

# CITIZEN PROTOCOL SUMMARY

April 13, 2010

Because of ongoing public concern about air quality, the Community Environmental Working Group (CEWG) developed the Citizen Protocol (CP) as a methodology the whole community can trust. Addressing sampling, testing, analysis, and reporting, the document establishes a set of requirements that could be used for any measurement needed in the future.

The Group began work on the CP in August of 2006, and the document has been under continual development since then. The initial draft was developed by a committee, and the entire CEWG worked on it as well. Over the years, we have consulted with Intel and numerous individuals and agencies for suggestions and comments. This paper provides a summary of the Protocol. The full process can be found on our website at <http://www.intel.com/community/newmexico/cewg.htm>.

## 1. Preliminary Steps

- 1.1. CEWG will seek Intel's approval for any sampling done on its property. If the sampling is not done on Intel property, this permission and proposal process is not required.
- 1.2. As part of the proposal, the CEWG will document the following: (a) What is the purpose of the test? (b) What specifically will be tested and how will the results be reported? (c) What are the proposed sampling, calibration and test methods that are going to be used? (d) What is the length of time for each sample? (e) What is the data going to be compared to? (f) What levels would be considered acceptable? (For the silica test, these questions are addressed in "Silica Testing Proposal Summary.")
- 1.3. If non-regulated substances or substances with no approved regulatory sampling methods are proposed, additional information will be required as specified in the Citizen Protocol.
- 1.4. CEWG will receive from Intel and review the expected percent operational capacity, or production level. The CEWG will approve this level if it is acceptable or delay the testing until the operational level is deemed sufficient.
- 1.5. The CEWG will secure funding. We are proposing to fund the silica testing project by asking Intel to temporarily reallocate funds used for certain routine monitoring. Temporary suspension of routine monitoring to gain silica sampling will require NMED approval. (Earlier attempts to secure outside funding were unsuccessful.)

## 2. Independent Management Agency

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- 2.1. The CEWG will establish a Protocol Task Force consisting of representatives from Intel, the community, and the CEWG. The Task Force can be augmented with specialists recommended by the CEWG.
- 2.2. The CEWG will notify NMED of the formation of the Task Force and request that a representative be assigned to participate in the Task Force.
- 2.3. The Task Force will nominate a management agency that (1) possesses appropriate credentials, (2) is independent and has no conflict of interest, (3) is approved unanimously by the Protocol Task Force, and (4) is approved by consensus of all stakeholders present at a CEWG meeting.
- 2.4. The CEWG will put the task force on the agenda of a regular meeting for approval of all present. This agenda must be announced to the community in advance.
- 2.5. The approved Management Agency will advertise for the services of an appropriate contractor (vendor). Vendors must (a) demonstrate and document applicable training and successful experience in the area of industrial stack sampling and testing; (b) not be a stakeholder or have an interest in the outcome; (c) be accredited; and (d) be a U.S. firm.

### **3. The Vendor**

- 3.1. Vendor candidates will submit a sampling, measurement, and analysis plan as prescribed by the Citizen Protocol. The plan must include a sampling methodology, a measurement methodology, and a schedule and timeline. The specifications for these processes are spelled out in the Citizen Protocol.
- 3.2. The Management Agency will conduct pre-selection interviews and/or visits to examine facilities, equipment, certificates, and personnel if deemed appropriate to do so.
- 3.3. The Management Agency will review and select a vendor, assuring safeguards and confidentiality as outlined in the Citizen Protocol. The Management Agency will inform the Task Force of the vendor selected along with qualifications and the procedures and criteria used for selection.
- 3.4. The Management Agency will inform the vendor of reporting requirements.
- 3.5. The Management Agency will approved subcontractors as requested or needed.

### **4. Sampling, Measurement, and Analysis**

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- 4.1. The Vendor will collect samples, conduct measurements, and analyze the data according to its plan. To ensure objectivity, samples submitted to the lab for analysis shall not identify the location or source.
- 4.2. The Vendor will conduct a validation test when appropriate and feasible.
- 4.3. Intel may conduct simultaneous sampling, using the same method.

## 5. Reporting

- 5.1. The vendor will report its analysis only to the CEWG following the requirements outlined in the Citizen Protocol, and only the CEWG will be permitted to release the information to the public. (Intel will have access to the report through its CEWG members.)
- 5.2. The report must be notarized and include at a minimum the raw data, a quality control statement, and results and analysis. A comparative analysis will also be required to put the results in context. This could be a time comparison, ratio between variables, or comparison to a standard.
- 5.3. The CEWG will post the results as a draft on the CEWG website.
- 5.4. The Task Force will discuss the draft report and resolve questions and disagreements with the vendor as needed.
- 5.5. Once the Task Force is confident in the results, the report will be posted in final form on the website and presented at an open CEWG meeting.
- 5.6. Open public dialogue on the results will be encouraged.

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