



RCRA PERMIT FOR A HAZARDOUS WASTE MANAGEMENT FACILITY



FACT SHEET FOR A RCRA HAZARDOUS WASTE PERMIT RENEWAL UNITED STATES DEPARTMENT OF ENERGY

EPA ID# NV3890090001

The Nevada Division of Environmental Protection (NDEP) has developed this Fact Sheet for the proposed renewal of the Resource Conservation and Recovery Act (RCRA) Permit currently held by the U.S. Department of Energy, National Nuclear Security Administration, Nevada Field Office (DOE/NNSA/NFO). This Fact Sheet has been prepared in accordance with the public notice requirements of Nevada Administrative Code (NAC) 444.8632 and Chapter 40 Code of Federal Regulations (CFR) Section 124.8. The purpose of this Fact Sheet is to provide interested citizens and other governmental agencies a summary description of the principal facts and issues NDEP has considered in reviewing the proposed renewal of the RCRA Hazardous Waste Permit NEV HW0101 (NEV HW0101).

The proposed permit renewal (Draft Permit) has an Administrative Record that contains the documents and information the NDEP uses in deciding to approve or deny the proposed permit renewal. The Administrative Record includes the Permit Application (submitted by DOE), the Draft Permit (created by NDEP, RCRA Permit NEV HW0101 with the proposed permit renewal incorporated), and this Fact Sheet (created by NDEP).

BACKGROUND:

The Nevada National Security Site (NNSS) is a U.S. Department of Energy installation occupying 3,522km² (1,360 mi²) of federally owned land in southeastern Nye County. The NNSS is under the control of the National Nuclear Security Administration Nevada Field Office (NNSA/NFO) and protects the United States and its allies by: supporting the stewardship of the nation's nuclear stockpile, providing nuclear and radiological emergency response capabilities and training, contributing to key nuclear nonproliferation and arms control initiatives, executing national-level experiments in support of the National Laboratories, working with customers and other federal agencies on important national security activities, and providing long-term environmental stewardship of the NNSS's Cold War legacy. During its operation, the NNSS generates and/or receives RCRA-defined hazardous waste and EPA-defined mixed low-level waste (MLLW) that requires storage and/or disposal. The EPA defines MLLW as low-level radioactive waste that also contains components that are chemically hazardous according to the RCRA. The MLLW generated and/or received at the NNSS is regulated and managed under both RCRA and the Atomic Energy Act of 1954.



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PERMIT HISTORY:

In March 1995, NDEP issued a Part B Permit to the Department of Energy, Nevada Operations Office for an Explosive Ordnance Disposal Unit (EODU) and a Hazardous Waste Storage Unit (HWSU). The permit was subsequently renewed in 2000, 2005 and 2010. In 2010, NDEP issued a new permit for a Subtitle C landfill, herein referred to as the Mixed Waste Disposal Unit (MWDU) and Mixed Waste Storage Unit (MWSU). In 2011, the EODU, now known as the Explosives Management Unit (EMU), HWSU, MWDU, and MWSU were consolidated into NEV HW0101. In 2015, NDEP issued a permit renewal for NEV HW0101. In 2018, NDEP issued a revised permit to include a second Subtitle C landfill (Cell).

FACILITY DESCRIPTION:

The MWDU and MWSU are located in the southeastern portion of the NNSS, within the Area 5 Radioactive Waste Management Complex (RWMC). The RWMC includes the Area 5 Radioactive Waste Management Site (RWMS), which is an active disposal site for low level waste and MLLW. The HWSU is adjacent to the Area 5 RWMC. The EMU is located in a remote portion of Area 11, within the NNSS.

- Mixed Waste Disposal Unit (MWDU) – Consists of one closed Subtitle C landfill (Cell 18) with a design capacity of 25,485 m³ (33,335 yd³) and one active Subtitle C landfill (Cell 25) with a design capacity of 37,000 m³ (48,400 yd³). The MWDU landfill is used for disposal of containerized MLLW, polychlorinated biphenyl (PCB) and asbestos containing MLLW.
- Mixed Waste Storage Unit (MWSU) - Consists of one sprung structure (Cover Building) and a surrounding pad with a total permitted storage volume of approximately 23,000 m³ (814,000 ft³). The MWSU accepts containerized PCB waste, containerized friable and non-friable asbestos waste and containerized MLLW for storage until disposal at the MWDU.
- Hazardous Waste Storage Unit (HWSU) - Consists of a prefabricated, rigid steel-framed roofed shelter used to store hazardous, nonradioactive waste generated on the NNSS prior to shipment off-site to a RCRA permitted Treatment Storage and Disposal Facility. The storage area floor is approximately 31 m (100 ft) long by 9.0 m (30 ft) wide. Curbing (15 cm [6 in]), integral to the concrete slab, surrounds the exterior of the structure and segregates the five storage cells.
- Explosives Management Unit (EMU) - consists of a firing point, detonation area (approximately 20 m [66 ft] by 30 m [100 ft]), and a storage magazine. The EMU is permitted to open detonate the following waste explosives: commercially manufactured explosives (capable of detonation as described in 40 CFR 265.382), blasting caps, black powder, and smoke pots that have been generated on the NNSS.



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SUBTITLE C LANDFILL (Cell 25):

Cell 25 is double-lined and has an approximate design capacity of 37,000 m³ (1,306,642 ft³). The cell has two removal systems and a leachate collection tank to contain the cell's leachate. The removal systems are located above the top liner of the cell (upper removal system) and between the top and bottom liners (lower removal system). The upper removal system is designed, constructed, operated, and maintained so that the leachate depth over the liner does not exceed 30.5 cm (12 in). The lower removal system serves as a leak detection system. The leachate collection tank is a 37,850 L (10,000 gal) tank installed within the fenced boundary of the cell.

BASIS FOR THE PERMIT CONDITIONS

Conditions required in the Draft Permit are established pursuant to the authority of Section 3006 of the Resource Conservation and Recovery Act (RCRA) (Chapter 40 Code of Federal Regulations as codified in part 271), 40 CFR Parts 124, and 260 through 270, Nevada Revised Statutes (NRS) 459.520 and Nevada Administrative Code (NAC) 444.842 through 444.8746, 444.940 through 444.9555, 444.960, and 444.965 thorough 444.976. These laws and regulations govern the management of hazardous wastes in the State of Nevada. The NDEP, as the authorized permitting agency for the State of Nevada, has reviewed the permit renewal application submitted by NNSA/NFO and has determined the facility can be operated under the conditions set in the Draft Permit in accordance with applicable regulations and in a manner that is protective of public health and the environment.

The operation and maintenance requirements in the Draft Permit also contain the following plans and requirements: waste analysis plan; accident prevention plan; contingency and emergency response plan; personnel training plan; inspection plan; security plan; record-keeping and reporting requirements; and closure and post-closure requirements.

PROCEDURES FOR REACHING A FINAL DECISION

Section 7004(b) of RCRA, NAC 444.8632, and 40 CFR Section 124.10 require that the public and interested agencies be given at least forty-five (45) days to comment on each Draft Permit prepared under RCRA. The comment period for the NNSA/NFO Draft Permit begins February 2, 2023 and ends at 5:00 PM PST on March 20, 2023. Any person interested in commenting on the application or Draft Permit must do so within this forty-five (45) day comment period.

The Administrative Record is available for public review between the hours of 8:00 a.m. and 5:00 p.m. PST, Monday through Friday at the NDEP office located at 375 East Warm Springs Road, Suite 200, Las Vegas, Nevada 89119. Copies of the Administrative Record will also be available for review at the addresses below:

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



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Tonopah Library
167 S. Central Street
Tonopah, Nevada 89049
775-482-3374

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

When NDEP makes a final decision to either accept or deny the permit renewal request and/or issue the Final Permit, notice will be given to the NNSA/NFO and to each person who has submitted written comments or requested a notice of the final decision. The Final Permit shall become effective thirty (30) days after service of notice of the decision, unless a later date is specified or review is requested under NAC 444.8632, or an appeal of the NDEP decision is brought to the State Environmental Commission under NAC 459.9995. If no comments are submitted requesting a change to the Draft Permit and no appeals are made to the State Environmental Commission, the Final Permit, reflecting the conditions in the Draft Permit, shall become effective within ten days after the final decision.

NAME OF PERSON TO CONTACT AT NDEP:

Kyle Jones, Las Vegas, Nevada, (702) 668-3906, k.jones@ndep.nv.gov

Comments must include all reasonably available references, factual grounds, and supporting material. A public hearing may be held to hear further comments if a written notice of opposition is received and a request for such a hearing is submitted by 5:00 PM PST on March 20, 2023. In the event that such a public hearing is requested, a time and place for the meeting will be scheduled and announced in a separate public notice at least thirty (30) days prior to the hearing. When making a Final Permit decision, the NDEP will respond in writing to all comments received during the public comment period and to any statements heard at a public hearing, in the event one is held.