
FINAL MEETING SUMMARY

Community Environmental Working Group

“Striving for Continuous Environmental Improvements at Intel”

Date: February 21, 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 Eppes, Intel

Facilitator

Jessie Lawrence, Facilitator

CJ Ondek, Recorder

HANDOUTS

- CEWG Draft Agenda
- January Draft Meeting Summary
- Action-Item Progress Report
- EHS Activity Report
- Draft Annual Report
- Draft 2018 Priorities
- Jonathan Samet’s email response

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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WELCOME, INTRODUCTIONS, ANNOUNCEMENTS, BRIEF ITEMS

John Bartlit opened the meeting by referring to the CEWG mission, which is 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 that since the last meeting, there had been some discussion on how to set the CEWG priorities for 2018. Ms. Lawrence took a first stab at identifying priority topics, and these were listed in a handout distributed at the meeting. She asked members to review the document and offer suggestions before the next meeting on items to add or subtract. If the list grew longer, then the CEWG would need to prioritize the items within the list, she added.

ACTION ITEM: CEWG members will review topic priorities and provide feedback before the March meeting.

Dennis O'Mara said he did not recall ever hearing a discussion on Intel's updated notification procedure that was listed on the Future Agenda Items list. He asked if he had missed a meeting. Ms. Lawrence referred to the Future Agenda Items list, which said it came from the September 2017 meeting. Sarah Chavez said it was a brief discussion, and they could continue to discuss the item. Ms. Chavez said she could not provide exact copies of what that notification procedure was since it was an Intel internal process, but she could extract information from it and report back. She said she would look at the information she provided in September and determine what additional information she could provide.

ACTION ITEM: Sarah Chavez will check into sharing more detailed information on Intel's notification procedure.

Jessie Lawrence gave an update on the recent *Corrales Comment* article. She said that both the correction and John Bartlit's letter to the editor were published. Dennis O'Mara said he had sent an email confirming that both were in the most recent issue, which also included a cartoon about the matter. The cartoon was not yet posted on the *Corrales Comment* Web site.

ACTION ITEM: Jessie Lawrence said she would look for the cartoon to share with the group.

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Jessie Lawrence said she had sent a plant to Lynne Kinis on behalf of the CEWG as discussed at the January meeting and received a confirmation that it was delivered. Dennis O'Mara said Ms. Kinis had been released from the facility and wasn't sure where she was now staying.

Public Comment

None.

STANDING AGENDA ITEMS

EHS Report

Sarah Chavez said that she had one item to add to the EHS Report, which she would do in the March EHS Report. A community member had called Intel to report inappropriate behavior on February 15 and 16 in a cul de sac at the end of Loma del Cielo that bordered Intel's property. She said Intel occasionally received similar phone calls.

Dennis O'Mara asked about the outcome of the Department of Transportation Hazardous Materials Inspection. Ms. Chavez said there were no findings. He next asked about the notification of discharge. Ms. Chavez responded that when there was a change in Intel's wastewater discharge, the regulatory agency required Intel to send a notification about the incident. She said she did not know the details on this change, since it was confidential information, but would ask for more information to share with the CEWG. The reason behind it could be a multitude of things, she said.

ACTION ITEM: Sarah Chavez will find out more information about the change to Intel's wastewater discharge to share with the CEWG.

Regulatory Engineering: *No Update*

LEPC Update: *No Update*

UNM Cancer Study: *No Update*

NEW MEXICO NATIONAL GUARD TESTING

- Dennis O'Mara said it seemed that Sgt. Jackson was not able to convince his replacement to attend this evening's CEWG meeting. Jessie Lawrence said she had gotten an email with the name and contact information for Sgt. Jackson's replacement, Sgt. Phillip DePalma.

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- Sarah Chavez noted that the CEWG thumb drive had a newer version (about three years newer) of the Citizen's Protocol than the version posted on the CEWG Web site. The newer version contained an added chronology. She didn't see changes to any other parts of the document. She asked the group if they approved her posting the newer version on the Web site. The group agreed.

ACTION ITEM: Sarah Chavez and Jessie Lawrence will update the Citizen's Protocol document on the CEWG Web site with the most recent version.

- Sarah Chavez said she and Mike Williams reviewed the Citizen's Protocol to determine the parts that were relevant to the National Guard testing. The goal was to modify the Citizen's Protocol to create a new document for National Guard testing. The group reviewed the relevant areas page by page, which were highlighted in a word document projected onto a screen.

Introduction, Page 1

Sarah Chavez said they had skipped the questions listed on Page 1 because they were covered in other parts of the document.

Determining What to Test and When, Page 1 and 2

Sarah Chavez said this section referred to two issues: 1. Regulatory requirements tests, and 2. Non-regulatory requirement tests. The National Guard testing was considered non-regulatory. Intel approval was not required to do the testing because it would not occur on Intel property. Ms. Chavez read through the relevant questions related to non-regulatory testing:

- *What is the rationale and validity of the proposed test?*
- *What specifically will be tested and how will the results be reported?*
- *How would sampling, calibration and test methods be defined and approved?* Ms. Chavez said this information would have to come from the National Guard.
- *What will be the length of time for each sample?* Ms. Chavez said this information would have to come from the National Guard.
- *What is the data going to be compared to?* Ms. Chavez said they needed to understand how the National Guard used the data to compare to the identified levels. The National Guard looked at areas dangerous to life and health and compared testing to that. Mr. Williams was concerned how they made that comparison, so this was an important question to address. Once the CEWG learned more about the National Guard's procedure, then they could decide what to compare the data to.
- *What levels would be considered acceptable?* Dennis O'Mara asked what this last question meant. Sarah Chavez said this question was related to the levels that dictated taking action. If the detect level was above a certain level, then they needed to take action, if below that level, then they were done. ATSDR determined those levels.

Dennis O'Mara said he was less interested in levels and more interested in gross findings. If the findings were significant enough, then that might lead to more testing.

- Sarah Chavez said she and Jessie Lawrence would draft a letter to send to the National Guard that listed the specific questions for them to address after the CEWG came to an agreement on those questions. Ms. Chavez said there weren't that many questions for the National Guard to address.
- Sarah Chavez said prior to sampling they would need to collect a list of emissions that might be captured by the National Guard in their testing. They could contact the City of Albuquerque monitoring stations to get a list of emissions usually captured in their monitoring. Also, Intel would provide their list of emissions. So, they would have some idea of emissions and their sources. Ms. Chavez said the section on Intel's expected percent operational capacity or production level was not relevant but could be provided if the group decided it was needed.

Funding, Managing and Contracting, Page 3

Sarah Chavez said this section was not applicable because it was about hiring and paying a contractor.

Sampling Measurement and Analysis, Page 4

- Ms. Chavez said both the CEWG and National Guard had information to provide in this section. Ms. Chavez read through the following:
 1. *The sampling methodology shall identify (a) location(s) of sampling, (b) when the sampling will take place, (c) how much will be sampled and the length of time for each sample, (d) provisions for proper preservation and storage, and (e) data required to be collected during testing such as production levels and temperature.*
- Ms. Chavez said the National Guard would determine how much would be sampled and the length of time as well as preservation. The CEWG would determine the rest, which would include identifying sample locations, weather conditions, and where to collect the weather data. Ms. Chavez said collecting data on "production levels" was most likely not applicable. She said Mr. Williams had the idea to look at his modeling, forecast data, and Intel's weather station to pick times of day and weather conditions that they expected to see the highest concentrations. Once that information was determined they could look at forecast data and come up with a process to contact the National Guard to have them conduct sampling in the selected locations. However, this might be challenging due to fluctuating weather and the National Guard's not being able to respond as soon as possible. Ms. Chavez suggested that the CEWG determine the time of the year that had the most viable weather conditions in which to test in advance. If they had a time frame determined in advance, then they could send a notification to the community about the testing.

- Dennis O'Mara said the timeframe would need to be broad. He did not see the CEWG telling the National Guard when to test. The time and location should be random and at the discretion of the National Guard. Any kind of direction to them otherwise would invalidate the effort in the eyes of the community. He said residents had similar objections in the past, and he was repeating what he had heard from community members. They did not trust Intel to be part of the process. Mr. O'Mara said he would prefer to have testing done randomly, otherwise residents would complain. Ms. Chavez added that if they didn't offer guidance to the National Guard on where to test, then they might test in suboptimal locations that did not produce the best results. In this case the CEWG would be accused of not ensuring the best process possible. Mr. O'Mara said "where" wasn't the issue but "when." Mike Williams asked if it would be acceptable to define weather conditions and timing. Mr. O'Mara said that would be acceptable.
- Mike Williams said the west side seemed less likely to experience emissions and odors. He reviewed timing of odor complaints. Dennis O'Mara said he smelled odors all the time along Corrales Road. Also late summer July and August, early morning hours—1 am to 2 am—is when he experienced odors in his home. Mr. Williams said nighttime conditions seemed to be best because the air was more still. Mr. Williams agreed to outline times to get an indication of the optimal season and time of day to conduct testing. Mr. Bartlit said both offering general guidance on times and seasons along with randomness would be a good strategy
- Dennis O'Mara said if the National Guard saw this as a good opportunity to test their equipment, then they should be interested in testing multiple times and in multiple locations. Sarah Chavez added that they would have to test at multiple times, especially considering varying wind direction. She reminded that Sgt. Jackson had said the CEWG needed to define how many samples they wanted, etc. John Bartlit suggested convincing the National Guard that it was in their best interest to conduct multiple tests as different times.
- Mike Williams said he didn't know how they decided where to do sampling in general, but maybe the National Guard could decide when to test based on smell or scrubber emission releases. Dennis O'Mara reiterated that he was open to providing some general guidance to the National Guard.

ACTION ITEM: Mike Williams will create a document that outlines the best conditions to conduct testing, including, the optimal season and time of day to conduct testing based on past complaints.

2. *The measurement methodology shall identify how the variables will be measured and the operational parameters of equipment to be used including detection limits and*

error rates. Temperature ranges for testing will also be identified as appropriate. Other boundary conditions such as sample hold time, safety considerations, and other relevant conditions will also be included. Appropriate thresholds of detection and confidence limits will also be identified.

- Sarah Chavez said the measurement methodology information would come from the National Guard, since it was based on their equipment. This would include things like preparing equipment for sampling, calibration, etc.

3. A schedule and timeline shall identify the approximate dates of sampling, testing, and reporting.

- Sarah Chavez said this section contained the general guidelines. Rather than setting a specific time, they could set a time of the year for testing or they could leave it more open. The CEWG would work with the National Guard on the reporting timeline once the sample was collected and analyzed.
- Sarah Chavez said the next paragraph addressed that the sampling and measurement plan must be consistent with EPA and NIOSH (National Institute for Occupational Safety and Health) standards. The CEWG should document for clarity the sampling equipment capability limitations. The CEWG should ask the National Guard to provide their testing protocols and whether they followed any regulatory standards. If they didn't follow any regulatory standards, the CEWG should ask for any literature that provides the derivation of their test methods, said Ms. Chavez.
- Sarah Chavez said the next section referred to validation practices. Since the National Guard was the "vendor" who would execute the plan and analyze the data, the CEWG didn't need a validation test for the testing.

Reporting, Pages 5 and 6

- Sarah Chavez said the reporting section was relevant to testing. The National Guard would report its findings to the CEWG. However, comparative analysis might not be relevant, but the CEWG would revisit this issue after they had a better understanding of National Guard sampling, since they weren't quite sure what to compare to yet. Ms. Chavez said they wouldn't have a task force but the CEWG would need to determine how to discuss the findings, which they could do at CEWG meetings.
- Jessie Lawrence said the next steps were to get factual information from the National Guard. Sarah Chavez said to create a new National Guard testing Citizen Protocol document with the questions highlighted in yellow to send to the National Guard to respond. Also, send them the entire Citizen's Protocol with the questions highlighted, and then pull out the questions on a separate document for them to answer that also provided

some context. Then they could set up a phone meeting with the National Guard to discuss. The timeline was in the next week or so.

ACTION ITEM: Within the next week, Jessie Lawrence and Sarah Chavez will create a new National Guard testing Citizen Protocol document with the questions highlighted in yellow. They will send the complete Citizen's Protocol with highlighted questions, and a separate document with only the highlighted questions to the National Guard to respond.

- Mike Williams suggested providing the National Guard background information as to why the CEWG was interested in conducting the testing. Mr. Williams said he personally wanted to learn more about their measurement technology to see how it could be altered to be more appropriate. Sarah Chavez said that could be addressed in the question around purpose. She asked about providing Intel's list of chemicals for the National Guard to look at. It wasn't specifically listed in the process but should be included.

NEW MEXICO DEPARTMENT OF ALS REPORT

Dennis O'Mara presented his concerns about the New Mexico Department of Health's (NMDOH) Amyotrophic Lateral Sclerosis (ALS) Prevalence report. He said he had many concerns about the report, and had met with its author, NMDOH's Heidi Krapfl, for about 90 minutes during which he reviewed with her a nine-page document that listed his concerns.

- Mr. O'Mara shared general comments. He said he had learned that the report was not peer-reviewed since it was not going to be published in a journal. The ALS report was reviewed by the NM state epidemiologist, Dr. Michael Landon, and had input from two other experts at ATSDR.
- Mr. O'Mara said one of his main objections was that Ms. Krapfl decided to include only Corrales in the study, which had two Census tracts with over 8,000 people. The initial request was for her to include 12 Census tracts with a combined population of over 60,000. Mr. O'Mara said he was aware of the challenges inherent in doing this kind of study in smaller geographic areas with small populations, which was one of the reasons why he requested NMDOH to look at 12 Census tracts in Albuquerque, Rio Rancho and Corrales.
- Mr. O'Mara went through the report page by page to express other concerns. He said Page 1 mentioned that Peter Kowalski had suggested the investigation, which was simply not true. Mr. O'Mara made the request on behalf of Corrales Residents for Clean Air and Water (CRCAW), not Peter Kowalski. He requested to have Mr. Kowalski's name stricken from the report and his name added as the requestor on behalf of Corrales Residents for Clean Air and Water. Mr. O'Mara said Mr. Kowalski had many opportunities to take

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action on ALS in Corrales, and he chose to do nothing. Sarah Chavez asked if Mr. Kowalski had asked NMDOH to conduct the study after Mr. O'Mara asked. Mr. O'Mara said no.

- Mr. O'Mara said Page 1 referenced the gene/time environmental model theory. There were many other theories about the potential cause of ALS, and he didn't know why the author referenced this one theory, which was related to familial connections and represented only about 5% to 10% of the cases. It didn't seem applicable to this particular study request and seemed to provide ammunition to those motivated to undercut the study.
- On Page 2, Mr. O'Mara said he was concerned that individuals with ALS diagnosed before 2000 but alive and living in Corrales in 2000 or beyond should have been included in the study. Ms Krapfl said they were.
- Page 3 discussed the International Code of Diseases (ICD) 9 and ICD 10 codes. In New Mexico the hospitals didn't get around to using the ICD10 codes until late in 2015. So, when collecting hospitalization data, Ms. Krapfl had to use the older ICD 9 codes to find ALS cases
- Page 4 discussed prevalence and calculating prevalence over the 16-year study period and comparing that to the national rate, which was an annual rate. However, these two rates were not comparable.
- On Page 5, Mr. O'Mara said that Ms. Krapfl did not have access to Medicare, Medicaid, or Veterans data, so that was another possible way the study underestimated ALS prevalence.
- Pages 6 and 7 discussed using the expected to observe calculation. He said this was not connected to his request, which was about calculating prevalence in 12 Census tracts to compare to the national prevalence rate.
- Page 8 identified nine cases in which ALS was listed as the cause of or a contributor to their deaths as noted death certificates. While some of them did not have ALS coding on the death certificate, they all had a "text string" which revealed ALS. Despite this information, three of the cases were eliminated from consideration because medical records could not be located. Mr. O'Mara said it was important and significant that ALS was listed on the death certificate, since it most likely involved doctors' input, and he was going to continue to make this point to include these three cases in the study calculations.
- Mr. O'Mara said one of the cases involved a person living in Corrales and moving to another state for eight years, where s/he was diagnosed with ALS and then moved back to

Corrales and died. This case also was eliminated from the analysis, and Mr. O'Mara believed that was done so erroneously. Ms. Krapfl assumed that this person was exposed to ALS while he was away. Mr. O'Mara said no scientific information exists about the length of time between exposure to a triggering agent or event and the appearance of ALS symptoms, and therefore, this case should not have been eliminated. More basic is that prevalence is a simple calculation expressed as the number of cases that exist per 100,000 people in a geographic area over a defined period of time, usually one year. He said he had asked the two researchers at ATSDR whether people who were diagnosed overseas with ALS and returned to the US to live with the disease would be eliminated from the national ALS prevalence calculation. They said that as long as they were US citizens, they would not be eliminated. Mr. O'Mara said that Ms. Krapfl eliminated this case from the baseline data and that it should be added back to the study.

- Mr. O'Mara said Page 8 discussed the way that Ms. Krapfl calculated prevalence and the observed to expected cases over the 16-year period. The way she calculated these figures may have masked potential spikes in the expected case rate. The annual expected number of cases in Corrales would be 0.42 based on the estimated population. That figure should be used to compare to the five confirmed cases. If all 5 were alive in any one year, then the observed number of cases in Corrales would be almost 12 times higher than expected, and ratio would increase to 16.7 times higher if the two possible cases were added back to the data. Mr. O'Mara said data on diagnosis dates and death dates were not included in the report, so he couldn't do the annual prevalence calculations.
- Mr. O'Mara recalled that at the time of the ATSDR study, community members had reported 10 unconfirmed cases of ALS. Including only the 5 confirmed cases in this study, if they had all been alive in any one year, then the prevalence for that year in Corrales would have been 60/100,000 or 12 times higher than the national prevalence rate; adding in the two additional cases, the rate would have been 83.3/100,000 or 16.7 times higher.
- Mr. O'Mara said another measure he asked to be included was calculation by individual Census tract. He said Steve Dickens' presentation concluded that the closer someone lived to the Intel plant, the more likely they were to develop unexplained illnesses. Those results were statistically linked to smelling Intel plant odors. If all 5 confirmed cases lived in the Corrales Census tract nearest the Intel plant, then the prevalence for that tract would have been 23 times higher than the national rate. Add the other two possible cases, and that number would increase to 32 times higher than the national average.
- Mr. O'Mara concluded that a year-by-year analysis was absolutely essential, and without it he and CRCAW members could not agree with the report's conclusions.

- John Bartlit said Mr. O'Mara made two main points: 1. Calculate prevalence in the Census tracts individually; and 2. Calculate prevalence annually. Mr. O'Mara agreed. He wanted to know where the ALS cases were located, especially so if they all appeared in one census tract. He said calculating the prevalence annually would not take much effort. He could do the calculation himself if he had the data. He believed the data should be included in the report. Sarah Chavez wanted to clarify about the data included in the map. Mr. O'Mara said he gave a copy of the map to Heidi Krapfl to help explain his concerns, along with a list of the 12 Census tracts of interest. The map was provided for background information and did not contribute in any way to the study's outcome.
- Regarding the study's concluding statement, Mr. O'Mara said he advised Ms. Krapfl to couch it in more cautionary terms due to the study's weaknesses. In his opinion, the study results did not definitively lead to the conclusion that Corrales's ALS rates were similar to national rates.
- He said he concluded his discussion with Ms. Krapfl with the following requests:
 1. Take Peter Kowalski's name out and put in Mr. O'Mara and the CRCAW as the requestor.
 2. Calculate prevalence rates for Corrales as a whole, and the two Census tracts for each year of the study and then compare each year to the national rates, which were also calculated annually.
 3. Present the data in tables, graphs, etc. and include calculations in the text.
 4. Recall and rewrite the report to reflect these concerns and distribute a new report.
 5. Depending on the results of the newly requested calculations, consider continuing the study in the other 10 census tracts as requested in the original proposal.
- Mr. O'Mara said he was having three other experts look at the study; he received one response, and two were pending. He promised to share their critiques with Ms. Krapfl. One respondent so far agreed with Mr. O'Mara that (1) the case that was eliminated after residing away from Corrales for 8 years should be put back in, and (2) it was appropriate to examine prevalence on an annual basis. He said he would tell the group the names of his reviewers at the next meeting. He needed their permission first.
- Hugh Church read Dr. Jonathan Samet's email response to the group, which basically concluded that the study was well done given the limitations around small populations. Mr. O'Mara said Dr. Samet's comments were brief and general and everyone was entitled to their own opinion. John Bartlit asked how Heidi Krapfl responded to redoing the report. Mr. O'Mara said she took down his concerns and neither rejected nor committed to addressing them.

ACTION ITEM: Dennis O'Mara will report back on the commentary from the experts

he consulted with.

DRAFT OF ANNUAL REPORT

- John Bartlit said they had a draft of the annual report. He asked members to read the report and provide feedback.

ACTION ITEM: CEWG members will read the annual report and provide feedback.

- Sarah Chavez said they decided to tie the report to the topic index, so they would have to link the information. She said they followed the format from previous years, which was to make it short and link it to agendas. Ms. Chavez also said they removed the facilitator transition and regulatory engineering from the list since the former wasn't in the agenda and the latter was more of an update than any substantive action. Jessie Lawrence will send an email to the group with a deadline to provide feedback.

ACTION ITEM: Jessie Lawrence will send the group an email with a deadline for feedback on the annual report.

REVIEW ACTION ITEM PROGRESS REPORT

- On item # 17, Jessie Lawrence said she put a link to the flyer on the front page of the Web site so people could easily share this information.
- Sarah Chavez said the first draft of #13 was done.
- On Item #11, indium phosphide: Sarah Chavez said Intel first used indium phosphide in the second half of 2013. She could not communicate the amount stored onsite because it was too closely tied to production and therefore confidential information. There are phosphine emissions. Phosphine was part of Intel's emissions and had been for a long time, so it was not a new emission. Phosphine level was looked at annually as part of HAPS testing, and the levels were small and at non-detect. Intel now had three years HAPS testing since the new production process began, and phosphine levels were still non-detect. Ms. Chavez said at the maximum production level, phosphine emissions were modeled at 38 pounds for the risk assessment. Intel's productions levels have been below the maximum since then, so the phosphine emissions were even lower now.
- Ms. Chavez said that Intel provided information to emergency responders as part of the regulatory process. They provided information on those items that fell above the reporting threshold, and that was it. Emergency responders received three different levels of reports to help them respond. The fire department did not know indium phosphide was onsite,

since it was not listed in the “need to know” category. Ms. Chavez said the process was not to tell them about every chemical onsite, just the ones on the “need to know” list, and this rule was established by the federal government.

- John Bartlit said that Intel was just following the rules only. Ms. Chavez said Intel followed the regulatory required process. Mr. Bartlit disagreed and said Intel always looked for ways to improve. Ms. Chavez replied that Intel also conducted training with first responders. If they were onsite during an accident, then they would be given information relevant to the specific event for them to best be able to respond. Dennis O’Mara said if a fire reached the indium phosphide storage location, the fire department would like to know about its harmful effects. Ms. Chavez said information would be provided to them if they were onsite during an event, but that didn’t mean changes couldn’t be made.
- Dennis O’Mara said he assumed there would be no harm in his letting the Rio Rancho and Corrales fire departments know that indium phosphide was onsite at Intel and sending articles about its dangers. Ms. Chavez said there was no harm but it most likely wouldn’t be helpful to them in responding to emergencies. They planned responses based on categories of hazards like flammable, corrosive, etc. rather than by individual chemicals. She said she didn’t understand how and why the federal government set levels the way they did. The important thing was that, if there was an event, first responders were provided the information they needed at the time. John Bartlit asked Ms. Chavez to raise this issue with the “powers that be.” She agreed.

ACTION ITEM: Sarah Chavez will ask Intel management about informing local first responders that indium phosphide was stored onsite at Intel.

ADJOURN

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

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