



Northern New Mexico Citizens' Advisory Board Meeting

September 18, 2024

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

Hybrid Meeting

Hotel Don Fernando

1005 Paseo Del Pueblo Sur

Taos, NM 87571

The video for the September Board Meeting can be viewed on the NNMCAB YouTube Channel:

[NNMCAB September 2024 Meeting - YouTube](#)

Minutes

Meeting Attendees

Department of Energy

1. Ellie Gilbertson, Deputy Manager, Environmental Management Los Alamos
2. Keith Grindstaff, Deputy Designated Federal Officer, Environmental Management Los Alamos
3. John Evans, Environmental Management Los Alamos
4. Lee Ocker, Environmental Management Los Alamos
5. Allison Scott Majure, Environmental Management Los Alamos
6. Cheryl Rodriguez, Environmental Management Los Alamos
7. Susan Wacaster, Environmental Management Los Alamos
8. Beau Britain, Carlsbad Field Office

NNMCAB Members

1. Patricio Pacheco, Chair
2. Manuel L'Esperance, Vice-Chair
3. Eleanor Bravo
4. Danielle Duran
5. Christy Green
6. Sterling Grogan
7. Mark Hayden
8. Abbey Hayward
9. Beverly Martin
10. Stephen McLaughlin
11. Arlina Sanford
12. Joseph Villegas

NNMCAB Staff/Support

1. Bridget Maestas, Executive Director
2. Menice Santistevan, Senior Advisor
3. Yolanda Valdez, Executive Assistant

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Guests

1. Ryan Flynn, Salado Isolation Mining Contractors, LLC
2. Angela Martinez, Los Alamos National Laboratory
3. Elicia Williams, Environmental Management Los Alamos
4. John Gonsky, TetraTech
5. Michael Peterson, New Mexico Environment Department
6. Erich Evered, N3B
7. Caitlin Martinez, New Mexico Environment Department
8. Renee Martinez, Environmental Management Los Alamos
9. Deborah Kerrigan, N3B
10. Jeff Holland, N3B
11. Scott Kovac, Nuclear Watch New Mexico
12. Amanda Caudillo, Environmental Management Los Alamos
13. Troy Thomson, N3B
14. Sarah Chandler, Environmental Management Los Alamos
15. Jeannette Hyatt, Los Alamos National Laboratory
16. Kathryn Wheeler, Industrial Economics, Incorporated
17. Ricardo Maestas, New Mexico Environment Department
18. Debby Holgerson, N3B
19. Christian Maupin, N3B
20. Joe Ritchey, Environmental Management Los Alamos
21. Catherine Juarez, Los Alamos National Laboratory
22. JohnDavid Nance, New Mexico Environment Department
23. Megan McLean, New Mexico Environment Department
24. Jeannette Hyatt, Los Alamos National Laboratory
25. Elena Fernandez, NMSU Program Manager EPA R6 EJ TCTAC
26. Mark Everett, Los Alamos National Laboratory
27. Matt Miller, United States Representative Teresa Leger Fernandez’s Office
28. Whitney LaMarche, TetraTech
29. Luciana Vigil-Holterman, Los Alamos National Laboratory
30. Rebecca Ortiz, Environmental Management Los Alamos
31. Thomas McCrory, Environmental Management Los Alamos
32. James Dark, Los Alamos National Laboratory
33. Chris Stoneback, Los Alamos National Laboratory
34. Alexis Donahue, New Mexico Environment Department
35. Amanda Trujillo, Salado Isolation Mining Contractors, LLC
36. Josefita Lucero-Ortega, Public

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

1 **Minutes**

2 **I. Call to Order**

3 The meeting of the Northern New Mexico Citizens' Advisory Board (NNMCAB) was held on
4 September 18, 2024, in a hybrid format. Mr. Keith Grindstaff, Deputy Designated Federal
5 Officer (DDFO), Environmental Management Los Alamos (EM-LA) stated that on behalf of
6 the Department of Energy (DOE) the meeting of the NNMCAB was called to order at 1:02
7 p.m.

8 Mr. Grindstaff recognized Mr. Manuel L'Esperance, the NNMCAB Vice-Chair. Mr.
9 L'Esperance presided at the meeting.

10 The meeting of the NNMCAB was posted in the *Federal Register* in accordance with the
11 Federal Advisory Committee Act.

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

13 Mr. L'Esperance conducted roll call of board members and guests in person and on WebEx.
14 At the call to order, eleven NNMCAB members were present or online, and a quorum was
15 established.
16

17 **III. Welcome and Introductions**

18 Mr. Grindstaff welcomed everyone to the meeting. Mr. Grindstaff then turned the meeting
19 over to Mr. L'Esperance, the NNMCAB Vice-Chair.
20

21 Mr. L'Esperance welcomed everyone to the September Board Meeting in Taos. Mr.
22 L'Esperance requested that individuals sitting at the table and board members online
23 introduce themselves.

24 **IV. Approval of Agenda**

25 The board reviewed the agenda for the September 18, 2024, meeting. Mr. L'Esperance
26 called for a motion to approve the agenda as presented.
27

28 Mr. Mark Hayden made a motion to approve the agenda; Ms. Beverly Martin seconded the
29 motion. The agenda was approved, as presented.

30 **V. Old Business**

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

32 **Mr. Pacheco, NNMCAB Chair**

33 Mr. Pacheco stated that he wanted to commend N3B for providing three interns with
34 on-the-job training and for the opportunity to perform environmental fieldwork at the
35 Los Alamos National Laboratory (LANL).
36

37 **Mr. L'Esperance, NNMCAB Vice-Chair**

38 Mr. L'Esperance stated that Ms. Bridget Maestas emailed members information
39 concerning the EM Strategic Vision: 2024-2034. If members have any questions or

1 comments, please submit them to Ms. Maestas. Information was also sent concerning
2 the Waste Isolation Pilot Plant (WIPP) Information Exchange. The meeting will take
3 place on September 23rd, 2024, and is accessible via Zoom.

4 **b. Update from Subcommittee Chairs**

5 **Consent Order Subcommittee**

6 Mr. Hayden stated that the Consent Order Subcommittee’s goal is to put together a
7 work plan that is in sync with the goals of EM-LA.

8 **Risk Evaluation & Management Subcommittee**

9 Ms. Beverly Martin stated that the Risk Evaluation and Management Subcommittee
10 remains concerned about the chromium plume. The Subcommittee is awaiting
11 information on the new wells that have been installed and the movement of the plume.

12 **c. Report from Nominating Committee**

13 Mr. Jose Villegas thanked the members for their response to his emails and their
14 participation on the board.

15 Mr. Hayden stated that he sent out emails to the board members and the responses
16 were forwarded to Ms. Maestas.

17 Ms. Maestas stated that the nominees for Chair are Mr. Jose Villegas, Mr. Mark Hayden,
18 and Mr. Patricio Pacheco. Running for Vice-Chair are Mr. Manuel L’Esperance and Mr.
19 Jose Villegas.

20 **VI. New Business**

21 **a. Candidate Statements**

22 Mr. Pacheco introduced himself and stated that he is in his fourth year on the NNMCAB.
23 He grew up in New Mexico and attended the University of New Mexico and Mississippi
24 State University. He holds degrees in engineering and environmental science. He has a
25 background in soil science and water quality. His interest in serving as Chair is due to
26 him living close to Los Alamos and having family and friends who live, work, and
27 participate in activities in Los Alamos. His intention as Chair is to keep the public
28 informed and engaged in the cleanup process.

29 Mr. Hayden stated that he has been an attorney for 35 years. For the past 10 years, he
30 has been working with the State of New Mexico as General Counsel. He serves on the
31 Santa Fe County Health Care Commission, as President of the Aldea Homeowners
32 Association, and the Federal Task Force for Sustainable Spending. His interest in
33 advocating for the environment began in childhood and his goal is to continue to be an
34 advocate by serving on the Board.

35 Mr. Villegas stated that after much consideration he would like to withdraw from
36 running for Chair and Vice-Chair. He would like to note his support for Mr. Pacheco for
37 Chair and Mr. L’Esperance as Vice-Chair.

38 **b. Elections of Office for Fiscal Year 2025**

39 The votes were tallied and read by Mr. L’Esperance.
40

1 Mr. Pacheco was elected as Chair

2 Mr. L'Esperance was elected as Vice-Chair

3
4 **VII. Update from New Mexico Environment Department**

5 Mr. JohnDavid Nance gave the update for the New Mexico Environment Department
6 (NMED).

7 **Consent Order** – The Appendix B schedule was submitted on July 31st by DOE to NMED.
8 NMED did not agree with the proposed Appendix B. NMED and DOE will continue
9 negotiations to reach a consensus on that schedule for Fiscal Year 2025.

10 On August 30, 2024, NMED and DOE signed the settlement agreement to resolve the
11 litigation brought forth by NMED in 2021. The settlement agreement has resulted in the
12 modified Consent Order that will be utilized going forward. NMED will host a community
13 forum on September 26, 2024, to discuss the modifications and allow the public the
14 opportunity to ask questions. The meeting will take place in Santa Fe at the Harold Reynolds
15 Auditorium, from 5:30 p.m.-7:30 p.m.

16 **Groundwater** – Drilling Well R-76 began on September 21, 2023. Due to permit drilling
17 variance issues, the completion was delayed. DOE is completing the well construction and
18 testing portion. A letter to NMED reporting the completion of R-76 is due by the end of the
19 month. The proposed SIMR-3 monitoring well located on Pueblo de San Ildefonso land is the
20 next monitoring well prioritized for completion. The Pueblo de San Ildefonso issued a
21 determination requesting two single screen wells at different depths be constructed. On July
22 31st NMED issued a response to the SIMR-3 drilling work plan requiring that within 30 days
23 the plan be revised to accommodate the Pueblo's request. DOE responded by stating that
24 discussions with the Pueblo de San Ildefonso are ongoing and the 30-day deadline will not
25 be met. As a Sovereign Nation, the Pueblo de San Ildefonso has the jurisdiction to determine
26 if the work plan will be submitted to NMED.

27 **Chromium Interim Measures** – Following recommendations from the State of New Mexico
28 Radioactive and Hazardous Materials Interim Committee, and the U. S. Government
29 Accountability Office, NMED and DOE are participating in an independent technical review
30 (ITR). The ITR will provide recommendations for a path forward for the Chromium Interim
31 Measure. The ITR team consists of individuals from DOE, Academia, Private Industry, and
32 the Environmental Protection Agency (EPA). The team is in the final phase of the
33 recommendation and upon completion, the information will be made available to the
34 public.

35 The Chromium Interim measure has been shut down since March of 2023. NMED sent DOE a
36 letter in September of 2023 proposing conditions to allow injection that would facilitate
37 extraction and remediation of the chromium plume. On June 7th, NMED proposed a
38 temporary restart of three injection wells while the ITR team continues its review. DOE has
39 not responded to the letter.

40 **Corrective Action Documents** – NMED issued a Statement of Basis for MDA C and held a 60-
41 day public comment period. Requests were received from Triad, EM-LA, N3B, and Nuclear
42 Watch New Mexico. NMED is in the process of scheduling an informal conference with the
43 hearing requesters to discuss the scheduling of the public hearing. NMED anticipates the
44 hearing to take place in the first half of 2025.

1 **Permit Related Activities** – On March 25th the EPA proposed amendments to the regulations
2 for open burning and detonation (OB/OD) of waste explosives. The proposed rule would
3 improve the evaluation of alternative technologies for treating waste explosives in lieu of
4 OB/OD. DOE is re-evaluating the permit application with consideration to the proposed rule
5 and NMED is awaiting a revised application.

6 Mr. Nance turned the NMED presentation over to Ms. Megan McLean for the WIPP update.

7 **WIPP Update** – Ms. McLean stated that the purpose of the Legacy Tru Waste Plan is to
8 define the term ‘Legacy’. This is being done in consultation with generator storage sites and
9 stakeholders around the complex. The permittees traveled to each site acquiring
10 information on how each site defines legacy and have held one public information
11 exchange. A second information exchange is planned for September 23rd, from 1:00 p.m.-
12 3:00 p.m., via Zoom. The permittees produced a fact sheet on the topic and NMED sent it
13 out to the Los Alamos National Laboratory mailing list and posted it on the DOE web page
14 that is devoted to that plan. The web page also contains a summary produced by the
15 permittees stating their activities related to the plan. The plan is due to NMED by November
16 3rd and the public will have 60 days to submit comments. Those comments will be submitted
17 to NMED.

18 WIPP community forums are now held three times a year in different communities around
19 New Mexico. The first two were held in Roswell and Carlsbad. The last will be held in Las
20 Vegas, NM on October 24th.

21 The Class 2 Permit that was processed in June has been approved by NMED. NMED,
22 stakeholders, and permittees collaborated to improve the language. The Graded Approach
23 to Audits is a condition that requires the permittees to submit an annual audit schedule for
24 NMED’s approval. This will allow small quantity generator storage sites that send waste to
25 WIPP to be audited every other year as opposed to annually. The schedule must be
26 accompanied by a risk-based analysis of the record on which NMED can base its decision for
27 approval. The reduction of audit frequency will save resources and provide time to complete
28 WIPP surveillances.

29 NMED monitors the Repository Annual Report that DOE submits at the end of each calendar
30 year. DOE must show progress towards the sighting of another repository in a state other
31 than New Mexico.

32 **Shipment Update** – Total shipments are 348. They have received 253 from Idaho National
33 Laboratory, 34 from LANL, 49 from Savannah River Site, 8 from Oak Ridge National
34 Laboratory, 4 from Argonne National Laboratory, and 1 is expected from Lawrence
35 Livermore.

36 **a. Questions**

37 Ms. Martin asked if there was an issue accepting newly generated waste at WIPP due to
38 the definition of Legacy Waste.

39 Ms. McLean stated that there is not a problem. The waste needs to meet WIPP waste
40 acceptance criteria, so newly generated waste is allowed. During the renewal process, it
41 was felt that waste from New Mexico generator sites should be prioritized. The goal is
42 to prioritize the disposal of Legacy Waste in Panel 12.

43 Ms. Martin asked what the alternative treatment for high explosives is.

1 Mr. Nance stated that an alternative is encapsulated incineration with a filtrated system
2 for vapors.

3 Mr. Hayden asked why the definition of legacy has come into question and what the
4 draft will look like.

5 Ms. McLean stated that there has not been a common definition of the term throughout
6 the complex and each site has a different definition of the word legacy. The draft may
7 contain a working definition of legacy and how it could be used to prioritize waste for
8 Panel 12.

9 Mr. Haden asked what sites outside of New Mexico are being considered for a TRU
10 Waste depository.

11 Ms. McLean stated that a draft plan has not been released. NMED is not actively looking
12 for sites that could take over for WIPP when the Land Withdrawal Act is reached. DOE is
13 looking into Consent-based sighting for high-level waste due to Yucca Mountain not
14 being a viable option.

15 Mr. Hayden asked how the three approved injection wells will work with the hydro wall
16 that is preventing the Chromium Plume from migrating onto the Pueblo.

17 Mr. Nance stated that a balance would be maintained for extraction, treatment, and
18 reinjection. Injection would be from within the plume boundary and reinjection would
19 take place in one of the three wells. Injection back into the plume will create increased
20 head pressure which will essentially stop the natural groundwater flow towards the
21 Pueblo.

22 Mr. Hayden asked what detection method is utilized to verify the direction of the flow.

23 Mr. Nance stated that a monitoring network and down-gradient wells are used for
24 detection. NMED is working with DOE to get additional monitoring wells that would
25 have the ability to detect any redirection of the groundwater.

26 Ms. Bravo asked for a definition of Class 2.

27 Ms. McLean stated the Resource Conservation and Recovery Act (RCRA) has different
28 classes of permit modifications depending on the complexity of the modification. Class 1
29 is utilized for minor modifications. Class 2 has strict timelines and is put in place so the
30 permitted facility can keep its permit updated with changes to the facility or regulations.
31 Class 3 modifications are complex and may require public hearings or technical
32 contractors.

33 Ms. Bravo asked if Risk Based Analysis is done internally or by an outside entity.

34 Ms. McLean stated that Risk Based Analysis is completed by Quality Assurance in
35 Carlsbad.

36 Ms. Bravo asked if the increase in earthquakes in the area may be attributed to the
37 injection wells.

38 Ms. McLean stated that injection wells cause surface low-level earthquakes. The recent
39 earthquakes in the area are not reaching the repository level. One of the new permit
40 conditions added by NMED requires the permittees to provide a yearly record of new
41 disposal wells and oil and gas wells that are being put in and around the facility
42 perimeter.

1 Mr. Villegas asked if any community forums are planned for the Tribal Nations.

2 Ms. McLean stated that NMED is expanding its outreach to the tribal nations, and that
3 suggestions will be taken into consideration.

4 Mr. Grogan asked if the re-evaluation of the OB/OD permit includes Royal Demolition
5 Explosives (RDX).

6 Mr. Nance stated that the focus of the permit is the burning and disposal of found
7 munition. If the munitions contain RDX it is covered under the permit. Storage of RDX is
8 not a part of OB/OD.

9 Mr. Grogan asked who the permittees are.

10 Ms. McLean stated that they are WIPP, DOE, and Salado Isolation Mining Contractor
11 (SIMCO).

12 Mr. McLaughlin asked if the plume was still present at the time when the injection wells
13 stopped injecting, and the water pressure dropped. Will the process be ongoing until
14 the extraction wells show that there is no chromium in the water?

15 Mr. Nance stated that the current work is an interim measure to slow down or stop the
16 migration of the plume. The investigation phase is ongoing, and cleanup will be
17 determined by the injection wells.

18 Mr. McLaughlin asked if the determination would be for zero contamination or below
19 the acceptable level.

20 Ms. Caitlin Martinez acting LANL Group Manager for the Hazardous Waste Bureau
21 stated that the proposal in the letters is to facilitate the restart of the treatment of the
22 Hexavalent Chromium Plume and active extraction. The intention is to suppress
23 migration of the plume and keep it within the furthest bounds of its current extent of
24 contamination.

25 Mr. McLaughlin asked what the safe level for chromium is.

26 Ms. Martinez stated that it is 50 parts-per billion for Hexavalent Chromium.

27 Mr. McLaughlin asked if the approach being utilized for the chromium plume would
28 differ if it were 50 miles further east.

29 Ms. Martinez stated the speed at which the interim measure was implemented may
30 have differed, but the core concept would remain the same.

31 Ms. Gilbertson stated it would not change the expedience in which DOE would address
32 the situation due to the contamination leaving the laboratory boundary and impacting
33 any of the surrounding areas.

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VIII. Update from EM Los Alamos Field Office/N3B

36 Ms. Ellie Gilbertson, Deputy Manager, Environmental Management Los Alamos, presented
37 on, "DOE and NMED Settlement Agreement for 2016 Compliance Order on Consent." An
38 electronic copy of the presentation may be obtained from the NNMCAB staff.
39 (Yolanda.valdez@em.doe.gov or bridget.maestas@em.doe.gov)

40 On August 30, 2024, DOE and NMED executed a settlement agreement. The settlement
41 agreement resolves the 2016 Compliance and Consent Order litigation for the principal

1 regulatory document that governs the legacy cleanup at LANL. The agreement involves
2 revisions to the Consent Order but does not supersede the 2016 version. A \$333,000
3 payment to the Hazardous Waste Emergency fund is included and it requires that NMED
4 complete its review of 221 Certificates of Completion within a year of execution of the
5 revised Consent Order. The intent is to compromise disputed claims and not constitute or to
6 be construed as an admission of guilt or any wrongdoing, noncompliance, or liability.

7 Ms. Gilbertson stated that the following items are an overview of the major changes in the
8 Consent Order. (The following information was provided from the Revised Consent Order,
9 New Mexico Environment Department V. United States Department of Energy, No. 1:21-ev-
10 00278-KG-JFR.)

11 Section 8: Campaigns, Five-Year Schedules, and Annual Planning Process. The changes
12 establish a process for setting Campaign Completion Dates, clarifying the process for
13 prioritizing Campaigns, and divides the Campaigns into Class A and Class B. The classification
14 will depend on the amount of information available and does not refer to prioritization.
15 NMED and DOE will jointly establish milestones for upcoming FYs and Campaign Completion
16 dates for Class A Campaigns. NMED and DOE will establish milestones only for the upcoming
17 FY, as well as nonbinding targets for the following two FYs. DOE is subject to stipulated
18 penalties for missed milestones.

19 Section 11: Differed Sites lists four specific circumstances in which a site may be deferred.
20 Circumstance one is based on whether the site is located within a testing hazard zone or
21 active firing sites at LANL. Circumstance two is based on whether it is associated with LANL
22 operations. Three is based on whether it is inaccessible due to land access issues. Four is
23 based on reasons not addressed in the previous three circumstances (subject to NMED
24 approval). Doe must notify NMED and confer with neighboring Pueblos and local
25 governments if sites are deferred for active firing or facility operations. DOE will provide an
26 annual status of all deferred sites.

27 Section 23: Preparation/Review/Comment on Documents revisions is regarding document
28 review times to conform with applicable provisions of pertinent NMED regulations. It also
29 clarifies the time frame NMED must complete its review of documents.

30 Section 25: Dispute Resolution revisions address disputes classified as either “technical” or
31 “non-technical”. ITR teams will be brought in and agreed upon by NMED and DOE. The cost
32 will be divided equally by both parties. The ITR team must resolve the dispute within 60 days
33 of their appointment.

34 Section 34: Public Participation, Pueblo and Local Government Conferrals, Independent
35 Audits, and 10-Year Reviews were added to the consent order. The section articulates the
36 expectations for public engagement.

37 Section 36: Stipulated Penalties discusses penalties for missed milestones, missed Campaign
38 Completion Dates, and when milestones are extended beyond the FY.

39 **a. Questions**

40 Mr. Villegas asked how conferring with neighboring Pueblos and local governments
41 would occur.

- 1 Ms. Gilbertson stated that a consultation process is utilized for neighboring Pueblos and
2 regular discussions occur with Los Alamos County. Letters and a Designated Authorizing
3 Manager are utilized for NMED.
- 4 Mr. Hayden asked if an interactive map was available on the website and if a Gantt chart
5 was being contemplated for the annual report.
- 6 Ms. Gilbertson stated that work on the website is ongoing and will be completed by FY
7 25 or 26. There is no current efforts towards a Gantt chart due to data changing at a
8 rapid pace.
- 9 Mr. Hayden asked if the Chromium Plume is under the revised consent order and if it
10 would be subject to mediation.
- 11 Ms. Gilbertson stated that the current ITR will not be included because it was initiated
12 before the revisions went into effect. There will be similarities due to negotiations
13 taking place while the ITR was initiated.
- 14 Mr. Hayden asked when and how the ten-year review of the Consent Order would take
15 place.
- 16 Ms. Gilbertson stated the Consent Order may be modified at any time if NMED and DOE
17 agree to the modifications. Section 33 of the Revised Consent Order describes the
18 modification process.
- 19 Ms. Martin asked what penalties NMED will incur if they do not review the documents
20 or certificates of completion that require a short turnaround.
- 21 Ms. Gilbertson stated that NMED could either request an extension or provide a
22 legitimate reason for requiring the extension.
- 23 Ms. Martin asked if the RDX plume is located near an active firing site.
- 24 Ms. Gilbertson stated that the plume is in the vicinity of the active firing site but is not
25 under the site.
- 26 Ms. Bravo asked who the stipulators were for the penalties and who is in control of the
27 levying.
- 28 Ms. Gilbertson stated that the penalties are levied by NMED for missing milestones.
29 NMED submits the penalty in writing to DOE. DOE then has a certain amount of time to
30 pay the penalty and remediate anything that led up to the penalty.
- 31 Ms. Martinez stated that penalties are a part of the New Mexico Administrative Code
32 (NMAC). If a Milestone is missed NMED submits a Notification of Intent to Assess a
33 stipulated penalty. The NMAC is then utilized to assess the amount and how the penalty
34 will increase.
- 35 Ms. Green asked why there are 221 certificates of completion that NMED needs to
36 review.
- 37 Ms. Gilbertson stated that those are a backlog of certificates.
- 38 Mr. Nance stated that his department has been working diligently to hire additional
39 staff to assist with the backlog.

1 **EM-LA Update**

2 Ms. Cheryl Rodriguez, Director. Office of Cleanup Execution introduced herself and Mr. Troy
3 Thomson, N3B Program Manager for Environmental Remediation.

4 Ms. Rodriguez stated that the year-long work on a chromium well was completed last week.
5 The completion of the well satisfies one of the milestones for the year. The well was
6 completed with the assistance of NMED and the Office of the State Engineer.

7 The ITR is scheduled to be released soon. DOE plans to conduct a 30–45-day review for
8 factual accuracy. At that point, all questions will be brought forward and DOE and the ITR
9 team will discuss the items and changes will be made. The ITR team will then finalize the
10 report. The entire process is anticipated to be completed by the end of the calendar year.

11 **N3B Update**

12 Mr. Thompson stated that he is Program Manager for Environmental Remediation for N3B.

13 Mr. Thompson stated that three overlapping work areas are emphasized in the cleanup
14 contract. The list includes protecting water quality, cleaning up the land, and shipping waste
15 off-site. Aggregate Areas touch all three.

16 Work was done in five Aggregate Areas over the summer. The work took place in Twomile
17 Canyon, Potrillo/Fence Aggregate areas, Starmer/Upper Pajarito Canyon, Chaquehui, and
18 Lower Pajarito Aggregate Areas. Over the past two years over 7,700 samples have been
19 taken from these areas and sampling and remediation will continue. Each Aggregate Area
20 will have a Consent Order milestones tied to it. Milestones will include progress reports and
21 final investigations.

22 **a. Questions**

23 Ms. Martin asked if the mixed low-level waste generated by the cleanup activities are
24 shipped off-site within a year and if it is not shipped, will it be added to the site
25 treatment plan.

26 Mr. Thomson stated that N3B tries not to create any waste that will remain onsite for
27 over a year. If the waste is mixed low-level waste, it falls under RCRA regulations for
28 shipping and it will be shipped within 90 days or sent for treatment, storage and
29 disposal.

30 Mr. Hayden asked for the status of Appendix A, B, and C of the Revised Consent Order
31 and when they would be released.

32 Mr. Nance stated that the appendices are being worked through to ensure that both
33 parties agree on what they are laying out. NMED has 30 days from the initial agreement
34 to ensure all the components are in place.

35 Ms. Gilbertson stated that on September 17th, N3B retrieved the last corrugated metal
36 pipe from above Pit 29.

37 Ms. Martin asked how much above-ground waste will be created due to the corrugated
38 metal pipe excavation.

39 Ms. Gilbertson stated that there are 158 corrugated metal pipes. Each pipe is between
40 20 to 30 feet long and is reduced to approximately 4-foot segments. They are placed in
41 standard waste boxes and await certification by Carlsbad.

IX. WIPP Update

Mr. Ryan Flynn, SIMCO presented on “Waste Isolation Pilot Plant.” An electronic copy of the presentation may be obtained from the NNMCAB staff. (Yolanda.valdez@em.doe.gov or bridget.maestas@em.doe.gov)

Mr. Flynn introduced Ms. Amanda Trujillo, Senior Technical Adviser. Mr. Flynn stated that WIPP’s mission is to provide safe and compliant characterization, transportation, and disposal of the United States defense transuranic (TRU) waste. WIPP is a unique facility, and it is the only geological repository for TRU waste. WIPP has assisted 22 sites complete their TRU waste cleanup. WIPP has received 14,118 shipments and traveled 16.9 million safe miles. As of January 2024, WIPP has received 361 shipments of waste. WIPP is currently experiencing its safest performance year in 11 years and its strongest compliance record under the Mine Safety and Health Administration. Mr. Flynn then stated that WIPP was created under the LWA to remediate defense-generated TRU waste that meets their criteria. Mr. Flynn then provided information on the Hazardous Waste Facility Permit. The rest of the presentation discussed the capacity, challenges, and progress of the WIPP facility.

a. Questions

Ms. Martin asked if any of the closed panels have been allowed to be encapsulated.

Mr. Flynn stated that upon certified closure of a panel, a steel bulkhead door is installed, and a large amount of salt is placed over the door. Another bulkhead door is then placed over the salt. At that point, the current condition is unknown due to geological monitoring no longer taking place.

Ms. Martin asked if WIPP is still considering rail transportation to the WIPP facility.

Mr. Flynn stated that rail transportation is currently not under consideration.

Mr. Hayden asked when will WIPP’s capacity be reached based on the current projections.

Mr. Flynn stated that WIPP is currently at 44% capacity, and he cannot provide a date due to many variables.

Mr. Hayden asked if the definition of legacy waste would impact the amount of waste shipped to WIPP.

Mr. Flynn stated that it would not affect the amount of waste shipped to WIPP. The waste received at WIPP is established by the LWA and will have no bearing.

Mr. Hayden asked what salt reduction and salt pocket refurbishment are.

Mr. Flynn stated that the salt reduction building is designed to pull particles of salt from the air that is being ventilated out of the facility. Salt pocket refurbishment refers to an area beneath the salt hoist. The area has seen degradation, and a contractor is currently at the site replacing the structural steel.

Mr. Villegas asked what emergency management practices used at the WIPP facility can be taught to first responders who are responding to accidents outside of the DOE facilities.

1 Mr. Flynn stated that DOE shares lessons learned and WIPP Emergency Management is
2 always improving and planning. DOE is always looking for ways to strengthen
3 partnerships with local governments to protect the public.

4 Mr. L'Esperance stated that the State Police has jurisdiction over hazardous materials
5 management (HAZMAT) events. They determine what resources are needed to mitigate
6 the response.

7 Mr. Flynn stated that WIPP shipments are tracked by a global positioning system (GPS).
8 Every aspect of each shipment is tracked from the time it leaves the site perimeter. The
9 shipments are monitored by live individuals 24 hours a day, 7 days a week.

10
11 **X. Public Comment Period**

12 Mr. L'Esperance opened the floor for public comment at 4:33 p.m.

13 Scott Kovac, Nuclear Watch New Mexico, signed up for public comment. Mr. Kovac thanked
14 the NMED for revising the 2016 Consent Order.

15 With no further public comment, Mr. L'Esperance closed public comment at 4:34 p.m.

16
17 **XI. Adjournment**

18 Mr. Grindstaff stated that Environmental Management Site Specific Advisory Board Chairs
19 Meeting will be held in Oak Ridge, Tennessee the week of September 23rd-27th. Mr.
20 L'Esperance and Ms. Martin will be attending. Ms. Maestas sent out the Webex link if
21 anyone would like to attend remotely. A Risk Evaluation and Management Subcommittee
22 meeting will take place on October 2nd at 1:00 PM, via Webex. The next board meeting will
23 take place on November 13th at The Lodge at Santa Fe, Santa Fe, NM.

24 With no additional business to discuss, Mr. Grindstaff adjourned the meeting at 4:35 p.m.

25 **Certified By:**



26 11/12/2024

27 **Mr. Patricio Pacheco, Chair**

28
29 ***Minutes prepared by Yolanda Valdez, Executive Assistant, NNM CAB**

30
31 **Attachments**

- 32 1. Final NNM CAB Meeting Agenda for 09/18/2024
- 33 2. Candidate Statement, Mark Hayden
- 34 3. Candidate Statement, Patricio Pacheco
- 35 4. Candidate Statement, Mannuel L'Esperance
- 36 5. Presentation, "DOE and NMED Settlement Agreement for 2016"
- 37 6. Biography, Ryan Flynn
- 38 7. Presentation by Ryann Flynn, SIMCO, "Waste Isolation Pilot Plant"

39 **Public Notice:**

40 ***All NNM CAB meetings are recorded. The written minutes are intended as a synopsis of the meeting.**

Northern New Mexico Citizens' Advisory Board
September 18, 2024
Hotel Don Fernando de Taos
1005 Paseo Del Pueblo Sur
Taos, NM 87571
1:00 p.m. to 5:00 p.m. (MT)

(Please see WebEx Call-In Information Below)

AGENDA



<u>Time</u>	<u>Action</u>	<u>Presenter</u>
1:00 p.m.	Call to Order	Keith Grindstaff, Deputy Designated Federal Officer
	Welcome and Introductions	Patricio Pacheco, Chair
	Overview and Approval of Agenda	
1:15 p.m.	Old Business	
	a. Update from Chair and Vice-Chair	Patricio and Manny
	b. Update from Subcommittee Chairs	Mark and Beverly
	c. Report from Nominating Committee	Jose and Mark
1:30 p.m.	New Business	
	a. Candidate Statements	Patricio
	b. Election of Officers for FY 2025	
2:00 p.m.	Update from NMED	Ricardo Maestas, WIPP Group Manager Megan McLean, Environmental Scientist, WIPP Permitting Group
2:30 p.m.	Update from EM Los Alamos Field Office/N3B	Ellie Gilbertson/Cheryl Rodriguez, EM-LA Troy Thomson, N3B Environmental Remediation Program Manager
3:00 p.m.	Break	
3:30 p.m.	WIPP Update	Ryan Flynn, Vice President and ES&H Manager Salado Isolation Mining Contractors, LLC (SIMCO)
4:30 p.m.	Public Comment Period	
4:45 p.m.	Update from DDFO	Keith Grindstaff
5:00 p.m.	Adjourn	Keith Grindstaff, DDFO

Meeting number (access code): 2828 614 4149

Meeting password: Gg2m2C7kPBs

<https://doe.webex.com/doe/j.php?MTID=m752ddd3193cb8d7469b789785a6a2587>

Join by phone

+1-415-527-5035 US Toll

+1-929-251-9612 USA Toll 2

Mark R. Hayden

I have been nominated for Chair and Vice-Chair of the NNM CAB.



1. What encouraged you to run for office?

Having served as Chair of the Consent Order Subcommittee for the last 3 years, I have NNM CAB experience in handling meetings, presenting, providing leadership, working with DOE/EL-MA, and reaching out to the New Mexico Environment Department. Before my term is over in the fall of 2024, this is my final opportunity to serve as CAB Chair. After drafting recommendations each year, I have the knowledge to analyze, craft, present, useful advice to assist both DOE/EM-LA and N3B. I ask questions to help the CAB discuss matters and appropriate solutions.

I am a Chicago native with 34 years as an attorney following my engineering education. This experience includes private litigation representing Lloyds of London, Fortune 500 corporate work as assistant general counsel, and recently 10 years state government experience in four New Mexico agencies: Office of the Superintendent of Insurance, General Counsel; State Purchasing Agent and Director, Attorney for the General Services Department; Human Services Department, Assistant General Counsel.

I have a Law Degree from University of Wisconsin, a Bachelor of Political Science from Northern Illinois University, and engineering at both General Motors Electromotive Division in Illinois and Kettering University in Michigan. I currently serve as Homeowners Association President, Outdoor Committee Chair, member expert on the General Services Administration Federal Advisory Committee for sustainable purchasing best practices, the Northern New Mexico Citizens Advisory Board Consent Order Committee Chair overseeing the cleanup of waste at Los Alamos National Laboratory, and a local book club. I created a Sustainability Purchasing class based on materials obtained and seminars attended at the Conference of Parties (COP26) World Climate conference in Glasgow, Scotland.

2. What goals do you have for the next fiscal year?

The CAB needs to have more understanding of cleanup operations to make more intelligent decisions on proposals and to draft DOE recommendations. We also need to be more active in outlining the agenda, recruiting representative members, participation and training our team. Some goals include:

- a. Simplification of wording
- b. Charts to show clean up progress, cost and end state
- c. Public awareness through website upgrades
- d. Mentoring of CAB members
- e. Follow up on prior recommendations
- f. Recommending the Consent Order rewrite

3. Why do you feel you are best suited to lead the NNM CAB during the next fiscal year?

I have a long history of protecting the environment. As a 8 year old Cub Scout I spent many years harvesting newspapers, aluminum and steel from the neighborhood with my Radio Flyer wagon each week. I wore a green and white Eco Flag backpack when I went hiking and camping. After my Eagle Scout award, I acquired legal skills to write grants to preserve nearby wetlands from being drained for warehouses (local flooding occurred routinely when the county allowed construction companies to dig duck ponds in a swap to drain wetlands before I preserved 150 acres of natural spongy wetlands from planned drainage).

As the State Purchasing Agent, and now General Counsel for the NM Office of Superintendent of Insurance, I have pursued a vision and execution. Through meetings of the CAB, the organization has recognized me as an outspoken leader of change for continuous improvement. I have the talents of a lawyer, the savvy of a state employee manager, and attributes for political navigation. I have routinely run large meetings and spoken before many groups. As many of you know, I am very organized in both thought and action. I am a “*get it done*” guy.

4. How can the NNM CAB assist EM-LA and N3B as they strive to clean up legacy waste at LANL?

This CAB needs to better communicate what we expect, how we want it presented, and focus on clear delivery each way. We need follow up for EM-LA and N3B provide a status of our past CAB recommendations to help us make more meaningful advisory guidance going forward. Writing and speaking in simple words for the public to understand will help promote this effort. Rewriting the Consent Order, providing charts for clean up progress, and maintaining transparency will allow the CAB to access and analyze information to help guide future clean ups. We can learn from the actions of the other 7 CABs.

5. How can the NNM CAB best involve the public?

Our CAB needs to expand throughout the entire state like all the other CABs throughout the United States. At minimum our jurisdiction should include the entire transuranic waste shipment route from Los Alamos to WIPP. This will allow more public comment, participation, access and greater publicity for more parts of the state. WIPP has been a lightning rod for public comment and yet it is not in the CAB charter while national transuranic waste shipments have increased.

Patricio Pacheco



My Name is Patricio Pacheco I am a fellow Lifetime New Mexican born in Santa Fe New Mexico with generations of family that have made their home in this delightful community. I have been a member of the NMCAB for 4 + years and have served in numerous roles for the CAB from Vice Chair, and Chair of subcommittees to Vice Chair and Chair of the NNM CAB. I feel like I have the knowledge and qualities to be a great Chair or Vice Chair. Throughout my environmental science career, I have been continuously evolving around Los Alamos Legacy waste and environmental cleanup and contamination. Growing up in and near the community of Los Alamos has sparked my lifelong connection with the community and their continued concerns on Legacy waste. I Also still have a current connection to Los Alamos my family are there every day for my daughter's dance or school activities, and I also have many relatives that work in Los Alamos which is concerning given all the cleanup still needing to get done.

I hold a background in water rights administration and energy and water conservation program management in New Mexico. I am a graduate of Northern New Mexico College with a BS.Eng. EnvSci. a graduate of University New Mexico

with a A.S. In environmental science Natural resources science and management, and a graduate of Santa Fe Community College with a A.S. In Environmental management and hold numerous certificates. I enjoy raising my family in and around the Rio Grande valley. We have such a unique culture and passion here that is found nowhere else. I enjoy working with and engaging with the public. I also enjoy educating our children on environmental, water and energy efficient sustainable practices. I Have worked on soil contamination and have done research in Los Alamos on nutrients in the soil on pre and post fire and burn severity. I have also done water quality research in the Valles Caldera for the Nation Park Service. I would be a great delight to serve as Chair or Vice Chair.

Some goals that I would like to see occur for the NNM CAB is to become more transparent and better understanding to the public on legacy cleanup. Some of the items could be complex and hard for the public and members I would like to see workshops as we did this past summer to help with onboarding and understanding. I would also like to see some more presentations on progress of the cleanup and detailed charts of status and cost of the cleanup. The website has been getting talked about getting updated for the last few years I would like to see those website updates occur. It would be nice to see more CAB members involved in the subcommittees and get those subcommittees active again. Recruitment is another one of my concerns I would like to see more active CAB members.

Manny L'Esperance
Vice-Chair of the NNM CAB

Incumbent Vice-Chair seeking reappointment

Background:

Currently retired after serving 37 years at the Los Alamos National Laboratory. Beginning in 1984 I served in the Maintenance Operations Dept in an upward progression of roles from Maintenance Supervisor to Project Manager. As Supervisor, one of the projects overseen was the excavations at TA-54 i.e. Waste shafts, pits. Being one of the first Qualified HazMat Supervisors I oversaw a number of Environmental Restoration projects ranging from capping several of the MDAs at TA-21 to directing the remediation of characterised hazardous waste sites. I also designed, built and implemented the LANL Materials Recovery Facility responsible for removal of Hazardous Wastes from the municipal waste stream. During this period, I established the Support Services Spill Response Team, developed response protocols and training standards.

In 1996 I became certified as a FEMA HazMat Incident Commander and I was tasked with command of Incident Management Teams responding to HazMat, accident and or Injury incidents involving LANL resources. This included response on site as well as federal, state and local levels. In 2008 I was appointed Deputy Group Leader for Emergency Response responsible for 5 HazMat Incident Commanders and LANL Emergency Dispatch. During this period, I was assigned the Wildland Fire Program and in 2012 I assumed the role of Wildland Fire Program Manager full-time.

Career Highlights:

Environmental Restoration

Direct operations as Environmental Team Leader responsible for remediation of characterized hazardous waste sites. Responsible for development and implementation of overall site controls including site safety plans, work plans, decontamination, waste disposal and site restoration.

Waste Minimization

Team Leader responsible for the design, construction and implementation of the LANL Materials Recovery Facility. Directly responsible for site planning, training and coordination of operations implemented to reduce LANL solid waste disposal while increasing recycling revenues.

Emergency Response

Well over 800 emergency response actions during a 37-year span. Events ranging from emergency snow removal, hazardous materials spills, wildfire, vehicle accidents and personnel injuries.

Santa Fe Zone Board Chair

Served as Chairman of the Santa Fe Zone Board for 3 terms. The Zone board is composed of federal, state and local land management agencies and tasked with coordination of resources for wildland fire suppression

New Mexico Dept of Game and Fish

Reserve Conservation Officer, New Mexico Department of Game and Fish

Addressed issues concerning protected species on LANL facilities – Certified and Commissioned as a Reserve New Mexico State Conservation Officer.

CERTIFICATION

- Wildland Firefighter
- Wildland Fire Investigator
- OSHA Certified Hazardous Waste Operations Worker/Supervisor
- OSHA Certified Hazardous Materials Incident Commander Level 5
- FEMA Type III All-Hazard IC, Safety Officer, Planning Chief, Operations Chief
- DOT-Certified Hazardous Waste Shipper/Packager
- New Mexico Department of Agriculture Commercial Pesticide Applicator
- New Mexico Department of Game & Fish Commissioned Reserve Conservation Officer (retired)
- IAHN Certified Hostage negotiator
- State of New Mexico Certified Emergency Manager (retired)

Presently, in addition to serving as a *Board Member of the NNM CAB*, I serve on the following;

2023-Present Executive Board Member, Land of Enchantment Wildlife Foundation

Responsible for raising funds for the support of wildlife rehabilitation operations throughout the state of New Mexico.

2024-Present Board Member, New Mexico Dept of Game & Fish, Habitat Stamp Program Citizen Advisory Committee.

Responsible for working with program and project managers from Bureau of Land Management and United States Forest Service to represent NM public interest as it pertains to fish and wildlife habitat restoration projects that occur on public lands throughout New Mexico.

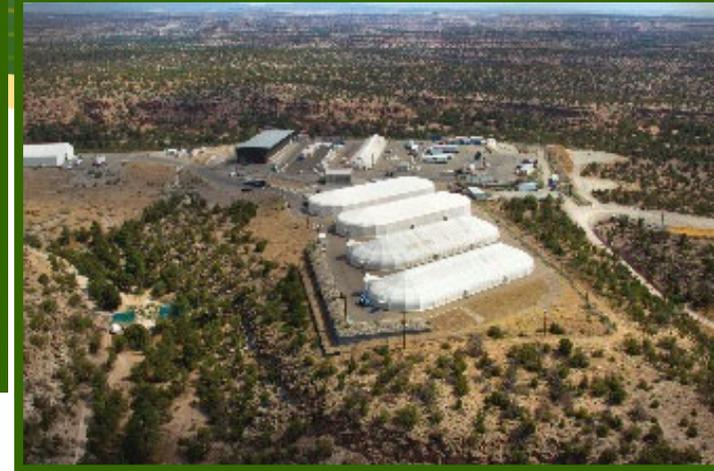
I believe my training and experiences as a Construction Supervisor, Fire/Fuel Manager, HazMat Responder, Wildland Firefighter, Incident Safety Officer and Law Enforcement Officer have provided me a unique skill set. I have a detailed knowledge of LANL Hazardous Waste from storage to packaging and shipping. Environment protection and worker safety has been a cornerstone of my career and remains a critical focus during my retirement.

I am grateful for the opportunity to serve on the NNM CAB and would be honored to continue to represent it as your Vice-Chair. I appreciate your consideration.



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DOE and NMED Settlement Agreement for 2016 Compliance Order on Consent



ENVIRONMENTAL MANAGEMENT
SAFETY ♦ EFFICIENCY ♦ TRANSPARENCY

Ellie Gilbertson, Deputy Manager
Environmental Management Los Alamos Field Office
September 18, 2024



On August 30, 2024, the U.S. Department of Energy (DOE) and the New Mexico Environment Department (NMED) executed a Settlement Agreement:

- Resolves litigation regarding 2016 Compliance Order on Consent (Consent Order), the principal regulatory document governing legacy cleanup at Los Alamos National Laboratory (LANL)
- Involves revisions to the Consent Order
- Includes \$333,000 payment to Hazardous Waste Emergency Fund
- Requires NMED to complete its review of 221 Certificates of Completion within a year of execution of Revised Consent Order
- Intended to compromise disputed claims; it does not constitute and shall not be construed as an admission of any wrongdoing, noncompliance, or liability
- Settlement Agreement and Revised 2016 Consent Order can be found [here](#) or on the DOE EM-LA website under Information Center / 2016 Consent Order





Section 8: Campaigns, Five-Year Schedules, and Annual Planning Process

- Establishes process for setting Campaign Completion Dates for each Campaign
- Clarifies process for prioritizing Campaigns
- Divides Campaigns into Class A and Class B Campaigns
 - Class A Campaigns: Campaigns with sufficient clarity on cleanup that a 5 year schedule can be developed. DOE and NMED establish: (1) Milestones for upcoming fiscal year and following fiscal year; and (2) a Campaign Completion Date (which could be beyond 5 year schedule). DOE is subject to stipulated penalties for missed Milestones and Campaign Completion Dates
 - Class B Campaigns: Too uncertain to establish a Campaign Completion Date at this time. DOE and NMED establish Milestones only for upcoming fiscal year, as well as nonbinding Targets for following two fiscal years. DOE is subject to stipulated penalties for missed Milestones





Section 11: Deferred Sites

- Specifies 4 circumstances when a site may be deferred:
 - Located within testing hazard zone of active firing sites at LANL
 - Associated with active LANL operations
 - Inaccessible due to land access issue
 - Another reason not addressed in the other 3 circumstances (subject to NMED approval)
- For sites deferred for active firing sites or facility operations, DOE must provide notice to NMED, confer with neighboring Pueblos and local governments, and notify public
- DOE to provide an annual report on status of all deferred sites





Section 23: Preparation/Review/Comment on Documents

- Changes regarding document review times to conform with applicable provisions of pertinent NMED regulations
- Clarifies timeframes by when NMED is to complete its review of documents

Appendix D: NMED Document Approval List and Review Timeframes (New)

- Specifies documents subject to NMED approval and document review times

Documents Subject to NMED Approval and NMED Review Timeframes

	Document	Section	Review Time (Days)
1.	Work Performed and Documentation Submitted under 2005 Consent Order	6.B	120
2.	Revised Interim Facility-Wide Groundwater Monitoring Plan	12.B	90
3.	RCRA Facility Investigation Work Plan	13.C	90
4.	RCRA Facility Investigation Report	13.G	120
5.	Area of Contamination Request	14.C	30
6.	Interim Measures Work Plan	15.C	90
7.	Interim Measures Report	15.D	120
8.	Emergency Interim Measures – Interim Measures Report	15.E	120
9.	Corrective Measures Evaluation Report	16.E and 16.G	280
10.	Corrective Measures Implementation Plan	18.B	210
11.	Corrective Measures Implementation Report	18.C	280
12.	Accelerated Corrective Action Report	19.D	120
13.	Presumptive Remedy Implementation Plan	19.E	150
14.	Presumptive Remedy Completion Report	19.E	180
15.	Certificates of Completion	21.B	120





Section 25: Dispute Resolution

- Disputes classified as either “technical” or “non-technical”
- Process differs depending on whether the dispute is “technical” or “non-technical”
 - **Technical Disputes:** Scientific or engineering disagreements
 - Seek resolution among first-tier officials at NMED and DOE
 - Referral to technical expert selected by mutual agreement
 - Expert decision is final and binding
 - **Non-Technical Disputes:**
 - Seek resolution among first-tier officials at NMED and DOE
 - NMED and DOE engage in non-binding mediation
 - Referral to agreed-upon third-party adjudicator
 - NMED or DOE may pursue judicial review of third-party adjudicator decision





Section 34: Public Participation, Pueblo and Local Government Conferrals, Independent Audits, and 10 Year Reviews

- Identifies public participation opportunities in Consent Order
- ✓ DOE hosts public meetings at least once per quarter
- ✓ DOE maintains email address for public comments or suggestions
- ✓ Distinguishes public meetings from Pueblo and local government conferrals
- Provides for independent audits (Appendix G details procedures for independent audits)
- DOE and NMED to conduct a review of Consent Order every ten years

✓ = Actions already implemented by DOE EM-LA

[Pages 79-81]

[Appendix G]





Section 36: Stipulated Penalties

- Missed Milestones are subject to stipulated penalties
- Missed Campaign Completion Dates are subject to stipulated penalties
- When a Milestone is extended beyond the fiscal year, it does not cease to be a Milestone. DOE and NMED agree on whether: (1) a substitute Milestone is established in lieu of the extended one; or (2) extended Milestone remains subject to stipulated penalties based on the extended date





Ryan Flynn
Vice President & Environment, Safety, and Health Manager

Ryan Flynn is a SIMCO Vice President and the Environment, Safety and Health Manager at the U.S. Department of Energy's (DOE) Waste Isolation Pilot Plant in New Mexico. Ryan's previous experience includes leading environmental and safety programs at Los Alamos National Laboratory and the Hanford Site. He previously served as the Secretary of Environment and Natural Resource Trustee for the State of New Mexico. Ryan served as a Judge Advocate General (JAG) in the United States Air Force Reserve and the New Mexico Air National Guard. He received his undergraduate degree from Harvard University, his law degree from the University of Arizona, and a project management certificate from Cornell University.



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WASTE ISOLATION PILOT PLANT

Northern New Mexico Citizens Advisory Board

September 18, 2024

Ryan Flynn

Salado Isolation Mining Contractors
Environmental, Safety & Health Manager

Waste Isolation Pilot Plant Mission



Our mission is to provide safe and compliant characterization, transportation, and disposal of the United States' defense transuranic (TRU) waste while protecting workers, the public and the environment.



Overall Mission Accomplishments

- **22** sites completed TRU waste cleanup
- **14,118** shipments received
- **16.9 million** safe loaded miles traveled



As of August 26, 2024

One Team – Focused on Safety and Quality



**U.S. Department of Energy
Carlsbad Field Office**

- Leads the Transuranic Waste Program
- Science Program



**Salado Isolation Mining
Contractors LLC**

- Manages and operates the WIPP facility
- Manages transportation logistics and packages
- Manages waste retrieval, characterization and certification
- Mobile loading



**Los Alamos
National Laboratory**

- Scientific advisor for waste characterization



**Aleut Aerospace
Engineering, LLC–
TRANSCOM**

- Satellite Tracking



**Sandia National
Laboratories**

- Scientific advisor for repository recertification



**CBFO Technical
Assistance Contractor**

- Technical and Quality Assurance support for the Carlsbad Field Office



Specialty Transportation, Inc.

**CAST Specialty
Transportation**

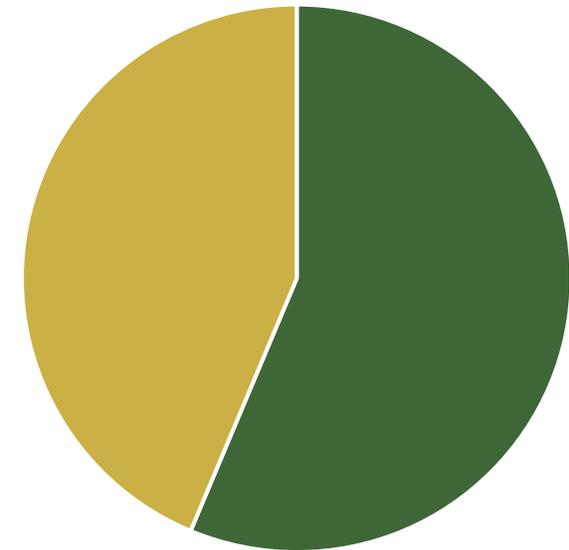
- Transportation carrier

WIPP TRU Waste Disposal

- WIPP Land Withdrawal Act (LWA)
- Defense generated transuranic
- Must meet WIPP Waste Acceptance Criteria
- WIPP transuranic waste capacity 6.2M ft³
 - Current volume capacity filled = 2.7M ft³ (~44%)



WIPP transuranic waste capacity
(cubic feet)



■ LWA remaining capacity

Update: Legacy TRU Waste Disposal Plan

- New Mexico Environment Department (NMED) issued the final Hazardous Waste Facility Permit effective on November 3, 2023.
- The following Permit condition was added:
 - 4.2.1.5 Legacy TRU Waste Disposal Plan
 - The Permittees shall define legacy TRU and TRU mixed waste and develop the Legacy TRU Waste Disposal Plan (Plan). The Plan will be developed in consultation with the generator/storage sites and stakeholders. Consultation with stakeholders shall begin within 90 days of the effective date of this Permit. The Plan shall be submitted to the Secretary within one year of the effective date of this Permit. The Permittees shall seek public input for 60 days following the submittal of the Plan and submit received comments to the Secretary. To the extent practicable as articulated in the final Plan, Panel 12 will be reserved for the disposal of legacy TRU mixed waste.

Consultations

Consultations

November 2023 Public Consultation, Santa Fe, NM
December 2023 Public Consultation, Carlsbad, NM
March 2024 Waste Management Symposium, Phoenix, AZ
May 2024 State & Tribal Government, Santa Fe, NM
June 2024 National Transportation Forum, Denver, CO
July 2024 Energy Communities Alliance, Wash., D.C.
July 2024 Nat'l TRU Program Users Group, Albq., NM

Generator/Storage Site	Definition*/Date
Argonne National Laboratory	Not defined/present.
Hanford Site	All waste (retrieved, buried and/or generated) prior to June 2000 is legacy waste.
Lawrence Livermore National Laboratory	Not defined/present.
Oak Ridge National Laboratory	Waste generated prior to EM transition is referred to as "legacy" waste.
Savannah River Site National Laboratory	Waste characterized by the Central Characterization Program (CCP) prior to the 2014 WIPP event.
Los Alamos National Laboratory	Waste generated prior to October 1, 1999.
Idaho National Laboratory	Stored waste generated on/prior to October 1995.
	<i>*As defined by the generator sites this may or may not include future decommissioning and decontamination waste streams.</i>

Challenges with the Legacy TRU Waste Disposal Plan

- Compliance/regulatory drivers (e.g., state/stakeholder agreements)
- Storage limitations at generator sites (e.g., storage capacity limits, time limits, radiological limits)
- Depletion of readily available containers in storage
- Container retrieval and processing
- Difficult waste streams

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US



- [LTWDP website](#)
- [LTWDP Fact sheet](#)
- LTWDP@wipp.doe.gov

2024 Waste Emplacement Goals

- Receive and emplace 520 waste shipments
- Minimum of 40 Los Alamos TRU shipments
- Carrier services increased to support up to 17 shipments per week



14,000 SHIPMENTS

since WIPP's opening, achieved on June 14, 2024.

Congratulations to our workforce for making New Mexico and America cleaner and safer.

Waste Emplacement and Mining Update

Panel 8, Room 5

- Room 6 filled, completed in April
- Began Room 5 emplacement

New Panel 11

- Panel 11 mining began December 2023
- Reached Panel 11, Room 1 in April
- Mining activities continue



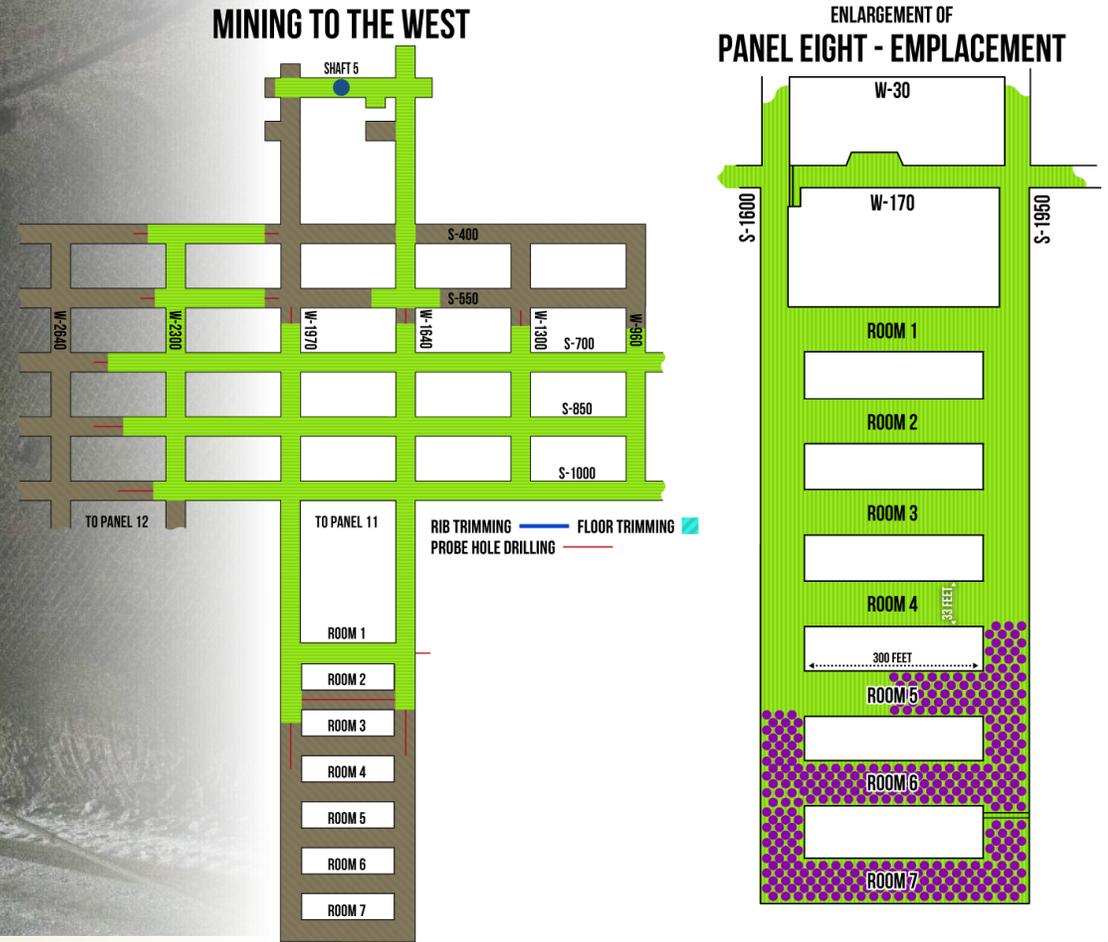
Above: Underground bolting in the West Mains

Below: Panel 8 waste emplacement

Underground West Mains Mining Progress



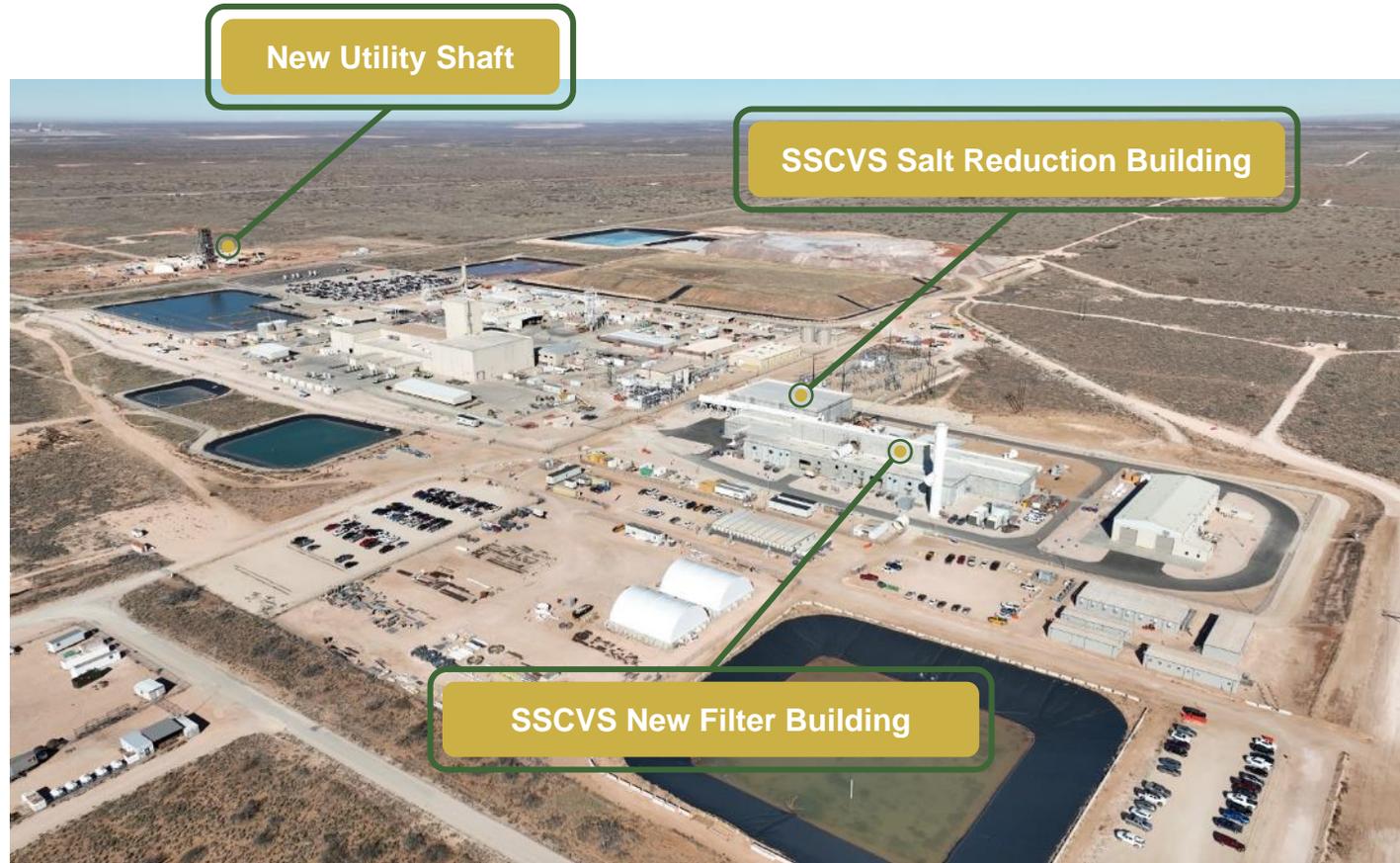
Above: Mining progress in the WIPP underground West Mains



UPDATED: JULY 22, 2024

Infrastructure Investments

- Projects will:
 - Reduce maintenance down time
 - Improve operational efficiencies
 - Enhance worker safety
- Safety Significant Confinement Ventilation System (SSCVS)
- New Utility Shaft
- Minor Construction Projects



Capital Project Safety Significant Confinement Ventilation System (SSCVS)

Increasing airflow to the underground up to 540,000 cubic feet per minute

Progress

- Construction completed in late May
- Overall project includes:
 - New Filter Building (NFB)
 - Salt Reduction Building (SRB)
- Rigorous systems testing underway
- Overall commissioning is on pace to be operational in 2026



Above: Equipment testing during SSCVS commissioning
Below: SSCVS final large duct work installation

New Utility Shaft and Plant Upgrade Projects



Lowering mining equipment down the new Utility Shaft

- New Utility Shaft Project
 - Providing higher-capacity air intake for the underground in conjunction with SSCVS
 - Shaft sinking and station development complete, horizontal drifts excavation underway
- Other Plant Projects
 - Salt pocket refurbishment project
 - Hoisting maintenance and upgrades

Stakeholder Outreach

We strive to build trusted relationships through honest and transparent communication and active engagement with our communities.



2024 progress

- Hosted first-ever DOE Regional Science Bowl
- WIPP 25th Anniversary
- Active in Carlsbad, Hobbs, Albuquerque chambers of commerce
- Volunteering for United Way giving, and STEM events for K-12 schools
- Maintaining stakeholder tour program

Left: Underground tour hosted for Carlsbad Chamber of Commerce Leadership program
Middle: The Carlsbad Department of Development recognized WIPP's 25th Anniversary
Right: WIPP employees volunteer at an Inspired by Science STEM night



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QUESTIONS?

