

MEETING SUMMARY

Community Environmental Working Group

“Striving for Continuous Environmental Improvements at Intel”

Date: December 15, 2010
Time: 5:00–7:00 p.m.
Location: Corrales Senior Center

Members Attending

John Bartlit, Acting Chair, NM Citizens for
 Clean Air & Water
 Mike Williams, NM Citizens for Clean Air &
 Water

Sarah Chavez, EHS Department, Intel
 Thom Little, Intel
 Hugh Church, American Lung Assc. of NM

Non-Members Attending

Roberta King, Corrales resident
 Lynne Kinis, Corrales resident
 Frank Gallegos, Intel
 Andrew Moen, Intel

Jeff Radford, Corrales resident
 Jane Dalgren, Corrales resident
 Jay Stimmel, Interested citizen
 Liz Shipley, Intel

Facilitator

Stephen Littlejohn, Facilitator

CJ Ondek, Recorder

HANDOUTS

- Draft Agenda
- Draft Meeting Summary November 15, 2010
- Action-Item Progress Report
- EHS Activity Report
- December Newspaper Ad
- Proposed Agenda Process
- Silica Testing Task Force Meeting Minutes
- Intel report on EPA 114 follow-up process
- Proposed op-ed piece: History Tells Ways to Cut Intel’s Air Emissions
- Proposed letter to editor thanking Mayor Gasteyer for his support of the crystalline silica testing process

PROPOSED AGENDA

- Welcome, Introductions, Announcements and Brief Items
- EHS Report
- Agenda-Setting Process
- Spelling out the EPA 114 Comment Process: Report and Discussion
- Complaint Follow-Up Process and Real-Time Data Reporting Web Site
- Additional Business
- Adjourn

Filename: CEWG Meeting Summary 12/15/10, v. 3

Approved: January 19, 2011

Prepared or presented by: CJ Ondek & Stephen Littlejohn

Prepared for: CEWG

Date prepared or presented: January 10, 2010

WELCOME, INTRODUCTIONS, ANNOUNCEMENTS, AND BRIEF ITEMS

John Bartlit opened the meeting by stating the CEWG mission, which was to work towards continuous environmental improvements and improved community dialogue. Introductions were made.

Agenda—Revisions and Approval

No comments.

Meeting Summary—Revisions and Approval

John Bartlit provided a written comment/correction, the correct spelling of “NOx”.

Announcements

Stephen Littlejohn said the CEWG was giving “Certificates of Appreciation” to individuals who observed the crystalline silica stack-sampling process.

Public Comment

- Lynne Kinis thanked the agenda committee for moving the EHS report agenda item to the beginning of the meeting.
- Jeff Radford read from a settlement agreement between Intel and the Air Quality Bureau regarding a Notice of Violation (NOV) on 1-Heptanethiol reporting: “Intel denies the violation alleged in the NOV, contests the civil penalty calculations in the NOV, and does not admit any liability.” Mr. Radford said that Intel brought the violation to the attention to the Air Quality Bureau and now denies that they violated the permit. This action spoke to Intel’s credibility issue. He said he understood that their lawyers did not want to raise the liability issue, and the language was somewhat legalese. But he wanted to put this in the context of the ongoing mission of CEWG, which was to deal with Intel’s lack of credibility in the community, and why the public did not trust Intel.
- Sarah Chavez said that this NOV was discussed in a CEWG meeting, and that Intel had received the violation and paid the penalty. Jeff Radford said that Intel’s fine was paid, in large part, in the form of a grant to the village to buy solar water heating and positioned as an example of Intel’s largesse to the community rather than as a fine for a violation of their air quality permit. Ms. Chavez said if people were interested they could add this as an agenda item to discuss the NOV process and how it works. Stephen Littlejohn said that if members wanted to add this as a discussion item they should let him know. John Bartlit said that they should add this as a discussion item, especially with how fine money is used.
- Roberta King said that there was a difference between discussing this topic at a CEWG meeting and then making it known to the public. She saw this as a problem.

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- Lynne Kinis said that she thinks the main point had been missed. She said: 1. Intel reported to NMED that the chemical was not reported properly in their report. 2. Now Intel was saying that they did not violate anything—that they were innocent. She asked if people in the room understood why the community did not trust Intel. It was because Intel sent out mixed messages. That was the point that should be discussed, not what should be done with the money. She said that the majority of people in the room did not get that “ Intel talks out of both sides of their mouth,” and this was a prime example. She said she gave Intel credit for reporting the violation, but then they turned around and said that they did not violate anything.

EHS REPORT

- Thom Little began by briefly discussing Durr downtime. On 11/13 a F11X Fab Durr unit, on the south end of the site, faulted due to a flow switch and motion switch. A signal was sent to the control mechanism saying that these switches were not functioning properly, which opened the bypass damper allowing VOCs to emit untreated for 6.3 hours. Lynne Kinis asked if the two lines under “Information Requested” referred to the Nov. 13 incident. Both lines said: “F11X Fab DURR (VOC-16-LT2-1) equipment downtime notice”. Mr. Little said that they weren’t the exact same situation but one of them referred to the incident on 12/3, which replaced the switch. He said there were actually two events. Ms. Kinis asked that they add another column for date in the “Information Requested” box. Mr. Little agreed.
- Lynne Kinis pointed out that under “Calls Received” the action taken for every call read the same: “All systems operating normally and no unusual conditions or activities.” She said that there actually was an “unusual activity.” Mr. Little said that if there was a scheduled downtime, then that would not be recorded as an “unusual activity.” Sarah Chavez added that the downtime might not have corresponded with the time of the odor complaint. She said they would have to go back and verify the time. Ms. Kinis suggested adding another column listing downtime. She said that having raw VOCs emitted was not “normal”, regardless of whether or not it was scheduled. She said this was a communication discrepancy, which went back to the trust issue. Ms. Chavez said that they could add the column.
- Lynne Kinis said that repeating the same “action taken” for every call was problematic for the people living in Corrales, who suffered. Thom Little said that it was difficult to correlate the odor complaint because describing it was subjective. He said he and a colleague spend several hours trying to find things out of the ordinary when checking out complaints. Ms. Kinis said she was not asking them to match up exact smells. Her point was that anyone calling in with an odor complaint and being told “all systems were operating normally” when in actuality raw VOCs were being emitted, regardless of whether it was due to a malfunction or scheduled downtime, was not “normal”. Being told, “all systems are operating normally” when they were not eroded trust, she said.

- John Bartlit said that maybe Intel needed to look at the EHS table format and find a more useful format that was more efficient than the current version. Thom Little said it was important to get feedback from others to improve the EHS table format. Stephen Littlejohn asked if anyone objected to Mr. Little's working to improve the format. Already they had two suggestions: adding columns on date and time.
- Roberta King asked when normal preventative maintenance was done on the Durr units and for how long. Sarah Chavez said that maintenance was done during the day as per the CEWG's suggestions. Thom Little said the length of time varied depending on which preventative maintenance task they were doing. Ms. Chavez said the typical semi-annual preventative maintenance took about 14 hours, and made the distinction between scheduled maintenance, which was conducted when something needed to be repaired.
- Thom Little said that "action taken" referred to observing the "knobs and dials" or control parameters to check if something was not working. In addition, they have a set of procedures to follow when there's an odor complaint before they sign off on it. He said they tried to tap into the knowledge of Intel engineers to figure out what produced certain odors. He said if that column was useless, maybe they needed to come up with a different format.
- Lynne Kinis said that Frank Gallegos had changed some of the format of this form as per her suggestions in the past. She said that the answers under "Action Taken" as written on these reports were not sufficient, especially if the responses looked like a rubber stamp. She said that this sends a message that each incident is not taken as a separate entity. Ms. Kinis also pointed to the November EHS, and said that every single EHS report had some kind of glitch, which added to community mistrust.
- Thom Little asked Ms. Kinis if she wanted him to add the level of detail that he collects with investigating each incident. He said that he collected a significant amount of detail with each incident. He said that the format, which was currently constructed for a summary, did not allow him to write in the level of detail. He asked what level of information the group wanted. John Bartlit suggested printing out all the detailed information that was collected and attaching it to the back of the EHS report.
- Stephen Littlejohn said that it sounded like there was a perception problem among the community. The summary sentence was read and perceived as a minimal response, when in fact the response was not minimal.
- Hugh Church suggested defining what was meant by "normal" and "usual."

ACTION ITEM: In the EHS Report, Thom Little will add another column for date in the “Information Requested” box and a column listing downtime to the “Calls Received” section.

AGENDA SETTING PROCESS

- Stephen Littlejohn referred to the meeting handout on this subject, a proposed agenda-setting process that he and John Bartlit wrote. He summarized the points on the handout, now attached to this meeting summary.
- John Bartlit said that “priority topic” referred to an item on the priority list. He expanded on the third proposal regarding the EHS report placement. He said that the public seemed “sick and tired” of hearing that everything was going well at Intel. He said if the EHS report were always first on the agenda, sometimes it would say that everything went well, which would annoy people. He thought it was better to only put it first when something abnormal happened. Intel would be responsible for telling the committee when that happened. He said doing it this way was more efficient, and they would avoid starting a meeting with everyone annoyed or angry because they were told, “everything was ok.” He said it was another incentive for Intel to work extra hard to make sure the equipment worked as best as possible. He pointed out that in the future, with redundancy, there would be situations when the first line of equipment did not act normally, but the back up did, so the emissions as a result were normal. He said the group would have to decide how to treat this kind of incident, as normal or abnormal.
- Mike Williams asked what the transition time was to switching to redundant equipment during an incident. Sarah Chavez said it was less than 10 minutes for the damper to move from one unit to another.
- Lynne Kinis suggested putting the EHS at the beginning, and if there weren’t a problem, they would have time to move on to other topics. Roberta King said she would like to see the EHS report at the beginning until problems discussed were addressed. After a period of time that could be changed, she said.
- Thom Little asked if they would limit themselves to an agenda time period or flex it to capture passion around a topic. Stephen Littlejohn said that was the reason for the extra time at the end of the meeting. Also, when there was passion around a topic, sometimes it was best to allow the discussion to continue. Therefore, it was important to keep the agenda flexibility, he said.
- Thom Little said that in regards to the first proposal, he was not the technical expert, Sarah Chavez was, and he would like the flexibility to bring Ms. Chavez in to advise on technical

matters. Stephen Littlejohn said that the proposal included the line, “Others may be invited to attend if needed for special purposes” to account for those situations. He said that the reason they had two Intel people in the past was because of the technical issues.

- John Bartlit said Mr. Little could have other Intel people in the room with him that he could call on for support while discussing setting the agenda with the CEWG agenda committee. Lynne Kinis said she did not see why that would be needed to just set an agenda. Stephen Littlejohn said that part of what they did in setting the agenda was to frame the agenda item, for example, how to word it and decide on the discussion points, which in some cases required special knowledge. Thom Little gave as an example the EPA report; Sarah Chavez and Andrew Moen were the experts on this report process, and they knew things that Mr. Little did not, so their input was necessary.
- Roberta King said that originally, when group prioritized topics, the agenda was fine. Then after the EPA report was released, the agenda setting process seemed to change, and Intel wanted to tell the CEWG all the things they were doing. It seemed to her that Intel was deciding what this group would talk about and using “PR rhetoric” to convince the group that they had their best interest at heart. She said she objected to this kind of change, and that the CEWG was just a rubber stamp for whatever Intel general management wanted to happen. She said it was important to stay with the priority topics.
- Thom Little said that if that were the case, they would not have changed the agenda when the EPA report came out. He said that he believed that the community would rather discuss the EPA report than continue on with the regular agenda. Sarah Chavez added that the meeting to discuss raising the stacks heights also seemed like an important topic the community would be interested to hear about. She said that she and Mr. Little did not set the agenda but discussed what was important to include on the agenda with Mr. Bartlit and Mr. Littlejohn. John Bartlit said the CEWG requested that he invite top management to the meeting to explain why they raised the stack height from 30 to 40 meters.
- John Bartlit proposed the EHS report be first on the agenda, however, if three consecutive months go by without an event, then to move it to the end of the agenda. If there were a problem, then the report would go back to the top of the agenda again for three more months. Jane Dalgren said she preferred Ms. Kinis’ proposal of keeping it first, and if there was nothing to discuss then they could move on quickly to number 2. She said she was concerned with how Intel’s equipment was working, and the highest concern should be first on the agenda.
- Sarah Chavez said that they should limit the conversation to the events rather than the report format. Discussion about the format should be an additional agenda item. Making a distinction between these two topics might speed the process of review, she added.

- Stephen Littlejohn said that pointing out an inconsistency would be focusing on content; to say that something could be remedied by adding a new column was form. He suggested the following rule. Put the EHS at the beginning. Allocate 15 minutes to discuss content. If there was no content of concern, then move on to the next item. If they used up the agenda time, then come back to EHS at the end of the meeting. Suggestions on form could be communicated to Thom Little separately outside the meeting or visited later in the meeting. He asked the group if they could live with this rule. No one objected.
- Thom Little asked if there were a special topic, would the group still want to do the EHS Report first. Lynne Kinis said she recalled the CEWG meeting when Intel administrators discussed stack heights, and Jami Grindatto said one of Intel's primary concerns was to gain community trust. She said Jeff Radford started the meeting with a community trust issue, and she followed up with community trust issues around the EHS report. She would rather see time spent clarifying situations than listening to Intel's administrators cheer themselves on, which did not build trust. To build community trust, they must listen to the community.
- John Bartlit said that Ms. Kinis and others had pushed him very hard to get high-ranking people from Intel to come to CEWG meetings so they could hear information first hand. He felt that pressure, especially after failed attempts to raise the stack heights. He said he made that effort, and now he's being told that he did it erroneously. He said he was neutral either way, but he could not both try to get high-ranking Intel administrators to CEWG meetings and try to keep them out at the same time. Ms. Kinis said that Mr. Bartlit must have misunderstood her. Mr. Bartlit said that in the stack heights report, one of the critiques was that the CEWG did not have enough communication with high-ranking people. He suggested they decide as a group whether they want to encourage more participation from high-ranking Intel staff or discourage it. Stephen Littlejohn said it was an issue that needed to be addressed but the discussion had gone off the agenda.
- Roberta King said she had a problem with CEWG members being allowed to speak, but when the public wanted to say something they were forced to stay on the agenda. She said she would like to clarify that the group wanted Intel management at the meeting to make decisions or give a definitive answers because the CEWG Intel representatives could not do so, and not to give a 20 or 30-minute presentation. John Bartlit said they brought the highest-level people to the meeting to communicate their decision to raise the stacks to 40 meters because he thought it added credibility, and that they wanted to hear this decision from the decision makers.
- Thom Little said he would take the lead for Intel and if he needed expert advice then he would make the request to bring in another person to participate in the agenda-setting meeting and defer to others on special issues.

- Mr. Littlejohn checked consensus on the following process, and everyone agreed: Item 3 changed as follows: The EHS report will be allocated 15 minutes at the beginning of each meeting. Discussion will be limited to content issues as opposed to issues of form. If there is little to discuss, we will move to the next agenda item immediately. We will return to the EHS report for additional discussion in the last half hour if we cannot finish it within the 15 minutes allowed. All other points in the agenda-setting proposal to remain.

DECISION: Reached on the agenda-setting proposal with the changes discussed above.

- Mr. Littlejohn asked the group how they wanted to handle adding a non-Intel CEWG member to the agenda committee. Mike Williams nominated Edward Pineda. There was no opposition to this suggestion.

DECISION: Appointed Edward Pineda as the non-Intel member and Thom Little as the Intel member of the agenda committee.

SPELLING OUT THE EPA 114 COMMENT PROCESS: REPORT AND DISCUSSION

- Stephen Littlejohn reported that Edward Pineda, who would be absent at both November and December meetings, had asked that the group to clarify the involvement of the CEWG in the Intel EPA 114 follow-up process. At Edward's request, Mr. Littlejohn called a phone meeting of CEWG members to discuss this issue. He referred to the meeting agenda and called attention to the six points clarified under this agenda item on page 2. Mr. Littlejohn read the six points to the group. He asked if anyone in the group had any comments on these six points. John Bartlit said that Mr. Pineda had asked Mr. Littlejohn for editorial help in writing an op-ed piece for the *Corrales Comment*. Jeff Radford said that he had spoken with Mr. Pineda and was committed to publishing the piece in the *Corrales Comment*.
- Stephen Littlejohn asked if anyone had any comments to make on this month's report from Intel. No one had any comments.

COMPLAINT FOLLOW-UP PROCESS AND REAL TIME DATA REPORTING WEB SITE

- Thom Little said they were getting ready to publish the Web site that looked at Intel's internal operations in real time. He said they tried to make the Web site language free of "Intelese."
- He asked the group to consider the ways the Web site could be tied to the complaint process. He said that the current process was that someone would call the command center with a

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complaint; the complaint was investigated through a series of checks, and then Mr. Little was alerted to the complaint. Mr. Little said his role was to respond to the person making the complaint, explain the investigation, and ask if they would like him to visit their home or neighborhood to check on the odor. Mr. Little went on to show the group a series of Web site snap shots on his computer of the new Web site.

- Thom Little asked the group for suggestions on how to use this Web site to enhance communication with the community regarding the complaint process. Some of the things the Web site showed were Intel buildings, the different scrubbers and the status the technician would see and the number of hours the tool was running. He said a live Web cam was mounted on the building that gave a live video of the stacks. He said the Web site had educational opportunities such as how scrubbers worked. It also included links to the EPA site and the CEWG site. It also captured part of weather tower and showed the wind speed and direction. He asked for suggestions on this from the group. It showed real time how equipment was operating, and updated itself every 15 minutes. Mr. Little said it was not up and running yet as the programmers needed to make sure the data feeds worked accurately. The target for the site's going live was the end of December and it could be found at: exploreintel.com.
- Stephen Littlejohn said that someone calling in with a complaint could look on the Web site and double check what was going on. Mr. Little said that the site did not capture historical data nor every element of detail behind the operating units. He said that the Web site idea was more basic, which was to get a closer look at the units and the stacks.
- Roberta King said that most of people who live close to the area and complain, don't use computers. They called in because it was the quickest and easiest way to get the message to Intel. Thom Little said that he looked at the site as potentially helpful, and calling on the phone would still be an option—nothing would change in that regard. He encouraged people to keep on calling in order to help resolve the complex problems.
- Stephen Littlejohn asked what could an interested, technically minded community member learn over time from visiting the site. Thom Little said they could start with the videos and a voiceover that speaks to what it was they were looking at. Additionally, other videos explained sampling and compliance. From a data perspective, what was available was cumulative time the units ran or did not run during the year and crude graphs.
- Roberta King asked if she smelled a terrible odor would she be able to go on and see that a unit was down. Thom Little said they would be able to see that the unit was down and not operating. He said the site was to show actual operating conditions in real time.

- Mike Williams asked if it were possible to add a plume model to be able to tell where the plume was headed. Thom Little responded that Jeff Radford had asked a similar question and there was no easy answer. Intel would have to figure out how to do that, and that would take additional resources. He said he would investigate how to do that, but it would take a few months to resolve. Sarah Chavez asked what that data would be based on. Mr. Williams said he was suggesting something simple, just a contour of the plume path, based on a weather component.
- Thom Little said that there was a place for feedback on the Web site. He emphasized that some changes may take some time.

ADDITIONAL BUSINESS

CEWG Publicity

- John Bartlit said he wrote an op-ed about CEWG in response to comments made during the stack heights focus group in which some participants said they had never heard of the CEWG but would like to know more. He said that in the draft op-ed he attempted to explain briefly who the CEWG was and how they operated. The purpose of the op-ed was to explain CEWG methodology. He said he also wrote a letter to the editor publicly thanking Corrales Mayor Phil Gasteyer for his assistance and support in the crystalline silica testing process and with recruiting volunteers to help in the process. He said that the mayor's assistance was invaluable, especially with recruiting the volunteers, including Jim Tritten, who was instrumental in pushing hard to complete the task on time. He said that the public had pushed the CEWG to communicate more with the village Council and mayor, and he wanted to do that. Stephen Littlejohn added that Thom Little also played a key role in the process being completed on time.
- Hugh Church confirmed that the CEWG Silica Testing Task Force (STTF) was formed in July and not June.
- Stephen Littlejohn asked the group their opinion of the op-ed. Lynne Kinis said she felt it was biased. She asked Mr. Bartlit what he believed the best permit was for monitoring emissions. He responded that getting a major source permit, per se, did not guarantee increased monitoring. He said that they had asked that very question to the EPA Region 6 Chief of Permits in Dallas, and that's how he responded. He said they looked at the only chip-processing plant in the country that had a major source permit, and it had less monitoring than Intel did. Ms. Kinis said that in point number two, nothing was mentioned about a yearly, rolling average as opposed to weekly or monthly monitoring. Mr. Bartlit said that his point was that in 2007, when they looked into what could be gained to cut emissions from a major source permit, the EPA Chief said they would not gain anything. The EPA chief also said the EPA had specifically approved use of the yearly rolling average in 2000.

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Ms. Kinis said that in the EPA 114 report, it stated that there was no way Intel could violate the minor source permit as it stood now. She said it was one point of view in this op-ed, and she would like the alternative point added to the op-ed. Mr. Bartlit said the op-ed was not intended to be a debate on minor vs. major source permit, it was intended to inform the public about who the CEWG was and how they worked. He said he would be happy to add a line saying that there were different views on minor vs. major source permits.

- Jeff Radford said he would like to interview Stephen Littlejohn to get his perspective on the “process.” Stephen Littlejohn thanked Mr. Radford but said that in his role as a facilitator he would have to decline for reasons of professional ethics, and he could not make any comments on substantive issues.
- Roberta King said in 2007, the EPA was under a different administration. She said that since then things have changed and tightened up a bit. She said that she objected to the claim that any group was reducing CEWG’s emissions. She said that emissions were not being reduced but were increasing because of Intel’s increased processing and plant expansion. She said that abatement of toxicity needed to be under control rather than emissions, and that points two and three in the op-ed were misleading. As far as the Kodak plant was concerned, her research showed that this plant was not primarily a chip plant but was a photo finishing plant, and it was because of the toxic chemicals used in the photo finishing process that they needed a major source permit. The chip part was incidental, she said. John Bartlit said that he would be happy to change the op-ed to say: “There were no chip plants that had a major source permit.”
- Mike Williams said that it might be useful to investigate the point of the EPA in 2007 being under a different administration. He suggested writing a letter to the EPA administrator asking if anything had changed. Mr. Bartlit said that a complication was that a letter went out from the EPA to the NMED that said they approved of the permit as it was issued at the time, and that the letter still carried weight. Mike Williams said that the regulations had not changed since then. Stephen Littlejohn asked Mr. Bartlit if he would be willing to write another letter to the EPA inquiring about the matter. Mr. Bartlit responded that the answer would not help reduce emissions or get tighter monitoring, and his time was better spent working in that regard. However, he did not object to anyone else writing the letter.
- Stephen Littlejohn said they would have to come back to this point on the op-ed. He asked if anyone objected to the letter to the editor thanking the mayor and the volunteers for their service. No one objected.

DECISION: Mr. Bartlit’s letter to the editor thanking Mayor Gasteyer was approved.

Silica Testing Task Force (STTF) Update

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Stephen Littlejohn reminded the group that these STTF updates were to ensure that the STTF minutes were officially recorded and acknowledged in the CEWG meeting summaries, which was done by having Jim Tritten give a brief report and then attaching the STTF minutes to the meeting summary.

- Jim Tritten reported that the STTF had a number of meetings in which they resolved all processes and procedures as to how to conduct testing and write reports. They had recruited citizens from the community to observe sampling process, which was conducted December 7 - 10. Thus far, the sampling procedure was straightforward with no problems, and Intel cooperated with everything the STTF had asked.
- He said that an important item that needed to be discussed by the CEWG was how much longer the STTF should stay in operation and for what purpose. He said that the group was chartered to observe and witness sampling for crystalline silica testing in 2010, and then to get involved in writing the report. He said that the CEWG needed to tell the STTF when it should disband. Other questions to consider were whether the STTF had a function in the next round of testing in 2011, should the STTF need to be re-commissioned or did it end and another group formed. He said that these questions needed to be answered within the next month.

MEETING ADJOURNED

NEXT MEETING

January 19, 2011, 5 p.m. at the Corrales Senior Center in Corrales.

MEETING DECISION SUMMARY

1. Approved the proposed agenda-setting process with the following change: The EHS report will be allocated 15 minutes at the beginning of each meeting. Discussion will be limited to content issues as opposed to issues of form. If there is little to discuss, we will move to the next agenda item immediately. We will return to the EHS report for additional discussion in the last half hour if we cannot finish it within the 15 minutes allowed.
2. Appointed Edward Pineda as the non-Intel member of the agenda committee and Thom Little as the Intel member.
3. Approved John Bartlit's proposed letter to the editor.

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