

**Northern New Mexico Citizens' Advisory Board Meeting**



**November 10, 2021  
1:00 p.m. to 5:00 p.m.  
Hybrid Meeting**

**Minutes**

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**Meeting Attendees**

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**Department of Energy**

1. Michael Mikolanis, Manager, Environmental Management Los Alamos
2. Lee Bishop, Deputy Designated Federal Officer, Environmental Management Los Alamos
3. John Evans, Environmental Management Los Alamos
4. Cheryl Rodriguez, Environmental Management Los Alamos
5. Miquela Vargas, Environmental Management Los Alamos
6. David Nickless, Environmental Management Los Alamos
7. Lee Ocker, Environmental Management Los Alamos

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**NNMCAB Members**

1. Cherylin Atcitty, Chair
2. Elena Fernandez, Vice-Chair
3. Ubaldo Gallegos
4. Sterling Grogan
5. Angelica Gurulé
6. Robert Hull
7. Roger Life
8. Beverly Martin
9. David Neal
10. Patricio Pacheco
11. Steven Santistevan
12. Miguel Vigil

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**NNMCAB Absences**

1. Beth Beloff
2. Mark Hayden
3. Stanley Riveles
4. Jenelle Roybal

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**NNMCAB Staff**

1. Menice Santistevan, Executive Director
2. Bridget Maestas, Executive Assistant

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**Guests**

1. John Loughhead, Environmental Management Los Alamos
2. Erich Evered, N3B
3. Catherine Juarez, Los Alamos National Laboratory
4. Sarah Chandler, Environmental Management Los Alamos
5. Jeff Holland, N3B
6. Kathryn Keenan, N3B
7. J.D. Campbell, Public
8. Matt Miller, Field Representative for Representative Teresa Leger Fernandez
9. James Murphy, Public
10. Eric Chavez, Field Representative for Senator Ben Ray Lujan
11. Kelsey Shank, theEDGE
12. Rick Shean, New Mexico Environment Department
13. Gail Mattson, Longenecker & Associates
14. Wayne Barber, Exchange Monitor Publications
15. David Abelson, N3B
16. Stephanie Gallagher, Environmental Management Los Alamos
17. Darien Fernandez, Town of Taos
18. Jocelyn Buckley, Los Alamos National Laboratory
19. Angela Edwards, Los Alamos National Laboratory
20. Levi Dean, New Mexico Environment Department
21. Kristin Henderson, N3B
22. Donovan Robinson, Office of Management and Budget
23. Neelam Dhawan, New Mexico Environment Department
24. Chris Catechis, New Mexico Environment Department
25. Peter Maggiore, National Nuclear Security Administration Los Alamos Field Office
26. Amanda White, N3B
27. Siona Briley, New Mexico Environment Department
28. Kathy Walker, N3B
29. Aubrey Pierce, Environmental Management Los Alamos
30. LRVH

**\*The written minutes are intended as a synopsis of the meeting.**

**Minutes**

**I. Call to Order**

The meeting of the Northern New Mexico Citizens' Advisory Board (NNMCAB) was held on November 10, 2021 in a hybrid format. Mr. Lee Bishop, Deputy Designated Federal Officer (DDFO) stated that on behalf of the Department of Energy (DOE) the meeting of the NNMCAB was called to order at 1:01 p.m.

Mr. Bishop recognized Ms. Cherylin Atcitty, the NNMCAB Chair. Ms. Atcitty presided at the meeting.

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

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**II. Establishment of a Quorum (Roll Call)**

Ms. Santistevan stated that Governor Jenelle Roybal sent her warm welcome and apologized for not being able to attend the meeting. Ms. Menice Santistevan conducted roll call for board members in person or on WebEx and guests on WebEx. At the call to order, 9 NNMCAB members were present or online.

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**III. Welcome and Introductions**

Mr. Bishop welcomed everyone to the meeting and welcomed Ms. Atcitty as the new incoming Chair of the NNMCAB. Mr. Bishop recognized that the next day would be Veterans Day and in honor of the Veterans who have served and who are currently serving, he paused the meeting for a moment of silence.

*"Moment of Silence in Honor of the Veterans"*

Ms. Atcitty asked the members to review the Agenda for the meeting and welcomed everyone to the meeting. She thanked Mr. Hull for his service as the NNMCAB Chair for the past year.

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**IV. Approval of Agenda**

The board reviewed the agenda for the November 10, 2021 meeting. Ms. Atcitty opened the floor to entertain a motion to approve the agenda.

Mr. Robert Hull made a motion to approve the agenda; Mr. Ubaldo Gallegos seconded the motion. The motion to approve the agenda passed.

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**V. Approval of Minutes**

The board reviewed the minutes from the September 22, 2021 Board Meeting. Ms. Atcitty opened the floor to entertain a motion.

Mr. Robert Hull made a motion to approve the minutes as presented; Mr. Miguel Vigil seconded the motion. Ms. Atcitty opened the floor for discussion.

Ms. Angelica Gurulé abstained.

With no further discussion, the motion to approve the minutes as presented passed.

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**VI. Old Business**

**a. Update from Chair/Vice-Chair**

Ms. Atcitty stated that this was her first meeting as Chair. She stated that she had attended the Environmental Management Site Specific Advisory Board (EM SSAB) meeting along with Ms. Elena Fernandez and Mr. Robert Hull. She noted that the meeting was held virtually. Ms. Atcitty stated that her main takeaway from the meeting was that the other Boards face the same obstacles that the NNMCAB faces. She noted that the most prominent issue is the appointment of new members which would be discussed further in New Business. Ms. Atcitty stated that all of the Boards pressed for more clean up and to be sustainable in the method and manner of the clean up and to be more wise stewards over the land.

Ms. Elena Fernandez, NNMCAB Vice Chair, stated that Ms. Atcitty covered it all and reiterated that the membership approval chain is quite extensive and provided a clearer reason as to why it takes so long to appoint members.

**b. Presentation to Radioactive and Hazardous Waste Committee**

Mr. Robert Hull stated that Representative Christine Chandler asked him to give a presentation to the Radioactive and Hazardous Materials Committee about the NNMCAB and what they do and what their issues are. Mr. Hull stated that the meeting would be held on Friday, November 12, 2021 and he would be presenting at 3:30 pm. Mr. Hull went over the Agenda for the meeting and noted that Mr. Michael Mikolanis would give an update on Legacy Waste Clean Up at 11:15 am. He noted that Ms. Santistevan would send out the invitation and Agenda for members to attend virtually.

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**VII. New Business**

**a. Consideration and Action on EM SSAB Recommendation, "Recommendation to Revise the Member Appointment Process"**

Ms. Atcitty stated that in the EM SSAB Chairs meeting it was brought up that it is taking a long time for many of the member appointments to occur. Mr. Hull stated that he was involved in the two major committees and this issue came up. He noted that the gentlemen from the Savannah River Site, Bill Murray, brought this to the EM SSAB because they are in a position where they do not have a quorum. Mr. Hull gave a short review of the steps involved in the appointment process and the time it takes to get an appointment package through the process.

The board reviewed EM SSAB Chairs' Recommendation, "Recommendation to Revise the Member Appointment Process." Ms. Atcitty opened the floor to entertain a motion to approve the recommendation.

Mr. Bishop reminded the members that the protocol is to approve or not approve Chairs Recommendations, no updates or edits could be made to the recommendation.

Mr. Ubaldo Gallegos made a motion to approve the recommendation; Mr. Robert Hull seconded the motion. The motion to approve the recommendation passed.

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**VIII. DDFO Follow-Up**

Mr. Bishop stated that he had some notes from the last meeting to go over. He noted that the hybrid style meeting is working out, it gives people that feel safe the opportunity to meet in person and it will far pass this issue with the pandemic. Mr. Bishop stated that Idaho hosted the EM SSAB Meeting and it was completely remote. He noted that there is not a decision on the Spring Chairs Meeting in Paducah and the NNMCAB would be hosting the Fall Chairs Meeting in September 2022.

Mr. Bishop stated that they did receive Recommendation 2021-02 from the NNMCAB, and his team is working on the response and would have a reply back for the January Board Meeting.

Mr. Bishop stated that they are working with N3B on revising the monthly report to the NNMCAB. Another item that came up at the last meeting was the website. Mr. Bishop stated that he has talked to the contracting officers and they are bringing on an IT Security Specialist to help with that. He noted that they were at a point where the NNMCAB could discuss a sub-committee to help build the new website to meet the members expectations. Mr. Bishop asked members that were interested in sitting on the sub-committee to let him or Ms. Santistevan know. Mr. Hull stated that Mr. Dave Neal would want to participate, and Mr. Hull would as well. Ms. Elena Fernandez stated that she would also like to be a part of that committee and if nobody else steps up, she would be interested in chairing that committee.

Mr. Bishop stated that comments from members about the maps in the presentations being too small to see the details led them to make larger framed posters that will be brought to every meeting. Also, during the meeting Mr. Bishop has asked Ms. Maestas to bring up the maps on the screen as they are talked about in the presentations. Ms. Fernandez asked if the PDF map files could be provided with better resolution so the details could be seen on the PDF file.

Mr. Bishop stated that the next meeting would be January 19, 2022 and a venue had not been chosen yet. He noted that there would be no meetings in December.

Mr. Bishop introduced Ms. Sarah Chandler, Community Outreach Coordinator, her biography was included in the packet. He noted that Ms. Chandler would be helping Ms. Miquela Vargas and would be a resource to the NNMCAB and other organizations.

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**IX. EM-LA Field Office Update**

Mr. Michael Mikolanis , Manager, EM-LA, gave a presentation titled, "Annual Review for NNMCAB" An electronic copy of the presentation may be obtained from the NNMCAB Staff ([menice.santistevan@em.doe.gov](mailto:menice.santistevan@em.doe.gov) or [bridget.maestas@em.doe.gov](mailto:bridget.maestas@em.doe.gov) or by calling (505) 989-1662.

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**X. Update from N3B**

Mr. Joe Legare gave the N3B update. Mr. Legare stated that he would like to briefly talk about their risks. He noted that due to COVID-19 they continue to implement those controls with 25% of their staff in the office. They are working through implementation of a vaccine mandate and they have a team that will evaluate each person that requests an exemption

from the vaccine. Second in terms of risk, recruit and retain, it is a tough environment to get qualified applicants for many reasons. He noted that people are retiring, choosing different career paths or working in different environments. Mr. Legare also noted that they have to compete with Triad who are hiring more people than N3B actually has. The third risk he touched on was cyber security. He noted that they have a great team that put in the controls necessary to stay safe.

Mr. Legare stated that Mr. Mikolanis mentioned the big three. He also noted that Ms. Atcitty mentioned Sustainable Solutions and Stewardship. He noted that the legacy management is the stewardship group. He applauds that takeaway from the Chairs Meeting. It helps to focus them with the end in mind. Mr. Legare stated that in terms of the big three in waste, water and land use, he will start with waste.

Waste – during the past year, they curtailed intrusive work, opening a drum, repack it, change a liner out, look for prohibited items. There were some safety analysis gaps they needed to address with new controls and new procedures. While they were in process of doing that, they made a lot of shipments to WIPP, they continued to characterize drums in CCP, did drum movements, and got materials out of Area G and into Area L. They were also able to do low level waste drum processing. Mr. Legare stated that in order to ship to WIPP they have to have the drums ready. In order to do this, they are starting up process lines, the next one would be starting up in Building 412 to resume the process of pulling up the inner liner of a drum and move it to a fresh drum. Once this is done the container will be characterized to determine if it is transuranic waste or low-level waste for shipment to WIPP or WCS.

Water Quality – Ms. Amanda White will be presenting on surface water later in the meeting. Mr. Legare stated that this is one of the two areas where the rubber hits the road where they talk about legacy, sustainability and stewardship. He noted that it is ensuring that when they come up with a final process that it is sustainable and as stewards, they can maintain and ensure the water will be protected.

Land – Mr. Legare stated that on Middle DP Road, they are in the final throws of demobilizing and doing the final characterization then writing the report which will be out in the first quarter of the next calendar year. Mr. Legare stated that they would have a very active aggregate area program this year.

MDAs – Mr. Legare stated that there is a scenario where the presumptive remedy is cap and cover, but those decisions have not been made and NMED has not approved the MDA C CME remedy proposal. He noted that ultimately it is something that the community and the department will have to decide on.

Mr. Legare stated that the next Stakeholder Cleanup Forum would be held in early 2022.

Mr. Legare stated that community engagement has been really good. He noted that they have donated about \$300,000 to individual applicants that have asked for various amounts in northern New Mexico. He noted that in addition to that, the apprenticeship program has been very successful, and they are also starting up another RTC Bootcamp.

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**XI. Update from New Mexico Environment Department**

Mr. Chris Catechis stated that as part of the annual planning process they have been engaging with DOE in negotiations to finalize Appendix B for FY 2022. He noted that the FY

2021 Appendix B was never finalized but DOE has been operating under the guidelines for that. He also noted that they have been meeting and were hoping to have them in place by early January.

**DP Middle Road** – The monthly report came out and speaking with DOE, they are putting a hold on monthly reports because the work has been complete. He noted that the final report should come out in April 2022.

**Chromium Groundwater Contamination** – The interim measures are currently operational even though CrEX-3 well was shut down on June 18<sup>th</sup> because of the low stock of bag filters but it is now operating at limited capacity due to continual filtration issues. CrEX-1 has been offline since June due to a pump malfunction and DOE estimates that the amount of Chromium captured and treated since the fourth quarter of 2016 to mid-2021 to be 472 pounds. On August 26<sup>th</sup>, a Notice of Disapproval was sent for Semi-Annual Chromium Interim Measure Progress Report for the July through December 2020 time period. Previously a Notice of Disapproval was on the timeframe before that, January through June 2020 time period. NMED's technical comments on both reports remain unresolved but they are working with DOE to get those resolved through some of their technical working groups. DOE completed drilling of R-71 and R-72 and NMED approved the design of both of the wells to serve in the confines of the nature and extent of the chromium and perchlorate plumes on the west portion of the site. On November 1, 2021 NMED sent a letter for DOE submittal of the aquifer guidance and work plans for aquifer tests in R-71 and R-72 and NMED is working with the US EPA on this issue. NMED and DOE have informally agreed that a replacement well is necessary for one of the two monitoring wells used in DOE's 2017 chemical injection pilot study and that the vertical delineation is necessary in the center portion of the chromium plume. Mr. Catechis stated that last month as part of their quarterly LANL engagement meeting the topic was the chromium plume and Chris Krambis was the presenter. He also noted that they have another meeting coming up with the New Mexico Legislatures Radioactive and Hazardous Waste Committee Friday, November 12, 2021.

**LANL Update** – Interim Facility Wide Groundwater Monitoring Plan for 2022 was approved on October 18<sup>th</sup>. NMED approved the Investigation Report for the Canyon Aggregate Area on September 27<sup>th</sup>. They reviewed the annual long-term monitoring report for the airport landfill on October 20<sup>th</sup>. They approved the certificate of completion without controls for stormwater monitoring unit (SWMU) 01-003 in Upper Los Alamos Canyon on October 27<sup>th</sup>.

**Permit Related Activities** – NMED made an administratively incomplete determination for a permit renewal application which was sent to DOE. DOE responded on July 21<sup>st</sup> and it is currently under review with NMED's technical staff. NMED approved the Class 1 Permit Modification request to add treatment to Tech Area 54 Pad 11 Dome 375 on October 18<sup>th</sup>.

Mr. Catechis introduced the new Hazardous Waste Bureau Chief, Rick Shean. He started this job on November 1<sup>st</sup>.

**WIPP Update** – There was no change to the Class 3 Permit Modification for the excavation of a new shaft since the June 21, 2021 NNMCAB Meeting. The virtual hearing was held in May. The hearing officer report was issued to the parties on September 14<sup>th</sup>. Currently the parties have 15 days to review and provide comments on the hearing officer's report. A report will then go to the NMED Secretary Kenney or a 30-day review and decision timeframe.

There was no change from the June 21, 2021 NNMCAB meeting on the 10-year permit renewal. It was submitted March 31, 2020 and is still under technical review at NMED. The expired permit is still in place and is legally binding until the permit is extended.

A new Class 3 modification came up for panels 11 and 12, a new item for the NNMCAB meeting. It is anticipated that submittal would be in late Summer or early Fall of 2021. This modification was to request to put up two new panels to the west of the existing underground.

#### **Shipments Update (Calendar Year)**

January 1, 2021 through July 19, 2021 –2,311 total containers emplaced and the total number of shipments was 117. 71 shipments from Idaho National Laboratory, 27 from Los Alamos National Laboratory, 18 from Oak Ridge National Laboratory, and 1 from Waste Control Specialist (LANL waste).

#### **Upcoming Audits**

Argon National Laboratory – July 2022

Lawrence Livermore National Laboratory– August 17-19, 2022

Advanced Mixed Waste Treatment Project in Idaho – September 21-23, 2022

Savannah River Site – November 2021

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#### **XII. Public Comment**

Ms. Atcitty opened the floor for public comment at 2:57 p.m.

With no public comment Ms. Atcitty closed the comment period at 2:58 p.m.

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#### **XIII. Presentation**

Ms. Amanda White, N3B, gave a presentation titled, “Legacy-Contamination Related Storm Water Monitoring Across LANL” An electronic copy of the presentation may be obtained from the NNMCAB Staff ([menice.santistevan@em.doe.gov](mailto:menice.santistevan@em.doe.gov) or [bridget.maestas@em.doe.gov](mailto:bridget.maestas@em.doe.gov) or by calling (505) 989-1662.

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#### **XIV. Presentation**

Mr. Lee Bishop, EM-LA and Mr. Chris Catechis, NMED, presented on, “Compliance Order on Consent Appendix B Proposed Milestones Fiscal Year 2022” An electronic copy of the spreadsheet may be obtained from the NNMCAB Staff ([menice.santistevan@em.doe.gov](mailto:menice.santistevan@em.doe.gov) or [bridget.maestas@em.doe.gov](mailto:bridget.maestas@em.doe.gov) or by calling (505) 989-1662.

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#### **XV. Wrap-up Discussion and Questions**

Mr. Hull asked Ms. Santistevan if there would be a Combined Committee Meeting in December. Mr. Bishop stated that the NNMCAB was dark in December. Mr. Hull stated that he would check with the committees to see if they wanted to meet. Mr. Bishop stated that if there was any interest, they could have a virtual meeting.

Mr. Hull thanked Ms. White for the detailed presentation. Ms. Atcitty stated that if anyone had further questions for Ms. White to please route them through Ms. Santistevan.

Mr. Hull reminded the members about the meeting on Friday to the Radioactive and Hazardous Waste Committee. He noted that members could listen to Mr. Mikolanis' presentation as well as his.

Ms. Atcitty stated that the next meeting would be on January 19, 2022. She wished everyone a Happy Thanksgiving, Christmas and New Year.

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**XVI. Adjournment**

Mr. Bishop thanked everyone for attending the meeting. He asked everyone to be safe for the holidays and to pay attention and don't get distracted.

With no additional business to discuss, Mr. Bishop adjourned the meeting at 4:46 p.m.

**Respectfully Submitted,**



**Ms. Cheryl Atcitty, Chair, NNM CAB**

**\*Minutes prepared by Bridget Maestas, Executive Assistant, NNM CAB**

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**Attachments**

1. Final NNM CAB Meeting Agenda for 11/10/2021
2. Final NNM CAB Meeting Minutes for 09/22/2021
3. EM SSAB Chairs Recommendation, "Recommendation to Revise the Member Appointment Process"
4. Biography, Sarah Chandler, Community Outreach Coordinator
5. Biography, Amanda White, N3B, Watershed Monitoring & Technical Services Program Manager
6. Presentation by Amanda White, "Legacy-Contamination Related Storm Water Monitoring Across LANL"
7. N3B Progress Report, August 2021 – September 2021

**Public Notice:**

**\*All NNM CAB meetings are recorded. Audio CD's will be placed on file for review at the NNM CAB office, 94 Cities of Gold Road, Santa Fe, New Mexico, 87506. The written minutes are intended as a synopsis of the meeting.**