



**DEPARTMENT OF ENERGY**  
Environmental Management Los Alamos Field Office (EM-LA)  
Los Alamos, New Mexico 87544

EMLA-2022-0243-02-001

Date: March 16, 2022

Ms. Cherylin Atcitty, Chair  
Northern New Mexico Citizens' Advisory Board  
94 Cities of Gold Road  
Santa Fe, NM 87506

Subject: Response to NNM CAB Recommendation 2021-02

Reference: 1. NNM CAB Draft Recommendation 2021-02, Subject: *Clean Up Milestones, Targets and Goals Under the Consent Order*, Approved: September 22, 2021

Dear Ms. Atcitty:

The following letter provides a written response to your recommendation referenced above. These responses address the Recommendation 2021-02, "Clean Up Milestones, Targets and Goals Under the Consent Order" approved by the Northern New Mexico Citizens' Advisory Board (NNM CAB) during the September 22, 2021 meeting.

**Recommendation 1:**

"Creating a general public presentation, written in layman's terms and Gantt charted to illustrate progress, including fiscal reporting to show spending for each of the campaigns on a quarterly basis, for expenditures to date, and budgeted total spending for each campaign. Reporting frequency is recommended Quarterly to provide the NNM CAB with an opportunity to comment throughout the year rather than annually. If Electronic Public Reading Room references are provided by EM-LA as supporting material, the NNM CAB recommends including a summary of that material and attaching links directly to the reading room materials."

**EM-LA Response: DOE accepts this recommendation**

Environmental Management Los Alamos Field Office (EM-LA) acknowledges there have been several recent presentations given to the NNM CAB that were very technical for a general public audience. We are working internally and with Newport News Nuclear BWXT-Los Alamos, LLC (N3B) to ensure future presentations are developed in layman's terms. The Department of Energy (DOE) will provide updates on the accomplishments and progress bimonthly. DOE will provide the annual 2016 Compliance Order on Consent (2016 Consent Order) accomplishments that are sent to the New Mexico Environment Department (NMED). DOE and N3B both provide accomplishments bimonthly at the Board meetings, including budget updates. DOE commits to providing additional details in plain language to the NNM CAB in all exchanges. DOE will provide direct links to materials in the Los Alamos Legacy Cleanup Electronic Public Reading Room (EPRR). At least annually, DOE will present on the fiscal year budget and provide routine updates.

**Recommendation 2:**

“The NNM CAB recommends all milestones and targets should be tied to achieving the end state for each campaign.”

**EM-LA Response: DOE accepts this recommendation**

DOE collaborated closely with NMED to define the milestones necessary to meet the end state for campaigns based on the risk. By definition, all campaigns are focused on end-states. DOE will improve communications to show this linkage more clearly. EM-LA is developing a five-year work plan that integrates work scope, budgets, and a longer-term look at priority campaigns. Additionally, EM-LA is developing a 20-30 year strategic vision that will incorporate stakeholder input and feedback from the community.

**Recommendation 3:**

“The NNM CAB recommends EM-LA review Appendices B and C to reformat them as recommended above, providing supplementary information regarding additional out-years beyond the two currently shown.”

**EM-LA Response: DOE is unable to accept this recommendation**

The 2016 Consent Order Appendix B format and content is not available for modification. Appendix B is aligned with the federal budget lifecycle and DOE does not intend to change it at this time.

**Recommendation 4:**

“The NNM CAB recommends EM-LA create a supplementary document to complement the annual progress report of achievement of campaign milestones listed in Appendix C, as well as information about how EM-LA has conducted its risk prioritization, ensuring they will be recorded and summarized in a supplementary document maintained on the N3B and NNM CAB websites and updated annually to provide a public overview of accomplishments and strengthen the sense of progress toward cleanup completion including Gantt charts.”

**EM-LA Response: DOE accepts this recommendation in part**

Part of the Consent Order process is to update both Appendix B and Appendix C each year once negotiations are complete. The most recent update to Appendix B and Appendix C is provided in the EPRR posted on December 3, 2021. The hyperlink for the Appendix B/C update is: [Transmittal of Updated Fiscal Year 2022 Appendices A, B, and C](#), the hyperlink for Fiscal Year 2021 Consent Order accomplishments is: [Fiscal Year 2021 Consent Order Accomplishments](#). However, the Department of Energy uses P6 and will continue to use this, and does not intend to allocate additional resources to convert to a Gantt chart. The product output of the two systems is comparable.

**Recommendation 5:**

“The NNM CAB recommends scheduling public outreach meetings and provide the projected year’s meeting schedule at the start of the fiscal year. The NNM CAB also recommends reporting on LA communications (how many newsletters, how frequent publication dates are scheduled, and how often the website will be updated. We intend these meetings and communications will become public outreach targets and milestone metrics for the campaigns going forward.”

**EM-LA Response: DOE accepts this recommendation in part**

As part of EM-LA's commitment to ongoing community and stakeholder engagement, we will continue to conduct Environmental Management Cleanup Forums virtually and will evaluate additional public meetings based on the status of COVID-19 and DOE guidelines. EM-LA will provide the NNM CAB with a projected year's meeting schedule at the start of each fiscal year.

In addition, the NNM CAB meets monthly, and the staff distributes the agendas, meeting materials, and public meeting notices routinely to its large distribution list.

Additionally, EM-LA is coordinating with the National Nuclear Security Administration Los Alamos Field Office, Triad, and N3B to develop an Events calendar that includes all public meetings across the agencies. Once completed, EM-LA will provide this quarterly to the NNM CAB.

At this point, EM-LA does not intend to set metrics for public outreach targets as milestones for Consent Order campaigns moving forward.

**Request 6:**

"The NNM CAB recommends a re-prioritization of all campaigns on the basis of risk, as the campaigns have not changed over time in coordination with the Risk Committee recommendations."

**EM-LA Response: DOE accepts this recommendation**

EM-LA worked with the DOE Environmental Management Consolidated Business Center (EMCBC) and N3B to update the Integrated Priority List (IPL) for Fiscal Year (FY) 2022, which is risk-based by design. These changes were prioritized with DOE EM-HQ and based on a continuing resolution (CR) authority of \$226M for FY 2021. The IPL supports the EM-LA mission and the agreed FY 2022 milestones with NMED.

EM-LA has been working on a Federal Lifecycle Baseline for the past year, which is estimated to be completed by early summer. The document is based on the appropriated budget amount for the past two years for the entire life cycle. Once the document has been released, EM-LA will provide the NNM CAB with an overview presentation.

Finally, EM-LA is working on a 20-30 year strategic vision for the legacy waste mission. We will share the document with the NNM CAB and they will be a key part of consulting as a stakeholder group.

**Request 7:**

"The NNM CAB recommends identifying what campaigns and specific clean up actions within the long-term goals have been or will be accelerated as a result of an increase in the FY21 annual budget and the savings due to Covid-19 related clean up spending reductions."

**EM-LA Response: DOE is not accepting this recommendation**

EM-LA is currently operating under a Continuing Resolution (CR) authority—\$226M for FY 2021—through March 11, 2022. The Appendix B FY 2022 Milestones were developed with a CR budget of \$226M. In the event Congress appropriates additional funds, after EM-LA collaborates with NMED on prioritizing additional work scope, this is the type of information we will share in the EM-LA Manager's updates to the NNM CAB.

EM-LA has not realized savings due to COVID-19 related to any clean up spending reductions. With a focus on continued operations and compliance with safety protocols for COVID-19, EM-LA realized cost increases operating under COVID-19 restrictions.

If you have any questions, please contact our NNM CAB Deputy Designated Federal Officer, M. Lee Bishop at (505) 257-7902 or [lee.bishop@em.doe.gov](mailto:lee.bishop@em.doe.gov).

Sincerely,

**Michael A.  
Mikolanis**

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