

MEETING SUMMARY

Community Environmental Working Group

“Striving for Continuous Environmental Improvements at Intel”

Date: November 28, 2012
Time: 5:00–7:00 p.m.
Location: Corrales Senior Center

Members Attending

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

Edward Pineda, Rio Rancho resident
 Hugh Church, American Lung Assc. in NM
 Sarah Chavez, Intel

Non-Members Attending

Lynne Kinis, Corrales resident
 Roberta King, Corrales resident
 Liz Shipley, Intel

Natasha Martell, Intel
 Kurt Parker, ERM

Facilitator

Stephen Littlejohn, Facilitator

CJ Ondek, Recorder

HANDOUTS

- Draft Agenda
- Draft Meeting Summary October 17, 2012
- Action-Item Progress Report
- EHS Activity Reports
- Media reports and articles, as available
- Vulnerability analysis materials (as available)
- ATSDR exchange

PROPOSED AGENDA

- Welcome, Introductions, Announcements and Brief Items
- EHS Report, EPA 114 and Permit Updates
- Topic Priorities
- HF Spikes Update, Next Steps, Timeline
- Weather Data
- Security, Vulnerability, and Related Issues
- Additional Business
- Adjourn

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 Prepared or presented by: CJ Ondek & Stephen Littlejohn
 Prepared for: CEWG
 Date prepared or presented: December 7, 2012

WELCOME, INTRODUCTIONS, ANNOUNCEMENTS, AND BRIEF ITEMS

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

Liz Shipley introduced Natasha Martell, Intel's new Communications and Media Manager and Education Manager. Ms. Shipley said Ms. Martell had worked with Intel for years, and would be joining the CEWG monthly meetings.

Agenda—Revisions and Approval

No comments.

October 17, 2012 Meeting Summary—Revisions and Approval

Roberta King clarified a comment she made in last month's Meeting Summary. On page 7-8, first bullet point, it should read "disintegration from chemicals" rather than "of". She said her use of the word "disintegration" was correct. She said that everything the chemicals touched disintegrated.

Survey Update

Stephen Littlejohn said that Lane Kirkpatrick was not in attendance because he had a client meeting in Florida, so therefore he could not provide a survey update. Lynne Kinis added that Mr. Kirkpatrick told her he had spoke with 12 people. Edward Pineda recommended that Mr. Kirkpatrick find out whether the people he surveyed owned Intel stock. Roberta King said he had added new questions to the survey previously. John Bartlit said that there were probably people who owned Intel stock and didn't know they owned Intel stock. Stephen Littlejohn said they should raise this issue when Mr. Kirkpatrick was present.

ATSDR Update

Stephen Littlejohn reminded that Dennis O'Mara had suggested that the CEWG contact the New Mexico congressional delegation to hasten ATSDR's final report. Mike Williams and John Bartlit approached Senator Jeff Bingaman, who introduced them to Libby Washburn, his aide. Senator Bingaman's office made an inquiry to the ATSDR. The CEWG received an acknowledgement from ATSDR's Peter Kowalski, who said he had been contacted by the senator's office. The senator's office also contacted the CEWG and reported that the ATSDR planned to release the report in Spring 2013.

John Bartlit said they had prepared a note for Senator Bingaman with the issue details. ATSDR confirmed that they were updating the Health Consultations report and would peer review the CEWG's crystalline silica report. He said that if report did not appear in Spring 2013, the CEWG would follow a similar process to approach ATSDR through the NM congressional delegation.

Public Comment

- Lynne Kinis said she knew people in her community who owned Intel stock but still did not support Intel. So, she wasn't sure if the stock question would play into their comments.
- Roberta King asked for clarification around Coleman Smith's employment history with NMED. Sarah Chavez said she thought he was with the agency for some time. She suggested that Ms. King contact Mr. Smith directly. Hugh Church said the NMED did not have staff addresses updated on their Web site.
- Edward Pineda asked if it were possible in the future for NMED to elect a representative to attend CEWG meetings. He said that this was a weakness in the relationship between Intel, the regulator and CEWG. Stephen Littlejohn added that Jay Stimmel attended in the past, but it was on his own time as an interested citizen. John Bartlit said that as far as he was concerned, there was an open invitation. Based on the history, he believed they would say "no." Mr. Bartlit said that if CEWG members agreed, he would email Richard Goodyear, head of the Air Quality Bureau, with an invitation to regularly send an NMED representative to CEWG meetings. Mr. Pineda recommended that Mr. Bartlit and Mr. Littlejohn draft such a communication to NMED, and then send it to the group for feedback. Mr. Bartlit added that he would send the invitation to NMED. All in attendance agreed with this motion.

DECISION: Consensus was reached on CEWG's sending an invitation to NMED to appoint a representative to regularly attend CEWG meetings.

ACTION ITEMS:

1. John Bartlit and Stephen Littlejohn will initiate a draft communication to NMED and send to the group for feedback.
2. After wording has been finalized, John Bartlit will send a communication to Richard Goodyear inviting NMED to regularly attend CEWG meetings.

EHS REPORT, OTHER ANNOUNCEMENTS, EPA 114 UPDATE

- Sarah Chavez reported that Intel was currently conducting quarterly testing on the thermal oxidizer units F11NX. Testing would be completed on December 12. Also, Intel met with the Air Quality Bureau to discuss the technical permit revision on 11/20/12. The due date for NMED to complete the permit revision was December 5. They would begin to draft the Title 5 permit afterwards. Ms. Chavez reminded the group that NMED's Coleman Smith talked about having a Title 5 public meeting in early 2013 but did not discuss specifics.
- Ms. Chavez said that Intel sent out the list of changes they proposed on the technical

revision permit, and they did not receive any comments or phone calls from the public, and neither did NMED. NMED could still accept comments for another week. Ms. Chavez added that there still was no word from EPA on the 114 report.

- Lynne Kinis asked for clarification on the permit to be validated on December 5. Sarah Chavez said the revision was about changing Intel's current construction/NSR permit in preparation for the Title 5 permit. NMED had a specific template that the permit had to follow, and putting the NSR permit into that template would make it easier to construct the Title 5 permit.
- Lynne Kinis asked to whom Intel had sent the notice. Sarah Chavez said based on the November CEWG meeting, she wrote a presentation and sent it to Stephen Littlejohn, who then sent it out in the CEWG newsletter. This article listed Liz Shipley's contact information for comments. Ms. Chavez said Intel contacted the larger community by placing newspaper notices as both a display ad and in the legal section. The newspapers were the *Rio Rancho Observer* and the *Albuquerque Journal*. The legal notice and display ads ran on separate dates this time, which was different from previous years, when they all ran on the same date.
- Lynne Kinis asked who requested the information cited on the 11/19/12 request for information listed as "EPA Office of Water, Response to request for information". Ms. Chavez replied that the EPA sent a letter to Intel requesting information, and this entry referred to Intel's sending a response to that information request. Ms. Chavez said this was a first time request. Ms. Kinis asked if the public was privy to this information. Ms. Chavez said she would have to find out whether it was confidential or not. Ms. Kinis asked about the next entry listed as "notice of copies". Ms. Chavez replied that Intel had to send proof of public notices to NMED, which were copies of the public notices. Ms. Kinis complimented whoever did the newspaper notice because it was big and bold and stood out.
- Lynne Kinis said she took issue with the fact that the public did not respond with questions or comments. She said she did not get the newsletter because she did not have a computer; but she did see the notice in the paper. But as far as understanding about the chemical information part, she had no information. Sarah Chavez reminded that Intel intentionally came to the CEWG in October before the application was submitted to share information about it so people would understand. Ms. Kinis reminded that at the October meeting she said she needed time to digest the information, contact knowledgeable people about the chemicals, and form questions. That was why she asked for a public meeting. John Bartlit added that Ms. Kinis still had time to comment to the Air Quality Bureau. Ms. Kinis said that she had done that previously and no one responded. Ms. Chavez clarified that Ms. Kinis would have the

opportunity to ask questions at the Title 5 meeting.

- Edward Pineda asked if the construction permit and Title 5 permit would be approved together or separately. Sarah Chavez replied they would be approved separately by NMED. She further explained that although the EPA reviewed the Title 5 permit, NMED had final authority. Ms. Chavez said they discussed these issues at last month's meeting. She said that they had been following the same construction permit technical revision process for years. Cole Smith agreed to conduct a public meeting on Title 5 in 2013 because it was new. Stephen Littlejohn asked if Mr. Pineda would like to see a letter from Intel to the community. Mr. Pineda replied he would like the process made clearer to the community in tonight's Meeting Summary.
- Stephen Littlejohn summarized the following: 1. The construction permit and the Title 5 permit would be approved separately by NMED; 2. The construction/technical revision permit would be considered on December 5; 3. The Title 5 permit would be considered in 2013.
- John Bartlit suggested asking if the Corrales Village government would post the CEWG newsletter article on their Web site. Roberta King said, "Don't count on it... They're way behind." Stephen Littlejohn said he felt that the CEWG's newsletter and Web site were underutilized. He would like the CEWG to post more articles in the newsletter, on the Web site, and on Facebook.
- Edward Pineda said Intel's getting a Title 5 permit was a significant event because the community had been asking for it for a long time, and now, after many years, it had finally materialized.
- Stephen Littlejohn said he would put something new on the Web site and in the next edition of the newsletter based on the Meeting Summary language. Lynne Kinis suggested that a community letter would reach more people. If it was only online, that meant the community needed to be alerted to look on the computer.
- Lynne Kinis said she was confused about the two permits. The Title 5 was a major source permit for greenhouse gases, but she recalled that the technical permit was under the Title 5 permit. Title 5 automatically brought in more monitoring and closer scrutiny, but the December 5 permit asked for several chemicals not to be required to be reported on or tested anymore. Ms. Kinis asked if her understanding was correct. Sarah Chavez replied that it was incorrect. Intel would still report on the same chemicals, but what would change was the frequency of stack testing for those chemicals. Currently, scrubbers were tested annually, and that would remain the same. Thermal oxidizers

were tested quarterly, and Intel was asking that be changed to annually, which was consistent with Title 5 frequency of testing.

- Edward Pineda said this request to reduce frequency of stack testing by Intel was a back step and not continuous environmental improvement. He was concerned that this was not in the best interest of protecting the community.
- Stephen Littlejohn said they were moving into a new topic, which was frequency of testing, and this topic deserved its own agenda item. He suggested communicating concerns directly to NMED, and they would look at adding testing frequency as a future agenda item. John Bartlit said he often proposed shifting funds from Intel's current testing, which was not used and the community did not believe anyway, to other kinds of testing.
- Lynne Kinis said it concerned her dearly that Intel had requested quarterly testing be reduced to annually. That was the only way the community could keep Intel's feet to the fire. Intel would be getting cart blanche and write one report instead of four. Sarah Chavez said that wasn't true. The methods to demonstrate compliance were required to be conducted monthly, and Intel did this through tracking individual chemicals emission factors rather than stack emissions. This method would continue to remain in place. The chemicals that came into Intel were tracked to show emissions. When a chemical arrived on site, it was scanned and put into a database.
- Stephen Littlejohn said that "emission factors" was another topic, and they would have to come back to this at another meeting.

HF SPIKES UPDATE, NEXT STEPS, AND TIMELINE

- Sarah Chavez said the CEWG was paying for Class One to organize the 2010-2012 weather data in the format Mike Williams needed for his study, but Mr. Williams had to direct the work. Ms. Chavez had been trying to arrange the meeting for Mr. Williams to talk with Class One about it. Mike Williams said his wife deleted a bunch of emails, including an email from Sarah Chavez, so he had not made any progress in communicating with Class One. A complication was that he would be traveling abroad for a couple weeks and would not be able to work on the project until after Dec. 16.
- Sarah Chavez asked, because it was end of the year, what the implications were for using CEWG's money, since it was doubtful that Class One would complete the work by yearend. Stephen Littlejohn said he would ask Intel if the CEWG could apply the 2012 funds even though he could not bill until 2013. But if worse came to worse, he said they could use 2013 money.

- In terms of timeline, Mike Williams said that until he saw the data, it was difficult to determine how long he would need to complete the study. Sarah Chavez said she did not know how long it would take Class One to prepare the meteorological data.
- Sarah Chavez asked for clarification about the study process. She asked if certain elements used in the silica task force study would also be used. For example, air quality standards were different and had different numbers; which one would Mr. Williams use in the study? Mike Williams said one of the key components was to compare results to a provisional number, and he intended to use a provisional number used in Texas. Mr. Williams said the numbers didn't tell anything specific; they were only a trigger to look further. In addition, he had to determine exactly which emissions to use. Ms. Chavez added she would like to know how he would handle emissions data coming out of 20 different stacks. Ms. Chavez reiterated that this was the kind of information she would like to see documented to understand how the process worked. Mr. Williams said he would write up something for the January CEWG meeting.
- Edward Pineda asked for clarification on the study and whether or not they would use a task force. John Bartlit said the CEWG had tried to organize a task force but could not find anyone willing to participate. Because of this, Stephen Littlejohn said, they chose to use a different method. They would not be using the Citizens Protocol on this study.
- Edward Pineda recommended that Mr. Williams add a couple phrases in his write up as to why they were not using nor need a task force at this time. Mr. Williams said the simple answer as to why the CEWG was not using a task force was because they could not find anyone to participate. John Bartlit suggested writing a chronology of the HF Spikes study that laid out historically how they arrived at where they were now.

ACTION ITEM: Mike Williams will write up a fact sheet that addresses critical elements used in the process of the HF Spikes study to include a chronology of how the study concept evolved.

- Stephen Littlejohn summarized the key steps for the spikes study as follows:
 - Class One will provide weather data to Mike Williams.
 - Intel will provide emissions data to Mike Williams.
 - Mike Williams will write the methodology used in the study for the January meeting.
 - Mike Williams will run the model (February?).
 - Mike Williams will conduct analysis (February?).
 - Mike Williams will write the report (March?).

- John Bartlit reminded that the hope was for Mr. Williams' paper to be peer reviewed, and the CEWG could recommend who would peer review the article. Stephen Littlejohn added that having the report peer reviewed by an independent technical expert would help mitigate some of the problems of not using the Citizen Protocol. Mike Williams cautioned that if the article turned into a modeling study without any particular insights, then no one would want to publish it.
- Sarah Chavez said the issue was brought to the CEWG as a concern of the community, but the community did not show any interest in nor provide any help with the project. Why then did the CEWG choose to continue working on the project? John Bartlit said it was a topic important to the CEWG. Roberta King said the Village of Corrales had a lot of important things going on and had meetings at the same time as the CEWG meeting. She said that people had other priorities; people were struggling because of the bad economy. Mike Williams said they had looked at a long-term problem with crystalline silica, and now this study was the other end of the spectrum, so this was an interesting problem to look at.

WEATHER DATA

- Hugh Church said he went with Brian Rashap to look for a possible location for an additional weather station on Intel property, on the eastern border above Corrales. This was not an easy task due to issues of exposure, power lines, and property borders. While on the walk, just above Camino Los Luceros, he saw an operational weather-monitoring trailer situated below, which he later learned had been there almost 22 months. Coleman Smith of NMED did not know that it was there. This trailer had monitoring sensors that enabled it to determine various hourly averages of concentrations over 22 months. The data automatically was kept on NMED's massive computer data storage site.
- Mr. Church said the NMED Web site still had that trailer listed as residing in Vado, in Southern New Mexico. He also said the Web site listed Jay Stimmel's contact information rather than Coleman Smith, so obviously, the Web site needed updating.
- Hugh Church said he had sent an email on November 2 to Coleman Smith asking him about accessing the data. Terry Hertle responded on November 5, sent a screen shot showing the trailer collecting data, and said that it had been collecting data since January 2011. Mr. Church informed Mr. Hertle how he had learned that the trailer was located in Vado through the Web site. Mr. Hertle suggested another route and said he would inform IT staff to correct the problem. However upon following the suggested route, Mr. Church instead got the following note: "The Web address you entered could not be found." Mr. Hertle said because the Web site was slow, it probably timed out before getting to the page.
- Hugh Church said he was able to access the data for 12 months at a time, and the data contained information such as date, time, wind speed, wind directions; wind speed max; sigma; NOX; carbon dioxide, and ozone. Information not retrieved was carbon monoxide,

sulfur dioxide, nitrogen oxide and nitrogen dioxide. Since it was all averaged hourly, anything short of that would be considered spikes. He said he had those two files and sent them to Mike Williams. Mr. Church said he would like to spend time with the data comparing wind directions with Intel's complaint file to see if there was a correlation.

- Hugh Church showed the group a map of where the trailer was located. They could not tell if the trailer was actually located on Intel property as there were no markings. He said there was a place off of Morning Sun Trail that might be a good location for a tower.
- Edward Pineda said where the trailer was now was totally exposed. Hugh Church said the trailer was on the Homeowner's Association property, most likely. Sarah Chavez clarified that the trailer was the state's trailer, and Mr. Church was looking for a location to place an Intel weather tower on Intel property.
- Lynne Kinis said that since the stack heights were raised and the dispersion went out further, perhaps the station should not be placed inside the Intel property. Both Mr. Church and Mr. Williams said it did not make a big difference. Sarah Chavez reminded that they were talking about a station on Intel property to monitor weather and not pollutants. The air quality trailer belonging to the state monitored pollutants as well as weather. Hugh Church said they were looking at putting up a 10-meter tower to look at wind and perhaps some sampling. The existing Intel tower was put up by Class One and looked solely at weather, and was high quality and expensive. It had the capability to add components to take additional measurements.
- Edward Pineda asked if the state's trailer monitored humidity. Mr. Church said he did not see that item.
- Stephen Littlejohn summarized that the question was whether to add another tower in a different location on Intel property, and what it should measure—weather data, ambient air, or chemicals of interest. Mr. Church added that a location possibility was the space below the water tanks. He did not know who owned the property. Lynne Kinis said her condo association had a survey done a couple of years ago, and she could easily find out where their property ended. Mr. Church said he would continue to communicate with Mr. Rashap.
- Stephen Littlejohn said that they would bring back the agenda item in January, and that there were clear action items as well as recommendations the CEWG could make to Intel. These recommendations included whether Intel should erect another tower and where, what it should monitor, and whether to augment anything on the current tower.

ACTION ITEMS:

1. Stephen Littlejohn will send out a bigger map to the group.
2. Lynne Kinis will look into her condo organization's recent survey.

3. Hugh Church will continue to communicate with Brian Rashap of Intel.

SECURITY, VULNERABILITY, AND RELATED ITEMS

Stephen Littlejohn asked the group what they would like to accomplish on this topic and what kind of actions they would like to pursue. This topic came up because of concerns around vandalism, terrorism and security at the Intel site. Mr. Littlejohn sent out two documents to the group as background information: 1. Rio Rancho's emergency management approach, and 2. A Department of Homeland Security report on chemical facility security.

- Edward Pineda said that in the past, Rio Rancho was concerned with the security of its water wells. Intel most likely had a much higher level of security. He recommended obtaining a general description of Intel's current security measures against vulnerability, but doubted they would want any advice from the CEWG on this issue.
- Stephen Littlejohn reminded about the story of the community member who was drunk and shot street lights out at Intel as the trigger for this discussion.
- John Bartlit said the Homeland Security document was from 2008 and addressed the whole country. It had categories of facilities that needed protection, including chemical facilities and major transportation routes. He assumed Intel would be considered a chemical facility. The report asked chemical facilities to send onsite chemical inventories to Homeland Security, who would then code the facility based on categories of chemical risk. Sarah Chavez said that Intel was regulated as a chemical facility and provided the information to the Department of Homeland Security, but US law would not allow disclosure of specific information to the general public. Intel could not reveal its risk level. Thus, there was a limit as to what could be said.
- Lynne Kinis asked how chemicals were secured at Intel and where were they located in reference to the community, especially since the community was downhill. She asked if these were the kinds of questions Homeland Security had asked. Sarah Chavez responded that only certain certified people dealt with that kind of information. She said she could ask the questions, but didn't know if she would get any answers. John Bartlit asked if there was any public document available about the types of questions asked by Homeland Security. He added that it was probably true that what could be told before 9/11/2001 could not be revealed now. Ms. Chavez said she would look if this kind of document were available.
- Edward Pineda asked if risk assessments were a good source of information. Ms. Chavez said there was a catastrophic accident section in the risk assessment, and these were publically available previously. She also had to find out if the risk assessments were still currently available. Roberta King said the Corrales library most likely still had copies. Mike Williams said that sometimes classified items showed up publically, but they weren't identified as

classified. It was a tricky issue.

ACTION ITEM: Sarah Chavez will look into whether there is any public document available about the types of questions asked by Homeland Security.

- John Bartlit suggested inviting Rio Rancho emergency management staff to a CEWG meeting for a discussion. Lynne Kinis asked if Corrales had any emergency management plans in place. Mr. Bartlit said there wasn't anything posted on their Web site. Also, it was clear that Rio Rancho had more emergency capability than Corrales. Sarah Chavez added that Intel worked with local agencies and first responders, and they routinely conducted drills.
- Lynne Kinis said that although Intel conducted drills and had to evacuate in the past, it was up to Intel's discretion whether to inform the community or not, and "that didn't fly with me."
- Stephen Littlejohn remarked that this item concerned preparedness, response, and warning. John Bartlit said Homeland Security set criteria on what local emergency management groups could warn about. It was nationally set. Lynne Kinis said some kind of warning was better than nothing.

ADDITIONAL BUSINESS

Stephen Littlejohn asked how they could manage the contradiction between community members who did not trust nor believe Intel's testing but wanted more testing.

- Lynne Kinis said to get a different company that did not have ties with Intel. John Bartlit said any company hired by Intel would have ties with Intel. Stephen Littlejohn asked that it wasn't Intel she did not trust but the contractor. Ms. Kinis responded that she did not trust either.
- Sarah Chavez said with the silica testing, a government lab did the analysis, and the community was still distrustful of the data. Ms. Kinis said it was because the Citizen Protocol was not followed letter by letter, and Intel's contractor ERM was involved. As far as the community was concerned, ERM was tainted, and if ERM were involved with testing, then the community would not believe the results.
- John Bartlit asked that, since Intel had to pay for services, how would this be avoided. Ms. Kinis said that if they followed the Citizen Protocol, the payment would be blind. Stephen Littlejohn said that the discussion was not about the protocol but regular Intel monitoring.
- Edward Pineda asked about testing frequency and Intel's proposal to reduce thermal oxidizer testing from quarterly to annually. When testing frequency was reduced, the risk

that something might go wrong increased. He said the same applied to Intel, and they would be increasing exposure to the community with this move. He did not think that was a good move, and he opposed it.

- Sarah Chavez said the reason Intel was reducing testing was because they had been testing thermal oxidizer units since 2001, and there was lots of data that showed emissions had been the same for over 10 years. So there's a statistically valid rationale that says Intel had done so much testing that if certain parameters continued to be monitored, and the equipment operated as per the manufacturer's recommendations, then there's justification to reduce testing frequency. Ms. Chavez said the permit was written to allow that to happen after two years of collecting data, and this was consistent with NMED regulations. It did not increase exposure to the community because other system parameters were monitored regularly that showed the equipment operated correctly.
- Edward Pineda asked Ms. Chavez if she believed that reducing testing frequency would increase the community's trust of Intel. Ms. Chavez said that the community didn't believe the data anyway. Mr. Pineda said that was a lame excuse. He suggested telling Intel management to keep the same testing frequency.
- Stephen Littlejohn summarized that years of quarterly testing showed reliability and stability of equipment and no longer necessitated the same testing frequency. Also, there were other ways to monitor the equipment, and that would not change. However Mr. Pineda asserted that it reduced the appearance of concern and might further erode trust in the community. John Bartlit offered a third option, which was to reduce testing and apply the funds to do other kinds of testing. He said he would rather get new data on things that were not measured yet than continue with 10 more years of the same testing.

MEETING ADJOURNED

NEXT MEETING

January 16, 2012, 5 to 7 p.m.

Corrales Senior Center in Corrales.

DECISION SUMMARY

1. The group agreed to send an invitation to NMED to send a representative to regularly attend CEWG meetings.

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Prepared or presented by: CJ Ondek & Stephen Littlejohn

Prepared for: CEWG

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