

DRAFT MEETING SUMMARY

Community Environmental Working Group

"Striving for Continuous Environmental Improvements at Intel"

Date: July 18, 2007
Time: 5:00-7:00 p.m.
Location: Your Place Or Mine

Members Attending

John Bartlit, Acting Chair
Hugh Church, American Lung Association
Edward Pineda, Rio Rancho Resident
Teresa Fleming, Corporate Relations Manager

Frank Gallegos, EHS Manager, Intel
Heath Foott, Intel
Gordon Ross, Corrales Resident
Lane Kirkpatrick, Corrales Resident

Technical Support Staff

Andrew Moen, Environmental Engineer, Intel

Public

Roberta King, Corrales resident
Jay Stimmel, Los Alamos

Facilitator

Stephen Littlejohn, Domenici Littlejohn, Inc.

Glenna Bergeron, recorder

HANDOUTS

- Draft Agenda
- Draft June 20, 2007 Meeting Summary
- Action Item Progress Report
- Short Report to the Community
- Draft of the Citizen Protocol
- Email Correspondence "Extract from two emails from John Bartlit"
- This month's newspaper ad
- July EHS Activity Report

WELCOME AND INTRODUCTIONS:

John Bartlit stated the mission – to make environmental improvements by reducing emissions and improve community dialogue. He then had the attendees introduce themselves.

Frank Gallegos announced that Heath Foott will represent EHS on the CEWG and that Frank will attend as a resource person. When Teresa Fleming goes on sabbatical, Mr. Foott will move into her role as Corporate Affairs representative, and Mr. Gallegos will then resume in his role as the EHS representative.

Stephen Littlejohn asked whether there were any additions to the agenda. Mr. Bartlit asked whether the group should discuss a possible role for George Evans in CEWG efforts. Mr. Evans has a background in modeling and that may be beneficial to the Group's effort. It was agreed to add the topic.

Mr. Bartlit asked for changes or revisions to the meeting summary. There was none.

Roberta King expressed concerns about the monthly newspaper advertisement. Ms King said the ad sounded like 100 percent Intel PR hype. Mr. Bartlit inquired whether there were specific examples that she could provide the group. Ms King responded that it appeared that the author picked out the things that Intel wants the public to believe about major and minor source permits.

She said she did not understand why we had spent so much time during the last meeting talking about Kodak's major source permit when their chip manufacturing plant was not anything like Intel's. It appeared to her that the group was comparing the whole Kodak plant (not just the chip manufacturing plant) with the whole Intel plant and the two plants are very different. Mr. Bartlit said the reason we chose to discuss Kodak's major source permit was that it was the only chip manufacturing plant under a major source permit.

Mr. Littlejohn asked Ms King what she would have liked to see in the ad to make it more representative of last month's meeting. She reiterated that the ad appeared to be skewed in favor of Intel.

Mr. Pineda reminded the group that the purpose of the group was to improve community dialogue and in the past few months, there have been several concerns raised about the monthly advertisement. He suggested that a discussion of how to make the ad more representative of the community's concerns be added to next month's agenda. Ms King responded that the group spends too much time talking about communication and not enough time talking about the important issues like crystalline and amorphous silica.

Kirkpatrick brought up the idea that perhaps 10 or 15 minutes should be reserved at the beginning of each meeting to allow people from the community to express their concerns about Intel. Ms Fleming pointed out that public comment was already part of every meeting's agenda.

Mr. Pineda suggested that the group discuss the advertisement now and asked whether the group needed the advertisement, what was the purpose of the advertisement, was the ad fulfilling that purpose? Mr. Littlejohn pointed out that in order to discuss the item now, that some other agenda item would have to be bumped to the next meeting. Everyone agreed to discuss it at the end of the meeting if there was time.

ANNUAL SHORT REPORT TO THE COMMUNITY

Mr. Bartlit introduced the second annual short report to the community. Mr. Bartlit and Mr. Littlejohn created the report from the meeting summaries from the past year. The report highlights accomplishments, not just items discussed.

- The first item talks about changes in equipment, hardware and process improvements that have environmental benefit.
- This year's report included more discussion of the CEWG's methods – how the group does things, how we gather information, what we do with information, how we wrestle with dilemmas. There are some real benefits from that discussion. The group now get information from first hand sources – not just from Intel or the newspapers. As examples we have gotten information directly from the water panel, the EPA, from Kodak, from the ATSDR. We gathered information more broadly from different sources.
- We have worked on a number of dilemmas. The classic one is that the community wants Intel to do more testing, to pay for more testing, to hire people to do more testing, but then does not trust the results of that testing or the way they are reported to the public. The group's response to this dilemma is the Citizen Protocol.

- There are a number of accomplishments of the CEWG that could not have been done by any federal, state or local government agency. No agency has the authority to require the changes in the biocide additive to the cooling towers to reduce emissions, nor could they require that Intel use the testing methodology called for in the Citizen Protocol.
- The use of email and other public communications channels have been greatly expanded to improve public dialogue.
- The report outlines both topics in which the group gathered new information as well as explaining how the information gathering is different from how it has been done in the past. We tried to get knowledgeable people, not tied to Intel, to evaluate the issues and present their perspectives in order to get unbiased information. For example, we had the water panel that discussed the aquifer and water use by Intel.
- Mr. Littlejohn asked for comments or suggested changes, revisions, or deletions to the report.
- Mr. Pineda and Mr. Kirkpatrick both said they had not seen the report. Mr. Pineda requested more time to review the report.
- Mr. Kirkpatrick said the highlight of the year was the development of the Citizen Protocol. The next step is to ensure that it is implemented. Is there anything that should be included in the report to help get the Protocol implemented?
- Mr. Littlejohn explained that the group adopted a two-step process at the last meeting that would serve as the first steps in implementing the Protocol. The first step was to define a pilot project, its goals and objectives, identify the necessary resources and then approach the U.S. Institute for Environmental Conflict Resolution to see if they could either fund the project or help the group find funding. Mr. Littlejohn suggested that a bullet be added to the report to say that initial steps have been taken to implement the Protocol.
- Mr. Pineda suggested that wording be added to say that two challenges must be overcome in order to implement the Protocol: independent financing and a legal review of the document.
- Ms Fleming asked whether the report should mention the panel discussions. Mr. Bartlit had said earlier that he intentionally left out discussions on different topics because discussions are not of themselves accomplishments. They are a means to an end, but not the end in themselves.
- The group agreed that the water panel should be mentioned and that the subjects that were discussed during the year needed to be included. Details and conclusions should not be included, but the report should at least acknowledge that the group had held the discussions. Ms Fleming suggested that we add footnotes to identify the sources of information to each of the items in the report. The group agreed that footnotes were a good idea.
- Mr. Kirkpatrick expressed his feeling that the draft was very well written. Mr. Bartlit reminded the group that last year Teresa Gunn had written an 11-page report that included all the detail. The group shortened it to a couple pages in order to make it readable and understandable.
- Hugh Church asked whether there should be a date on the report. Mr. Littlejohn responded that when the group approves the report, the approval date will be included.
- The group agreed that changes to the draft report should be sent to the entire distribution list for comment, with a 48-hour turnaround.

- Mr. Gallegos suggested that follow-up actions from the discussions be added to the report. Mr. Pineda disagreed. He suggested that only accomplishments be in the report, not actions for the future.
- Mr. Kirkpatrick suggested that the group needed to reflect on the discussions, especially the water panel, and perhaps draw conclusions and make recommendations that should be published. Mr. Bartlit highlighted this as another dilemma. The group is constantly pushed to go into greater depth, greater resolution, more accurate reporting, etc. We are also pushed to cover more topics. We cannot do both. Mr. Kirkpatrick reiterated that he thought we needed to develop conclusions from the panel discussions, otherwise people assume that we just had a good time listening to the panel members. Mr. Bartlit asked whether we should conclude from the discussion of the water panel that Intel is not disturbing the Corrales aquifer. Mr. Kirkpatrick and Ms King both expressed that we could not necessarily draw that conclusion, to which Mr. Bartlit responded "that's my point". Everyone took away different views from the panel discussion and it will be very difficult to draw general conclusions that everyone would accept.
- Mr. Pineda suggested that the group should meet to see what conclusions the CEWG could draw from the panel discussions and what recommendations will the CEWG make to resolve the issues.
- Mr. Kirkpatrick said that the group has investigated some of the issues in depth and we should come to some conclusion in order to have some kind of closure. Ms Fleming suggested that the issues could be expanded to include regional water issues. Mr. Pineda said that the water shed is more challenged than the air shed. Perhaps the group should continue to investigate the issues and get to some conclusions and recommendations as to how we can resolve or manage them.
- Gordon Ross pointed out that the water issue is very complex. Agriculture is the largest user of water and the growth of the state is such that something has to give. The state is going to have to stop growth, stop agriculture, or stop industry. Industry is the smallest user. Ultimately, there is a balancing act between agriculture, growth, and industry that must be accomplished, or this state will become uninhabitable.
- Ms King objected to the idea of drawing conclusions. She suggested that conclusions should be softened by saying that "it appears that...". Mr. Littlejohn clarified that instead of conclusions, perhaps closing statements might reflect the complexity of the issue.
- Mr. Littlejohn summarized that the group was in consensus that by adding footnotes to relevant meeting summaries for more detail and a new bolded item on the water panel that the report would stand as this year's annual report. He also concluded that the group needed to determine the next steps on the water issue as a separate item. The next steps on water were added to the agenda.

ACTION ITEM FROM THE DISCUSSION: Stephen Littlejohn will send a revised draft out to those in attendance at this meeting for approval with the request for a 48-hour turn around on comments. Assuming no corrections, this draft will stand as approved by consensus.

CITIZEN PROTOCOL PILOT TEST

Mr. Littlejohn introduced the pilot test project. The big challenges in implementing the Citizen Protocol is finding independent funding and a fiscal agent as well as getting a legal review of the

Protocol. We decided at the last meeting to define a pilot project so that we could approach potential funding sources with a real program.

- Mr. Littlejohn put out a request to the community for pilot project topics via email and got a few responses. Ms King suggested investigating crystalline silica and Mr. Bartlit suggested phosgene, tracer gasses, and the cooling towers as possible topics.
- Mr. Pineda opined that the group should choose a topic that provided clear, unambiguous answers. There should be no question whether the emissions are coming from Intel or automobiles. Crystalline silica is the best candidate for doing that.
- Mr. Kirkpatrick challenged the idea of financially independent testing. Intel has the resources to fund the work. If they were to provide 10 percent of their testing and monitoring budget over the next two to three years in the form of a grant to fund the Citizen Protocol testing, sufficient data could be collected and analyzed by independent contractors to provide answers that the community could trust. Ms Fleming asked whether the community would trust the results.
- Mr. Littlejohn pointed out that the Protocol permits using Intel as a funding source, but the community is divided on whether they would trust the results. Barbara Rockwell has said that Intel has the responsibility for funding it, but others in the community have said if Intel puts one cent into the testing, they will not trust the results. He polled the CEWG via email in May on whether the pilot program should proceed using Intel funding, and the Group ranked this option very low in terms of gaining the public trust.
- Mr. Pineda said that any monies that Intel provided would have to be over and above what they are currently spending on monitoring.
- Ms Fleming said the group should implement the pilot program first and show results before asking Intel to provide any funding. Mr. Bartlit agreed.
- Mr. Gallegos pointed out that Intel has been monitoring emissions for years using third party consultants. The public does not trust the results. There is no point in putting more money into testing if the public will not trust those results either. It would be better to have independently funded, contracted, and analyzed data that the community will believe.
- Mr. Littlejohn summarized that it appeared that the group was in agreement that the initial pilot should be performed using independent funding and after completing that project, funding could be raised as an issue again. The next question is what topic should the group chose for the pilot project?
- Mr. Bartlit raised the point that getting a definitive answer on the silica issue is more likely than many of the other topics raised. In addition, silica has been an issue in the news and people are familiar with it.
- Mr. Littlejohn again summarized that the silica issue answered Mr. Pineda's criteria for selecting an appropriate topic: it is local to Intel, it is a significant issue for the community, and it is a topic that a funder might be interested in funding. The consensus was that silica is the best topic for the pilot project.
- Ms King offered that it is not whether Intel pays for the testing. The issue is the integrity of the contractor doing the testing. Can they be swayed by Intel? She questioned the

motives of any independent contractor. Would they alter the results in order to get into the good graces of Intel in order to get a lucrative contract?

- Ms Fleming asked whether the Protocol addressed the issue of whether the contractor provided a disclaimer that they had no current ties to Intel and would not seek contractual ties to Intel in the future.
- Mr. Littlejohn pointed out that there were provisions in the Protocol that all tests should be blind tests. The lab and lab technicians would not know the source of the materials that were being tested. There would be a vendor that captured the samples, but the lab personnel would not be provided any details on where the samples were captured.
- Given the consensus for silica being the pilot project topic, Mr. Littlejohn will contact the U.S. Institute for Environmental Conflict Resolution about funding. The group will need to put together a task force for finding the contractors necessary to implement the project. That will be an agenda item for a future meeting.

ACTION ITEMS FROM THE DISCUSSION: Stephen Littlejohn will contact the U.S. Institute regarding possible funding, a legal review, and fiscal agency.

EMERGENCY RESPONSE

Mr. Littlejohn reported that he did not get any responses to his email request for a committee, so the group will need to establish a committee at this meeting to investigate the emergency notification system and/or a siren. The group may also want to look into having another panel on this topic.

- Mr. Pineda asked whether Intel would be willing to notify the public of potential emergencies via a system like that identified by Ms Martinez. Ms Fleming responded that it was the first responders that had the responsibility to notify the public and that there are written agreements between Intel and the appropriate agencies that cover those contingencies. She suggested that a panel would give the first responders from Rio Rancho, Corrales, and the Sandoval Fire Departments an opportunity to meet with the public and discuss the coordination of emergencies. Rio Rancho is currently testing a notification system similar to the one identified by Ms Martinez.
- Mr. Pineda repeated his question whether Intel would support a system that would warn the community of an emergency at Intel.
- Mr. Littlejohn again asked the group whether the CEWG should form a committee to research where these systems are being used, how the committee should be formed, or whether there was another next step that the group should consider.
- Mr. Ross suggested that the ham radio network might be able to provide a state-wide notification of emergencies at Intel. The network hub is currently on Kirtland AFB, but they have to relocate it. The ham radio network suggested Intel as a possible site for the hub. If it were placed on Intel property, it could provide an instantaneous, state-wide notification of any emergency. Mr. Pineda asked how the notification would reach him.
- Ms King identified two different issues: notifying the immediate area of a disaster that is releasing toxic chemicals and second, evacuating the area. It is impossible to get anywhere during rush hour, how are they going to evacuate the whole city?

- Mr. Kirkpatrick asked who decides whether there is an emergency? Is everyone confident that the notification will be in time? Ms Fleming said there is a team that will make that decision. The team consists of the Rio Rancho fire chief, the Rio Rancho emergency manager, the Sandoval County emergency manager, and the Corrales fire chief, as well as the Intel emergency manager.
- Mr. Pineda asked who makes a decision within Intel to say that there is an emergency? He brought up Bhopal India and the failure there to make a decision that led to the death of hundreds of people.
- Ms Fleming proposed that members of the CEWG should help to collect the data to find out about emergency procedures so that it is not just Intel providing the answers. Mr. Pineda, Mr. Ross, and Mr. Foott volunteered to gather the necessary information for the next meeting.

ACTION ITEM: Edward Pineda, Gordon Ross, and Heath Foott will prepare a report for the next meeting on relevant emergency-response information.

EHS REPORT

Ms Fleming gave an overview of the EHS report. The thermal oxidizer sampling is underway, part of the quarterly VOC monitoring. That will continue through August 15th. The group is welcome to witness the VOC monitoring.

- Mr. Foott suggested that anyone who wanted to understand how sampling was accomplished could view the process during the VOC monitoring. Mr. Bartlit pointed out that the Citizen Protocol deals with contracting issues, reporting, funding, and who does the testing and analysis. It does not deal with sampling methodologies. There are agreed upon standards mandated by the EPA and other agencies that proscribe how sampling is to be accomplished.
- Ms Fleming said there were nine different complaints received concerning odors. She explained the operating conditions for each complaint. On one day, the thermal oxidizers were down, and on two other days the diesel fire pumps were running which might have accounted for the odor complaints. The other days all abatement equipment was operating normally.
- Mr. Pineda asked about the email from Peggy Everett. There were two complaints on June 20th — an odor complaint from a neighbor and someone from Cottonwood Mall seeing a plume. There was also an email from NMED. All abatement equipment was operational and there were no generators running on this day. There were no fire pump testing on this day; no testing of boiler diesel fuel delivery system; no incidents involving water treatment systems in the CUB; no incidents that would impacted cooling tower emissions. Wind was blowing at approximately 7 mph from the east at that time. The information was also provided to NMED at their request.
- Mr. Pineda pointed out that Peggy Everett is a scientist and was an active member of the Corrales Air Quality Task Force. She was not dreaming or hallucinating. She saw something. As a member of the community, it is difficult to accept the answer that this was working, or that was working. What was it?

- Mr. Gallegos pointed out that Ms Everett stated that she did not go up and look to see where on the site the plume was coming from. From her vantage point, it could have been something else from someplace other than Intel. Many people are on site and they would have reported seeing a plume emanating from an Intel facility. There were no reports of any plume from on-site, so we have to conclude that the plume did not come from Intel.
- Mr. Ross said his neighbor on Windover burned a whole field full of trash during that timeframe. The smoke was light gray, not dark, but it occurred during that same basic time. Mr. Foott asked whether Corrales required a permit to burn trash. If so, they would have a record of the burn. Mr. Kirkpatrick said that before you can burn in Corrales, you must call the fire department and they will take down the caller's name and address. If you don't do that the fire department will dispatch a fire truck.
- Mr. Church asked where zone 2 was located. Ms Fleming agreed to bring a map showing the zones.
- Mr. Pineda asked whether there was a thermal inversion layer during any of these times. Mr. Gallegos said that he receives data each day from Jeff Stone in the air quality department that might help to determine whether an inversion layer was present. Mr. Church agreed to talk to Mr. Stone to see if there is any way to determine when there is a thermal inversion layer that might trap bad air and exacerbate the odors.
- Ms King raised the concern that when people complain, the answer is always the same – this is working, that is working. No one goes out to look and smell and see exactly what is coming out of the stacks.
- Mr. Pineda asked about the “elite nose” group. Could they be sent out to see if they could smell anything in the direction of the complaint? Ms Fleming said that they are sent out when there is a complaint.
- Ms King asked what chemicals are being used to control weeds around the perimeter of Intel. It was supposed to have been answered, but she has not heard anything yet. Mr. Foott agreed to look into this for the next meeting.

ACTION ITEMS FROM THE DISCUSSION:

1. **Ms. Fleming will bring a map showing the zones.**
2. **Mr. Church will talk to Mr. Stone to determine whether inversion data is available.**
3. **Mr. Foott will provide information at the next meeting on weed-control chemicals.**

Mr. Littlejohn adjourned the meeting.

NEXT MEETING

- August 15, 2007, 5 PM at Your Place or Mine.

Upcoming Agenda Topics:

- Advertisements
- Ongoing discussion of water
- Ongoing discussion of emergency response and possible panel

- Ongoing discussion of Citizen Protocol
- Noise issues
- USATSDR report on health effects
- ISO 14,000
- RTO redundancy
- Abatement efficiency