

FINAL MEETING SUMMARY

Community Environmental Working Group

“Striving for Continuous Environmental Improvements at Intel”

Date: January 17, 2018
Time: 5:15–7:00 p.m.
Location: Corrales Senior Center

Members Attending

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

Hugh Church, American Lung Association in New Mexico
 Sarah Chavez, Intel
 Dennis O’Mara, Corrales resident, Corrales Residents for Clean Air and Water

Non-Members Attending

Ron Epps, Intel

CJ Ondek, Recorder

HANDOUTS

- CEWG Draft Agenda
- December Draft Meeting Summary
- Action-Item Progress Report
- EHS Activity Report
- One-page flyer
- Annual Report Item List
- NMDOH ALS report

PROPOSED AGENDA

Welcome, Introductions, and Brief Items
 New Mexico National Guard Announcements and Public Comment

Standing Agenda Items
 Action Item Progress Report Review
 Adjourn

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 Prepared or presented by: CJ Ondek & Jessie Lawrence
 Prepared for: CEWG
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WELCOME, INTRODUCTIONS, ANNOUNCEMENTS, BRIEF ITEMS

John Bartlit opened the meeting by referring to the CEWG mission, which was to make environmental improvements at Intel, reduce chemical emissions at Intel, and improve community dialogue. Introductions were made.

Agenda—Revisions and Approval

No comments.

Meeting Summary—Revisions and Approval

No comments.

Other Announcements

Jessie Lawrence said she would be absent for the March meeting due to a prior commitment. She said she could assist with all the meeting preparations, such as setting up the agenda, etc.; she just couldn't be present during the meeting. She said she and John Bartlit discussed having CJ Ondek assist with facilitation as well as recording the meeting summary. She asked the group if they had any other suggestions. Dennis O'Mara asked if they had considered alternative dates. Mr. Bartlit said he was concerned about breaking the consistent dates to accommodate members of the public who might want to attend. Also, the advertising would have to be adjusted. Sarah Chavez said she would help by projecting the meeting documents with her computer, so Ms. Ondek could focus on taking notes. The group agreed to have CJ Ondek facilitate the March meeting, assisted by John Bartlit and with Sarah Chavez working the projector. Jessie Lawrence said she would make sure to provide the keys to the facility and the projector cabinet.

Dennis O'Mara said in December Lynne Kinis fell and broke her leg in two places. She had to get extensive surgery and currently was in a rehabilitation center called "Medical Resort," off of Alameda just across from the Balloon Fiesta Park. She had told Mr. O'Mara that she couldn't put weight on her leg for three months, and therefore wasn't anticipating exiting the rehab center until early April. Sarah Chavez asked about sending a get-well card to Ms. Kinis. CJ Ondek looked up the address and sent it by email to Jessie Lawrence, who said she would send the card on behalf of CEWG members, as well as flowers or a plant.

ACTION ITEM: Jessie Lawrence will send a get-well card and flowers or a plant to Lynne Kinis on behalf of CEWG members.

Public Comment.

Dennis O'Mara said he wanted to discuss indium phosphide. He had sent the group an Internet link about the chemical. Mr. O'Mara reminded that a couple of meetings ago, he had asked Mindy Koch if any new chemicals were used in the manufacturing process for the new chip. She said no. Afterwards, Mr. O'Mara said he had read an article in the

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Corrales Comment that quoted an Intel employee saying that the new process used indium phosphide, which was a new chemical to Intel. Sarah Chavez said she believed the quote was attributed to Diane Bryant.

Ms. Chavez said indium phosphide was used onsite in the silicon photonics process but did not show up on any list that required it be reported to regulating agencies. Also, it wasn't listed on air emissions reporting requirements. Ms. Chavez said silicon photonics was a new technology manufactured at Intel New Mexico. It had been under development for a while, but she had to find out what she could say about how long it had been under development. Mr. O'Mara said the product started assembly line production in mid-2016 according to the *Corrales Comment* article.

Sarah Chavez asked Dennis O'Mara exactly what he wanted to learn from Intel about its indium phosphide use. Mr. O'Mara said he was trying to make the point that he had asked a question, and Mindy Koch gave him a wrong answer. He resented the fact that he had asked a simple question and was given a misleading answer. He also wanted to know if the Rio Rancho and Corrales Fire Departments knew indium phosphide was onsite, since it was a dangerous chemical. Mr. O'Mara called the incident "tone deaf" on Intel's part.

Sarah Chavez apologized on behalf of Mindy Koch and said she was sure Ms. Koch didn't intend to mislead anyone about the chemicals in use onsite. She reminded that Intel had a transparency process in place, which was to post all the information about chemicals discharged in the air or water on their Explore Intel Web site. She said that indium phosphide was not classified as a VOC or hazardous air pollutant, and she did not believe it was in Intel's emissions. Ms. Chavez said the CEWG hadn't talked about the chemicals used onsite at Intel in a long time.

John Bartlit asked Ms. Chavez to find out if she could answer the following questions: 1. When was indium phosphide first used at Intel NM? 2. How much is currently stored onsite? 3. Clarify if there were any emissions related to indium phosphide. 4. Did the local fire departments know Intel had indium phosphide onsite and how to deal with it in case an issue occurred?

ACTION ITEM: Sarah Chavez will ask Intel management about the four questions concerning indium phosphide listed above and report back to the CEWG.

STANDING AGENDA ITEMS

EHS Report

Sarah Chavez said the EHS Report was very short. No one had any questions.

Regulatory Engineering

No update.

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LEPC Update

Dennis O'Mara reported that the Sandoval County Emergency Manager and Sandoval County LEPC were supposed to receive reports every year from all the companies in the county that kept reportable chemicals onsite; these were called Tier 2 reports. The reporting target date was in March. This year they were sending a letter to all the reporting companies to remind them of the target report date and to ask if they would be willing to donate to the LEPC, which had neither the budget nor authority to collect funds for operations but was allowed to ask for donations. The LEPC in Albuquerque/Bernalillo County had developed a letter to use in the past and shared it with the Sandoval County LEPC leadership. The Sandoval County LEPC leadership planned to revise the letter and then send to their membership for input before forwarding to facilities required to report.

Mr. O'Mara next reported on LEPC new business, which involved Intel giving a presentation on updates to its emergency response contingency plan. He said he expressed concerns after the presentation about Intel's protocols for reporting incidents, and was told that that topic had been previously discussed in depth at a CEWG meeting. Mr. O'Mara said he did not recall such a discussion and wondered if he had missed the meeting or had fallen asleep during the meeting. In particular, the part he was most interested in was the protocols around decision making on what or when to report an incident. That issue was not discussed during the LEPC presentation, and when he pressed to discuss it, he was told that the LEPC meeting was not the appropriate place or time to discuss the issue in depth. He commented that if these kinds of issues were not allowed for discussion at an LEPC meeting, then where would it be appropriate to have these discussions? A response from one of the members suggested that LEPC is not the venue for discussion about issues related to individual companies. It occurred to him after the LEPC meeting to ask, if that were the case, then why was Intel presenting to the group to begin with? He said it did not make any sense to him.

Mr. O'Mara said there was also a brief discussion about the Sandoval County Preparedness Guide. It still had not been printed and they wanted to make sure the guide was comprehensive and to the extent possible error free before printing. They have received feedback from other states. Sandoval County used an Oklahoma preparedness guide as a template. Other new business included discussion of the process to open a checking account for managing donations.

Mr. O'Mara said he had had fairly lengthy discussions in the past with Chief Bervin about planning. Sandoval County LEPC did not have a plan, which should be a stand-alone plan, that specifically dealt with HAZMAT. Mr. O'Mara said he had volunteered to review the Sandoval County All Hazards Emergency Operations Plan, as well as an annex to that plan concerned with HAZMAT, to see if it sufficed as a plan to address the LEPC requirements and responsibilities. The plan had good information but it also had gaps, which he discussed with Chief Bervin. He thought Chief Bervin was going to put the planning

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question on the agenda, but he did not. Mr. O'Mara said he raised the issue at the end of the meeting, and further discussion resulted in an agreement to form a subcommittee to explore how to proceed with the plan going forward. Mr. O'Mara said he suggested amending the existing All Hazards Plan and Annex A to add things that address the LEPC's needs, and either adopt it or draw from it material to make an LEPC HAZMAT plan. Another option was to write an LEPC plan and use that to update the All Hazards Plan.

John Bartlit asked if Intel had donated to the LEPC. Mr. O'Mara said no one had donated yet. Sarah Chavez said LEPC in some ways was a regulatory body, and it would be a conflict of interest for Intel to donate to it. She said Intel might consider supporting a broader community effort, such as mailings or flyers, versus a straight up donation. The LEPC was not a 501(c)3.

Dennis O'Mara said that the All Hazards Plan stated that the LEPC, in conjunction with the Sandoval County Emergency Manager, was supposed to review the plan and its annexes annually and update as appropriate. Therefore, at least on paper, the LEPC had a role in planning. Sarah Chavez commented that an Albuquerque LEPC representative had said that the LEPC regulations were written a long time before the current emergency capabilities were developed. These new capabilities were detailed in other documents, and the Albuquerque LEPC referenced these documents rather than completely rewriting their plan, which seemed like an efficient way to update the plan. Mr. O'Mara said he had asked the Albuquerque LEPC representative to send him information on these detailed documents. Still, he said there were some things not covered in the Sandoval County plan that needed to be covered.

UNM Cancer Study: No Update

NEW MEXICO NATIONAL GUARD TESTING

John Bartlit said the CEWG needed to discuss protocols around the National Guard's emissions testing to include CEWG processes, locations, chemicals of concern, limitations, weather conditions, neighborhood notification, and data use. From last month's discussions, all sides agreed that testing might be a useful exercise. Mr. Bartlit said it was important to lay out a framework ahead of time to be able to communicate about it, and a way to begin the process was to review the CEWG's Citizen Protocol. Mr. Bartlit said, in this specific case, it was important for everyone to understand that the National Guard was going to test air quality in Corrales using their equipment and methodology, which was designed to measure dangerously high levels quickly in emergency management situations. Their equipment was set up to measure relatively high concentrations. Mr. Bartlit said an initial question to ask was what chemicals could be identified at high concentration levels. He said he did not want the CEWG to be accused of looking for unreasonably high concentration levels that clearly couldn't be there. Therefore, it was important to set the parameters at the start using the Citizen's Protocol.

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Sarah Chavez said there were several sections of questions to review in the Citizen's Protocol and lots information to address beforehand about the testing process. The CEWG needed to document these parameters. For example, what would the CEWG do with the testing data once they got it? Would they compare it with anything? What process would they use to answer questions? Although the CEWG could answer most of the questions, other questions only the National Guard could answer.

John Bartlit asked if the person from Las Cruces had replaced Sergeant Jackson yet. Dennis O'Mara answered that Sergeant Jackson was at the LEPC meeting, so he was still on duty. Mr. Bartlit asked if a National Guard member should be part of the committee. Sarah Chavez said they seemed to want to have minimal involvement in designing the process, preferring to be told where and when. But, the CEWG would need the National Guard to answer certain questions.

Dennis O'Mara said at the very beginning, when he first learned the National Guard had the equipment, he thought they could measure finite and low levels of a variety of chemicals, and had that been the case, then the resulting testing data could be used to confirm and verify the actual concentration levels that Intel had provided. Now, having a better understanding of the National Guard's equipment capabilities and knowing this couldn't happen, the only outcome he saw was an assurance that emission quantities were not high. So, the National Guard may conduct air sampling and find nothing.

John Bartlit asked for suggestions on how to proceed. Sarah Chavez suggested she take a first cut at going through the Citizen Protocol and citing which questions were relevant, which were not, and why, assisted by Mike Williams. She and Mr. Williams would also indicate which questions the National Guard should answer. Then they would send a first draft to the group for review and work via email before the February meeting.

ACTION ITEM: Sarah Chavez, assisted by Mike Williams, will review questions in the Citizen Protocol and indicate whether or not they were relevant to the National Guard testing process and send the results to the group via email before next month's meeting.

Sarah Chavez reminded that Sergeant Jackson suggested testing at multiple locations and accounting for weather. John Bartlit added that Sergeant Jackson suggested testing when the winds blew toward Corrales, but that wasn't easy to control. Mike Williams said the National Guard used a grab sample, which collected only a small volume. A change in wind direction affected what they collected.

John Bartlit said they had to ask about detection limits. Sarah Chavez said that all FTIRs weren't set up to get the same detection limit. They needed to tell the National Guard what chemicals were in Intel's emissions so they could match their library to Intel's. If they

found something not listed in Intel's emissions, they would be able to identify it. Dennis O'Mara requested they look for indium phosphide. Ms. Chavez said that if indium phosphide was a particulate emission it is not be something the FTIR could pick up. Mike Williams asked how Intel used indium phosphide. Ms. Chavez said she didn't know. Mr. O'Mara said it broke down to phosphine. He asked Mr. Bartlit to send his Internet links on indium phosphide to Mr. Williams, since Mr. Williams wasn't getting Mr. O'Mara's emails.

ACTION ITEM: John Bartlit will send Internet links on indium phosphide to Mike Williams.

Dennis O'Mara said he had some information on rights of way in Corrales. He was told that the width of the right of way depended on the road. On West Meadowlark going up the hill, north side of street, the right of way varied from the pavement's edge by 15 to 25 feet, in which case the National Guard truck could pull off the road and still be on the public right of way. On the south side it was 10 feet from the pavement's edge. Corrales Road was a state highway and the Village didn't have any immediate information on that. Mr. O'Mara said the National Guard could only take samples on private property with the owner's permission, and he offered his property as a potential location. Mr. O'Mara also reminded they would need to let the police know in advance about the testing. Sarah Chavez said they would have to notify people living near the chosen locations that the National Guard would be taking samples, even if the designated time is 3 o'clock in the morning.

Mike Williams asked how the National Guard knew that what they got in their grab sample was representative of the environment. Dennis O'Mara said that was a good topic for discussion with the new National Guard representative.

NEW MEXICO DEPARTMENT OF HEALTH ALS REPORT

John Bartlit asked how they wanted to move forward on the New Mexico Department of Health (NMDOH) Amyotrophic Lateral Sclerosis (ALS) Report. He said in the past the CEWG had sought independent reviews of reports. He cited as an example sending the Pulmonary Fibrosis Report for review to Dr. Jonathan Samet, who responded with a paragraph that discussed the methodology used in the report. The CEWG also tried sending the report to the Jewish Hospital in Denver to review, but they declined.

Dennis O'Mara confirmed that the report belonged to NMDOH and the study was done at the request of Corrales Residents for Clean Air and Water.

Dennis O'Mara said he was still reading through the report, and he had called Heidi Krapfl to set up an in-person appointment to discuss the report. She had not yet returned his call. Mr. O'Mara said he had some questions and concerns and wanted to learn if the report was

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peer reviewed. He knew that an internal committee reviewed the report, which was usually NMDOH's protocol.

Dennis O'Mara said he would appreciate hearing others' thoughts on the report, and he arrived at the conclusion that the report was seriously flawed and possibly fatally flawed. He asked that the CEWG not do anything with the report until it could be further explored, and he would not go into details about his concerns until after he had a face-to-face meeting with Heidi Krapfl. He hoped to be able to share more at next month's meeting.

John Bartlit suggested inviting Heidi Krapfl to a CEWG meeting to discuss the report. Mr. O'Mara doubted she would be willing to do that.

- John Bartlit said that under these circumstances the CEWG could proceed asking for an independent review. Mr. O'Mara said they could do that, and he planned on asking his own contacts to review the report. Mr. Bartlit asked Hugh Church if he was willing to send the ALS report to Jonathan Samet to review. Dennis O'Mara asked about Dr. Samet's qualifications. Mr. Church said he was a professor at the University of Southern California. CJ Ondek read some of Dr. Samet's qualifications: "He was a pulmonary physician and epidemiologist, the Professor and Flora L. Thornton Chair for the Department of Preventive Medicine at the Keck School of Medicine at the University of Southern California and Director of the USC Institute for Global Health. Dr. Samet has investigated diverse health issues using epidemiological approaches. His research has focused on the health risks of inhaled pollutants—particles and ozone in outdoor air and indoor pollutants including secondhand smoke and radon. He has also investigated the occurrence and causes of cancer and respiratory diseases, emphasizing the risks of active and passive smoking. He has served on numerous committees concerned with using scientific evidence for the development of policy to protect public health." Mr. Bartlit said Dr. Samet was a public health advocate whose reputation is not with corporations, and the kind of person they would want to review the report. Hugh Church said he was willing to pursue contacting Dr. Samet.

ACTION ITEM: Hugh Church will contact Dr. Samet to see if he were willing to review the ALS report.

Dennis O'Mara asked if John Bartlit had read the report and his thoughts about it. Mr. Bartlit said he was not an expert on methodology, but he had read the results and saw that the conclusion was very different from previous estimates in the public forum, and he couldn't explain why. Mr. O'Mara said that the author's numbers and calculations weren't readily apparent in the report, and he hoped to address this issue with Heidi Krapfl.

REVIEW ACTION ITEM PROGRESS REPORT

Sarah Chavez said items #12 and #13 were completed. She reported on #15, the Annual Report. She said she went through all the agendas and completed action items to create a

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list of potential topics to include in the Annual Report. This list was in the meeting handouts. She asked the group to review the list to see if she had missed anything.

ACTION ITEM: The group will review and comment on the Potential Items for Inclusion in 2017 CEWG Annual Report.

Ms. Chavez asked Mr. Bartlit about Annual Report next steps. They agreed to follow last year's format, which was to keep the Annual Report short and refer the reader to the Action Item Progress Reports online, and to further discuss the items next month after group input.

John Bartlit asked if the one-page flyer was completed. Sarah Chavez said they were waiting on the results of Lynne Kinis' conversation with Marcy Brandenburg. Dennis O'Mara said Ms. Kinis had said Ms. Brandenburg didn't have anything to add. Jessie Lawrence said they still needed to change the facilitator contact information and with that the flyer would be done. She would contact Carolyn O'Mara next week to make the final changes.

ACTION ITEM: Jessie Lawrence will contact Carolyn O'Mara with the final changes to the one-page flyer and bring back any design changes to the group for review next month.

Jessie Lawrence reported on contacting the Corrales mayor and Council members. Since elections were being held in March, she would wait until after elections to contact them.

ADJOURN

NEXT MEETING: February 21, 2018, 5:15 to 7 pm, Corrales Senior Center.

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