

DRAFT MEETING SUMMARY

Community Environmental Working Group

“Striving for Continuous Environmental Improvements at Intel”

Date: December 13, 2006
Time: 5:00-7:00 p.m.
Location: Rio Rancho City Hall, Rio Rancho

Members Attending

John Bartlit, Acting Chair
Frank Gallegos, Intel Environmental Mgr
Edward Pineda, Rio Rancho resident

Teresa Fleming, Intel Public Affairs
Mike Williams, NM Citizens for Clean Air & Water

Technical Support Staff

Dana Beaulieu, Intel
Sarah Chavez, Environmental Engineer, Intel

Jami Grindatto, Intel

Public

Roberta King, Corrales resident
Lynne Kinis, Corrales resident

Bill Reilly, CRCWA
Glenna Bergeron, ABARR Inc.

Facilitator

Stephen Littlejohn, Domenici Littlejohn, Inc.

David Bergeron, recorder

HANDOUTS

- Draft Agenda
- Draft meeting summary—November 15, 2006
- Action-Item Progress Report
- EHS Activity Report
- Draft Citizen Protocol
- Report from Citizen Protocol ad hoc committee
- This month’s newspaper ad
- Roberta King’s commentary in The Corrales Comment and John Bartlit’s response
- Jeff Radford’s December 9 editorial in The Corrales Comment
- Additional information on August storm from Hugh Church
- Email dialogue about Intel and the CEWG, including emails from Fred Marsh (Dec. 2, 4, & 9), Steve Martinez (Nov. 21, Dec. 11), Martha Egan (Dec. 2), and Barbara Rockwell (Dec. 5) and Replies by John Bartlit (Nov. 22, Dec. 3, Dec. 4, Dec. 7, Dec. 10 & Dec. 11)
- Report from Intel on the FTIR library
- Email from Teresa Fleming regarding concerns about potential emissions increases

WELCOME AND INTRODUCTIONS:

Since everyone knew one another and was familiar with the mission, John Bartlit skipped the introductions and reading of the mission statement.

Public Comment

Edward Pineda referred to the barrage of emails on the CEWG this past month and invited members of the public to comment. He said that he prefers an active, vocal discussion rather than silence.

- Roberta King started the discussion by saying that her commentary in the Corrales Comment opened the door for further discussion. It encouraged others to make comments and voice their opinions. She said that she wrote from her experience and remains concerned about the lack of

critical thinking, not just about Intel issues, but in the country as a whole. She wrote the article because she has been involved with the CEWG and its precursor organizations in their struggles against Intel for clean air and water. Her largest concern is that there is not good communication between Intel and the public. Intel encourages the public to voice their concerns, but then ignores those concerns by continuing to do business as usual. The reason Intel does this is corporate profits. This is not limited to just Intel, but most major corporations in America are guilty of the same thing. As a result, the whole planet is in crisis environmentally.

- Lynne Kinis added that she was astounded by the fact that the CEWG was not aware of the history of Intel environmental problems. She felt that the CEWG members should be qualified and should know the history of Intel and Corrales Residents for Clean Air and Water. The emails that were sent contained both emotional responses and fact-based responses and the CEWG needs to consider the information contained in the emails. The emails contained clarifications of CEWG successes that were based on work accomplished years before by others. She also recommended that the “striving for continuous environmental improvement at Intel” mission statement be reconsidered because she does not agree with the “continuous improvement” statement. The Intel logo better reflects the CEWG activities.
- Edward Pineda requested that the mission statement be put on the meeting’s agenda. Ms Kinis then recommended that the agenda for the meetings be limited so that there was time for adequate discussion.
- Stephen Littlejohn helped the group rework the agenda to include the discussion of the mission statement. He reminded the group that there was significant time set aside in the January agenda to discuss the CEWG, mission, effectiveness, and funding.
- Mike Williams volunteered to resign his position on the board if people did not think he had an adequate background to participate in the CEWG because of his lack of knowledge of the history.
- Mr. Pineda remarked that we needed people with the technical background to support the CEWG.
- Ms Kinis clarified that she was not questioning Mr. William’s credentials, and that she felt very strongly that the group needed him.
- Mr. Pineda related a conversation to the group that he had with Steve Martinez where he offered Mr. Martinez a position on the working group. Mr. Martinez stated that he had better things to do with his time. He could have more impact doing the things that he was already doing.
- Ms King replied that she could relate to Mr. Martinez’ position. She would not be willing to be a member of the CEWG, but she attends the meetings because she wants to understand first-hand what is going on. She has expended a great deal of energy in fighting with Intel to make improvements, but does not see that it has made any difference.
- Mr. Pineda discussed recent activities of the Environmental Improvement Board (EIB). Improvement of the environment is dependent on a tripod made up of the community, the regulators (NMED), and Intel. He felt that the folks at NMED do not care about the concerns of the community. The EIB represents a window of opportunity to influence the NMED.

REPORT AND DISCUSSION OF INTEL-RELATED ACTIVITIES AT THE ENVIRONMENTAL IMPROVEMENT BOARD

John Bartlit summarized the recent EIB meetings. An EIB sub-committee meeting was held on November 9th in Albuquerque and a full EIB meeting was held in Santa Fe on December 5th. At the November 9th meeting, Robert Samaniego reported on the 19 July power outage at Intel and its effects on air quality. The board questioned Mr. Samaniego, the public was given an opportunity to question Mr. Samaniego, and the public made comments.

- During the November meeting, there were questions about emissions during the outage, how well the emissions are known, and questions about emissions from other unscheduled downtimes. Mr.

Bartlit gave kudos to Ms Kinis for providing information to the board about the unscheduled downtimes using the EHS reports presented at the CEWG. Mr. Bartlit felt that the public awareness of the unscheduled downtimes was incremental progress in helping to improve the environment. Ms Kinis disagreed, saying that eliminating pollutants and toxins was progress.

- Mr. Littlejohn reflected that there are different senses of progress. There's direct progress with emissions and indirect progress that people can use to move toward direct progress.
- Mr. Bartlit stated that there were significant questions and comments not related to the power outage that dealt with long-term health effects, emergency information availability and adequacy of monitoring. After the meeting he mentioned the CEWG short report to Mr. Gregory Green and sent copies to Mr. Green and the board. Mr. Bartlit questioned whether he should have done this without approval. Comments from CEWG members and other public attendees were, "Yes, the report was approved" and "Yes, it should be distributed, including to the EIB."
- On December 5th, Mr. Green reported the results of the November 9th meeting to the full EIB. Mr. Samaniego was in attendance and made the corrections to his report given on the 9th of November. Richard Goodyear is the acting chief of NMED in Mary Uhl's absence due to maternity leave. Mr. Green summed up the results of the November 9th meeting (according to Mr. Bartlit's recollection) by saying "Intel's emissions from the power outage were less than permitted and were probably less than an average day, since operations were stopped by the outage."
- At the December 5th meeting, Mr. Green summed up the November 9th meeting by pointing out that the focus had changed from power outage to the broader issues of long-term health effects, emergency information availability and adequacy of monitoring. He asked to have the Air Quality Report posted to the NMED's website. Mr. Bartlit suggested the group post the same report on the CEWG website.
- Mr. Pineda said the key point that he thought Mr. Green took away from the meeting was that if Intel has a sizable release, it is imperative that there be a way of notifying the public—reverse 911, a siren or some other method. He felt that Corrales needed to develop a plan to evacuate the village – not FEMA.
- Ms King agreed that Mr. Bartlit had captured Mr. Green's comments accurately. Her reaction to what Mr. Green said was that if the words of Mr. Green's comments were all that were posted on the website or in the newspaper, then people would be under the mistaken impression that NMED and the EIB were "on top of things". Everyone from the public who spoke felt that Intel needed to change from a minor source permit to a major source permit. Minor source permits allow emissions to be counted over an annual basis rather than on an hourly basis for a major source permit.
- Mr. Littlejohn asked Ms King what she would advise the CEWG to do. She suggested that we get information in how to reopen the Intel permit.
- Ms Kinis expressed a concern that Mr. Green misunderstood some of the information presented by the public. She said someone had stated during the meeting, that they had heard a siren. Ms Kinis was concerned that Mr. Green took that to mean that there was a warning siren at Intel to notify the public—which is not the case. Ms Kinis concurred with Ms King that the permit should be reopened so that Intel would be forced to monitor emissions hourly rather than annually. Ms Kinis went on to say that the methodology for getting word to the public in the event of an Intel emergency was to have Intel contact the Rio Rancho police department and they would get the word out. This was a cause of concern for Ms Kinis, because she was not convinced Intel could be trusted to give a timely warning of an emergency. She felt that Intel might try and cover up the emergency rather than report it.
- Ms Kinis asked Sarah Chavez how often the thermal oxidizers were tested. Ms Chavez answered that there were four thermal oxidizers and each was tested for two weeks during a quarter. Frank Gallegos clarified that a third-party contractor tested the oxidizers, not Intel.
- Mr. Littlejohn asked Ms Kinis what she thought was the first step that CEWG should take. She responded that the group needed to get NMED to the CEWG meetings.

- Mr. Pineda suggested that Intel could take steps to do more testing on their own. He suggested that the group write a letter to the EPA requesting help to address the issues of potential health effects of Intel emissions.
- Mr. Bartlit responded that there is no point in calling for more testing or monitoring until we can provide testing that people will trust. The Citizen Protocol, the next agenda item, has this purpose.
- Ms King suggested that the monitoring should be done by the regulatory agencies.

ACTION ITEMS FROM THE DISCUSSION:

- 1. Teresa Fleming will post the Power Outage Report from the November 5th EIB meeting on the CEWG website.**

CITIZEN PROTOCOL REPORT:

Edward Pineda summarized progress to date in developing the Citizen Protocol. The current version of the Protocol is included in the handouts. Mr. Pineda went through the content of the Protocol and explained various aspects to ensure the public could trust the testing.

- Once the report is completed, it will be posted on the CEWG website for public comment.
- Mr. Littlejohn pointed out that the handout includes next steps that must be taken to complete the Protocol. They include: advertising in the local newspaper, having Intel review the protocol, presenting and discussing the report at the CEWG meetings. There will be at least one more meeting of the protocol group to continue working some of the open issues. These include developing a more complete statement of vendor contracting requirements and soliciting input from other stakeholder groups.
- Mr. Bartlit stated that he wants broad acceptance of the protocol. If we cannot get people to accept the protocol, there is no point in continuing.
- Ms King pointed out that the Corrales Residents for Clean Air and Water (CRCAW) worked with Intel to finalize the good neighbor agreement. Immediately after the agreement was signed, Intel initiated the revision of their permit from a major source to a minor source. She went on to say that there were systemic problems with regulation and monitoring.
- A discussion ensued about whether there was any point in continuing the CEWG. Ms Kinis related what had happened during the task force was that people within the regulatory agencies had found problems and issues with test results, everyone agreed with the test results, but the heads of the regulatory agencies overruled their subordinates.
- Mr. Gallegos pointed out that many of the things that Intel is doing is voluntary. He stated that if testing were done according to the Citizen's Protocol and problems were found, Intel would work to address the problem.
- Mr. Pineda asked whether Intel would help the group perform silica testing and analyze the results without approval from NMED. Mr. Grindatto stated that they would.
- Because of the concerns, Mr. Littlejohn asked two questions: should the group continue working on the Citizen's Protocol and if so, where should we go next? Everyone agreed that work should continue and that the protocol needs the widest possible dissemination.
- Mike Williams pointed out that even if testing were done and everyone agreed upon the results, NMED might not respond immediately with any changes. NMED is bound by law to conduct business in a certain manner. The data might help push NMED and the EPA to make changes in the future.
- Mr. Bartlit stated that he has always felt that the CEWG has more potential clout than the NMED because of the NMED's structure and its legal restrictions.
- Mr. Bartlit also asked the group to continue looking for outside sources of funding to perform the testing.

- Mr. Grindatto wanted to make sure the group recognizes that they can make “ad hoc” suggestions that can be taken to Intel. His concern was that the Protocol become institutionalized and might limit possible improvements. He committed to take the ad hoc issues to Intel leadership.

ACTION ITEMS FROM THE DISCUSSION:

- 1. Stephen Littlejohn will send the Protocol to the following individuals and groups: Steve Martinez, Jeff Radford, Fred Marsh, NMED, Sandia Pueblo, and the Environmental Improvement Board through Joyce Medina the board secretary.**

COOLING TOWER UPDATE

Mr. Gallegos gave a quick update on the cooling towers.

- Mr. Pineda asked what chemicals were being emitted by the cooling towers. Mr. Gallegos stated that the report has already been released. He agreed to resend the report
- Filtration of the cooling water has been implemented. All cooling water is filtered each pass through the towers.
- Intel is working on adding the chemicals in smaller doses as needed rather than adding them every few hours.
- All cooling towers were cleaned at the end of the summer.
- There are currently four of the ten cooling towers operating due to less need for temperature control.
- Mr. Bartlit asked whether the shutting down of six cooling towers had resulted in less complaints. Mr. Gallegos responded that it was not clear whether that was the case and if there were, it could be due to the fact that people had their windows closed. Mr. Williams pointed out that condensation was a problem and some people felt there were more problems in the winter.

ACTION ITEMS FROM THE DISCUSSION:

- 1. Frank Gallegos will resend the emission report on the Cooling Towers.**

ADDITIONAL DISCUSSIONS:

Teresa Fleming gave an update on the results of the storm settlement progress. Basins and rock dams have been restored. Intel’s Corporate risk assessment group brought in a civil engineer (P.E.) and insurance adjustors.

- Mr. Pineda asked when the members of the community would be compensated and what kind of compensation people might expect. Mr. Grindatto responded that many in the community have already been compensated for their loss. The compensation would be based on where they were located in relation to Intel and what portion of their damage was attributed to Intel. The adjuster assesses the damage to the property and the engineer assesses how much of the damage was due to water coming from Intel.
- Mr. Pineda asked where the runoff from the Intel buildings from a typical storm goes and whether it was treated before it left the premises. Ms Fleming said that it went to a retention basis and then under 528 to the Black arroyo. Mr. Pineda gave Intel a heads up that they needed to apply for an MS-4 permit before April 1st, 2007.

Teresa Fleming reminded the group that PNM wanted time at the next meeting to discuss the installation of a new power line that is not specific to Intel.

Mr. Bartlit ended the meeting by making the point that everything we do has dilemmas. “if Intel pays for something, they control it; if Intel does not pay for something, they are penny-pinching irresponsible and non-responsive... there are implications for every decision we make and there are downsides for every decision. Perhaps we need to spend more time considering those downsides”.

Stephen said the same was true for the agenda. The more time we spend talking about a single item limits the number of items that we talk about. The opposite is also true. Try to cover more items and we cannot talk about any of them in depth. The challenge is to find the correct balance.

Ms Kinis asked how membership in the CEWG was established. Mr. Bartlit explained that Intel approached him to see if he would help establish the working group. He recommended Mike Williams and Hugh Church and contacted Steve Martinez, Barbara Rockwell, and Jim Shively to encourage them to join, but they declined. Gordon Ross asked to be on the CEWG when he heard of its work through citizen advisory panel. Mr. Bartlit reiterated that there is a standing invitation for people to join the CEWG board.

NEXT MEETING

- Wednesday, January 17, 2007, Your Place or Mine

Ongoing Issues and Agenda Items:

- CEWG effectiveness, including mission, membership, agenda formation, funding, and monthly ad
- CEWG dilemmas
- Possible letter from the CEWG to the EPA
- Re-opening the Intel permit
- Citizen Protocol
- Panel on epidemiology
- Noise issues
- Water quality/quantity
- Continued cooling tower discussion
- Emergency response
- ISO 14,000