tiano made a motion to approve the agenda as presented; Mr. Stephen
31 Schmelling seconded the motion. The motion to approve the agenda as presented was
32 unanimously passed.

33 **V. Approval of Minutes**

34 The Board reviewed the minutes from the May 21, 2014 meeting. By ongoing instruction
35 from DOE Headquarters, the minutes were previously reviewed and certified by the
36 NNMCAB Chair.

37 Mr. Valdez opened the floor for comments from the Board; with no comments from the
38 Board, Mr. Valdez asked for a motion.

1 Mr. Manuel Pacheco noted that on page 4 line 11 his name was spelled "Manual" and
2 should be corrected to "Manuel."
3

4 Ms. Irene Tse-Pe noted that on page 7 line 36 the name "Randy" should be "Raymond."
5

6 Mr. Pacheco made a motion to approve the minutes with amendments; Mr. Alex Puglisi
7 seconded the motion. The motion to approve the minutes as amended was unanimously
8 passed.

9
10 **VI. Old Business**

11 **a. Written Reports**

12 Mr. Valdez opened the floor for comments on the written reports. He noted that the
13 Executive Director's report contained important dates for the upcoming meetings and
14 tours.
15

16 With no comments on the written reports Mr. Valdez moved on to the next agenda
17 item.
18

19 **b. Report on Rad Waste Summit**

20 Mr. Valdez stated that he had submitted a report on the Rad Waste Summit that he
21 and Mr. Joseph Viarrial had attended in Summerlin, Nevada this past September 2nd –
22 5th, 2014. He stated that the conference had been one of the best conferences that he
23 had attended in his time on the NNMCAB. He noted that he would highly recommend
24 that members continue to attend the summit in the future.
25

26 **c. Report on Fall Chairs Meeting**

27 Mr. Valdez stated that the Chair, Vice-Chair, and NNMCAB member Allison Majure
28 had attended the Fall Chairs meeting in Idaho Falls. Additionally, he noted that Ms.
29 Menice Santistevan, Mr. Bishop, Ms. Christina Houston, and Ms. Bridget Maestas had
30 also attended. Mr. Valdez stated that the Chairs meeting had been an excellent meeting
31 and noted that the NNMCAB would be hosting the meeting in September 2015.

32 Mr. Valdez asked Ms. Majure for her perspective on the Idaho meeting.
33

34 Ms. Majure responded that the meeting had an interesting group of attendees and
35 that the Idaho site tour was fascinating. She noted that the site had many similarities to
36 the Los Alamos site. Ms. Majure noted that at the meeting Waste Isolation Pilot Plant
37 (WIPP) had been a great area of concern and commonality between the individual
38 boards.
39

40 **d. Other Items**

41 Mr. Valdez asked the members if there were additional items to be addressed.
42 Seeing none, Mr. Valdez moved on to New Business.

43
44 **VII. New Business**

45 Mr. Valdez opened the floor for consideration and action on Draft Chairs
46 Recommendation "Initiate Process of Permit Modification for Additional Surface Storage at
47 WIPP." Additionally, he noted that NNMCAB members Mr. Doug Sayre and Ms. Majure had

1 been instrumental in drafting this recommendation during the Idaho National Chairs
2 meeting.

3 Mr. Valdez stated that the draft recommendation was an up or down vote, he noted
4 that the recommendation could not be changed.

5
6 Ms. Majure noted that at the Chairs meeting the Draft Recommendation had gone
7 through a few changes and revisions to reach the Recommendation that was presented to
8 the boards across the complex. Ms. Majure stated that at the meeting it was decided that
9 the boards need to address the backlog issue that has been incurred by the WIPP site
10 closure.

11
12 The board discussed the draft recommendation and noted the following concerns with
13 the recommendation.

- 14 1. The safety issues with the storage of the waste on the surface at the (WIPP) site.
- 15 2. Permitting issues that would need to be resolved with the New Mexico Environment
16 Department (NMED).
- 17 3. It was noted that some level of National Environmental Policy Act work would be
18 required, possibly new or revised Environmental Impact Statement.
- 19 4. Would temporary storage and permitting requirements for above ground storage be
20 ready before the proposed reopening of the WIPP site?
- 21 5. It was stated that the recommendation assumes that the WIPP site will reopen as
22 planned.
- 23 6. Is the intent to use the above ground storage only to deal with the backlog until
24 WIPP is reopened or is the proposal for continued ability to have above ground
25 storage?
- 26 7. It was noted that there was no guarantee that the funds required to create an
27 above ground storage area would be available.

28
29 Mr. Pacheco made a motion to approve the Draft Chairs Recommendation; Ms. Majure
30 seconded the motion. The members voted 9 in favor, 4 opposed, and 2 abstentions. With
31 only 60% of the voting members in favor of the recommendation the motion failed to
32 achieve the required 75%. The motion to approve the recommendation failed.

33
34 Mr. Valdez asked Mr. Pacheco, Mr. Puglisi, Ms. Majure, Mr. Schmelling, and Mr. Gerard
35 Martinez if they would work on drafting a recommendation addressing the issue from the
36 perspective of the NNMCAB.

37
38 **VIII. Update from New Mexico Environment Department**

39 Mr. Morgan Nelson Senior Policy Analyst from NMED provided an update to the
40 members. He noted that Los Alamos National Laboratory is provided NMED with routine
41 updates on the status of the nitrate salts waste during the bi-weekly calls. Additionally, he
42 noted that the Accident Investigation Board (AIB) is still in the process of conducting
43 investigations.

44 Mr. Nelson stated that the AIB had released the underground at WIPP with the
45 exception of Panel 7, room 7 to the Carlsbad Field Office. He also noted that as new
46 information on the WIPP site and Los Alamos National Laboratory (LANL) is made available it
47 is uploaded to the NMED website.

1 Mr. Valdez asked where NMED was in regards to the administrative order.
2

3 Mr. Nelson responded that he was not sure where NMED was in the process; however,
4 the closure of Panel 7 is still important.

5
6 **IX. Update from Deputy Designated Federal Officer**

7 Mr. Bishop noted that a new member tour has been scheduled for October 8th, he asked
8 Ms. Patti Jones to give the details.
9

10 Ms. Jones responded that the tour would be a bit different from the previous tours,
11 stating that it would start at the Bradbury and move to the new Associate Directorate for
12 Environmental Programs Office. From the office the tour would move to the Chromium site
13 in Mortandad Canyon and then to TA-54 to tour a processing facility and conclude with a
14 stop at the overlook to discuss Buckman.
15

16 Mr. Bishop stated that a new information flyer had been included in the meeting
17 packets today. He asked the members if they would give feedback on the Member Update
18 Flyer as to how useful it would be to include in the future and what information should be
19 included. Mr. Bishop noted that Monica Regalbutto, the Environmental Management (EM)-1
20 nominee, and Acting EM-1 Mark Whitney had attended the Fall Chairs meeting. He noted
21 that he was encouraged to see the involvement by Headquarters.

22 Mr. Bishop noted that WIPP is working on general housekeeping items to restore mine
23 health. He also noted that the above ground testing for the reach project was completed
24 this week, stating that the equipment for Project Reach is slated to go underground next
25 week.
26

27 Mr. Schmelling asked when the plan for the reopening of WIPP would be released to the
28 public.
29

30 Mr. Bishop noted that it would likely be very close to the end of the month.

31
32 Mr. Valdez asked how many shipments WIPP can receive in a week.
33

34 Mr. Bishop responded that WIPP can handle 17 contact handled waste shipments and
35 approximately 6 remote handled waste shipments, based on funding availability.
36

37 Mr. Bishop presented Mr. Carlos Valdez the outgoing NNMCAB Chair with a certificate
38 of appreciation for his two years of service as the NNMCABs Chair. He noted that Mr. Valdez
39 would be remaining on the board as a member for the next year and was eligible to serve
40 one more two year term on the NNMCAB.

41 Mr. Bishop stated that the certificate presentation for outgoing member Mr. Bob
42 Villarreal, who was unable to attend today's meeting would happen at the November
43 Combined Committee meeting.
44

45 Mr. Valdez thanked everyone for the opportunity to serve as the NNMCAB Chair over
46 the past two years. He noted that he thought the role of Chair should be rotated and other
47 members should be given the opportunity to fill the seat.
48

1 **X. Presentations**

2 **a. Update on Chromium**

3 Ms. Cheryl Rodriguez, DOE Los Alamos Field Office and Mr. Danny Katzman, LANL,
4 gave a presentation entitled “Chromium Groundwater Cleanup in Mortandad Canyon.”
5 An electronic copy of the presentation may be obtained from the NNMCAB website;
6 <http://www.nnmcab.energy.gov/7-presentations/presentations.htm>. Video of the
7 presentation is also available on the NNMCABs YouTube Channel (NNMCAB).
8

9 **b. Questions**

10 Mr. Valdez asked who the drinking water wells belong to.
11

12 Mr. Katzman responded that the wells are Los Alamos County drinking water wells;
13 however noted that they reside on DOE/LANL land.
14

15 Ms. Majure asked if re-injected water would count against the water rights.
16

17 Mr. Katzman responded that DOE/LANL has just started to engage the Office of the
18 State Engineer on that question; however, DOE/LANL has been advised that water that
19 is immediately re-injected counts as a direct offset.
20

21 Mr. Puglisi asked if the 50 part per billion was total chromium or hexavalent
22 chromium.
23

24 Mr. Katzman stated that it was total chromium.
25

26 Ms. Tse-Pe asked what the effect of cold weather was on the chromium pumping
27 project.
28

29 Mr. Katzman responded that for the 2014 year the permit allows for the pumped
30 water to be land applied; however, land application can only be conducted during non-
31 freezing conditions. Additionally, he noted that once the injection wells are available it is
32 anticipated that the project will run 365 days a year.
33

34 Mr. Puglisi asked if the chromium project pumping had any effect on the Buckman
35 well field.
36

37 Mr. Katzman responded that the current conceptual model for the Buckman well
38 field appears to show that it is separated hydrologically from the other well fields. He
39 noted that he would be happy to give a presentation to the NNMCAB on the Buckman
40 well field.
41

1 **c. Update on Nitrate Salts**

2 Mr. Jeff Mousseau, LANL, gave a presentation on nitrate salts entitled, "Understating
3 the "what?" and the "why?" of February 14, 2014." An electronic copy of the
4 presentation may be obtained from the NNMCAB website;
5 <http://www.nnmcab.energy.gov/7-presentations/presentations.htm>. Video of the
6 presentation is also available on the NNMCABs YouTube Channel (NNMCAB).

7
8 **d. Questions**

9 Mr. Martinez asked what effect the ambient above ground temperature would have
10 on drums stored above ground at WIPP.

11
12 Mr. Mousseau responded that no waste that has not been processed into a safe
13 configuration and packaged to the WIPP standards would be shipped to the WIPP site
14 for final disposition. He noted that the waste would be packaged with an inert material
15 to avoid the nitrate salt incident ever happening again.

16
17 Mr. Schmelling asked about samples collected from the drums.

18
19 Mr. Mousseau responded that to date there have been two sampling events to
20 collect samples from the outside of the ruptured drums. He noted that the samples had
21 been sent off for analyses.

22
23 Mr. Schmelling asked if there was evidence that the ruptured drum had caused
24 heating in the adjacent drums.

25
26 Mr. Mousseau stated that there is evidence of smoke marks on other containers and
27 magnesium oxide bags that were on 16 of the other containers were melted or burned.
28 Mr. Mousseau noted that at a future meeting he could provide additional pictures.

29
30 Mr. Pacheco asked if site conditions are taken into account in the repacking process
31 i.e., are there different criteria for above ground storage vs below ground storage.

32
33 Mr. Mousseau responded that all waste that is sent to WIPP is packaged to the WIPP
34 Waste Acceptance Criteria (WAC). Additionally, he noted that he was most familiar with
35 the WIPP WAC and not very familiar with the criteria for above ground storage at other
36 locations.

37
38 Ms. Tse-Pe asked if a determination had been made for the possible interaction
39 between the fire at WIPP and the waste drum breach.

40
41 Mr. Mousseau responded that he was not aware of any association between the two
42 events; however, he did not want to speak for the AIB.

1
2 Ms. Mary Friday asked if dinitrogen tetroxide (N₂O₄) could have possibly created a
3 reaction in the breached drum.
4

5 Mr. Mousseau noted that from the work the chemists had been doing trying to
6 replicate the reaction that caused the breach; N₂O₄ had not been brought up as a
7 concern.
8

9 **XI. Update from Liaisons**

10 **a. Los Alamos National Laboratory**

11 Mr. Jeff Mousseau from LANL submitted an update to the NNMCAB entitled,
12 "Associate Directorate for Environmental Programs Update for September 24, 2014." An
13 electronic copy of the information may be obtained from the NNMCAB website;
14 <http://www.nnmcab.energy.gov/7-presentations/presentations.htm>.
15

16 Mr. Schmelling asked where the RDX plume is located.
17

18 Mr. Mousseau responded that the plume is located over on the west side of LANL.
19

20 Ms. Cheryl Rodriguez noted that the RDX plume is located at Technical Area 16 by the
21 emergency operations center.
22

23 **b. Department of Energy**

24 Mr. Pete Maggiore from DOE submitted an update to the NNMCAB entitled,
25 "Consent Order Budget Update." An electronic copy of the information may be obtained
26 from the NNMCAB website; [http://www.nnmcab.energy.gov/7-](http://www.nnmcab.energy.gov/7-presentations/presentations.htm)
27 [presentations/presentations.htm](http://www.nnmcab.energy.gov/7-presentations/presentations.htm).
28

29 Mr. Pacheco asked about the stipulated penalty documents.
30

31 Mr. Maggiore responded that each year DOE and NMED sit down and come up with a
32 list of 15 documents that will be subject to stipulated penalties. He noted that
33 DOE/LANL is currently working with NMED on the FY'15 stipulated penalty document
34 list.
35

36 **XII. Public Comment**

37 Mr. Valdez opened the public comment period at 4:42 p.m.; with no members of the
38 public wishing to address the board, Mr. Valdez closed public comment at 4:42 p.m.
39

40 **XIII. Wrap-up**

41 Mr. Valdez opened the floor for comments from the members. He asked that the
42 members address whether all their questions on presentations were answered and if they
43 had any requests for future presentations.
44

45 Mr. Joey Tiano, Ms. Alyssa Schreiber, Mr. Michael Valerio, Ms. Friday, Mr. Schmelling,
46 Ms. Mona Varela, and Ms. Alicia Bowyer stated that the information presented today was
47 great and thanked everyone for attending the meeting.

1
2 Ms. Tse-Pe noted that she liked the new member update provided by LANL and that for
3 future presentations she would like to see presentations on fines and fees and how they are
4 implemented.

5
6 Mr. Pacheco noted that the meeting had been very engaging. He thanked the members,
7 staff, and liaison for their attendance.

8
9 Mr. Danny Mayfield noted that he thought it might be beneficial to have the presenters
10 earlier on the Agenda. He thanked everyone for another good meeting.

11
12 Ms. Ashley Sanderson stated that she liked the member update provided by LANL, she
13 also thanked everyone for the great meeting.

14
15 Ms. Majure thanked everyone for their input on the Chairs recommendation. She noted
16 that having the Mayor Pro Tem welcome the board was a great addition.

17
18 Mr. Martinez thanked everyone for attending. He also noted that he would like to know
19 where the money from the fines go.

20
21 Ms. Santistevan thanked everyone for coming to the Taos meeting. She also asked all
22 the members to take a look at the important dates in the executive director's report.

23
24 Mr. Bishop thanked all the members for their attendance. He noted that he could not
25 ask for a better board to be the DDFO of and that he truly enjoys working with all the
26 members.

27
28 All of the members and staff thanked Mr. Valdez for his service as the NNMCAB Chair
29 over the past two years.

30
31 **XIV. Adjournment**

32 Mr. Valdez noted that the next NNMCAB Board meeting would be held November 19,
33 2014 at the Ohkay Conference Center in Española from 1:00 p.m. to 5:15 p.m.

34
35 With no additional business to discuss, Mr. Valdez adjourned the meeting at 5:06 p.m.

36 **Respectfully Submitted,**



37 **Carlos Valdez, Chair, NNMCAB**

38 ***Minutes prepared by William Alexander, Technical Programs and Outreach, NNMCAB**

39
40 **Attachments**

- 41 **1. Final NNMCAB Meeting Agenda for 09/24/2014**
42 **2. Final NNMCAB Meeting Minutes for 07/30/2014**
43 **3. Report from Carlos Valdez, Chair, NNMCAB**

- 1 **4. Report from Menice Santistevan, Executive Director**
- 2 **5. 2014 Rad Waste Summit Report, submitted by Carlos Valdez, Chair, NNMCAB**
- 3 **6. EM SSAB Chairs Recommendation “Initiate Process of Permit Modification for Additional**
- 4 **Surface Storage at WIPP”**
- 5 **7. NNMCAB Update Flyer Provided by LANL**
- 6 **8. Presentation by Cheryl Rodriguez, DOE and Danny Katzman, LANL, “Chromium Groundwater**
- 7 **Cleanup in Mortandad Canyon”**
- 8 **9. Presentation by Jeff Mousseau, LANL, “Understanding the “what?” and the “why?” of**
- 9 **February 14, 2014”**
- 10 **10. Update from LANL, Environmental Programs, Jeff Mousseau**
- 11 **11. Update from DOE, Los Alamos Field Office, Pete Maggiore**

12
13 **Public Notice:**

- 14 ***All NNMCAB meetings are recorded. Audio CD’s and Video DVD’s have been placed on file for review**
- 15 **at the NNMCAB office, 94 Cities of Gold Road, Santa Fe, New Mexico, 87506. The written minutes are**
- 16 **intended as a synopsis of the meeting.**
- 17 ***Reference documents listed in the attachments section of these minutes may be requested for**
- 18 **review from the NNMCAB Office by calling (505)989-1662.**