

LOS ALAMOS NATIONAL LABORATORY
OVERSIGHT COMMITTEE

REPORT
to the
FORTY-SEVENTH LEGISLATURE,
SECOND SESSION

December 2005
Legislative Council Service

Background of Committee

The Los Alamos National Laboratory Oversight Committee was originally created by the New Mexico Legislative Council in 2002 in response to Senate Joint Memorial 84 of that year. The New Mexico Legislative Council has subsequently re-created the committee in the 2003, 2004 and 2005 interims.

The committee wishes to acknowledge the cooperation of the Los Alamos National Laboratory and the National Nuclear Security Administration of the Department of Energy in keeping the committee informed of activities at the lab and of the competitive bid and selection process for the new management contract for the laboratory.

Committee Membership

Members of the committee this year were:

Rep. Roberto "Bobby" J. Gonzales, Co-Chairman
Sen. Phil A. Griego, Co-Chairman
Rep. Thomas A. Anderson
Sen. John T.L. Grubestic
Sen. Richard C. Martinez
Sen. William H. Payne
Rep. Jane E. Powdrell-Culbert
Rep. Debbie A. Rodella
Rep. Nick L. Salazar
Sen. William E. Sharer

Advisory members were:

Sen. Ben D. Altamirano
Sen. Mary Jane M. Garcia
Sen. Stuart Ingle
Rep. Ben Lujan
Rep. Jeannette O. Wallace

Work Plan

For the 2005 interim, the committee planned to receive updates and progress reports on the bid and award process for the new contract to manage Los Alamos National Laboratory (LANL). The work plan also reflected the committee's continuing interest in employment, computer security, educational and environmental cleanup issues at LANL.

Meetings of the Committee

The committee held four meetings during the 2005 interim: June 10, July 20, August 24 and November 4. A meeting originally scheduled for September and rescheduled for early October was cancelled due to a special legislative session. The June and July meetings were held in Santa Fe and the August and November meetings were held in Los Alamos.

At its July meeting, the committee heard a status report from Dr. Robert Kuckuck, the

director of LANL. Dr. Kuckuck discussed his goals for the laboratory in the transition period until the new contractor takes over in June 2006 and answered questions from committee members. The committee also heard from Edwin Wilmot and Anthony Lovato of the National Nuclear Security Administration, the office in the Department of Energy that is responsible for operations at the national laboratories. They explained the selection process for the new contractor and discussed possible effects of the new contract on employees, retirees, the community of Los Alamos and northern New Mexico.

The August meeting was a joint meeting with the Information Technology Oversight Committee. The committee heard from Richard Marquez, LANL associate director for administration, who brought the committee up to date on the contract selection process and recent events at LANL. The remainder of the meeting focused on information technology projects and computer security issues at LANL and an update from the Information Technology Commission.

The November meeting, a joint meeting with the Radioactive and Hazardous Materials Committee, was held in Los Alamos and focused on environmental issues at the laboratory. The committee heard a detailed report from representatives of LANL and the New Mexico Department of Environment on the consent order on environmental remediation. The committee heard presentations on LANL's environmental stewardship programs, water quality programs, air quality programs, and legacy waste status and on the use of technology developed at LANL in monitoring possible toxic emissions after Hurricanes Katrina and Rita. The committee also heard presentations by the Northern New Mexico Citizens' Advisory Board and the Coalition for LANL Excellence.

The committee hoped to meet with representatives of the winning bidder for the new contract for operation of the laboratory, but a delay in the decision by the Department of Energy on the award of the contract made this impossible to schedule before the end of the interim.

Appendix

Copies of the committee's work plan, budget, agendas and minutes are appended to this report.

APPENDIX

2005 APPROVED
WORK PLAN AND MEETING SCHEDULE
for the
LOS ALAMOS NATIONAL LABORATORY OVERSIGHT COMMITTEE

Members

Rep. Roberto "Bobby" J. Gonzales, co-chair
Sen. Phil A. Griego, co-chair
Rep. Thomas A. Anderson
Sen. John T. L. Grubestic
Sen. Richard C. Martinez

Sen. William H. Payne
Rep. Jane E. Powdrell-Culbert
Rep. Debbie A. Rodella
Rep. Nick L. Salazar
Sen. William E. Sharer

Advisory Members

Sen. Ben D. Altamirano
Sen. Mary Jane M. Garcia
Sen. Stuart Ingle

Rep. Ben Lujan
Rep. Jeannette O. Wallace

Work Plan

The Los Alamos National Laboratory Oversight Committee proposes to focus on the following topics this interim:

1. New Mexico-related issues in the bid and award process for the new contract to manage Los Alamos National Laboratory (LANL), including the effects of the provisions of the new contract on the state, on northern New Mexico communities and residents and on laboratory employees;
2. LANL computer security issues;
3. LANL employee workplace issues;
4. educational issues; and
5. environmental clean-up.

The committee has scheduled joint meetings with the Information Technology Oversight Committee and the Radioactive and Hazardous Materials Committee on issues of shared interest.

APPROVED MEETING SCHEDULE*

<u>Date</u>	<u>Location</u>
June 10	Santa Fe
July 20	Santa Fe
August 24	Los Alamos
(joint meeting with ITOC)	
September 20	Los Alamos
(joint meeting with RHMC)	
November 4	Española

*Approval for an October meeting may be requested if necessary.

**TENTATIVE AGENDA
for the
LOS ALAMOS NATIONAL LABORATORY OVERSIGHT COMMITTEE**

**June 10, 2005
Room 311, State Capitol**

Friday, June 10

10:30 a.m. **Call to Order
Roll Call**

10:45 a.m. **Proposed Committee Work Plan
Review Proposed Budget
Discussion of Proposed Issues for 2005 Interim
Review Meeting Dates**

Other Business

Adjournment

**MINUTES
of the
FIRST MEETING
of the
LOS ALAMOS NATIONAL LABORATORY OVERSIGHT COMMITTEE**

**June 10, 2005
Room 311, State Capitol**

The first meeting of the Los Alamos National Laboratory Oversight Committee for the 2005 interim was called to order by Senator Phil A. Griego, co-chair, at 10:40 a.m. in Room 311 of the State Capitol.

Present

Rep. Roberto "Bobby" J. Gonzales, Co-Chair
Sen. Phil A. Griego, Co-Chair
Sen. John T.L. Grubestic
Sen. Richard C. Martinez
Rep. Debbie A. Rodella
Rep. Nick L. Salazar
Sen. William E. Sharer

Absent

Rep. Thomas A. Anderson
Sen. William H. Payne
Rep. Jane E. Powdrell-Culbert

Advisory Members

Sen. Ben D. Altamirano
Rep. Ben Lujan
Rep. Jeannette O. Wallace

Sen. Mary Jane M. Garcia
Sen. Stuart Ingle

Staff

Tim Crawford
Ramona Schmidt

Senator Griego welcomed all to the Los Alamos National Laboratory (LANL) Oversight Committee meeting and asked the committee members to introduce themselves to the audience.

The committee reviewed the proposed dates for upcoming meetings. Staff informed committee members that a joint meeting has been scheduled with the Information Technology Oversight Committee for August 25. After further discussion and due to numerous conflicts by committee members with other meetings, the August 25 joint meeting was rescheduled to August 24 to be held in Los Alamos.

Senator Griego asked for discussion of proposed interim agenda items and noted that agendas are always subject to change. Requests for additional items will be referred to committee staff to add to future agendas. Senator Griego said that Brian Condit from the governor's office may have issues that need to be addressed at a future meeting and asked committee staff to contact Mr. Condit. The staff was also instructed to speak with staff from the Radioactive and Hazardous Materials Committee to review topics or issues that would need to be

presented to both committees and determine if a joint meeting between the two committees would be useful. During discussion about the feasibility of combining the two committees, Speaker Lujan noted that the missions and goals of the two committees differ enough to preserve both as separate committees.

Suggested agenda items for the July 20 meeting include:

- a report by the acting director of Los Alamos National Laboratory (LANL);
- a presentation from representatives of the Department of Energy and the University of California;
- an update on the proposed new contract for management of LANL; and
- an update on computer security issues by Department of Energy and National Nuclear Security Administration officials.

Senator Griego asked that California Senator Denise Moreno Ducheny be informed of future committee meetings.

Committee members requested an update on the educational component at the September 20 meeting scheduled to be held in Los Alamos.

Committee members reviewed the time line for the RFP for the new LANL management contract. Representative Rodella stated the current contract expires September 30. There has been discussion of extending the existing contract to allow an overlap between the University of California and the new contractor, with the new contractor taking over in June or July 2006. Representative Rodella said a concern of employees is the effect of possible changes in benefits pursuant to the new contract and the impact it may have on LANL staff who are close to retirement. Representative Rodella suggested a potential agenda topic may be the impact on state and local gross receipts tax revenues resulting from the new contract.

A member of the audience, Larry Hales, introduced himself as a consultant from Washington, D.C. He suggested it may be beneficial for the committee to meet with the bidders on the contract and express its concerns. A discussion occurred as to holding an additional committee meeting in October to have representatives of the bidders make presentations to the committee.

Senator Griego stated he would like representatives from the New Mexico congressional delegation to be present at the LANL Oversight Committee meeting when representatives of the Department of Energy and the University of California make presentations.

There was discussion as to the impact of the new contract on the LANL Foundation, particularly on scholarships and social programs funded by the foundation.

Senator Griego noted the committee is looking at a full agenda. He suggested it may be desirable to schedule a January committee meeting with the winning contractor in order to obtain any additional information that would be needed in regard to legislative recommendations by the committee. It was noted that interim committees are expected to have their final meetings prior to December and special permission from the Legislative Council would be required for a

January meeting. Speaker Lujan said he saw no problem with holding an additional meeting in October, as discussed previously, and any information needed for legislative action should be available at that time. He suggested that when the work plan is presented to the Legislative Council, it contain a caveat that an extra day for an additional meeting may be needed. Senator Griego stated he will leave it up to the committee membership to decide if an additional January meeting is needed.

Representative Salazar suggested that the Department of Energy should be asked for information as to the changes being made to the contract and what will occur after the current contract expires. Senator Sharer suggested that a letter be drafted from the committee stating its support of Representative Udall and his concerns.

It was suggested that public comment be added as an agenda item at the August 24 meeting and that environmental cleanup at Los Alamos should be included as an agenda item at a future meeting.

The committee agreed to the following meeting schedule: July 20 in Santa Fe; August 24 in Los Alamos; September 20 in Los Alamos; and November 4 in Espanola.

There being no further business, the committee adjourned at 12:10 p.m.

Revised: July 11, 2005

**TENTATIVE AGENDA
for the
SECOND MEETING
of the
LOS ALAMOS NATIONAL LABORATORY OVERSIGHT COMMITTEE**

**July 20, 2005
Room 311, State Capitol
Santa Fe**

Wednesday, July 20

- 9:30 a.m. **Call to Order**
- Los Alamos National Laboratory Report**
 —Dr. Robert Kuckuck, Laboratory Director
- 11:30 a.m. **Committee Business**
 —Approval of Minutes
 —Approved Work Plan and Meeting Schedule
- 11:45 a.m. **Lunch**
- 1:00 p.m. **Progress Report on New Management Contract**
 —Mr. Edwin L. Wilmot, Manager, Los Alamos Site Office, NNSA
 —Mr. Anthony Lovato, Contracts Specialist, Los Alamos Site Office
- 3:00 p.m. **Adjournment**

**MINUTES
of the
SECOND MEETING
of the
LOS ALAMOS NATIONAL LABORATORY OVERSIGHT COMMITTEE**

**July 20, 2005
Room 311, State Capitol**

The second meeting of the Los Alamos National Laboratory (LANL) Oversight Committee for the 2005 interim was called to order by Senator Phil A. Griego, co-chair, on July 20 at 9:40 a.m. in Room 311 of the State Capitol.

Present

Rep. Roberto "Bobby" J. Gonzales, Co-Chair
Sen. Phil A. Griego, Co-Chair
Rep. Thomas A. Anderson
Sen. John T.L. Grubestic
Rep. Debbie A. Rodella
Rep. Nick L. Salazar

Absent

Sen. Richard C. Martinez
Sen. William H. Payne
Rep. Jane E. Powdrell-Culbert
Sen. William E. Sharer

Advisory Members

Rep. Ben Lujan
Rep. Jeannette O. Wallace

Sen. Ben D. Altamirano
Sen. Mary Jane M. Garcia
Sen. Stuart Ingle

Staff

Cleo Griffith
Tim Crawford
Ramona Schmidt

Senator Griego welcomed everyone to the LANL Oversight Committee meeting. He noted that there are members of the committee who will need to leave the meeting no later than 3:00 p.m. to travel to the southern part of the state for other committee meetings. He said he hoped this meeting could adjourn before 3:00 p.m. and urged committee members to keep their questions and comments on point.

Los Alamos National Laboratory Report

Dr. Robert Kuckuck, the director of LANL, was introduced and described his background and experience. He said he was asked to come out of retirement to take over LANL in this transition period. He said he will remain in the position only until the new contractor takes over operation of the laboratory on June 1, 2006. He noted that regardless of which bidder is awarded the contract, he will not continue as director.

Dr. Kuckuck stated he has three goals as director. The first is to change the external perception of the laboratory; the second is to change the internal working environment; and the third is to minimize the uncertainty that employees experience. He noted that there will be a six-month period between the awarding of the new contract in December and the takeover of the lab

by the new contractor at the end of May and that his primary job will be to prepare the lab for this transition. He said his most important priorities are the people at the lab and said he has committed to working on two employee quality-of-life issues: alternative work schedules and child care.

Dr. Kuckuck stood for questions from the committee. Senator Griego noted that this oversight committee was created around employee concerns and that the committee continues to emphasize the importance of the laboratory becoming more community-minded and more a part of the community. Representative Salazar asked when the University of California-San Diego engineering program opened. Dr. Kuckuck noted it opened at the end of May and that courses will be offered. Representative Salazar questioned whether the laboratory would expand technology transfer under the new contract. Dr. Kuckuck stated that he sees no constraints in the new contract that would inhibit technology transfer. He said he thinks it is possible there could be expansion in science beyond nuclear weapons. Representative Salazar asked if Dr. Kuckuck thinks the laboratory would expand. Dr. Kuckuck said he thinks budget constraints make that unlikely, but events could change that. He noted that the laboratory has been a major source of technology for homeland security.

Representative Salazar noted that the contract will cost more and asked if this would affect employment at the laboratory. Dr. Kuckuck said it depends on how the contractor addresses this and if it feels it is necessary to cut expenses.

In response to questions from Representative Rodella, Dr. Kuckuck said he is confident that there will be progress on alternative work schedules for employees and on daycare. He said he would like to get these set up before the transition period is over, so they can be carried on under the new contractor.

Representative Rodella said she shared Representative Salazar's concern that there may be cuts in employment levels since the Department of Energy has said there will not be an increase in the lab appropriation. Dr. Kuckuck said he hopes retirements and other cost savings would help avoid any layoffs.

Representative Wallace agreed that there is concern about possible employment cuts since the contract will cost more and there will be no increase in the appropriation for the laboratory. She said there are other concerns associated with the new contract, such as health care coverage for the retirees and the continuation of cooperation on community issues.

In response to questions as to how these concerns can best be expressed to the Department of Energy and the contract bidders, Dr. Kuckuck said he could not address the issue of communication with the Department of Energy, but he suggested that once the new contractor is announced, this committee could raise these concerns directly with the contractor.

Representative Anderson asked Dr. Kuckuck what New Mexico could do to support the lab. Dr. Kuckuck stated that his observation during the two months he has been here is that the state and the community do a great job of supporting the lab. He thinks the problems lie in what

the lab is not doing for the community. He said he was surprised when he arrived to find such large differences between lab interests and community interests.

Representative Salazar asked if the apparently greater number of retirements of support staff than of scientists will lead to an imbalance in staff. Dr. Kuckuck said that support ratios are difficult to quantify, but he thinks that the retirement ratios are balanced so far.

Representative Anderson asked what the state could do to make New Mexico the best location for the laboratory. Dr. Kuckuck said he did not have any specific suggestions at this time and repeated that he thinks the state and community are doing well in this area. He said he thinks the important thing is the understanding that "we are in this together" and to focus on an attitude of partnership. He said the laboratory will not be able to attract and retain the best scientists unless this is a place they want to come to.

Representative Lujan asked how much money is available for environmental cleanup and who selects the contractor. Dr. Kuckuck said he does not know the specifics of this but would provide the committee with information. After some further discussion about environmental issues, Dr. Kuckuck said the new contractor will have to honor existing contracts and federal orders.

Senator Griego asked about statistical data on employment that the committee had requested in the previous interim. Bill Heimbach, state liaison for the laboratory, said the information was provided to the past committee staffer, Jonelle Maison. Senator Griego and Representative Gonzales said they thought some questions had not been answered. Dr. Kuckuck said this information will be given to the committee.

Senator Griego said that, during the last interim, Representative Rodella requested some information on the Welsh Report and salary disparities and that this issue is still of concern to committee members. Senator Griego asked if this information could be shared. He said he would like to get these questions taken care of before the changeover to the new contract. Dr. Kuckuck said he would try to get the requested information to the committee.

Committee members thanked Dr. Kuckuck for attending the meeting and for his cooperation.

Committee Business

Cleo Griffith, committee staff, reported that the Legislative Council approved the committee's work plan and meeting schedule as submitted.

Representative Gonzales moved to approve the minutes of the June 10, 2005 meeting. Representative Rodella seconded the motion and it passed.

The committee recessed for lunch at 11:40 a.m and reconvened at 1:10 p.m.

Progress Report on New Management Contract

A progress report on the new management contract was given by Edwin L. Wilmot and Anthony Lovato of the National Nuclear Security Administration (NNSA). Mr. Wilmot said he is the federal site manager for the Los Alamos site office and directs operation of the laboratory by the contractor. Mr. Lovato is the contracts specialist and does the majority of the day-to-day administration of the contract.

Mr. Wilmot noted that neither he nor Mr. Lovato will participate in the selection of the new contractor. He said he is an ex-officio member of the Source Evaluation Board, but will not participate in its decision on recommending a new contractor. The Source Evaluation Board will make a recommendation to the source selection official in Washington, D.C., who will make the decision on awarding the new contract. Once the new contractor has been selected, Mr. Wilmot and Mr. Lovato will negotiate the details of the contract and administer the contract.

Mr. Wilmot said that the deadline for bids was yesterday, July 19, and three proposals were received. He said he is not allowed to release the names of the bidders.

Representative Salazar expressed concern that the increased contract fee may result in employee layoffs. Mr. Wilmot said it is his opinion that there are efficiencies that can be achieved that can more than offset the increased contract fee. Representative Salazar asked how the contract fee of \$70 million to \$90 million was arrived at. Mr. Wilmot said that discussions were held with possible bidders about what amount would attract top quality competitors.

In response to questions, Mr. Wilmot and Mr. Lovato explained the system that has been established for evaluating the bids. Mr. Lovato said approximately 10 teams in various specialties have been set up to evaluate proposals in their areas of expertise. He said the scoring system for the bids is unchanged from the one proposed in the draft RFP.

In reply to a question as to whether any credit will be given for experience, Mr. Lovato said the scoring system is structured to avoid bias toward the incumbent or nonincumbent, but a small amount of points will be given for experience.

Mr. Wilmot talked of the opportunity the new contract presents for significant change at the laboratory with positive results.

Representative Salazar asked how the decision was made to change the employee benefit structure. Mr. Lovato said that some potential bidders expressed concern that they would be unable to take over a University of California pension obligation. Mr. Wilmot noted that the goal is that present employees will not be affected and their pension benefits will be substantially equivalent under the new contract. However, new employees will have a different system. In response to a specific question about retirement benefits, Mr. Wilmot said he could not discuss this now, but once the award announcement is made in December, he will be better able to address some of the committee's concerns.

Senator Griego noted the laboratory's work in developing new education programs and asked if the partnership developed with the state community colleges and universities will continue. Mr. Wilmot noted that the bidders are expected to include a "community commitment package" in their proposals. Mr. Lovato said the language in the RFP states that any community or educational commitment paid for by NNSA funds will be continued and the contractor is expected to enhance community programs and pay for this out of its fee. But the contractor is not required to continue the specific programs that the University of California paid for out of its fee.

Representative Lujan noted that the Taxation and Revenue Department requested that language about potential gross receipts tax liability under the new contract be included in the RFP and asked if this has been done. Mr. Wilmot said this issue was addressed in the RFP.

Representative Wallace stated that Los Alamos County is aware of the impact of the gross receipts tax change and is planning on working with surrounding communities on a plan to share the increased tax revenue.

In reply to a question as to whether the cost of paying gross receipts tax would force the contractor to lay off employees, Mr. Wilmot said he thinks it is possible to achieve \$100 million in savings through greater efficiencies, so the gross receipts tax liability should not create a problem.

In reply to questions about continuation of community programs, Mr. Wilmot said that the view is that the laboratory cannot survive without northern New Mexico nor can northern New Mexico survive without the laboratory. They understand the need for cooperation and healthy communities, and they think Dr. Kuckuck's actions on outreach have demonstrated that. They expect the new contractor to understand the need for the support of the nearby communities.

Representative Rodella asked about the recent communication concerning a cap on executive salaries. Mr. Lovato stated the Office of Federal Procurement Oversight has placed a cap on executive salaries that cannot be broken by the laboratory. This includes benefits and compensation and this information was shared with the bidders.

Senator Griego thanked Mr. Lovato and Mr. Wilmot for appearing before the committee and said it is the hope of the committee that the process goes as smoothly as possible.

There being no further business, the committee adjourned at 2:10 p.m.

**TENTATIVE AGENDA
for the
JOINT MEETING
of the
INFORMATION TECHNOLOGY OVERSIGHT COMMITTEE
and the
LOS ALAMOS NATIONAL LABORATORY OVERSIGHT COMMITTEE**

**August 24, 2005
Fuller Lodge
Los Alamos**

Wednesday, August 24

- 10:00 a.m. **Call to Order**
- 10:05 a.m. **Welcome**
—Michael Wheeler, Los Alamos County Council Vice Chair
- 10:15 a.m. **Welcome**
—Richard Marquez, Associate Director for Administration,
Los Alamos National Laboratory (LANL)
- 10:30 a.m. **Approval of Minutes**
- 10:35 a.m. **Enterprise Project**
—George Hansrote, Project Leader, LANL
- 11:30 a.m. **Working Lunch — LANL Student Programs**
—Barbara Tenorio-Grimes, Education Outreach Coordinator, LANL
—Student Presenters
- 1:00 p.m. **LANL Computer Security**
—Alex Kent, Technical Staff Member
- 2:00 p.m. **LANL Foundation Update**
—Susan Herrera, Director, LANL Foundation
- 3:00 p.m. **Information Technology (IT) Commission Update**
—Carroll Cagle, Chair, IT Commission
- 3:30 p.m. **Office of the Chief Information Officer Update**
—Roy Soto, State CIO-Designee
- 4:00 p.m. **Other Committee Business — Public Input**
- 4:15 p.m. **Adjourn**

**MINUTES
of the
JOINT MEETING
of the
LOS ALAMOS NATIONAL LABORATORY OVERSIGHT COMMITTEE
and the
INFORMATION TECHNOLOGY OVERSIGHT COMMITTEE**

**August 24, 2005
Fuller Lodge
Los Alamos**

The joint meeting of the Los Alamos National Laboratory (LANL) Oversight Committee and the Information Technology (IT) Oversight Committee was called to order by Senator Phil A. Griego, co-chair of the LANL Oversight Committee, on August 24, 2005 at 10:15 a.m. at the Fuller Lodge in Los Alamos.

LANL Oversight Committee

Present

Rep. Roberto "Bobby" J. Gonzales, co-chair
Sen. Phil A. Griego, co-chair
Rep. Thomas A. Anderson
Sen. Richard C. Martinez
Sen. William H. Payne
Rep. Debbie A. Rodella
Rep. Nick L. Salazar
Sen. William E. Sharer

Sen. John T.L. Grubestic

Rep. Jane E. Powdrell-Culbert

Absent

Advisory Members

Sen. Mary Jane M. Garcia
Rep. Ben Lujan
Rep. Jeannette O. Wallace

Sen. Ben D. Altamirano

Sen. Stuart Ingle

IT Oversight Committee

Present

Rep. Debbie A. Rodella, chair
Rep. Janice E. Arnold-Jones
Sen. Richard C. Martinez
Sen. William H. Payne
Rep. Thomas C. Taylor
Rep. Luciano "Lucky" Varela

Absent

Sen. John Arthur Smith, vice chair

Sen. Vernon D. Asbill

Sen. Linda M. Lopez

Rep. Richard D. Vigil

Advisory Members

Sen. Phil A. Griego
Rep. Jeannette O. Wallace

Sen. Rod Adair
Sen. Mark Boitano
Sen. Pete Campos
Rep. Richard P. Cheney
Sen. Carlos R. Cisneros
Rep. Justine Fox-Young
Rep. Ted Hobbs
Sen. Gerald Ortiz y Pino

Staff

Raul E. Burciaga
Cleo Griffith
Tim Crawford
Kathleen Dexter

Guests

The guest list is in the meeting file.

Copies of all handouts and written testimony are in the meeting file.

Wednesday, August 24**Welcome**

Michael Wheeler, vice chair of the Los Alamos County Council, and Richard Marquez, LANL associate director for administration, welcomed the committees to Los Alamos and thanked the legislature for its work in support of LANL and communities in the area. Mr. Marquez reported that bids for the LANL contract are now being reviewed; the winner will be announced by December 1, and there will be a six-month transition period between current operations and new operations before the new contract goes into effect on June 1, 2006.

Because he has stepped in after a year of turmoil, LANL Director Robert Kuckuck's focus has been to bring an atmosphere of calm to the lab. The 9/80 work schedule that had been suspended in the past year will be restored by mid-September, cost-of-living increases will go into effect on October 1 and discussions are under way on providing child care at the lab. Mr. Kuckuck has formed a business advisory council and a subcontractor consortium as means of addressing needs identified by surrounding communities. The lab will collaborate with New Mexico State University (NMSU) to offer a master's of business administration (MBA) degree through NMSU's distance learning program and will continue its support for the executive MBA program available through the University of New Mexico (UNM). It is also working with Northern New Mexico College to create a property manager certification program.

On questioning from committee members, Mr. Marquez stated that:

- LANL is working with the University of California (UC) on "what if" planning regarding benefits under the new contract;
- the new contractor can reconfigure salary schedules for fairness and equity;
- the request for proposal requires that the new employer of record be a limited liability corporation and that community outreach programs be continued at their current level for the life of the contract;
- the MBA program through NMSU is available to all lab employees;
- Mr. Marquez is the only Hispanic at LANL in a position at or above the division level;
- the National Nuclear Security Administration (NNSA) is conducting type B investigations to discover the root causes of the safety incidents at the lab during the past year; and
- LANL has a consent order with UNM that dictates remedial and environmental milestones in cleaning up hazardous waste following the Cerro Grande fire.

In general discussion, committee members voiced concern that retirement benefits should continue intact under the new contract; LANL must work with New Mexico colleges to design training programs in engineering and science so local residents can qualify for upper-level LANL jobs; and LANL's slow response to news stories regarding the recent beating of a lab employee in Santa Fe left the impression that the incident was somehow tied to the lab.

Enterprise Project

George Hansrote, director of the LANL enterprise project, gave a status report on the project as it nears full implementation. After an independent review in 2003 found that there was little probability of success in executing the project as it was initially conceived and staffed, major changes were made in project management and structure in 2004, and it is now on track for full implementation by October. The total project cost is \$160 million. On questioning from the committees, Mr. Hansrote stated that independent verification and validation (IV&V) for the project is being done internally; as each module is released, the legacy system it replaces is completely shut down unless it interfaces with the new system; and there is a separate help desk and support team specific to the enterprise project.

LANL Student Programs

Barbara Tenorio-Grimes, LANL education and employment outreach specialist, gave an overview of the lab's American Indian education outreach program, which focuses on science education outreach in public schools and recruitment for the lab's student intern program. The lab's current Native American student interns represent 12 tribes from around the country, and half of the interns are from the neighboring pueblos of Santa Clara and San Ildefonso. Four interns — Melanie Zamora, Shannon Duran-Dinwiddie, Jeremy Yepa and Aria Sanders — reported on their work in the program and how it applies to their prior experience and future plans. On questioning from the committees, the interns stated that LANL helps them with their education by allowing flexible work schedules and by attempting to place interns in work related to their studies. They also cited gifted and talented programs, math and science clubs, having scientists participate in classrooms at all grade levels and exposing students to minority and

female role models as effective ways to encourage children to pursue science and engineering. Ms. Tenorio-Grimes reported that funding for the program is an ongoing problem.

LANL Computer Security

Alex Kent, LANL technical staff member, gave a presentation on computer security threats to LANL and on the lab's response system. Besides handling data from nearly 25,000 computers working within LANL, the network also handles millions of contacts daily via the internet. Malicious external network traffic such as worm, virus and spyware attacks can sometimes total 20 million sessions in a single day. The LANL network prevents the compromise of sensitive information in these attacks through a system of compartmentalized information and functions, one-time passwords, user education on security risks, automated vulnerability scans, intruder-specific alarms, intrusion and prevention systems and a 24-hour computer security incident response team. On questioning from committee members, Mr. Kent stated that while the security system is tight, the weak link is the user, and user education is critical. In the case of an attack, getting information out to users is hampered because the system itself cannot be used without giving information to the attacker. He also noted that the network security group has been involved with the enterprise project since the early design phase.

In general discussion, committee members debated taking an offensive, rather than defensive, approach to cybersecurity and noted that New Mexico law is weak in the area of cybercrime.

LANL Foundation Update

Susan Herrera, director of the LANL Foundation, gave a presentation on the foundation's work to invest resources in education and community development throughout northern New Mexico. The foundation operates on a blend of private and government funding, including an annual \$3 million appropriation from LANL. It gives \$1 million annually to school and community programs in the region and has awarded 325 scholarships to date to area students through its LANL Employees Scholarship Fund, which is funded solely from donations made by lab employees. Ms. Herrera urged the LANL Oversight Committee to do what it can to ensure that the foundation's funding be continued under the new LANL contract.

On motion duly made, seconded and adopted without objection, the LANL Oversight Committee voted to send a letter to the NNSA Source Evaluation Board in support of continuing the current level of funding for the LANL Foundation under the new contract.

IT Commission Update and Office of the Chief Information Officer (OCIO) Update

Carroll Cagle, chair of the IT Commission, gave an update on the commission's work to improve its management structure and review IT projects. The commission recently approved a rule governing IT project oversight and is in the process of approving a rule on project certification; it is also now requiring IV&V on all projects. At the last IT Commission meeting, projects totaling \$7 million were approved. Roy Soto, state CIO, stated that the OCIO is changing its approach to reporting to the IT Commission away from a focus on the technical aspects of projects and toward a focus on the business and management aspects of projects.

On questioning from committee members, the presenters, who were joined by Karen Baltzley, CIO for the General Services Department (GSD), and David Goodrich, IT performance auditor for the Legislative Finance Committee, stated that:

- the CIO for the Higher Education Department will be named this week and will work to link higher education and public education IT systems;
- the governor's consolidation initiative is focused on consolidation of data centers, help desks and servers; the GSD budget request for fiscal year 2007 will include consolidation costs; and the GSD rate review will be completed by September 30;
- the state does not have an inventory of assets; there is an inventory system online that agencies use, and the OCIO recently issued a request for agencies to provide inventory information regarding help desks, laptops and servers. Establishing a baseline inventory is an important issue for the governor; and
- the Secretary of State's Office is conducting a mock election to test its voter registration and election management system.

In general discussion, committee members expressed concern that not all IT projects are going through the OCIO review and certification process and that it is difficult to track those projects funded with non-state money.

Other Committee Business — LANL Oversight Committee

On motion duly made, seconded and adopted without objection, the minutes to the July 20, 2005 LANL Oversight Committee meeting were approved as written.

The LANL Oversight Committee discussed and debated the merits of writing a letter in support of UC in the contract bid process, with concerns raised as to whether one sovereign government should attempt to influence the decisions of another and whether such a letter might put the committee at a disadvantage in its oversight role if the other bidder wins the contract. On motion duly made, seconded and adopted by a majority of committee members, committee staff was directed to send the letter based on a draft presented to the committee, with language changes suggested by committee members.

The meeting was adjourned at 4:35 p.m.

Revised: October 27, 2005

**TENTATIVE AGENDA
for the
JOINT MEETING
of the
RADIOACTIVE AND HAZARDOUS MATERIALS COMMITTEE
and the
LOS ALAMOS NATIONAL LABORATORY OVERSIGHT COMMITTEE**

**November 4, 2005
Conference Center (Room 203AB), Los Alamos Research Park
Los Alamos**

Friday, November 4

- 10:00 a.m. **Call to Order**
—Senator Phil A. Griego, Chair
- Welcome**
—Fran Berting, Chair, Los Alamos County Council
- 10:15 a.m. **Welcome and Environmental Stewardship Overview**
—Kenneth M. Hargis, Division Leader (Acting), Environmental
 Stewardship Division, Los Alamos National Laboratory (LANL)
- 10:45 a.m. **Consent Order on Environmental Remediation and Cleanup**
—James Bearzi, Bureau Chief, NMED Hazardous Waste Bureau
—David J. McInroy, Deputy Program Director, Environmental
 Remediation and Surveillance, LANL
- 12:00 noon **Working Lunch**
- 12:50 p.m. **Public Comment**
- 1:00 p.m. **Water Quality Program**
—Steven R. Rae, Group Leader, Water Quality and Hydrology Group,
 LANL
- 1:30 p.m. **Air Quality Program**
—David P. Fuehne, Group Leader (Acting), Air Quality and Meteorology
 Group, LANL

- 2:00 p.m. **WIPP Shipments and Legacy Waste Status**
—Dr. Thomas P. Starke, Deputy Program Director (Acting), Legacy
Waste Disposition, LANL
- 3:00 p.m. **Airborne Spectral Photometric Environmental Collection Technology and
Other LANL Support to the Hurricane Katrina Response**
—Dr. J. Wiley Davidson, Director, Center for Homeland Security, LANL
- 4:00 p.m. **Coalition for LANL Excellence**
—Joe Ladish
—Robert Gibson
- 4:30 p.m. **Adjourn**

MINUTES
of the
JOINT MEETING
of the
RADIOACTIVE AND HAZARDOUS MATERIALS COMMITTEE
and the
LOS ALAMOS NATIONAL LABORATORY OVERSIGHT COMMITTEE

November 4, 2005
Conference Center (Room 203AB), Los Alamos Research Park
Los Alamos

The joint meeting of the Radioactive and Hazardous Materials Committee and the Los Alamos National Laboratory Oversight Committee was called to order at 10:05 a.m. on Friday, November 4, 2005, by Representative Roberto "Bobby" J. Gonzales, co-chair, Los Alamos National Laboratory (LANL) Oversight Committee.

Radioactive and Hazardous Materials Committee

PRESENT

Rep. John A. Heaton, Vice Chair
Rep. Donald E. Bratton
Rep. Manuel G. Herrera
Sen. Carroll H. Leavell
Rep. Antonio Lujan
Sen. Richard C. Martinez
Rep. Jim R. Trujillo
Rep. Jeannette O. Wallace

ABSENT

Sen. Phil A. Griego, Chair
Sen. Vernon D. Asbill
Sen. John T.L. Grubestic
Sen. Gay G. Kernan

Advisory Members

Rep. Thomas A. Anderson
Rep. Nick L. Salazar

Sen. Mary Jane M. Garcia
Sen. Clinton D. Harden, Jr.
Sen. William H. Payne
Sen. John Pinto
Rep. Avon W. Wilson

LANL Oversight Committee

PRESENT

Rep. Roberto "Bobby" J. Gonzales, Co-Chair
Rep. Thomas A. Anderson
Sen. Richard C. Martinez
Rep. Jane E. Powdrell-Culbert
Rep. Debbie A. Rodella
Rep. Nick L. Salazar
Sen. William E. Sharer

ABSENT

Sen. Phil A. Griego, Co-Chair
Sen. John T.L. Grubestic
Sen. William H. Payne

Advisory Members

Rep. Ben Lujan
Rep. Jeannette O. Wallace

Sen. Ben D. Altamirano
Sen. Mary Jane M. Garcia
Sen. Stuart Ingle

Staff

Evan Blackstone
Cleo Griffith
Tim Crawford

Guests

The guest list is in the meeting file.

Copies of all the handouts and written testimony are in the meeting file.

Friday, November 4

Welcome

Fran Berting, chair of the Los Alamos County Council, welcomed the committees to Los Alamos and LANL.

Consent Order on Environmental Remediation and Cleanup

Dave McNroy, deputy program director for LANL Environmental Remediation and Surveillance, presented overviews of LANL's environmental remediation program and the LANL consent order. He discussed the major responsibilities of LANL Environmental Remediation and Surveillance, which include investigating and completing remediation of historically contaminated sites and working closely with the Department of Energy (DOE) and the New Mexico Department of Environment (NMED) to ensure that appropriate priorities and approaches are being addressed. LANL has over 800 sites to investigate and remediate, while about 200 sites are still actively being used and will not be remediated. Pursuant to the LANL consent order, cleanup on the sites must be completed by 2015.

Turning to the LANL consent order, Mr. McNroy explained that LANL worked with NMED for three years on the order, beginning in November 2002. After a lengthy negotiation process, the order was finally signed and issued in March 2005. He stated that the purpose of the consent order is to prioritize contamination investigation activities, provide minimum investigation requirements and prescribe cleanup levels and schedules for work plan submittals, reporting and remedy completions. The order contains 100 major milestones that are to be completed by 2015, including deadlines for completion reports at major material disposal areas and aggregate areas. Mr. McNroy pointed out that NMED has already proposed the slippage for some of these milestones. He also informed the committees that the consent order contains standard legal provisions for dispute resolution and covenants not to sue. Mr. McNroy went on to explain the cost estimates and budget allocations for the LANL consent order. Ninety-three percent of the Environmental Remediation and Surveillance annual budget is devoted to implementation of the order.

Finally, Mr. McInroy reviewed LANL's 2005 accomplishments regarding the consent order and the planned work for 2006. He stated that for 2005, all the consent order milestones for deliverables were achieved on or before their due date, 14 areas of concern were remediated, a high volume of characterization activities were completed and 1,055 inspections were completed at 294 sites. In 2006, LANL plans to execute its fieldwork and reporting as required to meet all the consent order deliverables.

James Bearzi, bureau chief of NMED's Hazardous Waste Bureau, also presented the committees with information on the LANL consent order. According to Mr. Bearzi, NMED's approach to cleanup at LANL is how it can be accomplished in the best interest of the public. He explained that the consent order primarily came about due to the frustration of many entities with the pace of corrective action at LANL. The order accelerates that pace and establishes a framework within which LANL can conduct and report on its investigation and cleanup activities.

Mr. Bearzi also discussed NMED's sources of legal authority under the LANL consent order. These include the New Mexico Hazardous Waste Act (HWA) and the New Mexico Solid Waste Act (SWA). While the consent order relates to corrective action pursuant to the HWA and SWA from LANL's past contamination activities, Mr. Bearzi pointed out that LANL must also take corrective action for its current hazardous waste activities pursuant to its Resource Conservation and Recovery Act (RCRA) permit issued by NMED. Mr. Bearzi went on to review some of the LANL consent order's highlights for the committees. He discussed the order's provisions on ground water contamination investigations and monitoring, cleanup of material disposal areas, the process for investigation and corrective measures and the schedule for completion. Additionally, Mr. Bearzi stated that allowing for public participation in the process is an important part of the order.

Finally, Mr. Bearzi discussed the challenges NMED faces in implementing the consent order. These challenges include the complexity of the order and the LANL facility, unforeseen circumstances and public involvement. Mr. Bearzi emphasized that the primary challenge is the lack of resources in NMED. The Hazardous Waste Bureau does not have enough staff, contractors and funding in its budget for implementation of the order. Because of this problem, NMED and the National Nuclear Security Administration (NNSA) that oversees LANL entered into a memorandum of agreement (MOA) in September 2005 that sets up a funding mechanism for fiscal year 2006 to help the state carry out its regulatory duties. The MOA contains \$1.3 million, which will be deposited in the state's Hazardous Waste Fund for additional personnel and operating costs for NMED. Mr. Bearzi urged the committee to support legislation that codifies these types of agreements.

Questions and comments included:

- the number of deliverables per site and the characterization of sites under the consent order;
- which entity sets the priorities for cleanup under the order;
- what role the Northern New Mexico Citizens Advisory Board plays in the consent order process;
- what type of corrective action LANL takes when contamination migrates to an aquifer;
- how members of the public who are upset with the LANL cleanup can be appeased;
- how much funding NMED needs to keep on track with its regulatory duties under the consent order;
- how much of the cleanup duties has been subcontracted to local small businesses;
- the need of the legislature to review the qualifications of NMED employees working on LANL cleanup;
- discussion of a letter from the committees to the Legislative Finance Committee and the executive, supporting the MOA and the creation of additional full-time employees for the Hazardous Waste Bureau; and
- how much money LANL has spent on cleanup in fiscal year 2006, as opposed to previous years.

Environmental Stewardship Overview

An overview of LANL's environmental stewardship was presented to the committees by Ken Hargis, acting division leader of LANL's Environmental Stewardship Division. He began by discussing LANL's top performance priorities, which include safety, security, compliance and the environment. Specifically, Mr. Hargis explained that his division is responsible for LANL's compliance with state and federal environmental regulations, environmental surveillance, environmental legacy cleanup, pollution prevention, environmental management and legacy waste management. He emphasized that the division consists of environmental professionals who are committed to LANL's mission, to protecting the environment and to working openly with LANL's regulators and the public.

Mr. Hargis next discussed, in detail, LANL's two environmental strategic goals: compliance excellence and continuous risk reduction. To implement the goal of compliance excellence, major air, water and hazardous waste permitting is required for LANL's facilities. Mr. Hargis described the use of LANL's environmental self-assessment program as a tool to ensure compliance for over 400 sites at LANL that store hazardous waste. He also explained that his division conducts numerous reviews of new projects and that management consistently reviews environmental performance. Mr. Hargis pointed out that the volume of hazardous waste sites at LANL makes it difficult to manage; however, he highlighted that NMED inspection results confirm that LANL is improving.

Turning to the goal of continuous risk reduction, Mr. Hargis stated that the division tries to go beyond compliance to improvement of quality of life. For example, LANL is improving staff environmental awareness at the working level and has made commitments for nearly 600

environmental improvement actions. Additionally, LANL is working on aggressive pollution prevention and the laboratory has an on-site recycling center that recycles 60 percent of LANL's solid waste. Finally, Mr. Hargis discussed how LANL is making efforts to reduce radioactive waste, including transuranic (TRU) and low-level waste, as well as PCBs.

Questions and comments included:

- a request for more specific details of LANL's continuous risk reduction;
- the responsibilities of the Environmental Stewardship Division beyond the boundaries of LANL;
- the type of toxic chemicals used by LANL employees and the procedures for using those chemicals; and
- LANL's measurements on foodstuffs, including the monitoring of bees and honey to determine whether there is contamination.

Northern New Mexico Citizens Advisory Board (NNMCAB)

J.D. Campbell, chairman of the NNMCAB, encouraged the committees to support amendments to the HWA that would allow NMED to use MOAs with individual site operators, in lieu of general fee schedules, as a method of funding cleanup actions. He emphasized that the small staff at NMED would not be able to implement the strict compliance schedule and review process outlined in the consent order. Therefore, permitting NMED to enter into MOAs would provide the necessary funding that NMED needs to fulfill its regulatory duties. Mr. Campbell stated that NMED should also have the authority to hire outside expertise and consultants to aid its work. Additionally, he informed the committees that NNMCAB does not support the DOE's decision to expand low-level radioactive waste disposal to Area G in 2006.

Questions and comments included:

- discussion of NNMCAB's meetings being scheduled to accommodate the public;
- whether NNMCAB has technical expertise on its board;
- the benefits of a third party that oversees NMED, LANL and DOE and that reports back to NNMCAB;
- whether NNMCAB is wholly independent from DOE if appointed by DOE; and
- how NNMCAB is funded.

Water Quality Program

Steven R. Rae, group leader, LANL Water Quality and Hydrology Group, presented an overview of LANL's water quality compliance activities. Mr. Rae reviewed the group's broad responsibilities and LANL's various water permits regarding effluents and storm water. He explained that the National Pollutant Discharge Elimination System (NPDES) outfall permit is one of the main permits that regulates 17 LANL outfalls, including its sanitary wastewater treatment plant and its radioactive liquid waste treatment facility. The group also works on compliance for LANL's multiple storm water permits, including a multi-sector general storm water permit that encompasses 27 operating facilities and 17 storm water construction permits for 45 construction sites. Mr. Rae informed the committees that LANL signed a Federal Facilities

Compliance Agreement (FFCA) in February 2005 and has worked closely with NMED on locating storm water runoff sites at or near the laboratories.

Mr. Rae summarized the group's water protection and monitoring activities. These include compliance with dredge and fill permits, maintenance of aboveground storage tanks and the development of containment plans for spills. In addition, Mr. Rae described LANL's progress on the ground water monitoring portion of the LANL consent order and informed the committees that his group submitted a site-wide monitoring plan in May 2005. Furthermore, his group performs environmental surveillance reports for ground water, surface water and sediments.

Finally, Mr. Rae outlined the water quality goals and achievements and the remaining permit issues of the LANL group. He stated that the reduction of outfall types over the past decade has reduced NPDES compliance violations. Additionally, LANL is maintaining 91 percent storm water construction permit compliance for 2005. Lastly, LANL is expecting a new NPDES outfall permit to be issued by the Environmental Protection Agency (EPA) in 2005.

Questions and comments included:

- the volume of water migrating from LANL discharges into the Rio Grande;
- the type of containment structures surrounding LANL's aboveground storage tanks;
- how far south on the Rio Grande the LANL group conducts its monitoring activities;
- the extent of contamination from the Cerro Grande fire on the upstream and downstream areas of LANL; and
- how NMED primacy over the NPDES program would impact LANL.

Air Quality Program David P. Fuehne, acting group leader, LANL Air Quality and Meteorology Group, stated that his group's responsibilities are divided into regulatory services and environmental surveillance. With regard to regulatory services, the group is in charge of ensuring LANL's compliance with the New Mexico Administrative Code and with the permits issued under Title V of the Clean Air Act that include regulation of LANL's radioactive air emissions. Mr. Fuehne explained that LANL has 28 stacks that are continuously monitored for radioactive emissions and 80 non-monitored stacks that do not meet EPA's threshold for monitoring. The group also uses ambient air monitoring stations to measure radioactivity in the air around LANL.

Mr. Fuehne also reviewed his group's environmental surveillance programs that evaluate laboratory impacts on air pathways, identify areas for operational improvements and produce an annual environmental surveillance report. He pointed out to the committees that a typical New Mexico resident is exposed to about 400 millirem of background radiation and that LANL operations contribute, at most, an additional 10 millirem to the public. Mr. Fuehne went on to summarize the group's meteorology program, which provides ozone assessment to the Four Corners region, and the ambient air monitoring program, which monitors about 50 locations in and around Los Alamos County for radionuclides. As a final point, Mr. Fuehne discussed the

group's issues currently in progress with NMED, including open burn permits, Title V permit modifications and working with NMED on enforcement interactions.

Questions and comments included:

- what circumstances led to an increase in 2005 of the off-site dose level of radioactive air emissions from LANL;
- LANL's pit productions and what effect they have on an increase in air emissions; and
- how far outside the boundaries of LANL that air monitoring is conducted.

WIPP Shipments and Legacy Waste Status

The committees received a status report on LANL's legacy waste and shipments to the Waste Isolation Pilot Plant (WIPP) from Tom Starke, acting deputy program director of the LANL Legacy Waste Disposition Project. Mr. Starke began by explaining that since 1997, LANL has been required to dispose of its TRU waste. Most recently, pursuant to the LANL consent order, LANL must dispose of its TRU waste from Area G by 2015. Consequently, Mr. Starke stated that the mission of the Legacy Waste Disposition Project is to dispose of legacy mixed low-level and TRU wastes located at Area G in order to reduce the risk to the nearby community of White Rock and so that the environmental corrective actions can be completed by 2015, thereby ensuring LANL compliance with the LANL consent order.

Mr. Starke next reviewed the kinds of legacy waste at LANL and how the waste is characterized, repackaged and shipped to WIPP. He pointed out that the hottest type of radioactive waste at LANL, remote-handled waste (RHW), cannot yet be shipped to WIPP because the WIPP facility is waiting on a permit modification from NMED that will allow WIPP to receive and store RHW. Mr. Starke also discussed LANL's shipping schedule of TRU waste to WIPP in relation to other DOE sites that ship TRU waste to WIPP. Since resuming its shipments in April 2005, LANL has made 37 shipments to WIPP that consist of 832 drums of TRU waste; Mr. Starke emphasized that this volume of shipments measures as the best rate in LANL's history. Although LANL will be making a small number of shipments to WIPP from October through December 2005 due to the large volume of waste WIPP will be receiving from other DOE sites, he pointed out that LANL shipments will increase for 2006.

Mr. Starke went on to summarize the partnership, roles and responsibilities of LANL and the Carlsbad Field Office Central Characterization Project (CBFO-CCP) for shipments to WIPP. LANL undertakes the preparation of drums for shipment, and the CBFO-CCP characterizes, certifies and ships the waste. He praised the work of the CBFO-CCP and stated that LANL has taken advantage of CBFO-CCP's waste management expertise and is making many improvements to the shipment process. Mr. Starke accentuated the need for WIPP's permit modification to store RHW in order to make shipments more efficient and to move more waste off the LANL site.

In closing, Mr. Starke highlighted LANL's and CBFO-CCP's excellent partnership, their accomplishments for 2005 and the work plan deliverables for 2006. Key points raised by Mr.

Starke were the resumption of TRU waste shipments in 2005, the planned increase in shipments to WIPP in 2006 and achieving permit modifications for RHW.

Questions and comments included:

- what percentage of radioactive waste is shipped from other locations to LANL to be received and processed;
- the receipt of waste from sites in Idaho and the volume of characterization performed at LANL;
- what happens to the storage of liquid waste; and
- the estimated time frame to complete hearings on the permit modifications for RHW.

Airborne Spectral Photometric Environmental Collection Technology and Other LANL Support to the Hurricane Katrina Response

The director of the Los Alamos Center for Homeland Security, Dr. J. Wiley Davidson, provided the committees with a presentation on LANL's integrated reachback activities for hurricanes Katrina and Rita. Integrated reachback activities are the on-call, real-time analytical support provided in situations ranging from natural disasters to weapons of mass destruction incidents. Dr. Wiley explained that one of LANL's integrated reachback activities is airborne spectral photometric environmental collection technology (ASPECT). ASPECT is airplane-borne and uses detection and imaging capabilities to identify chemicals in the atmosphere. The EPA operates the plane that employs ASPECT; however, LANL provides emergency response data analysis to state and local first responders. The technology looks at emissions made from the ground as the plane performs multiple passes over a particular site. Dr. Wiley emphasized that this data is extremely valuable for chemical terrorist attacks, as well as natural disasters such as hurricanes Katrina and Rita. To date, the ASPECT aircraft has responded to over 40 incidents nationwide and has directly supported the United States Secret Service during the last eight national special security events.

Dr. Wiley went on to discuss in detail how ASPECT was used in response to hurricanes Katrina and Rita. For hurricane Katrina, ASPECT made 14 flights over New Orleans, three flights over Mississippi and three flights over southern Louisiana. During those flights, ASPECT detected five fires in New Orleans, performed imagery of numerous railcar locations, found hot railcars and located missing chemical tanks blown away from facilities. The data helped the EPA, the city of New Orleans, the National Guard and the state of Louisiana develop action items for addressing the disaster. For hurricane Rita, Dr. Wiley stated that the ASPECT deployment was still ongoing, but that the plane had made seven flight runs over Texas and three flight runs over Louisiana. The ASPECT had located and analyzed emissions from multiple fires, as well as plumes released from facilities in the Port Arthur and Beaumont areas. As with hurricane Katrina, the data was used to assist rapid assessment teams, the EPA, the Federal Emergency Management Agency and the states of Texas and Louisiana in responding to Rita.

Questions and comments included:

- whether ASPECT can be used from a satellite instead of an aircraft;

- how close the ASPECT aircraft has to be to plumes for detection and analysis; and
- what agency deploys ASPECT.

Coalition for LANL Excellence (CLE)

Robert Gibson and Joe Ladish, members of CLE, expressed their concerns to the committees regarding the impending change in management contractors at LANL. They explained that CLE was formed in response to the perceived need to address issues concerned with the rebidding of the LANL contract. CLE is primarily concerned about maintaining the ability of LANL to carry out its mission and conduct excellent scientific research programs by providing the incentives necessary to attract and retain the best talent.

Mr. Gibson and Mr. Ladish described the details of the contract transition process for the committees and said that the mission of LANL is likely to be redefined during that process. They emphasized that any loss of LANL-related jobs will have a detrimental economic impact throughout northern New Mexico and that LANL employees are currently experiencing anxiety and stress over this uncertainty. To ensure a positive end result in the contract transition process, Mr. Gibson and Mr. Ladish stated that a number of important stakeholders will have to be involved. They indicated to the committees that the New Mexico Legislature's role in state government policy will play an important part in shaping the future of LANL. Both presenters stressed that LANL is a national treasure and an important local employer. They urged that the committees help affect the contract transition process in a manner that leads to a good result for LANL's employees and the local community.

Questions and comments included:

- how CLE views the state legislature's role after the contract is awarded; and
- the impact of the gross receipts tax on the contract transition process.

Other Committee Business

The minutes of the September 20, 2005 Radioactive and Hazardous Materials Committee meeting were approved as written, by unanimous consent.

The minutes of the August 24, 2005 LANL Oversight Committee meeting were approved as written, by unanimous consent.

There being no further business, the committees adjourned at 4:25 p.m.