

DATE: October 13, 2023
TO: Jennifer Carr, Administrator
FROM: Christine Andres, Chief, Bureau of Federal Facilities
SUBJECT: Quarterly Report: July 1, 2023 to September 30, 2023

FEDERAL FACILITY AGREEMENT AND CONSENT ORDER

(FFACO) QUARTERLY REPORT

Industrial Sites Activity

At the end of September 2023, 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 work by the Department of Energy's Environmental Management Nevada Program (EM NP).

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 572 – Test Cell C Ancillary Building and Structures – On August 10, 2023, BFF staff received the *Draft Closure Report for Corrective Action 572: Test Cell C Ancillary Building and Structures, Nevada National Security Site, Nevada, Revision 0, August 2023* (Draft CR). The BFF issued a letter to extend the timeframe of the State's review of the Draft CR on September 5, 2023. The EM NP issued a letter to the BFF on September 7, 2023, asking for a deadline extension for the submittal of the Final CR. On September 22, 2023, the BFF issued a letter granting EM NP's request for the deadline extension. The BFF issued a comment letter on the Draft CR to EM NP on September 25, 2023.

CAUs 127 and 151 – On June 27, 2023, the BFF received fully signed Records of Technical Change (ROTC) for CAUs 127 and 151. On July 24, 2023, BFF was copied on a letter from Mission Support and Test Services, Inc (MSTS) notifying the EM NP of the recordation of the updated Use Restriction information for these two CAUs.

CAU 207 – Area 5 WMD Greater Confinement Disposal (GCD) Boreholes – On August 3, 2023, BFF staff received a *Modification Request to Reinstate CAU 207 in Appendix IV of the FFACO*. BFF issued a response letter on August 7, 2023, accepting the modification request.

CAUs 417, 443, 476, 477, 478, 482, 500, 527, 529, 554, 568, 569, AND 5000 – On July 10, 2023, BFF was copied on a letter from MSTS notifying the EM NP of the recordation of updated Use Restriction information for the above-listed CAUs.

Meetings and Site Visit:

The bureau chief, BFF supervisor, and BFF staff participated in a tour of the ongoing closure and demolition process at CAU 572 on August 1, 2023.

The BFF supervisor and BFF staff took part in the annual post-closure site inspections of CAU 374 and CAU 544 on August 30, 2023.

The BFF supervisor and BFF staff participated in a meeting regarding the findings and planned steps forward for CAU 578 Miscellaneous Inactive Sites on September 28, 2023. At this meeting, several of BFF's comments regarding CAU 572 Test Cell C Ancillary Building and Structures were also discussed. An additional meeting to discuss CAU 572 Test Cell C Ancillary Building and Structures will be held in the near future.

On September 21, 2023, the bureau chief, BFF supervisor and BFF staff participated in a meeting with EM NP and MSTs personnel regarding an UR intrusion at CAU 5.

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 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, site visits, meetings and/or teleconferences for CAUs in the following ways:

Document Reviews and Letters:

CAU 98 – Frenchman Flat – BFF staff received the *Draft Addendum to Underground Test Area (UGTA) Closure Report (CR) for Corrective Action Unit (CAU) 98: Frenchman Flat, Nevada National Security Site, Nevada, June 2023*, on July 10, 2023. BFF staff issued a response letter on August 4, 2023, approving the Addendum for CAU 98: Frenchman Flat. This letter also served as a Notice of Completion for the established Milestone Deadline.

CAU 101/102 – Pahute Mesa – On April 26, 2023, BFF staff received *The Risk Evaluation of Radionuclides in Groundwater for Corrective Action Units (CAUs) 101 and 102: Central and Western Pahute Mesa, Nye County, Nevada, Revision 0, April 2023*. The Risk Evaluation was reviewed, and two comments were discussed with EM NP and their contractor at a meeting on June 20, 2023. On September 27, 2023, BFF staff received the *Submittal of the Risk Evaluation of Radionuclides in Groundwater for CAUs 101 and 102: Central and Western Pahute Mesa, Nye County, Nevada, Revision 1, September 2023*. A response letter will be issued next quarter.

On June 28, 2023, BFF staff received *The Calendar Year 2022 Underground Test Area Annual Sampling Letter Report, Nevada National Security Site, Nevada, Revision 0, June 2023*. BFF staff issued a comment letter to EM NP on July 27, 2023. BFF received the final *Calendar Year 2022 Underground Test Area Annual Sampling Letter Report, Nevada National Security Site, Nevada, Revision 1, September 2023*, on September 13, 2023. All of BFF's comments on the draft Sampling Letter Report were addressed. As such, BFF staff issued a response letter on September 22, 2023.

On July 28, 2023, BFF sent the EM NP a letter after review of the *Final Underground Test Area Activity Quality Assurance Plan, NNSS, Nevada, Revision 0, May 2022*, stating that NDEP had no comments on this Supplemental Work Product and appreciated the opportunity to review it.

BFF staff attended a webinar by DOE on *DOE Performance and Risk Assessment Community of Practice (Conceptual Model Development at Nevada National Security Site)* on August 2, 2023.

General FFACO Business:

On August 10, 2023, BFF staff received the *Distribution of Fiscal Year (FY) 2023 + 1 Milestone Chart and Listing of Modifications to the FFACO*. BFF staff issued a response letter on August 17, 2023, noting four (4) inconsistencies and acknowledging no new deadline dates or changes to existing deadline dates were requested. On September 7, 2023, BFF staff received the *Response to Distribution of Fiscal Year (FY) 2023 + 1 Milestone Chart and Listing of Modifications to the Federal Facility Agreement and Consent Order (FFACO) from EM NP*, which acknowledged the inconsistencies noted in BFF's August 17, 2023, letter.

On August 14, 2023, BFF staff received a *Formal Concurrence Request to Eliminate Distribution of Hard Copies as Required by Federal Facility Agreement and Consent Order (FFACO)*. BFF staff issued a response letter on August 16, 2023, concurring that electronic distribution of documents is sufficient.

On September 19, 2023, BFF staff received the *Notification of U.S. DOE, Environmental Management (EM) Nevada Program Designated FFACO Agreement Coordinator/Corrective Action Coordinator*. A similar letter will be issued next quarter by BFF designating BFF's Agreement Coordinator and Corrective Action Coordinator.

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. Two Working Group meetings were held this quarter, as well as a larger meeting with all involved agencies.

Informal UGTA Discussion Meetings – A practice was begun in the beginning of 2022 of holding an “informal” Teams meeting with EM NP, 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 September 26, 2023.

Use Restrictions (URs) and General FFACO Work – A few quarters ago, a proposal was made by EM NP staff to hold monthly meetings to discuss the ongoing project of updating Use Restrictions in order to keep the process moving forward. Monthly meetings were held this quarter and also included general FFACO exchange of information and documents.

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 NP 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. As this project continues, a number of forms were reviewed, commented on and/or accepted this quarter.

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

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) FFACO sites. NDEP activities for the TTR sites are 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 and CAU 443 – Central Nevada Test Area (CNTA) Surface and Subsurface - On July 10, 2023, BFF was copied on a letter from MSTs notifying the EM NP of the recordation of updated Use Restriction information for these two CAUs.

On August 10, 2023, BFF staff received the *Distribution of Fiscal Year (FY) 2023 + 1 Milestone Chart and Listing of Modifications to the FFACO*. BFF staff issued a response letter on August 17, 2023, noting four (4) inconsistencies, some of which were for Off-Sites CAUS, and acknowledging no new deadline dates or changes to existing deadline dates were requested. On September 7, 2023, BFF staff received the *Response to Distribution of Fiscal Year (FY) 2023 + 1 Milestone Chart and Listing of Modifications to the Federal Facility Agreement and Consent Order (FFACO)*, which acknowledged the inconsistencies noted in BFF's August 17, 2023, letter.

Miscellaneous:

The chief 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/or September 2023.

During this quarter, the bureau chief and/or BFF supervisor attended/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) a meeting with NDEP fiscal staff regarding the bureau's funding sources; (3) issued the Annual FFACO Fee Request for Oversight Activities; (4) two Nevada Site-Specific Advisory Board meetings; (5) regular bureau staff meetings and meetings with individual staff; (6) a meeting with the NNSA/NFO Manager and staff to discuss the status of numerous projects on the NNSS; and (7) the bureau chief attended and participated as a panelist at the National Cleanup Workshop in Arlington, VA.

Tribal Interaction – During several virtual 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:

- New FFACO database EMIS Onboarding

BFF supervisor completed the following:

- Risk Management Basic Office Ergonomics on September 28, 2023
- Nevada Certified Public Manager Classes on August 8 – 10, 2023 and September 6 – 8, 2023

BFF's new hire completed the following:

- Defensive Driving Course

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, 2023 through June 30, 2023*, on July 19, 2023. BFF staff reviewed the report and sent a response letter to the National Nuclear Security Administration/Nevada Field Office (NNSA/NFO) on July 28, 2023, acknowledging the limits set forth in the permit had been met for the quarter.

BFF staff received the *Delegation of Signature Authority for Reports and Requests Under the NNSS Groundwater Discharge Permit GNEV93001* on July 10, 2023.

BFF staff issued notice of the *2023 Annual Compliance Evaluation Inspection for WPC Permit GNEV 93001 at the NNSS by the NDEP* on September 14, 2023. BFF staff completed the Annual Compliance Evaluation Inspection of the Water Pollution Control Permit GNEV93001 on September 27, 2023. The inspection report will be issued next quarter.

Water Pollution Control Permit GNEV96021 – BFF staff received the *Submittal of E-Tunnel Wastewater Discharge Permit Quarterly Monitoring Report Wastewater Discharge Permit NEV96021 – Second Quarter Calendar Year 2023* on July 24, 2023. BFF reviewed the report and sent a response letter to NNSA/NFO on July 31, 2023, acknowledging that the report was in compliance with the limits set forth in the permit. The response letter also contained one comment requesting all references to the previous version of the permit be removed in the next Quarterly Monitoring Report.

BFF staff received the draft *Permit NEV96021 E-Tunnel Discharge System and Monitoring Well ER 12-1 Operations and Maintenance Manual* on June 22, 2023. BFF staff reviewed and issued a response letter with two comments on July 6, 2023. BFF staff received the *Permit NEV96021 E-Tunnel Discharge System and Monitoring Well ER 12-1 Operations and Maintenance Manual Final Submittal* on July 20, 2023. BFF staff issued a response letter on July 28, 2023, acknowledging receipt of the final submittal and finding it compliant with the terms and conditions of the permit.

BFF staff received the *Delegation of Signature Authority for Reports and Requests Under the NNSS E-Tunnel Discharge Permit NEV96021* on July 10, 2023.

BFF staff issued notice of the *2023 Annual Compliance Evaluation Inspection for WPC Permit GNEV96021 at the Nevada National Security Site by the NDEP* on September 26, 2023. BFF staff intend to conduct the inspection during the next quarter.

Meetings and Site Visits:

The quarterly water meeting was held on July 26, 2023.

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 2023. 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 in January 2023. As applicable, BFF staff reviewed and provided comments on LLW and MLLW profiles and reviewed all comment responses submitted by the currently approved LLW and MLLW generators. BFF staff also continue to hold internal meetings to discuss comments before submission to WARP as necessary.

Documents Reviewed/Letters Issued:

BFF staff received and reviewed the following documents regarding low-level and MLLW during this quarter:

Closure of Findings I-3587 and I-3588; and Observations I-3589, I-3590, I-3591, I-3592, and I-3593 for Perma-Fix Environmental Services, Inc. (Perma-Fix), received on July 13, 2023.

Nuclear Fuel Services (NFS) Waste Certification Program (WCP) Audit Report, A-3007, received on July 17, 2023.

Radioactive Waste Acceptance Program (RWAP) Review of Lead Shielding Evaluation for Sandia National Laboratories (SNL), received on July 19, 2023.

Sandia National Laboratories (SNL) Waste Certification Program (WCP) Audit Report A-3006, received on July 19, 2023.

US DOE announces availability of Final Environmental Assessment and proposed Finding of No Significant Impact for MCRE Project, received on August 1, 2023.

Idaho Cleanup Project (ICP) Waste Certification Program (WCP) Surveillance Report, A-3016 on August 3, 2023.

U.S. Army Aberdeen Proving Ground (APG) Waste Certification Program (WCP) Surveillance Report, A-3013, received on August 10, 2023.

Portsmouth Gaseous Diffusion Plant (PORTS) Waste Certification Program (WCP) Audit Report, A-3010 on August 24, 2023.

Perma-Fix Environmental Services, Inc. (Perma-Fix) Waste Certification Program (WCP) Surveillance Report, A-3016, received on August 31, 2023.

Advanced Mixed Waste Treatment Project (SMWTP) Waste Certification Program (WCP) Surveillance Report, A-3011, received on September 7, 2023.

Pantex Plant (Pantex) Waste Certification Program (WCP) Audit Report, A-3017, received on September 21, 2023.

Profiles Reviewed:

BFF staff reviewed a total of ten (10) waste profiles this quarter and two (2) pre-treatment notifications. Seven (7) profiles were strictly for LLW requiring disposal in Department of Energy (DOE) Order 435.1 LLW landfills. Three (3) profiles were strictly MLLW requiring disposal in the NDEP permitted RCRA cell.

Meetings:

The NDEP Administrator, NDEP Deputy Administrator and BFF staff participated in a meeting on July 31, 2023, with the NNSA and EM (headquarters and local staff). The purpose of the meeting was to introduce the NDEP Administrator and NDEP Deputy Administrator to the NNSA and EM (headquarters and local staff) and provide an overview of unique waste streams.

BFF staff participated in DOE's quarterly LLW Stakeholder's Meeting on August 9, 2023 in Pahrump, NV.

Waste Profile Analysis:

NDEP personnel continued to update and develop tools 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.

Low-Level and Mixed-Low Waste Training:

BFF personnel continue to develop and enhance training tools to assist new personnel in analyzing waste profiles for radiological data, regulatory status, and Nevada priorities.

Waste Generator Self-Suspensions:

There is currently 1 active waste generator self-suspension.

Active Profiles:

There are currently 183 active profiles, comprised of 45 Mixed LLW/Hazardous non-rad profiles, 23 LLW/Non-Rad Solid Waste profiles and 115 LLW profiles.

Suspended Profiles:

There is currently 1 active profile under suspension.

Site Visits/Radioactive Waste Generator Facility Evaluations:

The RWAP conducted two (2) audits, seven (7) surveillances and five (5) mixed-waste verifications this quarter. NDEP participated in three (3) surveillances and four (4) audits this quarter and are described in the sections below.

Surveillances:

West Valley Demonstration Project, West Valley, NY - During the week of September 11, 2023, BFF personnel, along with staff from the EM NP contractor, participated in the surveillance of this waste generator. The surveillance was scheduled for DOE to verify programmatic and performance-based compliance to the NNSWAC (DOE/NV--325-22-00). RWAP members completed checklists specific to the elements being evaluated by conducting interviews, reviewing procedures and field inspections. NDEP personnel were provided access to interviews, procedures and field inspections when requested. No findings or observations were issued as a result of the surveillance.

Idaho Cleanup Project (ICP) Idaho National Laboratory (INL), Idaho Falls, ID – During the week of July 10, 2023, BFF personnel, along with staff from the EM NP contractor, participated in the surveillance of this waste generator. The surveillance was scheduled by the DOE to verify programmatic and performance-based compliance with the NNSWAC (DOE/NV--325-22-00). RWAP members completed checklists specific to the elements being evaluated by conducting interviews, reviewing procedures, and performing field inspections. NDEP personnel were granted access to interviews, procedures, and field inspections upon request. Additionally, NDEP requested and was provided with a tour of the facility to gain a better understanding of the facility and its waste program. No findings or observations were issued as a result of the surveillance.

Perma-Fix, Gainesville, TN - During the week of August 14, 2023, BFF personnel, along with staff from the EM NP contractor and an NSSAB member, participated in the surveillance of this waste generator. The surveillance was scheduled for DOE to verify programmatic and performance-based compliance to the NNSWAC (DOE/NV--325-22-00). RWAP members completed checklists specific to the elements being evaluated by conducting interviews, reviewing procedures and field inspections. NDEP personnel were provided access to interviews, procedures and field inspections when requested. One (1) finding and two (2) observations were issued as a result of the surveillance.

Audits:

Pantex Plant, Amarillo, TX - During the week of August 28, 2023, BFF personnel, along with staff from the EM NP contractor, participated in the audit of this waste generator. The audit was scheduled by

DOE to verify programmatic and performance-based compliance to the NNSWAC (DOE/NV--325-22-00). RWAP members completed checklists specific to the elements being evaluated by conducting interviews, reviewing procedures and field inspections. NDEP personnel were provided access to interviews, procedures and field inspections when requested. One (1) finding and four (4) observations were issued as a result of the audit.

Portsmouth Gaseous Diffusion Plant, Portsmouth, Ohio – During the week of July 17, 2023, BFF personnel, along with staff from the EM NP contractor, participated in the audit of this waste generator. The audit was scheduled by the DOE to verify programmatic and performance-based compliance with the NNSWAC (DOE/NV--325-22-00). RWAP members completed checklists that were specific to the elements being evaluated, conducting interviews, reviewing procedures, and performing field inspections. NDEP personnel were granted access to interviews, procedures, and field inspections upon request. Additionally, NDEP requested and received a site tour of the facility. One (1) finding and three (3) observations were issued as a result of the audit.

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 NNS that had received trivalent chromium-bearing waste in the past from Nuclear Fuel Services, located in Erwin, TN. Please see previous quarterly reports for a history of events. BFF staff reviewed the *Recertification for Conditional Exclusion for Chromium Dated May 8, 2019 NFS Document ID No. 21G-23-0067*. BFF issued a response on July 19, 2023, granting the chromium exclusion for an additional year. A *Draft Addendum 2 to the Closure Report (CR) for Corrective Action Unit (CAU) 577: Area 5 Chromium Containing Waste Disposal Cells, Nevada National Security Site (NNS), Nevada, July 2023* was received on July 12, 2023. Following review of the Addendum, one comment was sent to the EM NP on August 8, 2023. A Final Addendum was received by BFF on September 27, 2023. It will be reviewed and acted upon appropriately next quarter.

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, 2022, are provided in the sixteen 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 EM NP has completed all required deliverables to date. Periodic check-in meetings are held as needed.

5. Waste Management

Documents Reviewed/Letters Issued:

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

NNS Quarterly Hazardous Waste Volume Report and Fee: Second Quarter Calendar Year, received on July 18, 2023.

BFF Staff received the *Soil Moisture Monitoring Reports for the Nevada National Security Site (NNS) Area 6 Hydrocarbon Landfill and Area 9 Class III Solid Waste Disposal Site (SWDS) for the Reporting Period November 2020 through November 2022*, on June 27, 2023. BFF issued a response on July 27, 2023, acknowledging that the NNSA/NFO satisfied the permit and regulatory requirements.

BFF Staff received the *NNS Area 5 Asbestos Waste Disposal Report for Second Quarter of Calendar Year (CY) 2023 for Permit SW532* on July 11, 2023. BFF issued a response to NNSA/NFO on July 31, 2023, acknowledging that the NNSA/NFO satisfied the permit and regulatory requirements.

BFF Staff received the *NNS Area 5 Asbestos Waste Disposal Report for Second Quarter of Calendar Year (CY) 2023 for Permit HW0101 on July 11, 2023*. BFF issued a response to NNSA/NFO on July 31, 2023, acknowledging that the NNSA/NFO satisfied the permit and regulatory requirements.

BFF Staff received the *Area 23 Semi Annual Solid Waste Disposal Site (SWDS) Report for the NNS – January 1 2023 through June 30, 2023* on July 13, 2023. BFF issued a response to NNSA/NFO on July 31, 2023, acknowledging that the NNSA/NFO satisfied the permit and regulatory requirements.

BFF Staff issued notice of the *2023 Annual Compliance Evaluation Inspection for RCRA Permit NEV HW0101 at the NNS by the NDEP* on September 12, 2023, and intends to conduct the inspection next quarter.

Site Visits/Inspections:

BFF staff completed the Annual Compliance Evaluation Inspections of the Industrial Solid Waste Landfills on June 12, 2023, for Solid Waste Permits:

- Area 6 Class III Permit no. SW 13 097 02
- Area 9 U10C Landfill Class III Permit no. SW 13 097 03
- Area 23 Class II Permit no. SW 13 097 04

BFF staff requested, through a letter dated May 10, 2023, required documentation of Bill of Lading or Load Verification documentation, Landfill Daily Access Registers, Inspection Checklists, and training records for Operators from MSTs to prepare for the inspection. The requested records were received and reviewed by BFF staff prior to the June 2023 inspection. The NDEP found the NNSA/NFO in compliance with all associated permits and regulatory requirements. BFF staff issued the following inspection reports on August 7, 2023:

- 2023 Annual Solid Waste Disposal Site Compliance Evaluation Inspection at the Nevada National Security Site Report – Area 26, Permit SW 13 097 04
- 2023 Annual Solid Waste Disposal Site Compliance Evaluation Inspection at the Nevada National Security Site Report Area 6, Permit SW 13 097 02
- 2023 Annual Solid Waste Disposal Site Compliance Evaluation Inspection at the Nevada National Security Site Report Area 9, Permit SW 13 097 03

BFF staff completed the Annual Inspection of the Area 5 Class III Solid Waste Disposal Site Permit SW 532, on June 13, 2023. BFF staff requested, through a letter dated May 10, 2023, required documentation of Bill of Lading or Load Verification documentation, Low-level Waste Pre-Start Checklist, Area 5 Weekly Permitted Cell Checklist, RTR documentation for packages disposed in SW-532 Cells, and Area 5 training records for Operators from MSTS to prepare for the inspection. The requested records were received and reviewed by BFF staff prior to the June 2023 inspection. The NDEP found the NNSA/NFO in compliance with permit SW 532. BFF staff issued the *2023 Annual Solid Waste Disposal Site Compliance Evaluation Inspection at the Nevada National Security Site Report – Area 5, Permit SW 532* on August 2, 2023.

BFF staff completed the quinquennial inspection of the Remote Sensing Laboratory at Nellis Air Force Base and North Las Vegas Facility Satellite Accumulation Areas and Universal Waste Areas on June 14, 2023. BFF staff requested, through a letter dated May 9, 2023, that each of the generators provide a list of the current satellite accumulation areas, 90-Day accumulation areas, universal waste collection centers as well as associated waste logs and training records to prepare for the inspection. The NDEP found both facilities to be in compliance with the applicable regulations. BFF staff issued the official inspection report letters for both facilities on July 6, 2023.

BFF staff visited the NNSA to familiarize new personnel with the Area 5 Waste Complex on September 20, 2023.

BFF staff participated in the quarterly RCRA Post Closure Inspection results for CAU 577 and CAU 111 on September 25, 2023.

Conference Calls/Meetings:

BFF staff participated in a meeting on August 23, 2023, with MSTS personnel to discuss questions on permit application comments made by NDEP.

BFF staff participated in meetings on July 19 and September 19, 2023, to discuss updates to the FOAV Settlement Agreement.

BFF staff participated in a meeting on August 22, 2023, to discuss an upcoming West Valley waste profile.

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 NNSA 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

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) July 2023 NNSW Water Hauling Coliform Results
- b) July 2023 Coliform Results NNSW PWS NV0004098 Re-Submission
- c) August 2023 Coliform Results NNSW PWS NV0000360, NV0004098 & Water Truck 84846
- d) August 2023 NNSW Water Hauling Coliform Results
- e) September Coliform Results NNSW PWS NV0000360, NV0004098, NV0004099 & Water Truck 84847
- f) September 2023 PWS NV0004098 Coliform Re-Sample Results

BFF staff issued notice of the 2023 Annual Compliance Evaluation Inspection for Water Hauler 84846 and Water Hauler 84847 at the Nevada National Security Site by the NDEP, on September 26, 2023, and will conduct the inspections next quarter.

BFF staff received, as a courtesy copy, the NNSW/NFO Area 23 and Area 6 Public Water System NV0000360, Improvement Project Plan Review Number (NY-000718-23) CP Hill to Fire Station #2, Water Infrastructure, Revised Drawings on September 26, 2023.

Meetings:

The quarterly water meeting was held on July 26, 2023.

On September 18, 2023, a meeting was held between BFF and BSDW to discuss items regarding previous Sanitary Survey reports for the NNSW.

On September 28, 2023, a meeting was held between BFF and BSDW to discuss water hauler requirements and annual inspections.

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 4.0 FTEs based on a review of grant-related activities.

Total expenditures for each task area

A total of approximately \$137,206 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 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/or September 2023.

During this quarter, the bureau chief and/or BFF supervisor attended/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) a meeting with NDEP fiscal staff regarding the bureau's funding sources; (3) submitted the Year 3 Continuation Application for DE-EM0005237, the Bureau's AIP Grant; (4) two Nevada Site-Specific Advisory Board meetings; (5) regular bureau staff meetings and meetings with individual staff; (6) a meeting with the NNSA/NFO Manager and staff to discuss the status of numerous projects; and (7) the bureau chief attended and participated as a panelist at the National Cleanup Workshop in Arlington, VA.

Tribal Interaction – During several virtual 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:

- New FFACO database EMIS Onboarding

BFF supervisor completed the following:

- Risk Management Basic Office Ergonomics on September 28, 2023
- Nevada Certified Public Manager Classes on August 8 – 10, 2023 and September 6 – 8, 2023

BFF's new hire completed the following:

- Defensive Driving Course