

DATE: October 15, 2024
TO: Jennifer Carr, Administrator
FROM: Christine Andres, Chief, Bureau of Federal Facilities
SUBJECT: Quarterly Report: July 1, 2024 to September 30, 2024

FEDERAL FACILITY AGREEMENT AND CONSENT ORDER

(FFACO) QUARTERLY REPORT

Industrial Sites Activity

At the end of September 2024, there were 1962 historical Corrective Action Sites (CASs) (out of 1970 total) that have been closed, with three (3) CASs in Corrective Action Unit (CAU) 114 and five (5) CASs in CAU 572, all of which continue to undergo active D&D work by the Department of Energy's Environmental Management Nevada Program (EM NV).

The Nevada Division of Environmental Protection Bureau of Federal Facilities' (NDEP or BFF) staff continued document reviews, Use-Restrictions reviews, and post-closure inspections for a number of closed Industrial Sites on the Nevada National Security Site (NNSS), as described below:

Document Reviews and Letters:

CAU 5 – Landfills – Following a site visit on December 7, 2023, BFF staff responded to a November 1, 2023, Draft *Notification of Unauthorized Activity in the Corrective Action Unit (CAU) 5, Landfills, Corrective Action Site (CAS) 23-15-03, Disposal Site, Use Restriction (UR)* with a comment letter, including follow-up questions, dated January 4, 2024. This letter also provided formal documentation for the site visit and meeting conducted on December 7, 2023. On January 24, 2024, BFF staff received a *Response to the Nevada Division of Environmental Protection (NDEP) Regarding Unauthorized Activity in the Corrective Action Unit (CAU) 5, Landfills, Corrective Action Site (CAS) 23-15-03, Disposal Site, Use Restriction (UR)* (Response). On February 21, 2024, a meeting to discuss the Response was held between BFF staff and DOE personnel and their contractors. On March 6, 2024, BFF responded to the Response to document the meeting held on February 21, 2024, and provide BFF's requests regarding the unauthorized activity at CAU 5. The BFF was notified in May that a corrective action would be undertaken to address the unauthorized activity and requested coordination of a site visit once the corrective action is complete. On August 26, 2024, BFF staff received the *Transmittal of Use Restriction (UR) Information for Corrective Action Unit (CAU) 5*, which detailed the modifications to the Use Restriction as discussed in the Response. In September 2024, BFF was given a current update on the corrective action progress being taken at CAU 5. It was known from the beginning that the corrective action would take some time to fully implement.

CAU 114 – Area 25 Engine Maintenance, Assemble, and Disassembly (EMAD) Facility – On November 28, 2023, the NNSA/NFO and EM self-reported a potential noncompliance with waste management activities at EMAD. Following several meetings in late 2023 and early 2024, and the issuance by NDEP of a *Warning Letter Regarding Waste Management Activities Performed by the Environmental Management Nevada Program (EM NP), Tennant Organization to the National Nuclear Security Administration Nevada Field Office (NNSA/NFO), and their Environmental Program Services Contractor (EPS), Navarro Research and Engineering (Navarro), at the Nevada National Security Sites (NNSS)* to EM NP on February 1, 2024, at a minimum, monthly meetings and/or site visits have been held in order to ensure all parties understand expectations, paths forward, application of regulations, etc. (see below).

Meetings and Site Visits:

On July 11, 2024, BFF staff accompanied Navarro and EM NV personnel in conducting a site visit at CAU 114 EMAD and CAU 572 Test Cell C Ancillary Building and Structures.

On August 1, 2024, a meeting was held to discuss comment responses on a preliminary draft revision of the CAU 114 - EMAD SAFER.

On August 13, 2024, a meeting was held to discuss possible future activities at CAU 482. There are no plans for immediate use of this area, but it is being looked at for a potential project in the future.

On September 11, 2024, BFF staff accompanied Navarro personnel on several of the annual post-closure inspections of closed CAUs on the NNSS.

On September 26, 2024, the BFF chief, supervisor, and staff participated in a virtual “Waste Recovery Closeout Meeting” with EM NV and Navarro personnel for topics related to EMAD that were cited in NDEP’s February 1, 2024 Warning Letter (see CAU 114, above).

It was agreed to by BFF and DOE and their contractors to hold a meeting every 4-6 weeks to discuss the current demolition processes at CAU 114 EMAD and CAU 572 Test Cell C Ancillary Building and Structures. These meetings also present the opportunity to discuss any new or emerging topics regarding this FFACO work. During this quarter, meetings were held on July 11, 2024, August 22, 2024, and September 26, 2024. The July 11, 2024, meeting was held at the NNSS, at which time tours of both EMAD and Test Cell C were given to the BFF chief, supervisor, and staff.

A monthly FFACO meeting is held between BFF and EM NV personnel to discuss any relevant topics and the status of correspondence. Meetings were held on July 11, August 13, and September 12, 2024.

Soils Activity Sites

At the end of December 2019, all Soil CASs, a total of 144, had been closed.

Underground Test Area (UGTA) Activity

There are five (5) UGTA CAUs, all of which are either in the Corrective Action Decision Document/ Corrective Action Plan (Model Evaluation for UGTA sites) or in long-term monitoring during the Closure Stage.

During this quarter, BFF staff participated in the process of document review, project evaluation, site visits, meetings and/or teleconferences for the CAUs in the following ways:

BFF staff received the *Calendar Year 2023 Underground Test Area Annual Sampling Letter Report, Nevada National Security Site, Nevada, Revision 0, July 2024* on July 10, 2024. BFF issued a comment letter on August 7, 2024, with four comments. BFF received the *Calendar Year 2023 Underground Test Area Annual Sampling Letter Report, Nevada National Security Site, Nevada, Revision 1, August 2024* on August 26, 2024. On September 12, 2024, BFF issued a response letter stating that all NDEP comments had been satisfactorily addressed.

Meetings and Site Visits:

BFF staff participated in a site visit to Rainier Mesa with Navarro personnel on September 5, 2024

Nevada Off-Sites and the Tonopah Test Range

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) FFAO sites. NDEP activities for the TTR sites are reported under this Section.

CAU 443 – Central Nevada Test Area (CNTA) Subsurface - On April 18, 2024, BFF received the *Draft 2023 Postclosure Groundwater Monitoring and Inspection Report, Central Nevada Test Area, Subsurface Corrective Action Unit 443*. BFF sent a comment letter on May 29, 2024. BFF received the *LM Response to NDEP Comments – CNTA Draft 2023 Postclosure Groundwater Monitoring and Inspection Report for CAU 443* on July 2, 2024. BFF accepted the comment responses and issued the signed Record of Review on July 3, 2024. On July 18, 2024, BFF staff received the *Final 2023 Postclosure Groundwater Monitoring and Inspection Report, Central Nevada Test Area, Subsurface Corrective Action Unit 443*. BFF issued a response letter on July 30, 2024, approving the Final Report.

Tonopah Test Range – On April 25, 2024, BFF received the *Draft Post-Closure Inspection Report for the Tonopah Test Range and Nevada Test and Training Range, Nevada, Sites for Calendar Year 2023*. On May 29, 2024, BFF issued a response letter with comments. During a Shoal site visit on June 5, 2024, BFF and LM discussed the comment responses in person. BFF received the Record of Review Form for *Comment Responses to NDEP Comments on the 2023 Draft TTR and NTTR Postclosure Inspection Report* on August 2, 2024. On August 5, 2024, BFF issued the signed Record of Review Form accepting the comment response. BFF received the *Final Postclosure Inspection Report for the Tonopah Test Range and Nevada Test and Training Range, Nevada, Sites for Calendar Year 2023* on September 29, 2024. A response letter will be issued early next quarter.

BFF received the *Standardized Federal Facility Agreement and Consent Order Outline, Postclosure Inspection Report for the Tonopah Test Range and Nevada Test and Training Range (NTTR), Revision 2* on September 29, 2024. Revision 2 of the outline incorporates previous NDEP suggestions and comments. BFF will issue a response letter early next quarter.

Site Visits/Inspections:

On September 10, 2024, the bureau chief and staff traveled to the CNTA site to attend the annual inspection.

General FFACO Business:

Fiscal Year (FY) 2024+1 Milestone Chart and Listing of Modifications – On August 26, 2024, BFF received the *Distribution of Fiscal Year (FY) 2024+1 Milestone Chart and Listing of Modifications to the Federal Facility Agreement and Consent Order (FFACO)*. BFF issued a response letter on September 4, 2024.

FFACO Transition – As the active investigation/remediation work under the FFACO nears completion, the Department of Energy (DOE) and NDEP have 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 by the addition of Appendix VII to the FFACO. The Bureau Chief represents NDEP on this working group. On February 22, 2024, the *Final Agreement to Modify the Federal Facility Agreement and Consent Order (FFACO)* (Agreement) was emailed to all Signatory Agencies, and it is currently with the last Agency for signature as the NDEP Administrator signed the Agreement on August 23, 2024, for the NDEP. Meetings for this project were held on July 18, 2024, and August 14, 2024, to discuss the ongoing process of the FFACO transition.

Informal UGTA Discussion Meetings – A practice was begun in the beginning of 2022 of holding an “informal” Teams meeting with EM NV, Navarro, DRI and BFF staff about every six weeks to discuss present and upcoming UGTA documents or activities or any other outstanding UGTA subjects. This quarter’s meeting was held on June 20, 2024. The next meeting is scheduled for October 23, 2024.

Use Restrictions (URs) and General FFACO Work – Several quarters ago, a proposal was made by EM NV staff to hold monthly meetings to discuss the ongoing project of updating URs. Throughout this quarter, BFF staff have reviewed updated URs submitted by the EM NV. Comments are offered when necessary. The Use Restriction Management Plan (URMP) will be periodically revised by the EM NV to add updated NDEP-accepted URs.

Use Restriction Management Plan - On August 20, 2024, BFF staff received the *Submittal of the Record of Technical Change (ROTC) for 40 Corrective Action Units (CAUs) in the Use Restriction Management Plan (URMP) Revision 0*. On August 21, 2024, BFF issued a response letter acknowledging receipt of the ROTC.

Affirmation Forms – As the active investigation/remediation work under the FFACO nears completion, in addition to the FFACO Transition project, a Closure Affirmation Form project was undertaken by EM NV and Navarro to ensure that the documentation for the closure of each CAU identified in the FFACO, inclusive of its associated corrective action sites, is complete in accordance with FFACO standards. Each Closure Affirmation Form requires acceptance through signature by the Bureau Chief. This project is slated to be completed by the end of June 2025.

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

Miscellaneous:

The chief, and in her absence the supervisor, participated in monthly NDEP Attorney General staff meetings, bi-weekly Division-Wide Chief's Staff Meetings and bi-weekly meetings with the Deputy Administrator either in person or via virtual meetings in July, August, and September 2024.

During this quarter, the bureau chief attended or participated virtually in: (1) numerous calls, 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/or the Combined Intergovernmental Working Group (CIWG) Planning Committee; (2) an ECOS States virtual meeting in preparation for a States/DOE/EPA Dialogue meeting held in Idaho Falls in July 2024; (3) two Nevada Site-Specific Advisory Board meetings; (4) a virtual meeting with ECOS Federal Facilities Forum members, States Federal Facilities managers, and US EPA personnel to discuss PFAS; (5) regular bureau staff meetings and meetings with individual staff; (6) a DOE Environmental Management Advisory Board meeting on groundwater; (7) the quarterly Low-Level Waste Stakeholders meeting; (8) a NDEP document management planning meeting; (9) two meetings with EM NV, Navarro and NNSA's Off-Site Recovery Program; (10) the National Cleanup Workshop; (11) the Annual STGWG Executive Committee Meeting; (12) a meeting with NNSA/NFO and EM NV management; and (13) a meeting with NDEP's Office of Fiscal Management staff to discuss upcoming budget account changes.

Tribal Interaction – During several virtual and in-person meetings this quarter with the State, Tribal, Government Working Group, the bureau chief interacted with a number of Tribes throughout the United States who have ties to the actions of the Department of Energy.

Staff Training:

BFF staff completed the following:

- Resource Training Institute (RTI) Class RTII 353 Management of Polychlorinated Biphenyls on August 6 – 8, 2024

The BFF Supervisor attended:

- Nevada Certified Public Manager Classes on July 16 – 18, 2024, September 9 – 12, 2024, and September 30, 2024
- Resource Training Institute (RTI) Class RTII 353 Management of Polychlorinated Biphenyls on August 6 – 8, 2024
- Comprehensive Security Briefing on September 4, 2024

Agreement in Principle (AIP) Functional Areas Summary – Grant #DE-EM0005237 0003

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 *Discharge Monitoring Report for Nevada National Security Site Sewage Ponds, Water Pollution Control Permit GNEV93001, April 1, 2024, through June 30, 2024*, on July 24, 2024. BFF staff reviewed the report and sent a response letter to the National Nuclear Security Administration/Nevada Field Office (NNSA/NFO) on July 30, 2024, acknowledging the limits set forth in the permit had been met for the quarter.

Notification of the *2024 Annual Compliance Evaluation Inspection for WPC Permit GNEV 93001 at the Nevada National Security Site by the Nevada Division of Environmental Protection* was sent to NNSA/NFO on May 22, 2024. The annual inspection was performed on June 18, 2024. The inspection report, *2024 Annual Water Pollution Control (WPC) Permit GNEV93001 Wastewater Treatment Ponds Inspection*, was issued on July 19, 2024..

Water Pollution Control Permit GNEV96021 – BFF staff received the *E-Tunnel Waste- water Discharge Permit Quarterly Monitoring Report for First Quarter 2024 for Permit NEV96021* on April 25, 2024. BFF reviewed the report and sent a comment letter to NNSA/NFO on May 15, 2024, acknowledging that the report was in compliance with the limits set forth in the permit. BFF staff received *Revision 1 of the E-Tunnel Wastewater Discharge Permit Quarterly Monitoring Report for First Quarter 2024 for Permit NEV96021*, on June 5, 2024. A response letter was sent to NNSA/NFO on June 11, 2024, requesting a meeting to discuss the calculations in the Quarterly Monitoring Report. The meeting was conducted on June 18, 2024, after the annual inspection. BFF staff received the *Response to the Nevada Division of Environmental Protection (NDEP) Comments on Revision 1 of the E-Tunnel Wastewater Discharge Permit Quarterly Monitoring Report for First Quarter 2024 for Permit NEV 96021* on July 11, 2024. This letter summarized the June 18, 2024, meeting and the agreed upon path forward. BFF issued a response on July 17, 2024.

BFF staff received the *E-Tunnel Wastewater Discharge Permit Quarterly Monitoring Report for Second Quarter 2024 for Permit NEV96021* on July 22, 2024. BFF staff received an updated *E-Tunnel Wastewater Discharge Permit Quarterly Monitoring Report for Second Quarter 2024 for Permit NEV96021* on July 24, 2024, due to an issue with the July 22, 2024, report’s signature. BFF staff reviewed the report and sent a response letter to the NNSA/NFO on July 30, 2024, acknowledging the limits set forth in the permit had been met for the quarter.

Notification of the *2024 Annual Compliance Evaluation Inspection for WPC Permit NEV 96021 at the Nevada National Security Site by the Nevada Division of Environmental Protection* was sent to NNSA/NFO on May 22, 2024. The annual inspection was performed on June 18, 2024. The inspection report, *2024 Annual Water Pollution Control (WPC) Permit NEV96021 E-/tunnel Discharge System*

Inspection, was issued on July 19, 2024.

Spill Report Number 231121-01 – BFF staff received Spill Report Number 231121-01 on November 21, 2023. The *Nevada Division of Environmental Protection Spill Report #231121-01* letter was sent to NNSA/NFO on December 4, 2023, requesting additional information about the spill. BFF staff received the *Nevada Division of Environmental Protection Spill Number 231121-01 Report* on January 2, 2024. On January 10, 2024, a comment letter was sent to NNSA/NFO requesting updates and analytical information when it becomes available. BFF staff received the *Response to the Nevada Division of Environmental Protection Request Regarding Spill Number 231121-01 Report, Final Report*, on May 7, 2024. After review, BFF staff had clarifying questions that were discussed with MSTs staff during a phone call. The decision was made to rescind the final report and resubmit the report with additional clarifying information. The rescinding letter for the above referenced final report was received by BFF staff on May 21, 2024. BFF staff received the updated *Response to the Nevada Division of Environmental Protection Request Regarding Spill Number 231121-01 Report, Final Report*, on August 8, 2024. BFF issued a response letter on August 13, 2024, requesting the comment responses be addressed in a revised Final Spill Report. BFF staff received the *Nevada Division of Environmental Protection (NDEP) Spill Number 231121-01 Report* on August 20, 2024. A response letter was issued on August 21, 2024, stating that all comments had been satisfactorily addressed and no further remedial action at the spill site is required at this time.

Spill Report Number 240729-02 – BFF staff received Spill Report Number 240729-02 on July 29, 2024. The *Nevada Division of Environmental Protection Spill Report #240729-02* letter was sent to National Nuclear Security Administration/Sandia Field Office (NNSA/SFO) on July 30, 2024, requesting additional information about the spill and clarification about the spill date. BFF staff received the *National Technology and Engineering Solutions of Sandia, LLC (NTESS) - Sandia National Laboratories (SNL)/Tonopah Test Range (TTR), Thirty-Day Follow-up Report for the JP-10 Jet Fuel Release at TTR Antelope Lake* on August 20, 2024. The Report stated that additional sampling was required and would be submitted to NDEP as an addendum. A response letter was sent to NNSA/SFO on September 4, 2024, acknowledging the additional sampling and asking for clarification on the spill date. BFF staff received the *Addendum to National Technology and Engineering Solutions of Sandia, LLC (NTESS) - Sandia National Laboratories (SNL)/Tonopah Test Range (TTR), Thirty-Day Follow-up Report for the JP-10 Jet Fuel Release at TTR Antelope Lake* and the *Second Addendum to National Technology and Engineering Solutions of Sandia, LLC (NTESS) - Sandia National Laboratories (SNL)/Tonopah Test Range (TTR), Thirty-Day Follow-up Report for the JP-10 Jet Fuel Release at TTR Antelope Lake* on September 19, 2024. The first addendum included sampling results and addressed a need for additional sampling, while the second addendum clarified the spill date. BFF staff will issue a response once all sampling has been completed.

Meetings and Site Visits:

The quarterly water meeting was held on July 24, 2024.

BFF staff attended the 39th Annual Tri-State Seminar on August 6 – 8, 2024.

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) meetings via teleconference during July, August, and September 2024. 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), DOE/NV--325-22-00, which became effective a February 29, 2024. As applicable, BFF staff reviewed and provided comments on LLW, MLLW, classified non-radiological non-hazardous, and classified radiological hazardous waste profiles and reviewed all comment responses submitted by the currently approved waste generators.

Documents Reviewed/Letters Issued:

Nuclear Fuel Services (NFS) WCP Surveillance Report, SRV-24-011-NFSI received July 2, 2024.

Disposal of In-State Generated Low-Level Waste (LLW) at the Area 3 Radioactive Waste Management Site (RWMS). The BFF issued a response letter on July 19, 2024.

Closure of Finding I-3364 for NFS for Nuclear Fuel Services, received July 15, 2024.

Radioactive Waste Acceptance Program (RWAP) Audit of West Valley Demonstration Project (WVDP) Waste Certification Program (WCP), Audit No. ADT-24-007-WVDP, received July 22, 2024.

Idaho Cleanup Project (ICP) Waste Certification Program (WCP) Surveillance Report, SRV-24-012-INEL, received July 22, 2024.

Radioactive Waste Acceptance Program (RWAP) Audit of Perma-Fix Environmental Services, Inc. (Perma-Fix) Waste Certification Program (WCP), Audit No. ADT-24-005-PERM, received July 25, 2024.

Closure of Finding FP1-24-001-ASLA for Sandia National Laboratories (SNL), received July 25, 2024.

Issuance of a Priority I (One) Finding (FP1-24-003-ORTN) Associated with Shipment ORL24143, Oak Ridge Reservation (ORR), Low-Level Radioactive Waste Profile, ORTN000000043, Revision 05, March 26, 2020, ORR Regulated Asbestos Debris, received on August 8, 2024.

Advanced Mixed Waste Treatment Project (AMWTP) Waste Certification Program (WCP) Surveillance Report, SRV-24-013-AMWP, received August 21, 2024.

Issuance of Priority 1 (One) Finding (FP1-24-004-PORT) Associated with Shipment POL24035, Portsmouth Gaseous Diffusion Plant (PORT), Low-Level Radioactive Waste Profile PORTLPP000017, Revision 05, June 30, 2020, PORTS Asbestos Unclassified GDP Waste, received August 28, 2024.

U.S. Army Aberdeen Proving Ground (APG) Waste Certification Program (WCP) Surveillance Report, SRV-24-041-USAA, received September 9, 2024.

Pantex Plant (Pantex) Waste Certification Program (WCP) Surveillance Report, SRV-24-016-AMHP, received September 9, 2024.

Reinstatement of the Perma-Fix Environmental Services, Inc. (Perma-Fix) Waste Certification Program (WCP), received September 20, 2024.

Interpretation of Nevada National Security Site Waste Acceptance Criteria (NNSSWAC), DOE/NV--325-24-00, Administrative Section 11.5.4, Disposition of Discrepancies, received September 25, 2024.

Oak Ridge Reservation (ORR) Waste Certification Program (WCP) Surveillance Report, SRV-24-046-ORTN, received September 25, 2024.

Portsmouth Gaseous Diffusion Plant (PORTS) Waste Certification Program (WCP), Surveillance Report, SRV-24-047-PORT, received September 25, 2024.

Interpretation of Nevada National Security Site Waste Acceptance Criteria (NNSSWAC), DOE/NV--325-24-00, Administrative Section 5.0, Radiological Characterization, received September 30, 2024.

Radioactive Waste Acceptance Program (RWAP) Audit of Depleted Uranium Hexafluoride Conversion Project (DUF6-Paducah) Waste Certification Program (WCP), Audit No. ADT-25-003-DUF6, received September 30, 2024.

Profiles Reviewed:

BFF staff reviewed a total of six (6) waste profiles and two (2) pre-treatment notifications this quarter. Four (4) profiles were strictly for LLW requiring disposal in Department of Energy (DOE) Order 435.1 LLW landfills. Two (2) profiles were strictly MLLW requiring disposal in the NDEP permitted RCRA cell.

Meetings:

BFF staff participated in DOE's quarterly LLW Stakeholder's Meeting on August 15, 2024, in Las Vegas, NV.

Waste Generator Suspensions:

There are currently no waste generator suspensions.

Active Profiles:

There are currently 192 active profiles, comprised of 44 Mixed LLW/Hazardous non-rad profiles, 25 LLW/Non-Rad Solid Waste profiles and 123 LLW profiles.

Suspended Profiles:

There are currently two (2) profiles under suspension.

Site Visits/Radioactive Waste Generator Facility Evaluations:

The Radioactive Waste Acceptance Program (RWAP) conducted six (6) surveillances, two (2) audits, and no split sampling events this quarter. NDEP participated in one (1) surveillance, and two (2) audits this quarter as described in the sections below.

Surveillances:

Aberdeen Proving Ground - U.S. Army, Aberdeen, MD - During the week of August 12, 2024, BFF personnel, along with staff from the EM NV contractor, participated in the surveillance of this waste generator. The surveillance was scheduled for DOE to verify programmatic and performance-based compliance to the NNSSWAC (DOE/NV--325-22-00). RWAP members completed checklists specific to the elements being evaluated by conducting interviews, reviewing procedures and conducting field inspections. NDEP personnel were provided access to interviews, procedures and field inspections when requested. No findings and one (1) observation were issued by EM NV as a result of the surveillance.

Audits:

Perma-Fix Diversified Scientific Services (DSSI), Kingston, TN - During the week of August 26, 2024, BFF personnel, along with staff from the EM NV contractor, participated in the audit of this waste generator. The audit was scheduled for DOE to verify programmatic and performance-based compliance with the NNSSWAC (DOE/NV--325-22-00). RWAP members completed checklists specific to the elements being evaluated by conducting interviews, reviewing procedures and conducting field inspections. NDEP personnel were provided access to interviews, procedures and field inspections when requested. Two (2) Priority 2 findings and three (3) observations were issued by EM NV as a result of the audit. This generator was under self-suspension, and the

suspension was lifted as a result of this audit.

West Valley Demonstration Project, Buffalo, NY - During the week of September 11, 2024, BFF personnel, along with staff from the EM NV contractor, participated in the audit of this waste generator. The audit was scheduled for DOE to verify programmatic and performance-based compliance to the NNSSWAC (DOE/NV--325-22-00). RWAP members completed checklists specific to the elements being evaluated by conducting interviews, reviewing procedures and conducting field inspections. NDEP personnel were provided access to interviews, procedures and field inspections when requested. One (1) Priority II finding, and one (1) observation was issued by EM NV as a result of the audit.

5. Waste Management

Documents Reviewed/Letters Issued:

BFF staff reviewed the following documents and/or issued the following letters or reports during this quarter:

A Recertification for Conditional Exclusion for Chromium Dated May 8, 2019 NFS Document ID No. 21G-24-0088, was received on May 13, 2024. BFF issued a response on August 6, 2024.

A Submittal of the Environmental Monitoring and Post-Closure Report for Permitted Sites on the Nevada National Security Site for Calendar Year 2023 (DOE/NV/03624--1969), was received on May 29, 2024. BFF issued a comment letter on July 10, 2024.

A Request to Transport Asbestos Waste, was received on July 1, 2024. BFF issued a response to EMNV July 30, 2024.

A Nevada National Security Site (NNSS) Area 23 Solid Waste Disposal Site (SWDS) SW 13 097 04 Revision 7, Friable and Non-Friable Asbestos Summary Report, Second Quarter 2024, was received on July 11, 2024. BFF issued a response on July 22, 2024.

A Nevada National Security Site (NNSS) Area 9 Solid Waste Disposal Site (SWDS) Permit SW 13 097 03 Revision 13, Friable and Non-Friable Asbestos Report, Second Quarter 2024, was received on July 11, 2024. BFF issued a response on July 22, 2024.

A Request to Transport Asbestos Waste for Disposal – Nevada National Security Site (NNSS): July 1, 2024, to December 31, 2024, was received on July 18, 2024. BFF issued a response to NNSA/NFO July 30, 2024.

An Area 23 Semi-Annual Solid Waste Disposal Site (SWDS) Report for The Nevada National Security Site (NNSS) - January 1, 2024, Through June 30, 2024, was received on July 18, 2024. BFF issued a response on July 22, 2024.

A Response to the Nevada Division of Environmental Protection (NDEP) Comment on the Area 23 Solid Waste Disposal Site (SWDS) Report for the Nevada National Security Site (NNSS)

January 1, 2024, Through June 30, 2024, received on August 6, 2024. BFF issued a response on August 12, 2024.

BFF staff issued a response to the *Transmittal of the Revision to the 2020 Soil Characterization Report for the Area 11 Explosive Ordnance Disposal Unit*, on July 22, 2024.

The *Nevada National Security Site (NNSS) Area 5 Asbestos Waste Disposal Report for Second Quarter of Calendar Year (CY) 2024 for Permit HW0101*, was received on July 22, 2024. BFF issued a response on July 30, 2024.

The *Nevada National Security Site (NNSS) Area 5 Asbestos Waste Disposal Report for Second Quarter of Calendar Year (CY) 2024 for Permit SW532*, was received on July 22, 2024. BFF issued a response on July 30, 2024.

A Request for Concurrence with Disposal of North Las Vegas (NLV) Friable Asbestos Waste in the Nevada National Security Site (NNSS) Area 9 Solid Waste Disposal Site (SWDS) - Permit Number SW 13 097 03, was received on July 25, 2024. BFF issued a response July 30, 2024.

Military Range Activity Completion – Cat Canyon Range, was received on August 6, 2024. BFF issued a response on August 12, 2024.

A Response to the Nevada Division of Environmental Protection (NDEP) Comment on the Nevada National Security Site (NNSS) Area 9 Solid Waste Disposal Site (SWDS) Permit SW 13 097 03 Revision 13, Annual Friable Asbestos Report, Calendar Year 2023 (CY23), was received on August 6, 2024. BFF issued a response on August 12, 2024.

A Nevada National Security Site (NNSS) Area 9 Solid Waste Disposal Site (SWDS) Permit SW 13 097 03 Revision 13, Friable and Non-Friable Asbestos Report, July 2024, was received on August 15, 2024. BFF issued a response on August 21, 2024.

A Nevada National Security Site (NNSS) Area 23 Solid Waste Disposal Site (SWDS) SW 13 097 04 Revision 7, Friable and Non-Friable Asbestos Summary Report, July 2024, was received on August 15, 2024. BFF issued a response on August 21, 2024.

A Nevada Division of Environmental Protection (NDEP) Letter Dated July 9, 2024, Submittal of the Environmental Monitoring and Post-Closure Report for Permitted Sites on the Nevada National Security Site for Calendar year 2023 (DOE/NV/03624--1969), was received on August 20, 2024. BFF issued a response August 22, 2024.

A Nevada National Security Site (NNSS) Area 23 Solid Waste Disposal Site (SWDS) SW 13 097 04 Revision 7, Friable and Non-Friable Asbestos Summary Report, August 2024, was received on September 11, 2024. BFF issued a response on September 16, 2024.

A Nevada National Security Site (NNSS) Area 9 Solid Waste Disposal Site (SWDS) Permit SW 13 097 03 Revision 13, Friable and Non-Friable Asbestos Report, August 2024, was received on September 11, 2024. BFF issued a response on September 16, 2024.

Area 9 Solid Waste Disposal Site (SWDS) Comprehensive Environmental Inspection (CEI) Document Review Meeting, September 4, 2024, received on September 19, 2024. BFF will issue a response early next quarter.

Site Visits/Inspections:

BFF staff conducted the annual Compliance Evaluation Inspection for the Area 5 Solid Waste Disposal Site Permit No. SW 532 on August 20, 2024, with MSTs and NNSA/NFO personnel in attendance. BFF staff requested, through a letter dated July 22, 2024, required documentation (daily/weekly/monthly Inspection Checklists, Training Records and Real Time Radiography) from MSTs to prepare for the inspection. The requested records were received and reviewed by BFF staff prior to the August 20, 2024, inspection. The BFF issued the *2024 Annual Solid Waste Disposal Site Compliance Evaluation Inspection at the Nevada National Security Site Report – Area 5*, on September 26, 2024.

BFF staff conducted the annual Compliance Evaluation Inspection for the Area 23 Class II Solid Waste Disposal Site Permit no SW 13 097 04 on August 20, 2024, with MSTs and NNSA/NFO personnel in attendance. BFF staff requested, through a letter dated July 22, 2024, required documentation (Bill of Lading/Load Verification documentation, Landfill Daily Access Registers, Inspection Checklists, and Training Records) from MSTs to prepare for the inspection. The requested records were received and reviewed by BFF staff prior to the August 20, 2024, inspection. BFF issued the *2024 Annual Solid Waste Disposal Site Compliance Evaluation Inspection at the Nevada National Security Site Report – Area 23, Permit SW 13 097 04*, on September 26, 2024.

BFF staff visited the NNSS to participate in the Third Quarter Post-Closure Inspections for RCRA Permit NEV HW0101 on September 24, 2024.

BFF staff issued notice of the *2024 Annual Compliance Evaluation Inspection for RCRA Permit NEV HW0101 at the Nevada National Security Site by the Nevada Division of Environmental Protection* on September 26, 2024, and intends to conduct the inspection in November of 2024.

Conference Calls/Meetings:

BFF staff attended the Environmental Monitoring and PC Report Questions virtual meeting on July 8, 2024.

It was agreed to by BFF and DOE and their contractors to hold a meeting every 4-6 weeks to discuss the current demolition processes at CAU 114 EMAD and CAU 572 Test Cell C Ancillary Building and Structures. These meetings also present the opportunity to discuss any new or emerging topics regarding this FFACO work. During this quarter, meetings were held on July 11, 2024, August 22, 2024, and September 26, 2024. The July 11, 2024, meeting was held at the

NNSS, at which time tours of both EMAD and Test Cell C were given to the BFF chief, supervisor, and staff.

On September 4, 2024, BFF staff held a virtual meeting with MSTs personnel to discuss the marking of prohibited waste on thirteen (13) Area 9 Landfill Load Verification Forms found during the document review for the Annual Compliance Evaluation Inspection. MSTs staff stated that the incorrect information on the forms had been due to a practice of pre-generating the landfill forms for specific projects to minimize the time spent completing each form. An official letter from the NNSA/NFO for facts presented during the meeting was requested by NDEP on September 6, 2024, and received by BFF staff on September 19, 2024.

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 staff completed the 2024 Annual Inspections of Water Hauler 84846 and Water Hauler 84847 on July 2, 2024. Both Water Haulers were found to be in compliance with applicable regulations and a letter stating compliance with applicable regulations was sent to NNSA/NFO on July 9, 2024.

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

- a. June 2024 NNSS Water Hauling Coliform Results
- b. July 2024 NNSS Coliform Results PWS NV0000360, NV0004098, Water Trucks 84846 & 84847
- c. July 2024 NNSS Coliform Results PWS NV0004098
- d. July 2024 NNSS Water Hauling Coliform Results

- e. August 2024 Coliform Results NNSS PWS NV0000360, NV0004098 & Water Truck 84846
- f. August 2024 NNSS Water Hauling Coliform Results
- g. September 2024 Coliform Results PWS NV0004098
- h. September NNSS Coliform Results PWS NV0000360, PWS NV0004099, Water Hauler Trucks 84846 and 84847
- i. NNSS PWS NV0000360 2024 2nd QTR Chlorine Residual Report
- j. NNSS PWS NV0000360 Distribution Monitoring Results - 2024 Lead and Copper
- k. NNSS PWS NV0000360, NV0004098, NV0004099 Distribution Monitoring Results -2024 Nitrate, Nitrite, Iron
- l. 2024 NNSS PWS NV0000360 Disinfectant By-products - HAA5 and TTHM
- m. 2024 NNSS PWS NV0004099 Area 12 Camp South Tank - Iron increased monitoring results

BFF staff received *Notification of Loss of Pressure: PWS NV0000360* on July 11, 2024.

BFF staff received *NNSS PWS NV0000360 – Water Repair Coliform Results and Notices 7-2024* on July 25, 2024.

BFF staff received the *Response to 2022 Sanitary Survey of NNSS A25 (NV0004098); Rejoinder to NDEP 2023 Response Comments*, on September 26, 2024. BFF will issue a response in the next quarter.

Meetings:

The quarterly water meeting was held on July 24, 2024.

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 (vacant for the majority of this quarter), three technical staff and an administrative assistant. The AIP grant funds activities for each of these individuals. For the quarter, that represents approximately 4.0 FTEs based on a review of grant-related activities.

Total expenditures for each task area

A total of approximately \$156,785 was spent during this quarter for AIP work. This most current figure available at this time includes operating, information services, and purchasing costs. It does not include personnel costs.

Comparison of estimate to budgeted expenses:

Expenses this quarter were within the legislatively approved spending limits.

Miscellaneous:

The chief, and in her absence the supervisor, participated in monthly NDEP Attorney General staff meetings, bi-weekly Division-Wide Chief's Staff Meetings and bi-weekly meetings with the Deputy Administrator either in person or via virtual meetings in July, August, and September 2024.

During this quarter, the bureau chief attended or participated virtually in: (1) numerous calls, 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/or the Combined Intergovernmental Working Group (CIWG) Planning Committee; (2) an ECOS States virtual meeting in preparation for a States/DOE/EPA Dialogue meeting held in Idaho Falls in July 2024; (3) two Nevada Site-Specific Advisory Board meetings; (4) a virtual meeting with ECOS Federal Facilities Forum members, States Federal Facilities managers, and US EPA personnel to discuss PFAS; (5) regular bureau staff meetings and meetings with individual staff; (6) a DOE Environmental Management Advisory Board meeting on groundwater; (7) the quarterly Low-Level Waste Stakeholders meeting; (8) a NDEP document management planning meeting; (9) two meetings with EM NV, Navarro and NNSA's Off-Site Recovery Program; (10) the National Cleanup Workshop; (11) the Annual STGWG Executive Committee Meeting; (12) a meeting with NNSA/NFO and EM NV management; and (13) a meeting with NDEP's Office of Fiscal Management staff to discuss upcoming budget account changes.

Tribal Interaction – During several virtual and in-person meetings this quarter with the State, Tribal, Government Working Group, the bureau chief interacted with a number of Tribes throughout the United States who have ties to the actions of the Department of Energy.

Staff Training:

BFF staff completed the following:

- Resource Training Institute (RTI) Class RTII 353 Management of Polychlorinated Biphenyls on August 6 – 8, 2024

The BFF Supervisor attended:

- Nevada Certified Public Manager Classes on July 16 – 18, 2024, September 9 – 12, 2024, and September 30, 2024
- Resource Training Institute (RTI) Class RTII 353 Management of Polychlorinated Biphenyls on August 6 – 8, 2024
- Comprehensive Security Briefing on September 4, 2024