RCLC Director’s Report
Submitted to the Regional Coalition of LANL Communities Board on June 27, 2019

**DOE HLW Interpretation Update**

On June 5th the U.S. Department of Energy (DOE) published a Federal Register notice for a “Supplemental Notice” concerning DOE’s interpretation of High-Level Radioactive Waste. This was the second notice on this issue, following an October 2018 notice requesting public comment. According to a publication from ECA, in the Supplemental Notice, DOE reiterates its interpretation of the statutory term “high-level radioactive waste (HLW) as defined in the Atomic Energy Act of 1954, as amended, and the Nuclear Waste Policy Act of 1982, as amended such that some reprocessing wastes may be classified as not HLW (non-HLW) and may be disposed of in accordance with their radiological characteristics.”

In late April RCLC staff and members of the board attended a roundtable discussion in Washington DC to review how these proposed changes could impact the DOE sites in our area and the surrounding communities. Under the proposed language, it appears LANL would not be directly affected as these changes would not affect any of the waste stream at the complex. However, a possible increase in waste deliveries to WIPP was noted and that has the potential to create a bottleneck situation slowing waste removal from the LANL site.

DOE and other organizations submit the change would speed up cleanup at sites around the country. DOE states that the reinterpretation does not change any legal requirements and that “No implementation actions will be taken without appropriate interactions with affected state and local officials”.

**DNFSB update**

U.S. Senators Tom Udall and Martin Heinrich announced on June 18 that they have proposed three amendments to the Fiscal Year 2020 National Defense Authorization Act (NDAA), a major defense policy bill, to protect and strengthen the Defense Nuclear Facilities Safety Board’s (DNFSB) critical safety oversight mission at New Mexico’s Department of Energy (DOE) facilities. In particular, the proposed amendments would suspend the Department of Energy’s recent revised Order 140.1.

The RCLC board adopted a formal statement in March regarding expressing the board’s concerns over the order and how it could impact the ability of the DNFSB to maintain effective oversight and review of DOE facilities. The RCLC statement voiced concerns about the possible loss of on-site access and oversight of the National Nuclear Security Administration (NNSA) facility near our communities.

Both New Mexico Senators concurred with those concerns and in a statement to the press stated that Order 140.1 undermines the DNFSB’s oversight responsibility by restricting its ability to get health and safety information from DOE sites.
The first proposed amendment by Udall and Heinrich would suspend the order until the Government Accountability Office (GAO) has completed its report on how DOE’s implementation of the order has affected the DNFSB’s ability to meet its statutory responsibilities. A second Udall-Heinrich provision clarifies DNFSB’s full authority to protect health and safety of the public and workers with full access to DOE facilities and information. The third Heinrich-Udall provision clarifies that DNFSB board members may serve up to two terms.

Santa Fe Forum on Nuclear Waste Storage & Disposal
At the June 7 meeting the RCLC board heard a presentation from the Eddy Lea Alliance regarding the proposed interim nuclear waste facility in southern New Mexico. The board also heard public comments from June Ferrill, Santa Fe Democratic Party, Platform Committee Chair who invited the board to attend a public forum in Santa Fe discussing storage and disposal of Nuclear Waste in New Mexico, including WIPP and the proposed Holtec program. The RCLC ED attended the June 19 meeting in Santa Fe. Panel participants included State Rep. Christine Chandler, NM Land Commissioner Stephanie Garcia Richard and staff, Don Hancock who serves as the Nuclear Waste Program Director from the Southwest Research and Information Center, and Sally Rodgers who is an Environment Policy Advisor and founder of CVNM. No members of industry were on the panel although representatives from Holtec did attend.

NNMCAB
The RCLC ED attended the June 19 NNMCAB meeting, held at the CAB’s office in Pojoaque. The organization had a presentation from N3B and dealt with some internal committee restructuring. Also of interest, the CAB is considering conducting a public survey in a form yet to be determined to solicit input from the public who live in the region in order to prioritize issues. This survey has the potential to be informative for the leadership of both our organizations.

First Environmental Management Cleanup Forum on Legacy Waste at LANL
On June 26, EM-LA and N3B hosted the first Environmental Management Cleanup Forum at Fuller Lodge in Los Alamos. Subsequent meetings are tentatively scheduled for other communities in the region. The meeting was structured to be the first step in a stakeholder engagement program, with a high-level overview of the LANL legacy cleanup program. New Mexico Environment Secretary James Kinney spoke and informed the audience that NMED would be holding a public forum in Los Alamos on July 8 to discuss NMED issues and would reveal some “major developments” at that time.

New Website Development:
A new sandbox version of the website is available for the board to review. The URL for the test version is being provided to board members.
**RCLC Elections:**
In accordance with RCLC bylaws, regular elections for officers is to occur at the first meeting of the board held on or after July 1st of each year. During the RCLC retreat in January a recommendation was put forward to move the RCLC elections to a date after the new year so as to allow newly elected members the opportunity to help elect the board. Our first meeting in FY 2020 is scheduled to occur on July 12, 2019. The proposal to amend the bylaws to place elections in January or February will be a discussion and possible action item at the July 12 meeting.

**Upcoming RCLC Related Events:**

- **NMED Community Meeting**
  NMED Secretary James Kinney extended an invitation to community leaders and the public to attend a public meeting on July 8 at 5:30 at Fuller Lodge in Los Alamos.

- **National Cleanup Workshop**
  The 2019 National Cleanup Workshop is scheduled for September 10-12 in Alexandria, Virginia. This is a key meeting for our local communities to meet with DOE EM officials, learn what is developments are ongoing in relevant areas, and present a united voice to DOE and members of congress on the cleanup priorities for our local communities and region. RCLC staff and available board members plan to attend the workshop. This is a good opportunity to meet with the new EM leadership and continue to build the relationships and contacts to aid in achieving our mission.