



*A U.S. Department of Energy
Site-Specific Advisory Board*

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September 30, 2019

Mr. Doug Hintze, Manager
Environmental Management Los Alamos Field Office
3747 West Jemez Road, MS A316
Los Alamos, NM 87544

Dear Mr. Hintze,

I am pleased to enclose Recommendation 2019-03 "Reconstitution of Standing Committees," which was approved by the Northern New Mexico Citizens' Advisory Board during its meeting on September 25, 2019.

Please contact me if you have questions regarding this recommendation. We look forward to the response from the Department of Energy.

Sincerely,

Stanley Riveles
Chair, NNMCAB

Enclosure: a/s
Cc w/encl:
U. S. Senator Tom Udall
U. S. Senator Martin Heinrich
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NORTHERN NEW MEXICO CITIZENS' ADVISORY BOARD
Recommendation to the Department of Energy
No. 2019-03
Reconstitution of Standing Committees
Drafted by: Robert Hull and Stanley Riveles

Background

Greater transparency, more information, and better-informed advice and recommendations have been goals that the Northern New Mexico Citizens' Advisory Board (NNMCAB) has recently pursued. Over the past several years, the NNMCAB has approved Recommendations to help achieve those goals. To support these current priorities, this Recommendation proposes a support structure to implement them going forward. It establishes three new standing committees.

Transparency was the subject of Recommendation 2019-02 (Reference 1). We requested that Environmental Management Los Alamos (EM-LA) supplement the Consent Order with additional information that would enable us and the wider public to better understand the issues and premises underlying the Consent Order and the annual updates, along with the underlying risk analyses. Greater and more systematic information flow was the objective of Recommendation 2019-01 (Reference 2). As a result, the NNMCAB is receiving two separate, detailed monthly reports in written form to supplement the power-point briefings on current topics EM-LA presents at our monthly meetings.

In addition to these Recommendations, the NNMCAB has conducted a number of discussions on the topic of public engagement. It approved a general call for new thinking and greater efforts on behalf of community engagement in approving the Environmental Management Site Specific Advisory Board Chairs' recommendation presented at our November 2018 (Reference 3) meeting.

The NNMCAB bylaws authorize wide discretion to create and modify subcommittees to meet current needs. It has the ability under the bylaws (Reference 4) to "establish its Committees prior to the beginning of each fiscal year to reflect the Board's approved work plan for that year. Each Committee so established will submit before October 1st, an annual work plan for approval by the Board and DOE." The NNMCAB can also establish ad hoc committees or task forces as it deems necessary. (Reference 4, V. Board Structure, C.)

Standing committees are responsible for producing draft proposals or information for the full Board. Before presenting a recommendation to the Board, the standing committee shall have passed the recommendation by majority vote of the members attending the meeting. As amended on May 22, 2008, the standing committees will meet independently of the Board. The committee meetings shall be open to the public, held in public locations and advertised on the NNMCAB website. While the bylaws are silent on this, if a quorum of NNMCAB members is present at a committee meeting, then all the public notifications and protocols for a full Board meeting must be followed.

In accordance with the bylaws, the election of the Chair for the standing committees will occur annually, or as necessitated by vacancies. Standing committees may, at their discretion, internally select, elect, appoint, or remove committee Co-Chair or Vice-Chair (either title bearing the same intended meaning), from among only the properly appointed Board members of the Board.

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Comments and Observations

There is a consensus within the NNM CAB that the existing standing committees, the Environmental Monitoring and Remediation Committee, and the Waste Management Committee, no longer serve current priorities. They have not had active agendas for at least a year, and most of the committee members have since terminated after fulfilling their 6-year terms. These committees were formulated a few years ago to address the issues that were cogent to the NNM CAB at that time. Dissolving them is in no way a reflection on their actions, effectiveness, management, or willingness to support the NNM CAB.

Given the NNM CAB’s current priorities as reflected in its Recommendations over the past couple of years, a new structure is desirable. Moreover, changes to the Environmental Management Program at Los Alamos also point in the direction of new needs: The addition of a support services contractor, the current Consent Order Process, and current environmental risk issues such as the chromium contamination plume, suggest the relevancy of reconsidering the NNM CAB’s subcommittees to reflect these current conditions. Constituting new committees requires that they be established very soon for them to meet and submit annual work plans for approval by the Board and the Department of Energy (DOE) in accordance with the NNM CAB bylaws.

Recommendations

1. The NNM CAB recommends that we dissolve the two current standing committees:
 - a. The Environmental Monitoring and Remediation Committee, and
 - b. The Waste Management Committee
2. The NNM CAB further recommends we establish the following standing committees:
 - a. The Committee on Consent Order Campaigns and Milestones (Consent Order Committee) – Pursuant to the Recommendations in the NNM CABs’ approved Recommendation 2019-02, it will be the Consent Order Committees’ responsibility to
 - i. develop a detailed Work Plan for implementing the Recommendations on Improving the Utility of the Consent Order with Supplementary Information, and
 - ii. the committee will work with EM-LA and New Mexico Environment Department (NMED) to ensure implementation.
 - iii. Note that since this committee only addresses the Consent Order it therefore only addresses hazardous material legacy waste, and radioactive legacy waste only to the extent that it is co-mingled with hazardous legacy waste.
 - b. The Committee on Risk Evaluation and Management (Risk Committee) – Pursuant to the Recommendations in the NNM CABs’ approved Recommendation 2019-02, it will be the Risk Committees’ responsibility to:
 - i. develop a Work Plan and to determine how best to understand and evaluate risk issues from hazardous and radioactive legacy waste at LANL, and
 - ii. to propose to the NNM CAB how to implement Recommendation 2019-02 for risks related to both hazardous and radioactive material legacy waste, and the

- 90 c. The Committee on Public Outreach (Public Outreach Committee) – as an often-mentioned
91 responsibility of the NNMCAB, the Public Outreach Committee will:
92 i. develop a Work Plan and to formulate and institute methods to assist and engage our
93 respective community constituents in legacy waste issues, and
94 ii. present the issues and concerns of our community constituents to the Board, NMED,
95 and DOE EM-LA concerning legacy-waste management at Los Alamos National
96 Laboratory.
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98 **Intent**
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100 It is the intent of the NNMCAB to work as efficiently and effectively as possible to implement our
101 current priorities. Establishing these three new standing committees should help to reinvigorate
102 committee involvement and enhance the NNMCABs effectiveness to provide the advice and
103 recommendations to the DOE EM-LA on current affected communities concerns and issues which is a
104 major part of our mission. These recommendations are presented to further that goal.
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106 **References**
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109 1. Recommendation 2019-02, “Improving the Utility of the Consent Order with Supplementary
110 Information,” June 19, 2019.
111 2. Recommendation 2019-01, “DOE EM-LA Monthly/Quarterly Reporting of Legacy Waste
112 Management Activities,” April 10, 2019.
113 3. EMSSAB Chairs Recommendation to the Department of Energy Regarding Site-Specific Advisory
114 Board Involvement in Enhancing Stakeholder/Public Engagement, September 11, 2018.
115 4. NNMCAB Bylaws, Current NNMCAB Bylaws updated September 24, 2008,
116 <https://www.energy.gov/sites/prod/files/2015/10/f27/bylaws.pdf>