



NEVADA DIVISION OF ENVIRONMENTAL PROTECTION

FACT SHEET FOR UNITED STATES DEPARTMENT OF ENERGY HAZARDOUS WASTE MANAGEMENT PERMIT FOR THE NEVADA TEST SITE

This fact sheet has been developed for the **draft** Hazardous Waste Management Permit which the Nevada Division of Environmental Protection intends to issue to the United States Department of Energy for the Nevada Test Site located in Nye County, Nevada. The Department of Energy is currently conducting hazardous waste management activities under the Part B Permit issued by the Division in March 1995. The current Permit remains in effect until the **draft** Permit is finalized and issued. The **draft** permit does not substantially change the conditions found in the current Permit. Once issued, the **draft** Permit will replace the existing Permit. Under the requirements of NRS 459.520(4), permits may be issued for any period of not more than 5 years. Therefore, the holder of a hazardous waste permit is required to submit to the Division a new Permit Application for review and approval five years after the issuance of the Permit. This fact sheet was prepared in accordance with the requirements of NAC 444.8632 and 40 CFR § 124.8.

A. PURPOSE OF THE PERMITTING PROCESS

The purpose of the permitting process is to afford the Nevada Division of Environmental Protection, interested citizens, and other governmental agencies the opportunity to evaluate the ability of the Permittee to comply with the applicable hazardous waste management requirements promulgated under the Solid Waste Disposal Act (including the Hazardous and Solid Waste Amendments of 1984 (HSWA) commonly referred to as "RCRA". NDEP is authorized pursuant to § 3006 of RCRA to administer the State hazardous waste management program in lieu of the Federal program. NDEP is required to prepare a draft permit which presents in one concise document all the applicable requirements with which the Permittee must comply, during the five year duration of the permit. The application and draft permit conditions are made available for public review and comment for a period of forty-five days prior to NDEP taking any final action on the application for a hazardous waste management permit.

B. PROCEDURES FOR REACHING A FINAL DECISION

Section 7004(b) of RCRA, Nevada Administrative Code (NAC) 444.8632, and 40 CFR § 124.10 require that each draft permit prepared under the Resource Conservation and Recovery Act be made available for public comment for a period of forty-five days. The comment period will begin on September 6, 2000 and will end on October 23, 2000. Any person interested in commenting on the application or draft permit must do so within this forty-five (45) day comment period.

Nevada Division of Environmental Protection
Hazardous Waste Management Permit for the
United States Department of Energy
Nevada Test Site, Nevada

All persons wishing to comment on any of the permit conditions or the permit application should submit the comments in writing to:

Nevada Division of Environmental Protection
Bureau of Federal Facilities
333 West Nye Lane
Carson City, Nevada 89710
Attention: Matthew DeBurle

Comments should include all reasonable available references, factual grounds and supporting material. A public hearing will be held, if necessary, to further hear comments regarding the draft permit at the conclusion of the public comment period.

When NDEP makes a final decision to issue, deny, or modify the permit, notice will be given to the applicant and each person who has submitted written comments or requested notice of the final decision. The final permit decision shall become effective thirty (30) days after the service of notice of the decision unless a later date is specified or review is requested under NAC 444.8632 and 40 CFR § 124.19 or an appeal of the Administrator's decision is submitted to the State Environmental Commission under NRS 445.274. If no comments requested a change in the permit, the permit shall become effective immediately upon issuance.

Contacts for the draft permit are:

- 1) Department of Conservation and Natural Resources,
Division of Environmental Protection
333 West Nye Lane, Room 138
Carson City, Nevada 89706-0851
Attn: Matthew DeBurle
775-687-4670 ext. 3031
- 2) United States Department of Energy
Nevada Operations (DOE/NV)
Public Reading Facility
2621 Losee Road
North Las Vegas, Nevada 89030
702-295-1623
- 3) Nevada Division of Environmental Protection
555 West Washington Ave., Room 4300
Las Vegas, Nevada 89119
702-486-2850

C. FACILITY DESCRIPTION

The Nevada Test Site (NTS) is a Department of Energy (DOE) installation occupying 3598 km² (1,389 mi²) of federally owned land in southeastern Nevada's Nye County. Historically, the primary mission of the NTS was to conduct nuclear weapons tests. Since the moratorium on nuclear weapons testing began in October 1992, this mission has changed to maintain a level of readiness to conduct these tests, if so directed. Because of its favorable environment and infrastructure, the NTS supports national security-related research, development and testing programs. The NTS is also actively involved in hazardous and radioactive waste management.

Hazardous Waste Storage Unit (HWSU)

Nonradioactive hazardous wastes regulated under the Resource Conservation and Recovery Act (RCRA) are generated at the NTS from a broad range of activities including on-site laboratories, paint shops, vehicle maintenance, communications, and site cleanup. All nonradioactive hazardous wastes, with the exception of waste explosives, are presently transported to approved off-site RCRA hazardous waste, treatment, storage, and disposal facilities. This permit will continue to allow the Permittee to store hazardous waste in containers on a pad designed for the safe storage of the wastes generated at the facility.

The Hazardous Waste Storage Unit (HWSU) is a pre-fabricated, rigid-steel framed, roofed shelter used to store hazardous, non-radioactive waste generated on the NTS. The unit was originally designed as a 90-day nonradioactive Hazardous Waste Accumulation Site (HWAS) and has been in operation as such since 1990. In 1995 the NDEP permitted the HWAS as a RCRA HWSU in order to provide the NTS with increased storage capability for hazardous waste.

The concrete storage area floor is 31 m (100 ft) long by 9.1 m (30 ft) wide. 15 cm (6 in.) curbs are provided above the 15 cm (6 in.) floor slab around the perimeter of the structure and between the five segregated accumulation areas. The Permittee is allowed to store a maximum of 61,600 l (16,280 gal) of approved waste at a time. Containers that will be used for the storage of hazardous waste must have tight lids in place at all times except when conducting waste management activities. Containers which will be used for shipping waste meet U.S. Department of Transportation requirements. All containers are placed on poly-spill pallets equipped with a sump capable of holding 208 l (55 gal) of liquid in the event of a leak. The total volume of the HWSU floor available for additional containment is 39,500 l (10,440 gal.) or approximately 64 percent of the maximum storage volume.

Explosive Ordnance Disposal Unit (EODU)

Conventional explosive wastes are generated at the NTS from tunnel operations, the NTS Security firing range, the resident national laboratories and other activities related to NTS operations. This permit allows the Permittee to treat nonradioactive explosive wastes, which are hazardous wastes as defined under 40 CFR §§ 261.21, 261.23, 261.24, and 261.33, by open detonation in a specially constructed and managed area designed for the safe and effective treatment of explosive hazardous wastes.

Neither nuclear containing nor nuclear contaminated materials are accepted or detonated at the EODU. The EODU consists of a detonation pit surrounded by an earthen pad approximately 8 m (25 ft) by 31 m (100 ft) and ancillary equipment which includes a bunker, electric shot box, and electric wire. The Permittee is allowed to detonate a maximum of 45.4 kilograms (100 pounds [lbs]) of approved waste at a time, not to exceed one detonation event per hour.

Additional Units

The following additional hazardous waste management units are described in the RCRA permit application. However, at this time the Nevada Division of Environmental Protection has deferred pursuing permit status for these units:

1) **Pit 3 Low-Level Mixed Waste Disposal Unit (MWDU)** has operated under interim status since confirmed by the Division in 1987 for the Disposal of low-level radioactive mixed waste. Interim status for receipt of off-site generated mixed waste was suspended in 1990 due to deficiencies in the waste analysis plan for off-site wastes. This unit does not presently accept mixed hazardous waste from off-site sources. The Department of Energy is currently revising their Permit Application for this unit. Once the complete application is received and accepted by the Division, a Permit revision to include provisions to operate the Pit 3 Low-Level Mixed Waste Disposal Unit for off-site as well as on site generated mixed wastes will be presented for public comment, in accordance with RCRA.

2) **Mixed Waste Storage Unit (MWSU)** is proposed to be located within the Area 5 Radioactive Waste Management Site. The Department of Energy is proposing to construct and permit the MWSU as a RCRA facility that will store mixed waste that may not be disposed immediately until a permitted facility can be found to properly reclaim, recycle, treat, or dispose of the waste. The proposed Area 5 MWSU would also provide temporary staging for waste destined for disposal in the Pit 3 MWDU.

Currently, there is insufficient evidence of need for a MWSU. Any mixed waste generated during NTS operations is stored within the Area 5 RWMS on a portion of the Transuranic Waste pad under the provisions of the Mutual Consent Agreement, negotiated between the Department of Energy and the Division.

D. PERMIT ORGANIZATION

The permit is divided into eight sections with 5 appendices as outlined below:

<u>Section</u>	<u>Topic</u>
Part I	General Permit Conditions
Part II	General Facility Conditions
Part III	Storage in Containers - Area 5 HWSU
Part IV	Treatment of Explosive Waste - Area 11 EODU
Part V	Land Disposal Facility - Area 5 MWDU
Part VI	RESERVED
Part VII	Historic RCRA Closure Units
Part VIII	Corrective Action - Superseded by the FFACO
Appendix I	Federal Facilities Agreement and Consent Order
Appendix II	Mutual Consent Agreement
Appendix III	Site Treatment Plan
Appendix IV	Federal Facility Compliance Act Consent Order
Appendix V	Settlement Agreement for Transuranic (TRU) Mixed Waste Storage Issues at the Nevada Test Site

Parts I and II contain conditions which generally apply to all hazardous waste facilities. Parts III and IV pertain specifically to the Hazardous Waste Storage Unit (HWSU) and to the Explosive Ordnance Disposal Unit (EODU) respectively. Part V will contain the conditions for the disposal of mixed low level waste. Part VI is reserved for potential future use. Part VII identifies nine historic RCRA units. Seven of the nine units have either been “clean closed” with no post-closure monitoring, or have post-closure monitoring requirements identified. The remaining two units must be closed per 40 CFR Part 265 Subpart G. Part VIII has been superseded by the FFACO, which is included in the Appendix of the Permit.

E. SUMMARY OF THE PERMIT CONDITIONS

This section of the fact sheet provides a summary of the conditions of the draft permit.

PART I STANDARD CONDITIONS

Part I of the permit establishes the standard procedural conditions that are applicable to all hazardous waste management facilities. All citations of the regulations refer to the regulations as codified in Title 40 of the Code of Federal Regulations (40 CFR). These regulations are adopted by reference by the Nevada Administrative Code 444.8632.

PART II GENERAL FACILITY CONDITIONS

Part II of the permit establishes general conditions for this facility with which the Permittee must comply. All citations of the regulations refer to the regulations as codified in Title 40 of the Code of Federal Regulations (40 CFR). These regulations are adopted by reference by the Nevada Administrative Code 444.8632.

PART III CONTAINER STORAGE

Part III of the permit establishes the conditions under which the facility may store nonradioactive hazardous waste. The conditions of this part of the permit are established under the general regulatory requirements of NAC 444.8632 and 40 CFR 270 and the provisions governing use and management of containers as required by 40 CFR 264 Subpart I.

PART IV EXPLOSIVE ORDNANCE DISPOSAL UNIT

Part IV of the permit establishes the conditions under which the facility may conduct explosive detonation of conventional explosive wastes. The conditions of this part of the permit are established under the general regulatory requirements of NAC 444.8632 and 40 CFR 270 and the provisions governing miscellaneous units as required by 40 CFR 264 Subpart X.

PART V MIXED WASTE DISPOSAL UNIT

Part V of the permit establishes a compliance date by which a complete application for a Mixed Waste Disposal Unit must be submitted to the NDEP.

**PART VI
SECTION RESERVED**

**PART VII
HISTORIC RCRA CLOSURE UNITS**

Part VII of the permit addresses closure of nine historic RCRA industrial sites on the Nevada Test Site. The conditions of this part of the permit are established under the general regulatory requirements of NAC 444.8632 and 40 CFR Part 265 Subpart G.

**PART VIII
CORRECTIVE ACTION**

Part VIII of the permit addresses corrective action for historic, current, or future releases of hazardous waste at the Nevada Test Site exclusive of the nine closure sites identified in permit condition V.B. The conditions of this part of the permit are established under the general regulatory requirements of NAC 444.8632 and RCRA sections 3004(u) and (v). The Federal Facilities Agreement and Consent Order (FFACO) identifies corrective action sites and provides the framework to schedule remediation activities.

APPENDICES

Appendices I through V are the various Agreements and Consent Orders under which the permittee manages certain wastes on their facility. These Agreements and Consent Orders are adopted by reference within the Permit.

F. JUSTIFICATION OF PERMIT CONDITIONS

All permit limitations and requirements are adopted directly from NAC 444.842 through 444.960, inclusive, and 40 CFR Parts 124, and 260 through 270, and therefore need no further justification.