



## Fact Sheet -- For a Draft RCRA Permit Issued to the United States Department of Energy for a Mixed Waste Storage Unit Web Posting Date (08/05/2010)

This FACT SHEET summarizes the basis for the DRAFT PERMIT prepared for the issuance to the United States Department of Energy (USDOE) for a mixed waste storage unit at the Nevada Test Site. Existing facilities at the Radioactive Waste Management Complex (RWMC) will be used to store low-level mixed waste (LLMW). Storage is required for onsite and offsite-generated LLMW that is shipped to the Nevada Test Site (NTS) for disposal in the new Mixed Waste Disposal Unit (MWDU). Mixed waste contains hazardous waste that is managed under the Resources Conservation and Recovery Act (RCRA) at the Nevada Test Site located in Nye County, Nevada. The Mixed Waste Storage Unit supersedes the need for the Mutual Consent Agreement (MCA). The Nevada Division of Environmental Protection (NDEP) has developed this FACT SHEET in accordance with the requirements of NAC 444.8632 and CFR § 124.8. The permit will be issued for a five year period. Under the requirements of NRS 459.520(4), permits may be issued for any period of not more than five years.

### A. FACILITY DESCRIPTION

The Nevada Test Site (NTS) is a USDOE installation occupying 3561km<sup>2</sup> (1,375 mi<sup>2</sup>) of federally owned land in southeastern Nye County. The NTS supports national security-related research, development and testing programs. During the course of its operations, the NTS generates and receives mixed waste containing hazardous waste that requires storage and/or disposal. The capacity of the Mixed Waste Storage Unit (MWSU) is 18,429 cubic meters of approved waste at a time.

### B. PURPOSE OF THE PERMITTING PROCESS

NDEP is authorized, pursuant to § 3006 of RCRA, to administer the state hazardous waste management program in lieu of the federal program. The proposed MWSU will be subject to RCRA and USDOE orders as well as other applicable state and federal regulations. NDEP is required to prepare a draft permit which represents, in one document, 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 45 days prior to NDEP taking any final action on the application for a hazardous waste management permit.

### C. PROCEDURES FOR REACHING A FINAL DECISION

Nevada Administrative Code (NAC) 444.8632 and 40 CFR § 124.10 requires that each draft permit prepared under the Resources Conservation and Recovery Act, including the application and administrative record be made available for public comment for a period of forty-five days. The comment period will begin on July 30, 2010 and will end on September 15, 2010. Any person interested in commenting on the application of the draft permit must do so within the 45-day comment period. Comments should include all reasonable references, factual grounds, and supporting material. A public hearing will be held, if necessary or requested, to further hear comments regarding the draft permit at the public comment period. All persons wishing to request a hearing or comment on any of the permit conditions or the permit application should do so in writing to:

Nevada Division of Environmental Protection  
Bureau of Federal Facilities  
ATTN: Ted Zaferatos 2030 E. Flamingo Road, Suite 230  
Las Vegas, Nevada 89119  
702-486-2850 ext 234  
email: [tzaferat@ndep.nv.gov](mailto:tzaferat@ndep.nv.gov)

A copy of the draft permit will be available for review at the above address and at:

Pahrump Library  
701 East Street  
Pahrump, Nevada 89048  
775-727-5930

Clark County Library  
1401 E. Flamingo Road  
Las Vegas, Nevada 89119  
702-507-3400

Please make an appointment to review the document at the Nevada Division of Environmental Protection by calling Ted Zaferatos at 702-486-2850, ext 234. Call the library locations for available viewing hours.

Comments received by NDEP will be reviewed at the end of the public comment period. NDEP will then make a decision on the incorporation of final comments within the Permit and make 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 final decision. The final permit decision shall become effective thirty (30) days after the service of notice of decision unless a later date is specified or review is requested under NAC 444.8632 through NAC 444.8634 and 40 CFR § 124.19 or an appeal of the Administrator's decision is submitted to the State Environmental

Commission under NRS 459.485. If none of the comments request a change in the permit, the permit shall become effective immediately upon issuance.

#### **D. BASIS FOR THE DRAFT PERMIT CONDITIONS**

All permit limitations and requirements are adopted directly from NAC 444.842 through NAC 444.960, inclusive, and 40 CFR Parts 124, and 260 through 270.