

DATE: August 23, 2019
TO: Greg Lovato, Administrator
FROM: Christine Andres, Chief, Bureau of Federal Facilities
SUBJECT: Quarterly Report: April 1, 2019 to June 30, 2019

FEDERAL FACILITY AGREEMENT AND CONSENT ORDER

(FFACO) QUARTERLY REPORTS

Industrial Sites Activity

At the end of June 2019, there were 1962 historical Corrective Action Sites (CASs) (out of 1970 total) that have been closed, with two CASs in Corrective Action Unit (CAU) 114 and six CASs in CAU 572 held for future work. National Nuclear Security Administration/Nevada Field Office (NNSA/NFO) and/or the Department of Energy's (DOE) Environmental Management (EM) Nevada Program (NP) federal funding will dictate when these eight (8) Industrial Sites CASs are closed under the FFACO. CAU 577, Area 5 Chromium-Contaminated Waste Disposal Cells, was created in March 2019 to address the closure of five (5) cells at the Radioactive Waste Management Complex at the Nevada National Security Site (NNSS). Meanwhile, post-closure monitoring activities (report reviews, meetings and site visits) continued for a number of closed Industrial Sites on the NNSS, as well as the following activity:

CAU 111 and Tribal Interaction – BFF staff reviewed the quarterly revegetation effort status letter report. In conjunction with observing the revegetation efforts and results at this historic waste disposal site, staff met with tribal representatives working on the revegetation effort to discuss progress and a path forward on June 18, 2019.

Soils Activity Sites

At the end of June 2019, there were 143 CASs (out of a total of 144) that have been closed, with one (1) CAS/CAU, CAU 414, in active remediation.

Document and/or Letter Reviews:

CAU 413 – Clean Slate II – An Errata Sheet was received to correct a column heading in a previously published document for this CAU.

CAU 414 – Clean Slate III – The remediation field work, which began in August 2018, is scheduled to be completed by the end of CY 2019. A request to resume using the Area 3 disposal site, in “cold standby” for a number of years, for contaminated soil and debris from this CAU was granted by NDEP in the first quarter of SFY 2019. NDEP had requested an operational history of the Area 3 Landfill. A draft history was provided by the DOE last quarter, NDEP comments were

submitted after review, responses were received and reviewed and NDEP is awaiting the final document.

Meetings and Presentations:

Tonopah Test Range (TTR) – Staff attended a meeting with EM NP and DOE Office of Legacy Management (OLM) personnel to discuss the transition of long-term monitoring requirements for CASs on the TTR from the EM NP to OLM.

Site Visits:

Tonopah Test Range (TTR) – Staff participated in the annual Post-Closure Inspection of the TTR CASs.

Underground Test Area (UGTA) Activity

There are five (5) UGTA CAUs, all of which are in various stages of active investigation, CADD/CAP (model evaluation) or long-term monitoring during the Closure Stage.

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

Document Reviews and Letters:

CAU 97 – Yucca Flat – BFF staff reviewed the Draft Model Evaluation Report (MER) for this CAU as part of the Yucca Flat preemptive review (PER) team, provided comments and reviewed responses. A Notice of Completion was issued for a Model Evaluation Completion Presentation held in late March prior to the EM NP's submission of the MER in May. Staff began review of the submitted revised Draft MER.

CAU 98 – Frenchman Flat – Staff provided input on a Record of Technical Change (ROTC) for the Frenchman Flat Closure Report as well as comments on the Calendar Year (CY) 2018 Annual Closure Monitoring Report received this quarter.

CAU 99 – Rainier Mesa/Shoshone Mountain (RM/SM) – Staff reviewed the RM/SM Addendum to the Flow and Transport Model Report, provided comments to EM NP and accepted the Addendum after review and discussion of comment responses. A ROTC was signed to address a few needed changes to the final document. A request by the EM NP to proceed on the path to closure for this CAU was approved. A request for approval of the regulatory boundaries for this CAU was received by the EM NP program at the end of the quarter.

CAU 101/102 – Pahute Mesa (PM) – A set of three Closure Path Forward documents were received from the EM NP. Once reviewed, a meeting was held to discuss the contents of the documents. It was decided that the three documents would be summarized and re-submitted to NDEP, which they were at the end of the quarter.

A Well Specific Fluid Management Strategy was submitted and approved for UGTA Well ER-EC-5 in this CAU.

Underground Test Area (UGTA) Sampling Plan - Staff provided input on a ROTC for this Plan.

Meetings and Presentations:

CAU 101/102 – Pahute Mesa – Staff attended a well-siting committee meeting for this CAU.

UGTA CAUs – A meeting was attended to discuss updates for all the UGTA CAUs.

Site Visits:

CAU 101/102 – Pahute Mesa – Staff participated in a tour of this CAU by the Nevada Site-Specific Advisory Board (NSSAB).

General:

Use Restrictions (URs) – Staff continued to participate in numerous meetings with EM NP and their contractors to discuss and implement needed modifications to current URs.

FFACO – Discussions between all the signatories of the FFACO began in February 2019 and continued through this quarter regarding documentation needed following the eventual completion of active remediation work under the FFACO.

Proposed FY+2 FFACO milestone deadlines were submitted by the EM NP office and were approved by BFF staff.

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. CAU 443 is in the Closure Stage. CAU 447 is in the final aspects of the CADD/CAP Stage.

During this quarter, BFF staff participated in the process of document review, project evaluation, conference calls and/or meetings with the OLM for the two (2) Subsurface CAUs in the following ways:

Document Reviews and Letters:

CAU 443 – Central Nevada Test Area – BFF received and reviewed the Draft 2018 Post-Closure Groundwater and Inspection Report. The report generated no comments.

CAU 447 – Project Shoal Area – Staff received and reviewed the Final 2017 Groundwater Monitoring Report and responded that all of BFF's comments on the draft had been addressed. The Draft 2018 Groundwater Monitoring Report was also received and reviewed; comments were provided to OLM. The Annual Sampling Report was received and reviewed; agreement with the plan was provided.

Miscellaneous:

The chief attended the Division Staff Meeting in Carson City on May 6 and June 17, 2019. While in Carson City for the meeting, various other bureau business was conducted, including meetings with the administrator and fiscal staff. The other staff meetings were participated in via conference call by the Bureau Chief or Supervisor.

During this quarter, the bureau chief or staff attended/participated in: (1) a low-level waste stakeholders forum meeting in Las Vegas; (2) a local Intergovernmental Meeting and NNSAB meeting; (3) numerous planning calls for NGA's FFTF, the State, Tribal, Government Working Group (STGWG), the Environmental Council of States (ECOS) and Intergovernmental 2019 Meetings; (4) the annual Spring meetings for both STGWG and FFTF organizations; (5) a meeting with Nevada Department of Transportation (NDOT) and U.S. Department of Energy staff regarding transportation routes to the NNSS and NDOT needed permits; (6) bi-weekly calls with the Administrator; and (7) a meeting on DOE's re-interpretation of high-level waste.

The Bureau is continuing file input and verification in the Documentum System.

Training:

Staff attended the annual OSHA HAZWOPER refresher class.

Agreement in Principle (AIP) Functional Areas Summary

1. On-Site Discharges

Water Pollution Control

Document Reviews and Site Inspections:

Water Pollution Control Permit GNEV 93001 – The Nevada Division of Environmental Protection’s Bureau of Federal Facilities (NDEP and/or BFF) staff reviewed the Fourth Quarter of State Fiscal Year (SFY) 2019 Quarterly Discharge Monitoring Report (QMR) received from the National Nuclear Security Administration/Nevada Field Office (NNSA/NFO). 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, the facilities at the Nevada National Security Site (NNS) are in compliance with the current permit.

Water Pollution Control Permit GNEV 96021 – BFF staff reviewed the QMR for the Fourth Quarter of State Fiscal Year 2019. NDEP sent a letter stating the NNSA/NFO was compliant.

Staff observed E-Tunnel sampling activities and attended a water meeting at the NNS on June 13, 2019.

The Water Pollution Control Permit GNEV 96021 was due for renewal in October 2018. Due to a number of staffing changes in 2018, BFF personnel continue to revise a drafted permit for issuance.

Spills

One notification of a diesel spill was received this quarter. An A-K letter was issued by BFF. A final reported was received from the NNSA/NFO and approved by BFF staff.

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 in person and/or via teleconference during April, May and June 2019. Review panel members discussed waste profile comments and waste-specific compliance issues for generator-submitted low-level and mixed low-level radioactive waste profiles 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 low-level radioactive waste and mixed

waste profiles (for compliance with NNSSWAC, Rev. 16-00) and reviewed all comment responses submitted by the currently-approved Low-Level Waste and Mixed Low-Level Waste generators.

Site Visits/Radioactive Waste Generator Facility Evaluations:

NDEP staff participated in the following radioactive waste generator facility preparatory meetings and surveillances/audits: Aberdeen Proving Grounds, Aberdeen, MD; Flour Idaho, Idaho Falls, ID; Four Rivers Gaseous Diffusion, Paducah, KY; Mid-America Paducah DUF-6, Paducah, KY; Lawrence Livermore National Laboratory, Livermore, CA.

Meetings/Conferences:

Past violations of the Resource Conservation and Recovery Act (RCRA) by one generator, Nuclear Fuel Services, Inc., (NFS) located in Erwin, TN, reached a final resolution this quarter. Following a progress report presentation, a Final Settlement Agreement was signed by both NDEP and the NNSA/NFO on April 22, 2019. Following NFS' sufficient responses to BFF's comments on a submitted Draft Chromium Exclusion request, the NDEP Administrator approved the request on May 8, 2019.

The Waste Generator Workshop hosted by the NNSA/NFO and DOE's Environmental Management Nevada Program (EM NP) was attended by BFF staff. The bureau supervisor gave a presentation on behalf of NDEP.

A meeting was attended to discuss profiles and other waste management issues with EM NP and contractor personnel.

5. Waste Management

Document Review / Letters Issued:

Staff reviewed and/or approved: (1) the NNSS Quarterly Hazardous Waste Volume Report and Fee: First Quarter Calendar Year (CY) 2019; (2) Nevada National Security Site Area 5 Asbestos Waste Disposal Reports for the First Quarter of CY 2019 for Permits HW0110 and SW532; (3) Quarterly Progress Reports for Revegetation at CAU 111: Area 5 WMD Retired Mixed Waste Pits; (4) Submittal of Final Post-Closure Report for Closed Resource Conservation and Recovery Act Corrective Action Units, Nevada National Security Site, Nevada, for CY 2018, Revision 0, May 2019; (5) the Post-Closure Inspection Report for Closed Non-Resource Conservation and Recovery Act (RCRA) Corrective Action Units (CAUs) on the Nevada National Security Site (NNSS), for CY 2018; (6) Asbestos Shipping Documents; (7) Area 6, 9 and 23 landfills' Annual Solid Waste Disposal Sites' CY 2018 reports; (8) the Area 5 Annual Asbestos Waste Disposal Report for CY 2018; and (9) Area 5 Solid Waste Disposal Annual Report for SW532 for CY 2018.

Meetings and Conference Calls:

Tribal Revegetation Council (TRC) – BFF Personnel met with the TRC and discussed progress on revegetating the CAU 111 cover on June 18, 2019.

EPA inspection of Radioactive Waste Management Complex (RWMC) – Staff participated in a conference call with EPA personnel regarding a potential inspection of the RWMC next quarter.

New RWMC Monitoring Well – Staff were notified of the preparation for the installation of a new monitoring well for permit HW0101, which covers the RWMC.

Site Inspections:

Post-Closure Monitoring – BFF conducted post-closure monitoring activities at CAUs 91, 110 and 111. At CAU 111, BFF personnel observed TRC personnel conducting vegetation monitoring activities.

Annual Compliance Evaluation Inspection (CEI) – Staff participated in the annual CEI of sites on the NNSS covered under the RCRA permit issued by the BFF.

Solid Waste Disposal Sites – Staff participated in CEIs of these permitted sites.

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

Meetings:

BFF staff led several meetings and conference calls with NNSA/NFO and Bureau of Safe Drinking Water personnel in regard to drinking water regulations and current upgrades to the drinking water infrastructure at the NNSS.

A water meeting at the NNSS was attended on June 13, 2019.

Fiscal Analysis:

Estimate of personnel resources used (FTE or hours)

The bureau of Federal Facilities is made up of a Bureau Chief, one supervisor, four technical staff and an administrative assistant. The AIP grant funds activities for each of these individuals. For the quarter, that represents approximately 3.0 FTEs based on a review of grant related activities.

Total expenditures for each task area

A total of approximately \$120,000 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 and DOE oversight and purchasing costs.

Comparison of estimate to budgeted expenses:

Expenses this quarter were within the legislatively-approved spending limits.

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