September 10, 2018

Mr. Scott A. Wade
Senior Advisor for Environmental Management
US Dept of Energy
National Nuclear Security Administration
Nevada Field Office / M/S 505
P.O. Box 98518
Las Vegas, NV 89193-8518

Re: Update to the Area 23 Solid Waste Disposal Site (SWDS), Permit SW 13-097-04

Dear Mr. Wade:

The Nevada Division of Environmental Protection staff (NDEP) has received the updated permit application for Permit SW 13 097 04, submitted on August 6, 2018. The NDEP updated the permit to reflect the organizational and administrative changes within the National Nuclear Security Administration/Nevada Field Office and its contractors. Attached is the official Solid Waste Permit SW 13 097 04, Revision 6, which incorporates the permit updates and is effective immediately.

Address any questions or comments to Mark McLane at (702) 486-2850, ext. 226, Justin Costa Rica at (702) 486-2850, ext. 234, or me at (702) 486-2850, ext. 232.

Sincerely,

Christine D. Andres
Chief
Bureau of Federal Facilities

CDA/MM/JCR

Attachment
ec:     S. J. Lawrence, NNSA/NFO
        D. J. Morgan, NNSA/NFO
        P. A. Sanders, NNSA/NFO
        B. C. Wedl, NNSA/NFO
        R. F. Boehlecke, EM NV
        EM Records, EM NV
        T. S. Belka, MSTS
        N. J. Taranik, MSTS
        M. R. Krauss, MSTS
        P. M. Radack, MSTS
        MSTS Correspondence Management

cc:     EM Records, EM NV
1. FACILITY SUMMARY

The Area 23 Class II Solid Waste Disposal Site (SWDS) is located in the southern tip of the Nevada National Security Site (NNSS), formerly the Nevada Test Site, adjacent to base operations in Mercury, Nevada. The landfill is utilized for disposal of rubbish, refuse, sewage sludge, pathological waste, regulated asbestos containing material (RACM), empty pesticide containers, oily rags, and industrial solid waste.

1.1 GENERAL DESCRIPTION

The Permit authorizes the operation of a Class II disposal site, consisting of one municipal solid waste landfill unit, contiguous land, structures, and other appurtenances and improvements for the disposal of municipal waste as approved by the Nevada Division of Environmental Protection (NDEP). The Application provides that an interim cover will be installed with ongoing operations, with a final cover to be installed at time of closure. The Owner/Operator will perform closure and post closure care in accordance with this Permit.

1.2 OWNER/OPERATOR

Owner: U.S. Department of Energy
National Nuclear Security Administration
Nevada Field Office
P.O. Box 98518
Las Vegas, NV 89193-8518

Authorized Agent: Scott A. Wade
Senior Advisor for Environmental Management

Operator: Mission Support and Test Services, LLC
P. O.Box 98521
Las Vegas, Nevada 89193-8521

Authorized Agent: Mark W. Martinez
President

1.3 FACILITY LOCATION

Nevada National Security Site – Area 23, NNSS, Nye County

1.4 FACILITY DESIGN

Permitted Design Summary

<table>
<thead>
<tr>
<th>Class II</th>
<th>Revision 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disposal Area (acres)</td>
<td>45</td>
</tr>
<tr>
<td>Maximum Elevation (ft amsl)</td>
<td>3.645</td>
</tr>
<tr>
<td>Minimum Elevation (ft amsl)</td>
<td>3.600</td>
</tr>
<tr>
<td>Disposal Capacity (yds³)</td>
<td>426,142</td>
</tr>
</tbody>
</table>

ft amsl = feet above mean sea level
yds³ = cubic yards
2. **GENERAL PERMIT CONDITIONS**

2.1 **DEFINITIONS**

Unless the context otherwise requires, the definitions used in this Permit have the meanings ascribed to them in NAC 444.5701 to 444.631.

“Landfill volume” means the quantity of space contained above the bottom liner and including the final cover of a landfill design.

“Landfill disposal capacity” means the quantity of solid waste, by volume, that can be placed in a landfill, given its landfill volume and plan of operations.

2.2 **PERMIT ACTIONS (NAC 444.643)**

This Permit is based upon the information submitted in the Permit application, and as approved by the Nevada Division of Environmental Protection. This Permit may be modified by the Division, for cause, in accordance with NAC 444.643 or if there is a change in the statutes or regulations upon which the issuance of the Permit is based or if a modification is otherwise necessary to protect public health, safety and the environment. This Permit may be revoked or suspended if written notice is given by the solid waste management authority and the disposal site does not remain in compliance with the applicable statutes and regulations. The filing of a request by the Permittee for a Permit modification or termination, or a notification of planned changes or anticipated noncompliance, or termination of activities authorized in the Permit does not stay any Permit condition. The Permittee shall inform the Division of any deviation from or change in the operations as presented in the application, which may affect the Permittee’s ability to comply with applicable regulations or conditions of this Permit. This Permit may be transferred to a subsequent owner or operator only if the solid waste management authority approves the transfer based on documentation of financial responsibility provided by the new owner or operator.

2.3 **AVAILABILITY OF PERMIT DOCUMENTS**

The Permittee shall keep, at the disposal site, a complete copy of this Permit and incorporated documents, as identified herein.

2.4 **COMPLIANCE WITH STATUTES AND REGULATIONS**

The Permittee shall comply with NRS 444.440 through 444.620, and NAC 444.570 through 444.7499, as applicable.

2.5 **DUTY TO PROVIDE INFORMATION**

The Permittee shall furnish to the Division, within a reasonable time, any relevant information which the Division may request to determine compliance with this Permit or to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit. The Permittee shall also furnish to the Division, upon request, copies of records required to be kept by this Permit.
2.6 INCIDENT REPORTING
The Permittee shall report incidents to the Division as provided in the Operating Plan. In addition, the Permittee shall report any noncompliance, imminent or existing hazard from a release of waste or hazardous constituents, or from a fire or explosion at the facility, which may endanger human health or the environment. Such information shall be reported by telephone to 888-331-6337 within twenty-four (24) hours from the time the Permittee becomes aware of the circumstances. A written report shall be submitted within 15 days of the incident and shall include the following:

i. Name and title of person making report;
ii. Date, time, and type of incident;
iii. Name and quantity of material(s) involved;
iv. A complete description of the occurrence and its cause;
v. The extent of injuries, if any;
vi. An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable;
vii. Estimated quantity and disposition of recovered material that resulted from the incident; and
viii. Actions taken by the Permittee in response to the incident.

2.7 REPORTING ANTICIPATED NON-COMPLIANCE
The Permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity that may result in noncompliance with Permit requirements.

2.8 INSPECTION AND ENTRY
The Permittee shall allow the Nevada Division of Environmental Protection, or an authorized representative, upon the presentation of credentials or other documents as may be required by law to:

i. Enter at reasonable times upon the Permittee’s premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Permit;
ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
iii. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and
iv. Sample or monitor at reasonable times, for the purposes of assuring Permit compliance or as otherwise authorized, any substances or parameters at any location subject to the Permit.

3. PERMIT DOCUMENTS
The following documents, as submitted by the Permittee and approved by the Nevada Division of Environmental Protection also describe and/or restrict the operation of this disposal site:

i. Permit Application (June, 2018)

4. WASTE ACCEPTANCE CRITERIA
Exhibit 3 in the Permit Application.
4.1 **SOLID WASTES PERMITTED FOR DISPOSAL**
1. Municipal Solid Waste as described in the Waste Acceptance Criteria (WAC) (Exhibit 3)
2. Asbestos as described in the WAC
3. Polychlorinated biphenyl (PCB) Bulk product waste on a case-by-case basis, with concurrence from the Division
4. Other wastes as listed in the WAC
5. Other waste not listed in the WAC on a case-by-case basis, with concurrence from the Division

4.2 **PROHIBITED SOLID WASTES**
1. Liquid waste as defined by NAC 444.692(4)
2. Hazardous waste, as defined NAC 444.580 (NRS 459.430)
3. Medical waste as defined by NAC 444.589

5. **RECORDKEEPING**
The Permittee shall maintain records at the site as described in Exhibit 1 of the Permit Application. The owner or operator shall notify the solid waste management authority when documentation listed in section 5.1 of this permit has been placed in or added to the operating records. All information contained in the operating records must be furnished upon request to the solid waste management authority or be made available at all reasonable times for inspection by the solid waste management authority.

5.1 **CLASS II FACILITY RECORDS:**
i. Plans for closure and postclosure care and any monitoring, testing or analytical data required pursuant to NAC 444.6891 to 444.6896, inclusive; and

ii. How the site conforms to the restrictions on location set forth in NAC 444.735; and

iii. Any plan to characterize solid waste required pursuant to NAC 444.737; and

iv. Any demonstration, certification, finding, monitoring, testing or analytical data from the program for monitoring ground water required pursuant to NAC 444.7481 to 444.7499, inclusive; and

v. The owner or operator shall promptly notify the solid waste management authority after the owner or operator has placed the information in the operating record of its facility pursuant to this subsection. The information must be furnished upon request to the solid waste management authority or be made available for inspection by the solid waste management authority at any reasonable time.

6. **REPORTING**
1. Submit semiannually to the Division a report of the solid waste received at the site. The report must be submitted by January 31 and July 31 of each year and shall include:
   i. All off-normal conditions experienced during the calendar year.
   ii. The weight and volume of waste disposed of in both annual and quarterly totals.
   iii. All exceptions to the Waste Acceptance Criteria (as found in the Permit Application).

2. The Permittee shall submit online (https://nvwastemanagementreports.ndep.nv.gov/submitdisposal) semiannually the weight and volume of waste disposed of the solid waste received at the site. The online reporting is due by January 31 and July 31 of each calendar year.
3. The Permittee shall by December 31st 2018 and at least once every 5 years thereafter until the site is closed, conduct a topographic survey or other volumetric survey of the site and submit a report to the Division. Each report must:
   i. Indicate the remaining volume and disposal capacity of the site;
   ii. Indicate the volume used and waste disposed of since the original report of design; and
   iii. Calculate the remaining life of the site, in years

6.1 FINANCIAL ASSURANCE REPORTING. THE PERMITTEE SHALL:
   Nevada Administrative Code PAC 444.685 exempts entities of the federal government from the financial assurance requirements outlined in the state of Nevada solid waste disposal regulations.

6.2 NOTIFICATION OF NEW CELL CONSTRUCTION
   In accordance with NRS 444.556, the Permittee shall notify the Division in writing within 10 days following the commencement of construction of a new cell.

6.3 All reports, notifications, or other submissions which are required by this Permit must be submitted by the specified due date to:

   ________________________________
   Bureau of Federal Facilities
   Nevada Division of Environmental Protection
   2030 East Flamingo Road, Suite 230
   Las Vegas, NV 89119

7. GROUNDWATER MONITORING
   Groundwater monitoring requirements have been waived since it has been demonstrated that there is no potential for migration of pollutants and contaminants from the site to the waters of the state during the active life of the site, including the period of closure and post closure NAC 444.683.

8. AUTHORIZATION
   ________________________________
   Signature of Approving Officer
   ________________________________
   Name and Title of Approving Officer
   Christine D. Andres, Chief
   Bureau of Federal Facilities
   ________________________________
   Date of Issuance
   9/10/18