

**DATE:** January 14, 2022  
**TO:** Greg Lovato, Administrator  
**FROM:** Christine Andres, Chief, Bureau of Federal Facilities  
**SUBJECT:** Quarterly Report: October 1, 2021 to December 31, 2021

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## **FEDERAL FACILITY AGREEMENT AND CONSENT ORDER**

### **(FFACO) QUARTERLY REPORT**

This quarter saw Nevada Division of Environmental Protection Bureau of Federal Facilities (NDEP or BFF) staff doing mainly in-office work, following all State of Nevada COVID-19 pandemic protocols. The Department of Energy's Nevada Offices continued to mostly telework this reporting period. Teleworking did continue to impact in-person meetings this quarter but needed field visits/in-person inspections were performed. However, it continued to not impact submittal and review of documents, reports, letter, virtual meetings or teleconferences, as noted below.

Interviews were conducted this quarter for an Environmental Scientist (ES) III position, underfilled by an Environmental Scientist II. Two candidates had the qualifications for the position as well as the aptitude required for the position. Both candidates were hired, each to fill one of two vacancies that existed in the bureau. Mary Murphy started with BFF on December 13, 2021. Her job duties will be focused under the FFACO. Kyle Jones started with BFF on January 10, 2022. His duties will be focused under the Agreement in Principle (AIP).

### **Industrial Sites Activity**

At the end of December 2021, there were 1962 historical Corrective Action Sites (CASs) (out of 1970 total) that have been closed, with two (2) CASs in Corrective Action Unit (CAU) 114 and six (6) CASs in CAU 572 undergoing active work.

The NDEP's BFF staff continued post-closure monitoring activities through report reviews, Use-Restrictions reviews, and post-closure inspections for a number of closed Industrial Sites on the Nevada National Security Site (NNSS), as well as the following activities:

#### **Document Reviews and Letters:**

**CAU 114** – BFF staff received a fully signed *Record of Technical Change (ROTC) Number DOE/EMNV-0029-ROTC 1 for the Streamlined Approach for Environmental Restoration (SAFER) Plan for Corrective Action Unit (CAU) 114: Area 25 EMAD Facility, Nevada National Security Site (NNSS), Nevada, Revision 0, June 2021* on November 9, 2021.

**CAU 577** – BFF staff sent an approval letter for the *Final Closure Report (CR) for Corrective Action Unit (CAU) 577: Area 5 Chromium Containing Waste Disposal Cells, Nevada National Security Site, Revision 1, September 2021* to EM NP on October 18, 2021.

NDEP received a *Deviation from Approved Corrective Action Decision Document/Corrective Action Plan (CADD/CAP) for Corrective Action Unit (CAU) 577: Area 5 Chromium Containing Waste Disposal Cells* request on November 2, 2021. The requested deviation was in regard to density and moisture requirements. BFF staff sent a letter on November 16, 2021, granting the request for the deviation.

**Closed RCRA Sites** – On October 6, 2021, BFF staff received a letter from the EM NP regarding the *Final Post-Closure Report for Closed RCRA CAUs on the NNSS for CY 2020, Rev. 2, September 2021* that was issued on September 30, 2021. This letter was in response to a BFF letter sent on October 2, 2021, documenting a full comment response that had been omitted in EN NP's September 30, 2021, submission. The BFF's October 6, 2021, letter documented receipt of a complete Document Review Sheet for the Final Post-Closure Report and corrected a typographical error in the October 2, 2021, letter.

### Soils Activity Sites

At the end of December 2019, all Soil CASs, a total of 144, had been closed. All identified Soils Sites have been addressed under the FFAO.

### Underground Test Area (UGTA) Activity

There are five (5) UGTA CAUs, all of which are either in the Corrective Action Investigation Stage or in long-term monitoring during the Closure Stage.

During this quarter, BFF staff participated in the process of document review, project evaluation, meetings and/or teleconferences for two (2) of the five (5) CAUs in the following ways:

#### Document Reviews and Letters:

**CAU 101/102 – Pahute Mesa (PM)** – BFF staff received a *Request for the Notice of Completion for CAU 101: Central Pahute Mesa and CAU 102: Western Pahute Mesa Data Phase II Data Completion Presentation #7 Milestones* September 30, 2021 and issued a Notice of Completion for this Milestone Deadline on October 1, 2021.

On October 27, 2021, BFF staff submitted comments to the EM NP on the *Draft Unclassified Source Term and Radionuclide Data for Groundwater Flow and Contaminant Transport Model for CAUs 101 and 102: Central and Western Pahute Mesa, Nye County, Nevada, Revision 0, September 2021*. Revision 1 of the document, dated November 2021, was received by BFF on November 24, 2021. All comments on Revision 0 were satisfactorily addressed and a letter stating this was sent on December 13, 2021.

BFF staff received a *Request for the Notice of Completion on CAU 101: Central Pahute Mesa and CAU 102: Western Pahute Mesa Final Well Installation Presentation #1 Milestones* December 14, 2021 and issued a Notice of Completion for this Milestone Deadline on December 20, 2021.

#### Teleconferences:

**CAU 97 – Yucca Flat** – A discussion was held between EM NP and BFF personnel regarding the sampling of WW C-1, located in Yucca Flat.

Meetings and Presentations:

**CAU 101 and 102 – Pahute Mesa (PM):** Staff participated in the following meetings with EM NP and contractor personnel during this quarter:

- a) Five weekly Pahute Mesa Flow and Transport Model Preemptive Review Meetings starting the week of October 18, 2021 and ending the week of November 15, 2021.
- b) Pahute Mesa (PM) Final Well Installation Presentation #1 on December 13, 2021, to discuss rationale for the location of well placement.

General FFACO Business:

**Final Calendar Year 2020 UGTA Annual Sampling Report** – BFF staff received the *Final Calendar Year 2020 UGTA Annual Sampling Report, NNSS, NV, Revision 0, August 2021* on August 16, 2021. BFF staff reviewed the report and sent a comment letter to EM NV on September 9, 2021. A response from EM NP was received this quarter, reviewed and discussed internally in preparation for a discussion with EM NP in early January 2022.

**FFACO Milestones** – BFF staff received the *Distribution of Fiscal Year (FY) 2021+1 Milestone Chart and Listing Modifications to the FFACO* on September 16, 2021. BFF staff reviewed the letter, comparing it to the Fiscal Year (FY) 2021-2023 Planned FFACO Milestones and Due Dates letter NDEP sent to EM NP in May 2021. These established milestones included the Nevada Off-Sites CAUs, described below. A response letter for the FY 2021+1 letter was sent to EM NP on October 1, 2021.

**Use Restrictions (URs)** – Staff continued to review and interact with the EM NP and their contractors on modifications to current URs. This included reviewing proposed comment responses for previously reviewed UR packets and participating in several Teams meetings to discuss needed changes. BFF previously notified EM NP that until the Introduction for the Long-Term Monitoring Document is reviewed by NDEP, review of proposed Use Restrictions changes by NDEP is on hold. This is necessary to allow all NDEP reviewers to have a common understanding of the scope and contents of the full document.

**Affirmation Forms** – As the active investigation/remediation work under the FFACO nears completion, a Closure Affirmation Form project was undertaken by EM NP and their contractor, Navarro, to ensure that the documentation for the closure of each CAU identified in the FFACO, inclusive of its associated correction action sites, is complete in accordance with FFACO standards. Each Closure Affirmation Form requires acceptance through signature by the Bureau Chief. A number of forms were reviewed, commented on and/or accepted this quarter.

**FFACO Transition** – As the active investigation/remediation work under the FFACO nears completion, in addition to the Closure Affirmation Form project, DOE and NDEP has undertaken the FFACO Transition Project to ensure that any future steward of the NNSS will be aware of all post-closure monitoring requirements on the NNSS. The Bureau Chief represents NDEP on this working group. A review of all previous meeting minutes was undertaken by the Bureau Chief to ensure that every participant's points of interest have been captured and will be addressed by the Transition Group.

**File Management** – This quarter, staff have continued to organize, complete, scan for electronic storage, and document files for FFACO sites.

### **Nevada Off-Sites**

There are four (4) Nevada Off-Sites CAUs, two (2) Surface CAUs (CAU 416 and 417) and two (2) Subsurface CAUs (CAU 443 and 447). CAU 416 has been clean-closed. CAU 417 is in Post-Closure Monitoring. CAUs 443 and 447 are in the Closure Stage. On September 30, 2020, the Office of Legacy Management (LM) assumed responsibility for the long-term surveillance and maintenance of the Tonopah Test Range (TTR) FFACO sites. NDEP activities for the TTR sites will now be reported under this Section.

During this quarter, BFF staff participated in the process of document review and project evaluation with LM personnel in the following ways:

#### **Document Reviews and Letters:**

**CAU 417 Central Nevada Test Area (CNTA) Surface** – BFF received the *Draft Postclosure Inspection and Monitoring Report, Surface Corrective Action Unit (CAU) 417, Central Nevada Test Area (CNTA), Nevada, Site* on September 20, 2021. A Notice of Completion for the Deadline Milestone for submission of this report, along with BFF comments on the report, were sent to LM on October 18, 2021.

**Tonopah Test Range** – BFF received *Notification that the long-term surveillance and maintenance records for the 40 corrective action units located on the Nevada Test and Training Range/Tonopah Test range have been transferred to the Office of Legacy Management* on October 4, 2021.

#### **Miscellaneous:**

The chief participated in monthly virtual NDEP Attorney General staff meetings, bi-weekly Division-Wide Chief's Staff Meetings and bi-weekly meetings with the Administrator via conference calls in October, November and December 2021.

During this quarter, the bureau chief attended/participated virtually in: (1) one NSSAB Intergovernmental Meeting and one full NNSAB meeting; (2) numerous calls, Zoom Meetings and/or webinars as a member of the NGA's Federal Facilities Task Force (FFTF), the State, Tribal, Government Working Group (STGWG), the Environmental Council of States (ECOS) and the Combined Intergovernmental Working Group (CIWG); (3) the Low-Level Waste Stakeholder's Forum Quarterly Meeting; (4) a DOE Strategic Vision webinar; (5) a fire-side chat with EM-1; and, (6) weekly/bi-weekly bureau staff meetings.

**Agreement in Principle (AIP) Functional Areas Summary – Grant #DE-NA0003295**

**1. On-Site Discharges**

**Water Pollution Control**

*Document Reviews and Site Inspections:*

**Water Pollution Control Permit GNEV93001** – The Nevada Division of Environmental Protection’s (NDEP) Bureau of Federal Facilities (BFF) staff received the *Quarterly Monitoring Report for NNSS Sewage Lagoons, WPC Permit GNEV93001, July 1 through September 30*, on October 14, 2021. BFF staff reviewed the report and sent a response letter to the National Nuclear Security Administration/Nevada Field Office (NNSA/NFO) on November 10, 2021, acknowledging the limits set forth in the permit, with the temporary waiver from the use of the calculated flow limit for the DAF sewage lagoon system as a permit limit granted by the BFF in the first quarter of SFY 2016, had been met for the quarter. The letter also asked a clarifying question on the measured flow rates for July, August, and September.

Permit GNEV93001 expired on August 5, 2020. The permit is currently administratively continued. As a result of BFF comments on the NNSA/NFO’s latest application, a revised application was received on October 27, 2021. The draft permit went to public notice on November 18, 2021, with a public notice close date of December 20, 2021. At the beginning of the comment period, copies of the draft permit package were directly sent to the permittee and the chairperson of the Nye County Commissioners. The NNSS is located in Nye County, Nevada. One comment was received and responded to during the public notice period. The renewal permit for GNEV39001 was issued on January 4, 2022, with an expiration date of January 3, 2027.

**Water Pollution Control Permit GNEV96021** – BFF staff received the *E-Tunnel Wastewater Discharge Permit Quarterly Monitoring Report WPC NEV 96021 Third Quarter 2021* on October 27, 2021. BFF reviewed the report and sent a response letter to NNSA/NFO on November 10, 2021, acknowledging the report was in compliance with the limits set forth in the permit.

Permit GNEV96021 expired on September 21, 2018. The permit is currently administratively continued. A draft for the renewal of permit GNEV96021 was created and is currently under internal review.

**On-Site Sewage Disposal System (OSDS)** – During a site visit to the NNSS in November 2020, BFF staff noted that the NNSS had multiple OSDS systems onsite. After internal discussions between NDEP’s Bureau of Water Pollution Control (BWPC) and BFF, BWPC staff informed MSTS that permits were needed for all OSDSs located on the NNSS. BFF, BWPC, and MSTS had numerous meetings over the course of a few months to determine how to accurately permit these systems. MSTS submitted six (6) Notices of Intent (NOI) to BWPC for OSDS coverage under BWPC’s General Permit GNEVOSDS09 on August 31, 2021. Due to a recent changeover in staff in BWPC, these permits are still being processed.

*Training*

There was no training conducted for Water Pollution Control permits or activities this quarter.

### Spills

There was a diesel spill of approximately 80 gallons reported to the spill hotline on December 21, 2021 for a spill that occurred at NNSS. Spill Report # 211221-01 was generated for this spill. BFF requested additional information regarding the spill in early January 2022.

### Meetings

BFF staff attended the quarterly water meeting held via teleconference on December 15, 2021.

#### **2. Ground Water Monitoring**

There was no activity in this category during this quarter.

#### **3. Air Quality Monitoring**

There was no activity in this category during this quarter.

#### **4. Low Level and Mixed Low-Level Waste Oversight**

### Conference Calls:

Staff participated in weekly Waste Acceptance Review Panel (WARP) meeting via teleconference during October, November and December 2021. Review panel members discussed waste profile comments and waste-specific compliance issues for generator-submitted low-level radioactive (LLW) and mixed low-level radioactive (MLLW) waste profiles, along with Pre-Treatment Notifications, as they pertain to Nevada National Security Site Waste Acceptance Criteria (NSSWAC), Rev. 16-00, which became effective in February 2017. As applicable, BFF staff reviewed and provided comments on LLW and MLLW profiles (for compliance with NNSSWAC, Rev. 16-00) and reviewed all comment responses submitted by the currently approved LLW and MLLW generators.

### Documents Reviewed:

BFF staff received and reviewed the *Waste Volume for the Area 3 RWMS and for the Area 5 RWM Complex at the NNSS for Fiscal Year 2021*, on October 7, 2021.

BFF staff received and reviewed the *RWAP Audit of the EnergySolutions - Bear Creek Operations (ES BCO) WCP Audit No. A-1522 and Surveillance No. A-1524*, on October 4, 2021.

BFF staff received and reviewed the *Closure of Finding I-3162 and Observations I-3163, I-3164, and I-3165 for EnergySolutions (ES) Bear Creek Operations (BCO) WCP, Surveillance A-1285*, on October 18, 2021.

BFF staff received and reviewed the *US Army Aberdeen Proving Ground (APG) WCP Surveillance Report, Assessment No. A-1291*, on October 20, 2021.

BFF staff received and reviewed the *RWAP Review of Lead Shielding Evaluation for EnergySolutions (ES) Bear Creek Operations (BCO) Package 41046872, Under WP DRTK000000029, LSE-22-001*, on October 27, 2021.

BFF staff received and reviewed the *Paducah Gaseous Diffusion Plant (PGDP)/Four Rivers Nuclear Partnership (FRNP) WCP Tabletop Surveillance Report, A-1277*, on November 2, 2021.

BFF staff received and reviewed the *EM Nevada Program RWAP Finding I-3256 Issuance*, on November 2, 2021.

BFF staff received and reviewed the *Perma-Fix Environmental Services Princeton Plasma Physics Laboratory WCP, Surveillance Report, A-1520*, on November 3, 2021.

BFF staff received and reviewed the *MSTS WCP Surveillance Report, A-1518*, on November 15, 2021.

BFF staff received and reviewed the *Mid-America Conversion Services, LLC (MCS) Depleted Uranium Hexafluoride Conversion Project (DUF6) - Paducah Waste Certification Program (WCP), Audit Report, A-1517*, on November 18, 2021.

BFF staff received and reviewed the *Closure of Findings I-3149, I-3150, and Observation I-3151 for Mid-America Conversion Services, LLC (MCS) Depleted Uranium Hexafluoride Conversion Project (DUF6) - Portsmouth Waste Certification Program, Surveillance A-1282*, on November 24, 2021.

#### Profiles Reviewed:

Staff reviewed a total of eight (8) waste profiles and one (1) deviation request this quarter. Of those 8 profiles, two (2) were for MLLW requiring disposal in the NDEP-permitted RCRA landfill, five (5) were strictly for LLW requiring disposal in DOE Order 435.1 LLW Cells and one (1) required disposal in the NDEP-permitted solid waste landfill.

#### NNSSWAC Revision:

Staff reviewed the *NNSS Waste Acceptance Criteria (NNSSWAC) Volume I, Administrative Waste Acceptance Criteria, Phase 3 Final Draft, October 2021; the NNSSWAC Volume II, Technical and Regulatory Waste Acceptance Criteria, Phase 3 Final Draft, October 2021; and the NNSSWAC Review and Implementation Plan, Phase 3 Final Draft, October 2021*, received on October 20, 2021. Seventeen (17) comments were submitted to the Environmental Management (EM) Nevada Program (NP) and their contractor on November 16, 2021.

#### Meetings:

**Classified Matter** – BFF personnel participated in two meetings on the disposal of classified matter at the NNSS. Discussions are anticipated to continue in 2022 and will be incorporated into the appropriate permits and updates to existing correspondence, (i.e., White Papers, ect.)

**NNSSWAC Revisions** – BFF staff participated in a comment resolution meeting held between NDEP, NNSA/NFO, EM NP, MSTS and Navarro on December 2, 2021.

Active Profiles:

There are currently 239 active profiles, comprised of 60 MLLW profiles, 25 LLW/Solid Waste profiles and 154 LLW profiles.

Suspended Profiles:

There are currently 2 active profiles under suspension pending completion of corrective actions at the generator sites.

Waste Profile Analysis:

NDEP personnel continued to update tools that were developed to analyze radiological data, regulatory status, and waste profile lifecycle. These tools are being utilized in the development of a waste planning document and assessing the overall waste being disposed at the NNSS.

Site Visits/Radioactive Waste Generator Facility Evaluations:

**Surveillances** – BFF staff participated virtually in a tabletop surveillance of the Fluor-BWXT/Portsmouth, Portsmouth Gaseous Diffusion Plant, Piketon, OH. BFF staff also participated in in-person surveillances for Mission Support & Test Services, LLC (MSTS), Las Vegas, NV and EnergySolution Bear Creek Operations (ES), Oak Ridge, TN, which specifically looked at one waste stream (described below in “Waste Generating Facility Visits”).

**Audits** – BFF staff participated virtually in full audits at Conversion Services (MCS), Depleted Uranium Hexafluoride (DUF6) Plant, Paducah, KY and EnergySolutions (ES) - Bear Creek Operations, Oak Ridge, TN.

**Waste Generating Facility Visits** – EnergySolution Bear Creek Operations (ES) – On December 14, 2020, Shipment DRL21270, a remote handled shipment of this waste stream was received at the NNSS Area 5 Radioactive Waste Management Complex. The shipment arrived in a 3-60B shipping cask and after the cask lid was removed, measured radiation dose rates were approximately five times higher than the levels specified on the Radiological Data for “As Low As Reasonably Achievable” Form provided by EnergySolutions prior to the shipment. The discovery of the higher dose rates resulted in the suspension of Profile DRTK000000013 and Finding I-3140. During the week of November 2, 2022, BFF personnel participated in the assessment of the corrective action related to Finding I-3140 and a surveillance/in-depth review of radiological and chemical characterization of Profile DRTK000000013. The profile suspension remains in place while additional corrective actions are taken by ES. It is anticipated that BFF personnel will visit ES in early 2022 for additional information and observation of the corrective actions.

BFF staff also participated in a site visit to the Princeton Plasma Physics Laboratory (PPPL) in October 2021. PPPL is using PermaFix for their waste certification program for new waste streams generated by the PPPL. This site visit provided NDEP a broader understanding of the waste to be generated at this facility.

Waste Generators Violation Statuses:

**CAU 577 – Area 5 Chromium-Contaminated Waste Disposal Cells** – This CAU was created in March 2019 to address the closure of five (5) cells at the Radioactive Waste Management Complex (RWMC) at the NNSS that had received trivalent chromium-bearing waste in the past from Nuclear Fuel Services, located in Erwin, TN. BFF received the *Final Closure Report (CR) for Corrective Action Unit (CAU) 577: Area 5 Chromium Containing Waste Disposal Cells, Nevada National Security Site (NNSS), Revision 0, Nevada, September 2021* in mid-September and BFF staff sent an approval letter to the EM NP for this document on October 18, 2021.

**Y-12 National Security Complex** – BFF and NDEP personnel continued to work on a waste issue originating at the Y-12 National Security Complex (Y-12), located in Oak Ridge. The NDEP was informed of a potential violation of RCRA Permit NEV HW0101 on July 3, 2019. Specific details of events that occurred between July 3, 2019, and December 31, 2021, are provided in the nine previous quarterly reports. A **Settlement Agreement and Administrative Order on Consent (SA)** was signed by the NDEP, NNSA/NFO and the EM NP on June 22, 2021, thereby initiating the implementation of 43 separate waste management improvements throughout the DOE complex. The following were submitted to BFF staff for review and comment this quarter, meeting SA the deadlines for 120-day deliverables:

- a) Revised Waste Profiles and Instructions
- b) Preliminary Draft Nevada National Security Site Waste Acceptance Criteria (NNSSWAC)
- c) Package Shipment and Disposal Request Form

A meeting on the status of required deliverables was held on December 16, 2021, between NDEP, NNSA/NFO, EM NP, MSTS and Navarro.

## 5. Waste Management

Documents Reviewed/Letters Issued:

BFF staff reviewed the *Submittal of Final Post-Closure Report for Closed RCRA CAUS, NNSS, NV, for Calendar Year 2020, Revision 2, September 2021* received on October 6, 2021. BFF issued a response to NNSA/NFO on October 21, 2021, acknowledging that NDEP had received the complete document review sheet.

BFF staff reviewed the *Development of Well UE5MW-4 at the Area 5 Radioactive Waste Management Complex Pursuant to the RCRA Permit NEV HW0101* received on October 7, 2021. BFF issued a response to NNSA/NFO on November 3, 2021, acknowledging that NNSA/NFO had satisfied the permit and regulatory requirement.

BFF staff received and reviewed the *NNSS Quarterly Hazardous Waste Volume Report and Fee: Third Quarter Calendar Year 2021*, on October 12, 2021, and forwarded it to BFF fiscal staff for proper disbursement.

BFF staff received and reviewed *Uniform Hazardous Waste Manifests 012593658 FLE and 012593660 FLE* on October 18, 2021.

BFF staff reviewed the *Draft Revision to the Package Shipment and Disposal Request*, received on October 20, 2021. This revision was part of the Y-12 Settlement Agreement.

BFF staff reviewed the *NNSS Area 5 Asbestos Waste Disposal Report for Third Quarter of Calendar Year (CY) 2021 for Permit NEV HW0101* received on October 20, 2021. BFF issued a response to NNSA/NFO on November 18, 2021, acknowledging that NNSA/NFO satisfied the permit and regulatory requirement.

BFF staff reviewed the *NNSS Area 5 Asbestos Waste Disposal Report for Second Quarter of Calendar Year (CY) 2021 for Permit SW 532* received on October 20, 2021. BFF issued a response to NNSA/NFO on November 18, 2021, acknowledging that NNSA/NFO satisfied the permit and regulatory requirement.

BFF staff received and reviewed the *Transmittal of Use Restriction Information for CAU 577: Area 5 Chromium Containing Waste Disposal Cells* on October 25, 2021.

BFF staff received and reviewed *Uniform Hazardous Waste Manifests 012593655 FLE and 012593656 FLE* on October 28, 2021.

BFF staff reviewed the *Deviation from Approved CADD/CAP for CAU 577: Area 5 Chromium Containing Waste Disposal Cells* received on November 2, 2021. The requested deviation was in regard to density and moisture requirements. BFF staff sent a letter on November 16, 2021, granting the request for the deviation.

BFF staff reviewed the *Notification of Real-Time Radiography (RTR) System Issues* received on December 7, 2021. BFF issued a response to NNSA/NFO on December 13, 2021, acknowledging the RTR system issues.

BFF staff received and reviewed the *Request for Extension for Cell 18 Leachate Collection Tank Sampling*, on December 21, 2021. A response will be issued in early 2022.

BFF staff received the *NNSS Five-Year Volumetric report for Permit SW 532* on December 30, 2021. This document is currently under review.

BFF staff received and reviewed a copy of a DOE White Paper regarding the use of liners at the RWMS.

**Permits SW13 097 02, SW13 097 03 and SW13 097 04 Inspection** - BFF staff conducted an annual inspection of waste cells covered under the permit numbers listed above, on September 27 and 28, 2021. Details of the inspections are in the last quarterly report. BFF staff identified two alleged non-compliance issues in the Area 6 landfill, and one alleged non-compliance issue in the Area 9 U10C landfill. These permit compliance issues were discussed in the respective inspection reports listed below, issued by the BFF on December 21, 2021:

- *2021 Annual Inspection Report and Permit Compliance Determination of the Solid Waste Disposal Site - Area 6, Permit SW 13 097 02, at the Nevada National Security Site*
- *2021 Annual Inspection Report and Permit Compliance Determination of the Solid Waste Disposal Site - Area 9 U10C, Permit SW 13 097 03, at the Nevada National Security Site*
- *2021 Annual Inspection Report and Permit Compliance Determination of the Solid Waste Disposal Site - Area 23, Permit SW 13 097 04, at the Nevada National Security Site*

Conference Calls/Meetings:

**Waste Planning and Forecasting** – BFF personnel continue development of a waste planning and forecasting document outline to be discussed with the EM NP. BFF personnel met on December 13, 2021, and it is anticipated that the next meeting with EM NP will occur in January 2022 to discuss feedback from EM NP management on the proposed outline and report. It is anticipated that a draft document will be presented at the DOE Semi-Annual Waste Coordination Leadership Meeting scheduled for March 2022.

**DOE Documents sent to EPA** – On December 2, 2021, BFF personnel attended a Webex meeting with DOE to discuss documents DOE provided to date to EPA regarding PCBs.

**DOE Solid Waste Permit W532 Revisions** – A Webex meeting with MSTs and BFF personnel was held on December 2, 2021, to discuss revisions to the W532 Permit.

**Permit SW532 and RCRA Permit NV HW0101** – NDEP met with DOE representatives at NFO to discuss SW permit revisions, HW permit renewals, WAP and WAC revisions, and the request for an extension on leachate sampling for Cell 18 on December 16, 2021.

NEPA Reviews:

**Environmental Impact Statement for Construction and Demonstration of a Prototype Mobile Nuclear Microreactor (DOE-EIS-0546)** – BFF staff reviewed the *Environmental Impact Statement for Construction and Demonstration of a Prototype Mobile Nuclear Microreactor*, which identified the NNS as the preferred disposal site for LLW and MLLW. BFF staff submitted five (5) comments to the Department of Energy on November 8, 2021.

**Draft Waste Incidental to Reprocessing Evaluation for the Test Bed Initiative Demonstration U.S. Department of Energy (DOE-ORP-2021-01)** – BFF staff reviewed the *Draft Waste Incidental to Reprocessing Evaluation for the Test Bed Initiative Demonstration U.S. Department of Energy*. The waste incidental to reprocessing will be sent offsite for treatment and disposal at either EnergySolutions' disposal facility near Clive, Utah, or the Waste Control Specialists Federal Waste Facility (WCS FWF), near Andrews, Texas. The NNS is not identified as a disposal facility for these wastes.

**U.S. Department of Energy Finding of No Significant Impacts for the Environmental Assessment for the Microreactor Applications Research, Validation and Evaluation project at Idaho National Laboratory (CLN211621)** - BFF staff reviewed the *U.S. Department of Energy Finding of No Significant Impacts for the Environmental Assessment for the Microreactor Applications Research, Validation and Evaluation project at Idaho National Laboratory*.

**Draft EA for the Commercial Disposal of SRS Contaminated Process Equipment (DOEEA-2154)** – BFF staff began review of the *Draft EA for the Commercial Disposal of SRS Contaminated Process Equipment*.

Miscellaneous:

**Intergovernmental Information Request** – BFF personnel reviewed the Nevada Intergovernmental Information Request and DOE responses to the request. Based on those reviews, NDEP personnel identified three potential avenues for the EM NP to provide the information requested. NDEP will present these potential avenues in a meeting with EM in early February 2022.

Inspections:

**Annual Permit NEV HW0101 Compliance Evaluation Inspection** – BFF staff conducted an annual compliance evaluation inspection for permitted units covered under RCRA Permit NEV HW0101 at the NNSS on October 25 and 26, 2021, with EM NV and MSTs personnel in attendance. BFF staff requested through a letter dated September 21, 2021, required documentation (daily/weekly inspection checklists and waybills) from MSTs to prepare for the inspection. The requested records were received and reviewed by BFF staff prior to the October 2021 inspection. The NDEP found the NNSA/NFO in compliance with Permit NEV HW0101. BFF staff is currently working on the official inspection report with an anticipated completion date by the end of January 2022.

**6. Major Program Proposals**

There was no activity in this category during this quarter.

**7. Historic Preservation**

Funding has been provided to the SHPO for historic reviews at DOE and/or the NNSS during the year.

**8. Environmental Monitoring Program and Report**

There was no activity in this category during this quarter.

**9. Sampling**

No sampling activities were conducted by the Bureau during this quarter.

**10. Safe Drinking Water**

Document Reviews and Site Inspections

BFF and BSDW conducted the Sanitary Survey for Public Water Systems NV0000360, NV0004098, NV0004099 on November 1 – 2, 2021. The inspection report is currently being generated.

BFF was copied on the following BSDW reports submitted by NNSA/NFO contractors. BFF reviewed the reports referenced below and had no comments.

- a) Fourth Quarter Disinfection Report for PWS NV0000360
- b) October 2021 Potable Water Truck Coliform Results for PWS NV0000360
- c) November 2021 Potable Water Truck Coliform Results for PWS NV0000360
- d) December 2021 Potable Water Truck Coliform Results for PWS NV0000360

- e) Third Quarter Nitrate Nitrite Results for PWS NV0000360 & NV0004099
- f) Third Quarter Chlorine Residual for PWS NV0000360

Meetings:

The quarterly water meeting was held via teleconference on December 16, 2021.

Spills/Line Breaks

There were no spills or line breaks this quarter.

**Fiscal Analysis:**

*Estimate of personnel resources used (FTE or hours)*

The bureau of Federal Facilities is made up of a Bureau Chief, one supervisor, one subject matter expert, three technical staff and an administrative assistant. The AIP grant funds activities for each of these individuals. For the quarter, that represents approximately 3.5 FTEs based on a review of grant related activities.

*Total expenditures for each task area*

A total of approximately \$143,700 was spent during this quarter for AIP work. This is the most current figure available at this time and includes personnel, operating, information services, DOE oversight and purchasing costs.

*Comparison of estimate to budgeted expenses:*

Expenses this quarter were within the legislatively approved spending limits.

**Miscellaneous:**

The chief participated in monthly virtual NDEP Attorney General staff meetings, bi-weekly Division-Wide Chief's Staff Meetings and bi-weekly meetings with the Administrator via conference calls in October, November and December 2021.

During this quarter, the bureau chief attended/participated virtually in: (1) one NSSAB Intergovernmental Meeting and one full NNSAB meeting; (2) numerous calls, Zoom Meetings and/or webinars as a member of the NGA's Federal Facilities Task Force (FFTF), the State, Tribal, Government Working Group (STGWG), the Environmental Council of States (ECOS) and the Combined Intergovernmental Working Group (CIWG); (3) the Low-Level Waste Stakeholder's Forum Quarterly Meeting; (4) a DOE Strategic Vision webinar; (5) a fire-side chat with EM-1; and, (6) weekly/bi-weekly bureau staff meetings.