



Steve Glass, *Chair*
Elizabeth H. Richards, *Vice Chair*
Michael J. Bitner
John S. Derr
Pete Domenici Jr.

Kerry J. Howe
Caroline Scruggs
Jennifer Thacher
Erik K. Webb

Water Protection Advisory Board
c/o ABCWUA
P.O. Box 568
Albuquerque, NM 87103

Minutes: April 10, 2015

Location: Bernalillo County Public Works Division, 2400 Broadway

Time: 8:40 a.m. – 10:40 a.m.

Board Members Present: Chairman Steve Glass, Vice Chair Elizabeth Richards, John Derr, Caroline Scruggs and Kerry Howe

Board Members Absent: Mike Bitner, Jennifer Thacher, Pete Domenici Jr.

PIC Members Present: Ken Ziegler and Rick Heckes

Guests: Charles Leder (Water Authority), Kerry Greenfelder (CDM Smith), John Kieling (NMED), Will Moats (NMED), Dr. Eric Nuttall and David McCoy (CANM)

I. Call to Order

Chair Steve Glass called the meeting to order at 8:32 a.m.

II. Approval of Agenda

Chair Glass requested a motion to move approval of the agenda.

Motion was moved by member Dr. Kerry Howe and seconded by board member Dr. John Derr. Motion to approve the agenda carried unanimously.

III. Approval of Minutes

Chair Glass noted a minor correction for the February Minutes and requested a motion to approve the minutes for February and March meeting minutes.

Motion was moved by member Dr. Caroline Scruggs and seconded by board member Dr. John Derr. Motion to approve the February minutes as amended and the March minutes as presented carried unanimously.

IV. Board Business

- Update on the investigation of the Southside Water Reclamation Plant Spill

Mr. Charles Leder, Division Director for the Albuquerque Bernalillo County Water Utility Authority (Water Authority) provided the board with an update on the investigation of the recent spill at the Water Authority's

wastewater treatment plant. Mr. Leder told the board that in the early morning of Feb. 27, six million gallons of partially treated wastewater were inadvertently released from the plant due to a power surge and failed back-up power supply at the plant. Mr. Leder told the board that the Water Authority contacted the Pueblo of Isleta and New Mexico Environment Department in the immediate aftermath of the spill, but new protocol in the event of a future spill will ensure that Water Authority staff speak with a live person at Isleta instead of relying on voicemail. Mr. Leder added that Water Authority executives have since met with the Pueblo of Isleta Governor and Council and formally apologized to them. Mr. Leder said that the Water Authority has made sure that its back-up generator and co-generation system will be ready for a future power outage event and spill containment is being constructed on site that would stop another spill of this size from leaving the treatment facility. An independent investigation into the power failure that led to the spill is also being conducted, according to Mr. Leder.

The board considered the update by Mr. Leder and requested further information about other “near miss” occurrences at the wastewater treatment plant.

- Legislative and Regulatory Updates

Chair Steve Glass reminded the board members that Mr. Rick Shean, WPAB staff, had sent board an email announcing the water-related bills passed by the legislature in the most recent session and awaiting the governor’s signature or veto. [Note: The bills included were HB 38 Forest Watershed Recovery Act (vetoed), HB 578 Water Project Funds (signed), HB 563 Rio Grande Trail Commission (signed), and SB 552 Drinking Water System Financing (signed).]

- PIC Agency Updates

Sara Chudnoff, a water resource specialist with the Bernalillo County Public Works Division, told the board that the County hosted a class on private wells for residents of the East Mountains. The class was taught by staff from Bernalillo County, NMED, The New Mexico Office of the State Engineer, and New Mexico Department of Health (NMDOH). In conjunction with the event, the NMDOH and NMED hosted a two day private-well sampling event at the site. Ms. Chudnoff also added that the County is continuing with the growth of our Groundwater monitoring

program which has about 200 wells in the program now monitored quarterly.

V. Presentation: Sandia National Laboratories Mixed Waste Land Landfill Regulatory Status, Proposal for Corrective Action Complete With Controls, And Recent Decision of the New Mexico Court of Appeals

Mr. Will Moats, Geologist with the New Mexico Environment Department (NMED), provided the board with an update on the recent corrective action and administrative activities occurring at the Sandia National Laboratories' (SNL) Mixed Waste Landfill (MWL). Mr. Moats told the board that all of the corrective actions occurring at the MWL were based on the Final Order issued in May 2005. The Long-Term Monitoring and Maintenance Plan that was approved in Jan. 2014 was the last element of work needed for the SNL to request a "Corrective Action Complete" with controls from NMED. If issued, NMED will require SNL to monitor and maintain the MWL, including completing regular five-year reviews of the corrective measure (i.e., the MWL's cap). Mr. Moats also told the board that there was only low-level waste in the MWL, and high-level waste created at the lab was put in storage.

Mr. Moats updated the board on a recent decision by the New Mexico Court of Appeals that ruled in favor of the NMED in a suit brought forth by Citizen Action of New Mexico (CANM).

The board asked Mr. Moats about the danger associated with the metallic sodium claimed to be in the MWL by Citizen Action New Mexico. Mr. Moats responded that there is not enough moisture in the MWL to come into contact with the metallic sodium to combust.

VI. Other Board Business – none

VII. Public Comment Period – Mr. David McCoy, Executive Director of Citizen Action New Mexico (CANM), and Dr. Eric Nuttall, an independent expert, spoke about the Mixed Waste Landfill. Mr. McCoy and Dr. Nuttall told the board that high-level radioactive material was buried in the landfill, in contrast to what Mr. Moats told the board, and they have copies of internal SNL memos that state this fact. Mr. McCoy also told the board that CANM would be appealing the New Mexico Court of Appeals recent decision in their case against NMED.