

Northern New Mexico Citizens' Advisory Board Meeting



September 26, 2018
1:00 p.m. to 5:15 p.m.
Sagebrush Inn
Taos, New Mexico

Minutes

Meeting Attendees

Department of Energy

1. Doug Hintze, Manager Environmental Management Los Alamos
2. Lee Bishop, Deputy Designated Federal Officer, Environmental Management Los Alamos
3. David Rhodes, Environmental Management Los Alamos
4. Selena Fox, Environmental Management Los Alamos
5. Sara Gilbertson, Environmental Management Los Alamos
6. Arturo Duran, Environmental Management Los Alamos

NNMCAB Members

1. Gerard Martínez y Valencia, NNMCAB Chair
2. Cherylin Atcitty
3. Beth Beloff
4. Elena Fernandez
5. Robert Hull
6. Roger Life
7. Daniel Mayfield
8. David Neal
9. Angel Quintana
10. Ulises Ricoy
11. Stanley Riveles
12. Steven Santistevan
13. Stephen Schmelling
14. Deborah Shaw
15. Irene Tse-Pe
16. Michael Valerio

NNMCAB Excused Absences

1. Max Baca
 2. Angelica Gurulé
 3. Jacquelyn Gutierrez
 4. Joshua Madalena
-

1 **NNMCAB Absences**

- 2 1. Alex Puglisi
- 3 2. Ashley Sanderson

4
5 **NNMCAB Staff**

- 6 1. Menice Santistevan, Executive Director
- 7 2. Bridget Maestas, Executive Assistant

8
9 **Guests**

- 10 1. Mark White, Taos County Community Distillery
- 11 2. Susan Lucas Kamat, New Mexico Environment Department DOE-Oversight Bureau
- 12 3. Joe Legare, N3B
- 13 4. Sunda Legare, Public
- 14 5. Susan McCarthy, LANL Cleanup Working Group
- 15 6. Deanna Lujan, Taos Pueblo Environmental
- 16 7. Dwayne Pecosky, Taos Pueblo Environmental
- 17 8. Bennett Jiron, Taos Pueblo Environmental
- 18 9. Tyler Romero, Taos Pueblo Environmental
- 19 10. Abran Lujan, Taos Pueblo Environmental
- 20 11. Eric Castillo, US Senator Martin Heinrich's Office
- 21 12. J.C. Laul, Consultant
- 22 13. Jean Stevens, Ranchos de Taos (T.E.F.F.)
- 23 14. Jeanne Green, Public
- 24 15. Cody Hooks, Taos News
- 25 16. David Trujillo, LANL
- 26 17. Kent Rich, N3B
- 27 18. Brian Shields, Public
- 28 19. Kristin Henderson, N3B
- 29 20. Mike Powers, Public
- 30 21. Allison Scott-Majure, N3B
- 31 22. Jessica Moseley, S&K Logistics
- 32 23. Steven Horak, Pro2Serve
- 33 24. Michele Jacquez-Ortiz, US Senator Tom Udall's Office

34 ***All NNM CAB meetings are recorded. Audio CD's and Video DVD's have been placed on file for review**
35 **at the NNM CAB Office, 94 Cities of Gold Road, Santa Fe, New Mexico, 87506. The written minutes are**
36 **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
4 on September 26, 2018 at the Sagebrush Inn Conference Center, Taos, New Mexico. Mr. Lee
5 Bishop, Deputy Designated Federal Officer (DDFO) stated that on behalf of the Department
6 of Energy (DOE) the meeting of the NNMCAB was called to order at 1:06 p.m.

7 Mr. Bishop recognized Mr. Gerard Martínez y Valencia, the NNMCAB Chair. Mr.
8 Martínez y Valencia presided at the meeting.

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

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

12 **a. Roll Call**

13 Ms. Bridget Maestas conducted roll call as the members arrived. At the call to
14 order, 16 members were present.
15

16 **III. Welcome and Introductions**

17 Mr. Martínez y Valencia welcomed the members and the public to the meeting. He
18 asked for introductions from the board members and all attending guests.
19

20 **IV. Approval of Agenda**

21 The board reviewed the agenda for the September 26, 2018 meeting.

22 Ms. Angel Quintana made a motion to approve the agenda as presented; Dr. Deb Shaw
23 seconded the motion. The motion to approve the agenda as presented was unanimously
24 passed.
25
26

27 **V. Approval of Minutes**

28 The board reviewed the minutes from the July 25, 2018 Board Meeting. By ongoing
29 instruction from DOE Headquarters, the minutes were previously reviewed and certified by
30 the NNMCAB Chair. Mr. Martínez y Valencia opened the floor to entertain a motion.

31 Dr. Stanley Riveles made a motion to approve the minutes as presented; Ms. Irene Tse-
32 Pe seconded the motion. Mr. Martínez y Valencia opened the floor discussion
33
34

35 Ms. Beth Beloff stated that on page 3, line 39, Mr. Beth Beloff should be changed to Ms.
36 Beth Beloff.
37

38 With no further discussion, the motion to approve the minutes as presented was
39 unanimously passed.
40

41 **VI. Old Business**

42 **a. Report on EM SSAB Chair's Meeting and EM Cleanup Conference**

43 Mr. Martínez y Valencia gave an overview of the EM SSAB Chairs meeting and the
44 National Cleanup Workshop. He noted that the Chairs meeting was a shortened meeting
45 in conjunction with EMAB and the National Cleanup Workshop. Mr. Martínez y Valencia
46 stated that when they presented the recommendation regarding DOE Order 140.1, half
47

1 the members did not know what they were talking about and the resolution remained
2 flat and did not result in a Chairs recommendation. He noted that each Board would
3 have to take it up with their own Boards.
4

5 Dr. Riveles stated that his takeaway from this meeting was a better understanding
6 of the diversity of the sites and their perspectives. He noted that they come at it from
7 different points of view because of the nature of their sites. Dr. Riveles provided a
8 written report on the EM SSAB Chairs meeting and the National Cleanup Workshop.
9

10 **b. Consideration and Action on Draft Recommendation 2018-03, "Interface with Defense**
11 **Nuclear Facilities Safety Board"**

12 Ms. Beth Beloff stated that she would personally favor going back to the original
13 language of the recommendation if the NNM CAB were to vote on the recommendation
14 and that they recommend that the Order which has been in effect since May without
15 public hearings, be suspended until these clarifications have been manifest. She noted
16 that it is consistent with both Senator Heinrich and Senator Udall's offices have
17 recommended in the letter to Secretary Perry.
18

19 Mr. Martínez y Valencia opened the floor to entertain a motion.
20

21 Mr. Steven Santistevan made a motion to approve the Recommendation 2018-03,
22 "Interface with Defense Nuclear Facilities Safety Board;" Ms. Cheryl Atcitty seconded
23 the motion. Mr. Martínez y Valencia opened the floor discussion.
24

25 Mr. Danny Mayfield asked Dr. Riveles about the first recommendation, it was for
26 complex wide approval, and now they are asking the NNM CAB to approve for site-
27 specific. He asked if it would be taken back to the Chairs for site-specific approval.
28

29 Mr. Martínez y Valencia stated that this would be up to each individual site to move
30 forward on this and not DOE wide. He noted that it would go to Mr. Hintze and would
31 be moved forward to EM-1.
32

33 Mr. Bishop stated that the other Boards are not obligated to approve or consider
34 this recommendation, but if the Board were to pass this recommendation or a version
35 as amended, then it would be processed as any other recommendation. Mr. Bishop
36 noted that it has Headquarters implications so they would forward it to Headquarters to
37 fashion a response to the NNM CAB.
38

39 Ms. Beloff stated that she is in line with Mr. Mayfield in sharing the
40 recommendation with the other advisory Boards.
41

1 Dr. Riveles stated that if it were on the NNMCAB and they were to send a strong
2 message to Washington, then he would have no problem with Ms. Beloff's suggestion.
3 He noted that if he thought there were a chance that other Boards would consider the
4 issue, then he would say stick to this recommendation.

5
6 Ms. Beloff stated that on line 100 the recommendation should read, "recommends
7 that DOE suspend Order 140.1 until clarification of the outstanding issues as soon as
8 possible." She noted that on line 101, it should read, "The NNMCAB requests such
9 clarification through the EM site manager and the DNFSB representative at LANL and at
10 public forums, if available."

11
12 Mr. Mayfield stated that on line 102, strike ",if available." He also noted that on line
13 125 insert a line indicating what the lifecycle estimate is for site specific for New Mexico
14 for environmental cleanup.

15
16 Dr. Riveles stated that he would like to get a reference to WIPP in the
17 recommendation.

18
19 Mr. Bishop stated that on line 119, item 8, has a reference to WIPP.

20
21 Mr. Martínez y Valencia asked for a show of hands to approve Recommendation
22 2018-03, with modifications, the motion to approve the recommendation as amended
23 passed.

24 **c. Other Items**

25 Mr. Mayfield stated that regarding repository disposal sites, where is all the waste
26 going, both on the EM and commercial sites. He requested a presentation sometime in
27 the future on all repository sites for both EM and commercial sites.

28
29 Mr. Bishop stated that he would take note of that and work it into future agendas.

30
31 **VII. New Business**

32 **a. Consideration and Action on "Recommendation Regarding Site-Specific Advisory
33 Board Involvement in Enhancing Stakeholder/Public Engagement"**

34 Mr. Martínez y Valencia stated that this recommendation was moved forward at the EM
35 SSAB Chairs meeting, but he was reluctant on this because more information is needed. He
36 noted that a similar recommendation was passed nationally at Paducah two years ago, and
37 recommended that it be tabled until the next meeting.

38
39 Mr. Schmelling stated that since this came from the Chairs meeting, they could vote up
40 or down. He noted that it could be tabled, but they would not be able to make any
41 modifications, so he does not see any reason to table it.

1 Mr. Martínez y Valencia stated that he wanted to look at the recommendation passed in
2 Paducah and then come back to this.

3
4 Dr. Riveles stated that the recommendation is pretty bland and non-committal and his
5 suggestion would be to vote on it, pass it and schedule a meeting on how the NNMCAB
6 could improve or augment our outreach.

7
8 Mr. Danny Mayfield made a motion to table the recommendation until the next
9 meeting, Mr. Bob Hull seconded the motion. By a show of hands, the motion to table the
10 recommendation was passed.

11
12 With no other items to discuss, Mr. Martínez y Valencia moved on to the next agenda
13 item.

14
15 **VIII. Presentation**

16 **a. Safety Oversight of Environmental Management Programs at LANL**

17 Sarah Gilbertson, DOE Environmental Management; gave a presentation to the
18 NNMCAB on "Safety Oversight of Environmental Management Programs at LANL." An
19 electronic copy of the presentation may be obtained from the NNMCAB website;
20 <http://www.energy.gov/em/nnmcab>. Video of the presentation and questions is also
21 available on the NNMCAB's YouTube Channel (NNMCAB).

22
23 **b. Questions**

24 Mr. Steve Santistevan asked, when there is an employee that is going to work in the
25 field at a cleanup site, how much training does that employee need to have and do
26 they need to demonstrate any level of competency prior to going out into the field.

27
28 Ms. Gilbertson stated that each task requires different sets of training. She noted
29 that one thing they do for all workers in the field is, require them to be a qualified
30 nuclear worker. The training is prescribed off their job duties and each job has an
31 Integrated Work Document.

32
33 Mr. Bob Hull asked about the hierarchy of controls in past operations, where they
34 have had to use remote controlled excavators, build temporary facilities over
35 trenches. How are they budgeted for going forward for the more complex areas, for
36 example, MDA C.

37
38 Ms. Gilbertson stated that DOE Order 420.1 C is Nuclear Facility Safety and it
39 dictates how you go about doing design. There are additionally other design
40 requirements that flow down from there. She noted that DOE Order 413 which tells
41 you capital project management. There are critical decision phases to go through; 1)
42 demonstrate the need for the facility, 2) go through the design work, and 3) go

1 through the documented safety analysis. She noted that there are many requirements
2 to go through before a nuclear facility is actually built.

3
4 Ms. Beth Beloff asked, since workers have been empowered to talk about safety
5 issues, have there been any whistleblowers.

6
7 Ms. Gilbertson stated that they would not go through her anyway, but if they feel
8 like they are not comfortable talking to her they could go through Mr. Bishop or Mr.
9 Hintze, they are all very receptive to safety concerns.

10
11 Mr. Stephen Schmelling asked what kind of changes to the program were made
12 following the rupture of the drum at WIPP and what have they done in the meantime
13 so it does not happen again.

14
15 Ms. Gilbertson stated that they have done a number of things, the safety culture is
16 one of the things that they have really emphasized since then. She noted that
17 immediately after the incident, they followed their requirements and did an
18 investigation. She noted that they had corrective actions which came out of that,
19 judgement of needs, and they were entered into their issues management system,
20 where they are responsible for resolving those issues.

21
22 Ms. Irene Tse-Pe asked, as far as human nature, people have off days and a worker
23 has a page full of procedures to follow each day, how do you ensure they don't take
24 shortcuts.

25
26 Ms. Gilbertson said that they account for human error rates, if it is a monotonous
27 type thing, you are going to make more mistakes because you got bored or need to
28 get stimulated. She noted that they set time limits on how long workers are allowed
29 to engage in monotonous type work or they use a two man rule, where one does the
30 work and the other worker checks it. Ms. Gilbertson stated that another step is to try
31 to remove humans from the equation as much as possible.

32
33 Dr. Stan Riveles asked if Ms. Gilbertson's office participates in the DNFSB safety
34 evaluations and recommendations and what has been her experience in the
35 usefulness in those.

36
37 Ms. Gilbertson stated that she has never personally reviewed one, but she is
38 relatively new to the office. She noted that she is the DNFSB liaison for the office so
39 she does interact with them quite a bit.

40
41 Ms. Neelam Dhawan wanted to comment that NMED did issue the administrative
42 compliance orders when the WIPP incident occurred. She noted that there were a lot

1 of requirements where they updated their database and requirements so this mistake
2 would not happen again.

3
4 Dr. Ulises Ricoy asked if Ms. Gilbertson could talk about the RCT workers and the
5 training, specifically in New Mexico. He noted that it is not the same as that of a
6 nuclear operator. He asked, what is the education expectation EM would like to see in
7 workers in terms of safety awareness if they were to step foot on Laboratory
8 property.

9
10 Ms. Gilbertson stated that N3B is looking at an apprenticeship school at Northern
11 New Mexico College and the University of New Mexico where workers could get on
12 the job training.

13
14 **IX. Presentation**

15 **a. Update on Consent Order Execution**

16 Doug Hintze, DOE EM, Arturo Duran, DOE EM, and Neelam Dhawan, NMED; gave a
17 presentation to the NNM CAB on "Update on Consent Order Execution." An electronic
18 copy of the presentation may be obtained from the NNM CAB website;
19 <http://www.energy.gov/em/nnmcab>. Video of the presentation and questions is also
20 available on the NNM CAB's YouTube Channel (NNM CAB).

21
22 **b. Questions**

23 Mr. Stephen Schmelling asked what enforceable means.

24
25 Mr. Hintze stated that it means it is part of the Consent Order and there is
26 stipulations for fines and penalties within the Consent Order.

27
28 Mr. Steven Santistevan asked why there are large differences on the budget
29 spreadsheet in what was requested and what was enacted.

30
31 Mr. Hintze stated that one of the things at EM is that they are part of the budget
32 formulation process, and one of the things they look at is the hazard to the workers.
33 He noted that there are other sites out there like Hanford and Savannah River that
34 have waste tanks with high level waste that were built in the early 50s and both sites
35 have some of those tanks that are leaking. It is a matter of prioritization based on risk.
36 Mr. Hintze stated that at LANL, it would be worse to retrieve the waste from below
37 ground and place it above ground. He noted that you want to touch the waste one
38 time, dig it up, treat it and send it off. He stated that from a funding perspective, they
39 might say it is the number 1 priority, but from the DOE, the bigger priority may be to
40 empty the high level waste tanks because of the risks to the environment.
41

1 Ms. Elena Fernandez asked how does the public communications and hearing
2 process work with this order if the Consent Order allows N3B flexibility to switch
3 projects as needed.
4

5 Mr. Hintze stated that it does not allow N3B to do that. He noted that the Consent
6 Order is only signed by the DOE and NMED and any direction to N3B would flow down
7 from DOE.
8

9 Ms. Fernandez asked if there is a public hearing process.
10

11 Ms. Neelam Dhawan stated that for the annual planning process there is no hearing,
12 it is between DOE and NMED.
13

14 Dr. Stanley Riveles asked if DOE would be able to spend the \$220 million that they
15 got for this fiscal year, late in the year and will they be able to spend it and at the \$220
16 million rate. He also asked about the 10 year campaign that Ann White has asked for.
17

18 Mr. Hintze stated that they will not be able to spend \$220 million. The
19 appropriations came in the March timeframe, but they were spending at the \$190
20 million level. He noted that when the budget did come in, the Office of Management
21 and Budget gives them allocations in 30 day increments, meaning they did not get the
22 money to ramp up. Mr. Hintze stated that the second this is that contract to N3B was
23 not awarded until December and transition did not start until January and didn't take
24 over until April 30th. Mr. Hintze stated that N3B had to start up a brand new company.
25 Mr. Hintze stated that they had a Field Managers meeting before the National
26 Cleanup Conference and they submitted ten year plans. He noted that they believe
27 they can complete the cleanup program within that ten year period.
28

29 Mr. Martínez y Valencia stated that the NNM CAB normally assists the staff with the
30 priorities and asked if the Board would have that opportunity at the next combined
31 committee meeting.
32

33 Ms. Dhawan stated that the priorities have to be finalized by October, because
34 NMED has to make a public presentation in November.
35

36 Mr. Hintze stated that they normally sit down with the NNM CAB in the March
37 timeframe when they are starting the budget formulation process.
38

39 Ms. Beth Beloff asked for a map to visualize where the campaigns are and asked if it
40 would be possible to call a committee meeting to prioritize these campaigns.
41

1 Mr. Martínez y Valencia stated that he would bring it up with staff to see if it can
2 happen in October.

3
4 Mr. Schmelling suggested adding one or two sentences as a description at the start
5 of each campaign.

6
7 Mr. Martínez y Valencia noted that there was a request for an RDX update and the
8 staff was working on that.

9
10 Ms. Cherylin Atcitty stated that her concern was that some of the campaigns had
11 dates starting soon and with the NNMCAB making changes to the priorities, will it
12 impact the milestones or funding issues. She asked if it would be better to work on it
13 next year.

14
15 Dr. Riveles agreed with Ms. Atcitty to work on it next year and prepare well.

16
17 **I. Public Comment**

18 Mr. Martínez y Valencia opened the floor for public comment at 3:35 p.m.

19
20 Mr. Mark White thanked the members for going to Taos. He noted that he is a finance
21 PhD and studies innovation. Mr. White stated that there are lots of opportunities to explore
22 ways of adding value to the economy and he appreciates LANL's support of explorations
23 across New Mexico and in particular, Taos County. He noted that he is looking at a Taos
24 County distillery which will process potatoes from the San Luis Valley for retail sales and
25 provide Hispanos with opportunities to start their own labels. The other project, John
26 Nichols gave permission to put The Milagro Beanfield War on stage in Questa. He noted that
27 the best way to create employment for creative types, would be to combine it with Meow
28 Wolf to get people lined up around the block to see performances by actors and an
29 immersive art installation. Mr. White is hoping to get some advice from LANL on how to
30 switch the distillery that processes grapes to potatoes. He would also like to get advice on
31 fabrication of fun houses that can be moved from one acequia village to another. He noted
32 that he appreciates the support that LANL provides in economic development.

33
34 Ms. Jean Stevens thanked the Board for the opportunity to say a few words. She stated
35 that she has been a resident of Taos for 28 years and she is an alumni of the University of
36 California. Ms. Stevens stated that the United Nations were signing a nuclear disarmament
37 resolution and the people behind it won a Nobel Peace Prize in 2017. She noted that she
38 dreams of a time when all the countries in the world would sign on to this resolution. Ms.
39 Stevens stated that there are about 9 cities and pueblos in northern New Mexico that are
40 part of the Los Alamos Regional Coalition and it has been under recent investigations. She
41 proposes that the \$1 millions of funding be re-directed to the cleanup issues in Los Alamos.
42 Ms. Stevens also has great concerns that about \$25 billion is proposed for LANL over the

1 next 20 years to make the plutonium pit warheads. She noted that there is a history of a lot
2 of near misses, Chernobyl type near misses at Rocky Flats. Ms. Stevens stated that as a
3 down winder living in Taos, who has lived through the fires in Los Alamos, and has met a
4 firefighter who saw explosions coming up underneath the ground. She has great concerns
5 about investing \$25 billion into plutonium pit warheads when there is an arsenal that is way
6 beyond any other countries on the planet. She noted that the shelf life of the plutonium pits
7 are 85 to 100 years, we already have plenty, and the last ones were made in the 70's and
8 80's. Ms. Stevens believes that the \$25 billion should be invested in electric cars and to
9 research for getting off of fossil fuels and putting money into solar and wind power which
10 New Mexico is abundantly wealthy in.
11

12 Ms. Jeanne Greene stated that she did not prepare a statement, but wanted to remark
13 on some of the items discussed. She noted that she was hoping to hear the presentation on
14 the consent order before the citizen's comments. Ms. Greene thanked Ms. Beloff for
15 recommending suspension on Order 140.1, although she would say suspension until it is
16 determined what it means. She stated that it means that the DNFSB would not have access
17 to do inspections at LANL. Ms. Greene stated that it is not ok and she would suggest that
18 Order 140.1 needs to be completely suspended period. She noted that we need an oversight
19 agency and DOE cannot be its own oversight agency. Ms. Greene thanked Sarah for her
20 presentation, but to talk about black widows and soap in the bathroom, she stated that they
21 are not talking about soap in the bathroom, they are talking about serious accidents that
22 could affect the entire state or even the entire country. Ms. Greene stated that if you look at
23 maps of the plume of smoke that went over the Dixon Valley and the samples that have
24 been taken that show plutonium on top of Picuris Peak, there is Strontium-90 in Dixon, and
25 there is radioactive materials in our food. She noted that the DNFSB Board is the only one
26 that has had the nerve to say that we need some safety regulations here. Ms. Greene stated
27 that if safety is the prime focus, then why doesn't the Environmental Management office
28 demand that pit production be stopped until we don't have these safety accidents that
29 endanger all of us. Ms. Greene noted that on the consent order, please demand to go back
30 to the 2005 Consent Order because this consent order eviscerated that one and we no
31 longer have protection.
32

33 Ms. Michelle Jacquez Ortiz stated that she is with Senator Tom Udall's office and wanted
34 to clarify some of the questions that she had on some of the information that was presented
35 earlier. Ms. Jacquez Ortiz stated that there are three specific things that Senator Heinrich
36 and Senator Udall did related to the DNFSB.

- 37 1) August 29, 2018 - Sent a letter to the Energy and Water Subcommittee on
38 Appropriations to the ranking members, Alexander and Feinstein. The two requests
39 in this letter were, that the report language include a prohibition on any funds from
40 being used to support the DNFSB reorganization and language that suspended the
41 Order. Ms. Jacquez Ortiz stated that the reorganization was prevented by the
42 language in the bill, but the suspension on the Order did not stick.

- 1 2) September 5, 2018 - Sent a letter to Secretary Perry asking DOE to suspend the
2 Order and to give the DNFSB members time to provide comments and feedback
3 including issues raised by stakeholders at planned public meetings. She noted that
4 the meetings have not been identified yet.
5 3) September 14, 2018 - Sent a letter to the Chair of the DNFSB asking for a public
6 hearing in New Mexico so that the Board can better assess the impact of the new
7 Order that includes a heavy New Mexico perspective with our three DOE facilities.
8

9 With no further public comment Mr. Martínez y Valencia closed the comment period at
10 3:52 p.m.

11
12 **II. Update from EM-Los Alamos Field Office**

13 Mr. Hintze stated that he is happy about having an appropriation before the fiscal year
14 starts. He noted that the last time we had this was 1997. Mr. Hintze stated that it allows
15 them to prepare their baseline to start the ramp up process knowing that they are getting
16 the funds. Mr. Hintze stated that the M&O Contractor that operates the site is in
17 transition and the new company will take over November 1, 2018. Mr. Hintze stated that
18 as a result of the 3706 campaign, they continued to ship waste to Waste Control
19 Specialists (WCS) in Texas. He noted that there are 113 drums at WCS. He stated that a
20 feasibility study was delivered at the end of June and it identified three things:

- 21 1) The waste would be treated at WCS under a Nuclear Regulatory Commission
22 framework with the EPA and would cost upwards of \$300 million.
23 2) The waste would be brought back to Los Alamos.
24 3) They are conducting an extensive study with Sandia National Laboratory and
25 Savannah River National Laboratory to see if that waste has the chemical reactions or if
26 the energy has dissipated and could be shipped straight to WIPP.

27 Mr. Hintze stated that it could be close to another year before they can make a decision
28 on any of those options.

29
30 **III. Update from NMED**

31 Ms. Neelam Dhawan stated that for LANL they issues a new Class 1 permit modification
32 request for the new contractor, Triad which will be effective November 1st. She stated that
33 they gave two extensions for the milestones, one for R69 and the other for the
34 amendments plan and all other milestones have been met for this year. Ms. Dhawan
35 stated that for Chromium groundwater, the Interim Measure is working on the southern
36 boundary. She noted that they approved the conversion of CrIN-6 to CrEX-5. She stated
37 that they have agreed on the location of well R70 which will be east of CrIN-6 where they
38 found higher concentrations. She also gave the following updates:

- 39 • Phase I is ongoing and given an extension.
40 • NMED issued 26 certificated of completed for TA-21 on September 4th.
41 • Supplemental report for 3-mile canyon was approved on August 28th.

- They discovered a new SWMU 2014 in the middle of LA Canyon where they discovered PCB contamination.
- SEPs are all on time.

Ms. Dhawan stated that for WIPP, the Class 3 Permit Modification for panel closure was issued on September 7th and the volume of record discussions are ongoing, they issued the draft permit on August 6th and the public hearing is scheduled for August 23rd. WIPP shipments as of August 20th, they have received 216 shipments from Idaho, Savannah River, and WCS. She noted that 4,453 containers have been set in place. Ms. Dhawan stated that the next audit would be in the Spring and Summer of 2019.

a. Questions

Mr. Bob Hull asked of the feasibility study was a public report.

Mr. Hintze stated that he would have Ms. Santistevan send it out.

IV. Update from DDFO and Executive Director

Mr. Bishop, for the sake of staying on schedule, asked the members to review the Executive Directors report on the purple sheet. Mr. Bishop presented Mr. Martínez y Valencia with a certificate of appreciation for serving as the NNM CAB Chair.

Ms. Santistevan thanked Mr. Martínez y Valencia for serving two years as the NNM CAB Chair. She stated that there are four members going off the Board in April and the NNM CAB is recruiting new members. She asked that if any of the members knew of anyone wishing to serve on the Board to please let her know. Ms. Santistevan stated that the next meeting would be at The Lodge at Santa Fe and the NM Tumor Registry would be presenting on New Mexico cancer rates and autoimmune.

V. Wrap-up and Comments

Ms. Angel Quintana thanked the presenters.

Ms. Elena Fernandez thanked everyone for the presentations and answering her questions. She asked that in the future, the NNM CAB hears more about N3B and their infrastructure.

Dr. Stanley Riveles congratulated Mr. Martínez y Valencia for his excellent service as the NNM CAB Chair. He noted that it was a very interesting and action packed meeting. Dr. Riveles requested that N3B give a report on the programs that it is doing in the educational apprenticeship field to see how their public outreach is doing.

Mr. Stephen Schmelling thanked Mr. Martínez y Valencia for his leadership. He noted that it was a really interesting meeting and that they covered a lot of topics; it took longer than expected but it was worthwhile.

1
2 Ms. Cherylin Atcitty thanked everyone and asked that the members travel safely.

3
4 Mr. Roger Life thanked Mr. Martínez y Valencia for his service. He thanked everyone for
5 the presentations.

6
7 Mr. Steven Santistevan thanked the presenters. He noted that he believed the meeting
8 was very worthwhile and important topics were covered. He thanked Mr. Martínez y
9 Valencia for his leadership and looks forward to having Dr. Riveles as the new Chairman.

10
11 Ms. Beth Beloff thanked everyone for their presentations. She thanked Mr. Martínez y
12 Valencia for his leadership and also stated that she is sad to see Mr. Bishop reassigned and
13 would like to see if he could stay. Ms. Beloff looks forward to Dr. Riveles' leadership.

14
15 Mr. Bob Hull thanked Mr. Martínez y Valencia for his service and appreciates Dr. Riveles
16 stepping up as Chair.

17
18 Mr. David Neal thanked Mr. Martínez y Valencia for his service and the presenters for
19 the great presentations.

20
21 Mr. Danny Mayfield welcomed everyone at the meeting, especially the new members.
22 He stated that Mr. Bishop is phenomenal and an asset to the organization he
23 represents. Mr. Mayfield noted that he has learned so much from Mr. Bishop and he has
24 always been forthright and honest and will be sorely missed.

25
26 Mr. Martínez y Valencia thanked the public for being there and for their public
27 comments.

28
29 **VI. Adjournment**

30 Mr. Bishop stated that the next meeting would be November 7, 2018 and that it would
31 be his last meeting. Mr. Bishop thanked Mr. Martínez y Valencia for his service.

32
33 With no additional business to discuss, Mr. Martínez y Valencia adjourned the meeting
34 at 5:27 p.m.

1 **Respectfully Submitted,**



2
3 **Mr. Stanley Riveles, Chair, NNM CAB**

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

5
6 **Attachments**

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- 7 1. **Final NNM CAB Meeting Agenda for 09/26/2018**
 - 8 2. **Final NNM CAB Meeting Minutes for 07/25/2018**
 - 9 3. **Draft Recommendation 2018-03, "Interface with Defense Nuclear Facilities Safety Board"**
 - 10 4. **EM SSAB Chairs Recommendation to the Department of Energy, "Recommendation Regarding**
 - 11 **Site-Specific Advisory Board Involvement in Enhancing Stakeholder/Public Engagement"**
 - 12 5. **Presentation by Elizabeth Gilbertson, "Nuclear Safety: What it Means at Los Alamos National**
 - 13 **Laboratory"**
 - 14 6. **Presentation by Doug Hintze, "2016 Compliance Order on Consent Progress Update"**
 - 15 7. **Handout, 2016 Compliance Order on Consent – Appendix B Milestones and Targets**
 - 16 8. **Handout, Biography, Arturo Duran, Presenter at the September 26, 2018 NNM CAB Meeting**
 - 17 9. **Report from the Executive Director, Menice Santistevan**

1 **Public Notice:**

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