

DATE: April 8, 2022
TO: Greg Lovato, Administrator
FROM: Christine Andres, Chief, Bureau of Federal Facilities
SUBJECT: Quarterly Report: January 1, 2022 to March 31, 2022

FEDERAL FACILITY AGREEMENT AND CONSENT ORDER

(FFACO) QUARTERLY REPORT

This quarter, the Nevada Division of Environmental Protection Bureau of Federal Facilities (NDEP or BFF) staff did mainly in-office work. The Department of Energy's Nevada Offices continued to mostly telework this reporting period. Teleworking did continue to impact in-person meetings this quarter but needed field visits/in-person inspections were performed. However, submittal and review of documents, reports, letter, virtual meetings or teleconferences, as noted below, were not impacted.

Industrial Sites Activity

At the end of December 2022, 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 undergoing active work. In late 2020, one CAS from CAU 572 was transferred to CAU 114 to provide a more efficient closure of both CAUs as the transferred CAS shares the same history and general location with the two CASs that were originally in CAU 114.

The NDEP's BFF staff continued post-closure monitoring activities through report reviews, Use-Restrictions reviews, and post-closure inspections for a number of closed Industrial Sites on the Nevada National Security Site (NNSS), as well as the following activities:

Document Reviews and Letters:

CAU 111 – BFF staff received and reviewed a Field Summary Letter Report for the First Quarter 2022 inspection of CAU 111 by Navarro Research and Engineering, Inc (Navarro) personnel.

CAU 114 – Newly-hired BFF staff reviewed past FFACO documentation for CAU 114 in order to gain knowledge about this historical site.

CAU 140 – BFF staff received a fully signed *Record of Technical Change (ROTC) Number DOE/EMNV-1070-ROTC 1 for the Closure Report for Corrective Action Unit (CAU) 140: Waste Dumps, Burn Pits, and Storage Area, Nevada Test Site, Nevada, Revision 0, August 2005* on March 29, 2022.

CAU 552 – BFF staff received a fully signed *Record of Technical Change (ROTC) Number DOE/EMNV-1073-ROTC 1 for the Corrective Action Decision Document/Closure Report (CADD/CR) for Corrective Action Unit (CAU) 552: Area 12 Muckpile and Ponds, Nevada Test Site, Nevada, Revision 0, September 2005* on March 29, 2022.

Site Visits:

CAU 111 and Tribal Interaction – BFF participated in a site visit on March 23, 2022, with Environmental Management Nevada Program (EM NP), Navarro, Desert Research Institute (DRI), Portland State University (PSU), and the Tribal Revegetation Committee (TRC) personnel to survey the status of the vegetation covering on the TRC’s test plots on the CAU 111 landfills that are part of the 92-acre site of the NNSS’ Area 5 Radioactive Waste Management Complex. Due to the COVID-19 pandemic, the entire TRC had not been able to visit the test plots during the past two years. Overall, there were many positive signs of a successful vegetation effort. BFF and DOE staff will meet during the next quarter to formulate a path forward for vegetating the entire 92-acres.

The site visit also included viewing the results of the Navarro’s First Quarter 2022 inspection of CAU 111’s cover, noting areas of subsidence and areas of the cover needing corrective action.

Soils Activity Sites

At the end of December 2019, all Soil CASs, a total of 144, had been closed. Though all identified Soils Sites have been addressed under the FFACO, BFF staff continued post-closure monitoring activities through report reviews, Use-Restrictions reviews, and post-closure inspections for a number of closed Soil Sites on the NNSS.

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 two (2) of the five (5) CAUs in the following ways:

Document Reviews and Letters:

CAU 97 – Yucca Flat – BFF staff received the *Final Calendar Year (CY) 2021 Post-Closure Monitoring Letter Report, Revision 0, March 2022* on March 22, 2022. A response letter will be issued early next quarter.

CAU 98 – Frenchman Flat – BFF staff received the *Draft Corrective Action Unit 98: Frenchman Flat Five-Year Evaluation, Nevada National Security Site, Nevada, Revision 0, February 2022* on February 2, 2022. Comments were submitted to the EM NP on March 1, 2022 and will be addressed in Revision 1 of the Evaluation.

BFF staff received the *Final Calendar Year (CY) 2021 Post-Closure Monitoring Letter Report, Revision 0, March 2022* on March 22, 2022. A response letter will be issued early next quarter.

CAU 99 – Rainier Mesa/Shoshone Mountain – BFF staff received the *Final Calendar Year (CY) 2021 Post-Closure Monitoring Letter Report, Revision 0, March 2022* on March 22, 2022. A response letter will be issued early next quarter.

CAU 101/102 – Pahute Mesa (PM) – BFF staff received a *Request to Delete Milestones for Corrective Action Unit (CAU) 101: Central Pahute Mesa and CAU 102: Western Pahute Mesa, and for Name Changes to Milestones for Central and Western Pahute Mesa* on March 7, 2022. Following review of the requests, a response letter approving the changes was issued on March 24, 2022.

On March 24, 2022, BFF staff received the *Draft Groundwater Flow and Contaminant Transport Model of CAUs 101 and 102: Central and Western Pahute Mesa, Nye County, NV, Rev. 0, March 2022*. Following a 45-day review period, BFF will issue a comment letter to EM NP.

Site Visits:

CAU 101 and 102 – Pahute Mesa (PM) – Staff participated in a site visit on March 31, 2022, during geophysical activities using Controlled Source Audio-frequency Magnetotellurics (CSMAT) technology for the underground mapping of the PM area. While on the Mesa, some of the groundwater well locations were also visited as orientation for newer staff.

Meetings and Presentations:

CAU 101 and 102 – Pahute Mesa (PM): Staff participated in the following meetings:

- a) A kick-off meeting for the planning of the External Peer Review.
- b) A discussion on future well drilling on Pahute Mesa.

General FFACO Business:

Annual FFACO Meeting – This meeting was held on February 2, 2022. A draft Agenda packet for review prior to the meeting was received by BFF on January 4, 2022. Draft Meeting Minutes were received and reviewed this quarter.

Informal UGTA Discussion Meetings – A practice was begun this quarter 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. The first and second meetings were held this quarter.

Final Calendar Year 2020 UGTA Annual Sampling Report – BFF staff had previously received and reviewed the *Final Calendar Year 2020 UGTA Annual Sampling Report, NNSS, NV, Revision 0, August 2021*, and submitted comments to EM NP. Following a comment response discussion in January, *Revision 1* of the document was received and reviewed by BFF. While all comments were satisfactorily addressed in the document, there were two errors on the Document Review Sheet (DRS) noted. As this is part of the Final Document, NDEP sent a response letter to EM NP, who issued a corrected DRS. An acknowledgement letter for receipt of a complete Final Document was issued by BFF on March 8, 2022.

Quality Assurance Report – The *Underground Test Area (UGTA) Calendar Year (CY) 2020 Quality Assurance Report, Nevada National Security Site, Nevada, Revision 0, February 2022* was received on February 23, 2022. A response letter will be issued early next quarter.

Use Restrictions (URs) – Staff continued to review and interact with the EM NP and their contractors on modifications to current URs and the *Introduction for the Long-Term Monitoring Document*, which was received on January 5, 2022. Comments on the *Introduction* were submitted to EM NP on February 3, 2022. BFF staff attended meetings on February 16 and 17, 2022, with EM NP to discuss responses to, and resolution of, NDEP comments. BFF will review the latest submissions from EM NP next quarter.

Affirmation Forms – As the active investigation/remediation work under the FFACO nears completion, 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 correction action sites, is complete in accordance with FFACO standards. Each Closure Affirmation Form requires acceptance through signature by the Bureau Chief. A number of forms were reviewed, commented on and/or accepted this quarter.

FFACO Transition – As the active investigation/remediation work under the FFACO nears completion, in addition to the Closure Affirmation Form project, DOE and NDEP has 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. The Bureau Chief represents NDEP on this working group. Beginning this quarter, monthly meetings are being held by the working group in order to keep this project moving forward.

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

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. 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 will now be 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 Central Nevada Test Area (CNTA) Surface – BFF received the *Draft Postclosure Inspection and Monitoring Report, Surface Corrective Action Unit (CAU) 417, Central Nevada Test Area (CNTA), Nevada, Site* last quarter. A Notice of Completion for the Deadline Milestone for submission of this report, along with BFF comments on the report, were sent to LM on October 18, 2021. The *Final Report* was received on February 24, 2022, and all BFF comments were adequately addressed. This, along with acceptance of all Recommendations in the Report, including implementation of an inspection and reporting frequency for CAU 417 of every six (6) years, was transmitted in a letter from BFF dated February 28, 2022.

CAU 447 Project Shoal Area - Subsurface – BFF received the *Draft 2021 Postclosure Groundwater Monitoring and Inspection Report, Project Shoal Area: Subsurface Corrective Action Unit 447* on March 16, 2022. Comments on the document will be forwarded to LM early next quarter.

Tonopah Test Range – BFF received the *Draft Postclosure Inspection Report for the Tonopah Test Range and Nevada Test and Training Range, Nevada, for Calendar Year 2021* on February 7, 2022. BFF reviewed the report and sent a comment response letter on the Draft Report on March 10, 2022.

BFF received *Proposed Revisions to the Standardized Federal Facility Agreement and Consent Order (FFACO) Outline for the Tonopah Test Range (TTR) Corrective Action Unit (CAU) Postclosure Report* on February 7, 2022. BFF reviewed and sent a comment response letter on the Outline on March 22, 2022.

Newly-hired BFF staff reviewed the *Site Transition Plan for the Transition of the Tonopah Test Range Sites from EM to LM, August 2020* in order to gain knowledge about this transfer.

Miscellaneous:

The chief participated in monthly virtual NDEP Attorney General staff meetings, bi-weekly Division-Wide Chief's Staff Meetings and bi-weekly meetings with the Administrator via conference calls in January, February and March 2022. The Chief's Meeting and meeting with Administrator on February 18, 2022, were attended in person.

During this quarter, the bureau chief attended/participated virtually in: (1) two NSSAB Intergovernmental Meetings and two full NNSAB meetings; (2) numerous calls, Zoom 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); (3) the Low-Level Waste Stakeholder's Forum Quarterly Meeting; (4) regular bureau staff meetings; (5) yearly office safety meeting; (6) a transition meeting with the NNSA/NFO Field Manager; (7) was a member of a panel on Risk Communication; and, (8) a budget transition meeting.

Staff Training:

Risk Management Defensive Driving Course

NNSS/MSTS Initial Security Briefing and Counterintelligence Briefing as part of the Virtual New Hire Orientation

NNSS virtual training courses to qualify for NNSS access

Newly hired BFF personnel completed mandatory online trainings

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 *Quarterly Monitoring Report for NNSS Sewage Lagoons, WPC Permit GNEV93001, October 1 through December 31, 2021*, on January 15, 2022. BFF staff reviewed the report and sent a response letter to the National Nuclear Security Administration/Nevada Field Office (NNSA/NFO) on February 28, 2022, acknowledging the limits set forth in the permit, 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, had been met for the quarter.

Permit GNEV93001 was renewed on January 4, 2022. The first discharge monitoring report (DMR) under the renewed permit is due by April 28, 2022. The temporary waiver from the use of the calculated flow limit for the DAF sewage lagoon system as a permit limit is no longer valid/in effect.

Water Pollution Control Permit GNEV96021 – BFF staff received the *E-Tunnel Wastewater Discharge Permit Quarterly Monitoring Report* on January 27, 2022. BFF reviewed the report and sent a response letter to NNSA/NFO on February 28, 2022, acknowledging the report was in compliance with the limits set forth in the permit. However, BFF had one comment on the report and requested a response in the next quarterly report.

Permit GNEV96021 expired on September 21, 2018. The permit is currently administratively continued. A draft for the renewal of permit GNEV96021 was created and is currently under internal review. A draft permit will be given to NFO personnel for discussion by April 30, 2022.

On-Site Sewage Disposal System (OSDS) – MSTs submitted six (6) Notices of Intent (NOI) to BWPC for OSDS coverage under BWPC’s General Permit GNEVOSDS09 on August 31, 2021. Due to a recent changeover in staff in BWPC, these permits are still being processed. BWPC is requiring MSTs to pay the permitting fees for the new permits and also the yearly administrative fee. After the fees are paid to BWPC, the permits will be processed.

Training

There was no training conducted for Water Pollution Control permits or activities this quarter.

Spills

There was a diesel spill of approximately 80 gallons reported to the NDEP spill hotline on December 21, 2021, for a spill that occurred at NNSS. BFF requested additional information regarding the spill on January 10, 2022 and received an Interim Spill Report on February 9, 2021 that was corrected and resubmitted on February 10, 2021. A draft Final Spill Report was received on February 22, 2022. BFF

sent a response letter dated March 8, 2022, covering both the Interim and Final Spill Reports requesting that comments be addressed in a revised Final Spill Report. A response letter and revised Final Report was received by BFF via email on March 22, 2022. NDEP sent a Final Report approval letter for the spill on March 24, 2022.

Meetings

Due to scheduling conflicts, the quarterly meeting was actually held early the following quarter on April 6, 2022.

2. Ground Water Monitoring

BFF staff received the *2021 Data Report: Groundwater Monitoring Program Area 5 Radioactive Waste Management Site*, on March 24, 2022. A comment letter will be sent next quarter following review of the Report.

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) meeting via teleconference during January, February, and March of 2022. 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), Rev. 16-00, which became effective in February 2017. As applicable, BFF staff reviewed and provided comments on LLW and MLLW profiles (for compliance with NNSWAC, Rev. 16-00) and reviewed all comment responses submitted by the currently approved LLW and MLLW generators. BFF staff also hold internal meetings to discuss comments before submission to WARP as a training tool for new staff members.

Documents Reviewed:

BFF staff reviewed the *Energy Solutions Response to the Open Item for Finding I-3140 and Response to Observation I-3269*, received on January 19, 2022.

BFF staff reviewed the *Transportation Plan for BCLACANADACO1*, received on February 7, 2022.

BFF staff reviewed the *Closure of Finding I-3256 for Idaho Environmental Coalition/Idaho Cleanup Project (ICP)*, received on February 10, 2022.

BFF staff reviewed the *Oak Ridge Reservation (ORR)/URS/CH2M Oak Ridge (UCOR) Waste Certification Program (WCP) Surveillance Report A-1523*, received on February 23, 2022.

BFF staff reviewed the *Closure of Observation I-3301 for Perma-Fix Environmental Services (PFES) waste certification program (WCP), surveillance A-1585*, received on February 23, 2022.

BFF staff reviewed the *Consolidated Nuclear Security, LLC (CNS) Y-12 Operations Waste Certification Program (WCP) Observation I-3323*, received on March 3, 2022.

Profiles Reviewed:

Staff reviewed a total of thirteen (13) waste profiles this quarter. Of those thirteen (13) profiles, seven (7) were for MLLW requiring disposal in the NDEP-permitted RCRA landfill and six (6) were strictly for LLW requiring disposal in DOE Order 435.1 LLW landfills.

NNSSWAC Revision:

The revised NNSSWAC, DOE/NV--325-22-00, of which BFF staff submitted two rounds of comments as it was being drafted, was issued and effective on March 22, 2022. It contains two volumes: Volume I, the Administrative Waste Acceptance Criteria, and Volume II, the Technical Waste Acceptance Criteria. Implementation of the revised NNSSWAC by all the approved DOE generators who send waste to the NNSS is expected within 210 calendar days (October 18, 2022). The revised NNSSWAC is publicly available at <https://www.nnss.gov/pages/programs/RWM/Acceptance.html>.

Meetings:

NNSSWAC Revisions – BFF staff participated in a general NNSSWAC revision update meeting held between NDEP, NNSA/NFO, EM NP, MSTs and Navarro on February 8, 2022.

Active Profiles:

There are currently 239 active profiles, comprised of 60 MLLW profiles, 25 LLW/Solid Waste profiles and 154 LLW profiles.

Suspended Profiles:

There are currently 2 active profiles under suspension pending completion of corrective actions at the generator sites.

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.

Information Requests:

BFF personnel provided detailed waste and facility information for the NDCNR/NDEP response to Representative Dina Titus' January 10, 2022, information request to DOE. Discussions with EM NP staff were also held.

Site Visits/Radioactive Waste Generator Facility Evaluations:

Surveillances – BFF staff participated in surveillances for UCOR, Oak Ridge, TN and Hill Air Force Base, Utah.

Audits – BFF staff did not participate in any Audits this quarter.

Waste Generating Facility Visits – Idaho National Laboratory (INL) – BFF personnel visited two waste generators at INL, the Idaho Environmental Coalition (IEC) and Idaho Cleanup Project (ICP) on March 15, 2022. BFF personnel had recently reviewed a profile submitted by IEC and requested a visit to better understand the waste generating and characterization process prior to approval of the profile. BFF personnel, along with staff from DOE EM and the DOE EM NP contractor, visited the facility and discussed in detail the characterization process. BFF personnel were also able to observe the waste generating process at the facility and ask questions regarding the process. All of BFF's comments and questions were resolved during this site visit.

BFF personnel also visited the ICP who manages the Advanced Retrieval Project (ARP) and Advanced Mixed Waste Treatment Project (AMWTP). BFF personnel toured the ARP and AMWTP facilities and were briefed on the status of each project. The ARP has completed its mission and has begun the initial phase of decommissioning and dismantlement. The AMWTP is nearing the end of its mission and has begun decommissioning and dismantlement of some of the support buildings in the AMWTP complex.

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 NNSC that had received trivalent chromium-bearing waste in the past from Nuclear Fuel Services, located in Erwin, TN. When BFF staff participated in a site visit on March 23, 2022, for another site on the NNSC, some of the CAU 577 landfill covers that had been revegetated were observed from afar. These landfill covers were from a different soil stockpile and had been seeded in spring instead of in winter, which were lessons learned from the previous revegetation work that had been done at the other CAU. The CAU 577 waste cells were being irrigated using wheel irrigation as this method was promoted for being more effective.

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 March 31, 2022, are provided in the ten 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 following were submitted to BFF staff for review and comment this quarter, meeting SA deadlines for 210-day and 270 deliverables:

- a) Updated Application for Renewal of RCRA Permit NEV HW0101
- b) Modification Request for Class III Solid Waste Disposal Site Permit SW 532
- c) The Nevada National Security Site (NNSC) Radioactive Waste Acceptance Program (RWAP) Annual Report

- d) Technical Report Paper - Review of Waste Characterization and Related Lessons Learned Items within DOE
- e) Criteria List of Profiles and Schedule for Resampling
- f) Technical Report - NNSSWAC Comparison to WIPP WAC
- g) Fiscal Year 2021 RWAP Annual Report
- h) Revised Nevada National Security Site Waste Acceptance Criteria (WAC DOE/NV—25-22-00)

5. **Waste Management**

Documents Reviewed/Letters Issued:

BFF staff received the *NNSS Five-Year Volumetric report for Permit SW 532* on December 30, 2021. Following review, BFF sent a letter on February 1, 2022, notifying the NNSA/NFO that it was in compliance with the volumetric survey provision of the SWDS Permit.

BFF staff reviewed the *NNSS 2020 Waste Management Monitoring Report, Area 3 and Area 5 Radioactive Waste Management Sites, November 2021, received on January 3, 2022.*

BFF staff received the *Request for Extension for Cell 18 Leachate Collection Tank Sampling*, on December 21, 2021. Following review, BFF staff sent a letter on January 4, 2022, granting the request for the extension.

BFF staff received and reviewed the *NNSS Quarterly Hazardous Waste Volume Report and Fee: Fourth Quarter Calendar Year 2021*, on January 12, 2022, and forwarded it to BFF fiscal staff for proper disbursement.

BFF staff reviewed the *NNSS Area 5 Asbestos Waste Disposal Report for Fourth Quarter of Calendar Year (CY) 2021 for Permit NEV HW0101* received on January 12, 2022. BFF issued a response to NNSA/NFO on February 1, 2022, acknowledging that NNSA/NFO satisfied the permit and regulatory requirement.

BFF staff reviewed the *NNSS Area 5 Annual Asbestos Waste Disposal Report for Calendar Year (CY) 2021 for Permit HW0101* received on January 12, 2022. BFF issued a response to NNSA/NFO on February 1, 2022, acknowledging that NNSA/NFO satisfied the permit and regulatory requirement.

BFF staff reviewed the *NNSS Area 5 Asbestos Waste Disposal Report for Fourth Quarter of Calendar Year (CY) 2021 for Permit SW532* received on January 12, 2022. BFF issued a response to NNSA/NFO on February 22, 2022, acknowledging that NNSA/NFO satisfied the permit and regulatory requirement.

BFF staff reviewed the *NNSS Area 5 Annual Asbestos Waste Disposal Report for Calendar Year (CY) 2021 for Permit SW532* received on January 12, 2022. BFF issued a response to NNSA/NFO on February 01, 2022, acknowledging that NNSA/NFO satisfied the permit and regulatory requirement.

BFF staff received the Updated Application for Renewal of Resource Conservation and Recovery Act (RCRA) Permit NEV HW0101, U.S. Environmental Protection Agency (EPA) ID Number

NV3890090001, on January 18, 2022. This document is currently under review and a comment letter will be issued next quarter.

BFF staff received the *Modification Request for Class III Solid Waste Disposal Site Permit SW 532* on January 18, 2022. BFF issued a response with additional comments and questions to NNSA/NFO on March 1, 2022.

BFF staff reviewed the *Area 6 Annual Solid Waste Disposal Site (SWDS) Report for The NNS - January 1, 2021, through December 31, 2021*, received on January 24, 2022. BFF issued a response to NNSA/NFO on February 1, 2022, acknowledging that NNSA/NFO satisfied the permit and regulatory requirement.

BFF staff reviewed the *Area 9 Annual Solid Waste Disposal Site (SWDS) Report for The NNS - January 1, 2021, through December 31, 2022*, received on January 24, 2022. BFF issued a response to NNSA/NFO on February 1, 2022, acknowledging that NNSA/NFO satisfied the permit and regulatory requirement.

BFF staff reviewed the *NNS Area 23 Semi-Annual Solid Waste Disposal Site (SWDS) Report for the NNS - July 1, 2021, through December 31, 2021*, received on January 24, 2022. BFF issued a response to NNSA/NFO on February 1, 2022, acknowledging that NNSA/NFO satisfied the permit and regulatory requirement.

BFF staff reviewed the *Response to the December 22, 2021, Letter from the NDEP on the Area 6 Solid Waste Landfill*, received on January 24, 2022.

BFF staff reviewed the *Response to the December 22, 2021, Letter from the NDEP on the Area 9 Solid Waste Landfill*, received on January 24, 2022.

BFF staff reviewed the *Response to the December 22, 2021, Letter from the NDEP on the Area 23 Solid Waste Landfill*, received on January 24, 2022.

BFF staff received the *Nevada National Security Site (NNS) Solid Waste Disposal Sites (SWDS) Request for Reduction of Requirements in Advance of Permit Modification* received on February 17, 2022. BFF issued a response on March 8, 2022, accepting their requests, and their responses to NDEP's follow-up questions and recommendations included in the December 21, 2021, inspection reports issued for Area 6, 9 and 23 landfills.

BFF staff reviewed the *Annual Summary/Waste Minimization Report, Calendar Year 2021, Resource Conservation and Recovery Act (RCRA) Permit Number NV HW0101* received on March 1, 2022. BFF issued a response on March 21, 2022, that included comments and follow-up questions.

Annual Permit NEV HW0101 Compliance Evaluation Inspection – BFF staff conducted an annual compliance evaluation inspection for permitted units covered under RCRA Permit NEV HW0101 at the NNS on October 25 and 26, 2021, with EM NV and MSTs personnel in attendance. The NDEP found the NNSA/NFO in compliance with Permit NEV HW0101 and notified the NNSA/NFO of such in a March 8, 2022, letter that did include several follow-up requests/questions.

Newly-hired BFF staff reviewed documents for Area 5 Solid Waste Permit 532 from 2011-Present for background knowledge, as well as the current Area 9 U10c Solid Waste Disposal Site Permit and Permit Application.

Conference Calls/Meetings:

Waste Planning and Forecasting – BFF personnel continue development of a waste planning and forecasting document outline to be discussed with the EM NP. BFF personnel met on February 10, 2022 and discussed feedback from EM NP management on the proposed outline and report. Due to scheduling conflicts and resources, it is anticipated that BFF personnel and EM NP will meet in May to further discuss the outline and begin gathering data for the document.

Permits SW13 097 02 and SW13 097 03 - A Webex meeting with MSTS, DOE and BFF personnel was held on January 10, 2022, to discuss NDEP's follow-up request/questions included in the December 22, 2021, inspection reports. Conflicting interpretations of Class I and Class III regulations required the meeting to be postponed until a later date. BFF staff then held internal NDEP discussions.

Permits SW13 097 02 and SW13 097 03 - An in-person meeting with MSTS and BFF personnel was held on February 3, 2022, to again discuss NDEP's follow-up request/questions included in the December 21, 2021, inspection reports. Resolution on outstanding issues was reached during the meeting. Additionally, MSTS discussed a request for a schedule variance for daily cover.

Solid Waste 532 Permit – BFF personnel participated in a meeting at the NFO regarding clarification of details within the application for renewal of this permit on February 10, 2022.

EPA Region 9 – BFF staff participated in a conference call with EPA Region 9 staff on results of EPA's PCB inspection at the NNSS in 2021.

NEPA Reviews:

Final Construction and Demonstration of a Prototype Mobile Nuclear Microreactor Environmental Impact Statement (DOE/EIS-0546) September 2021 – BFF staff reviewed the *Final Construction and Demonstration of a Prototype Mobile Nuclear Microreactor Environmental Impact Statement*. The NDEP submitted five comments during the public commenting period which were addressed in the final impact statement. The NNSS and commercial disposal facilities remain the primary pathway for up to 350 cubic meters of low-level radioactive waste.

Miscellaneous:

Intergovernmental Information Request – BFF personnel reviewed the Nevada Intergovernmental Information Request and DOE responses to the request. Based on those reviews, NDEP personnel identified three potential avenues for the EM NP to provide the information requested. BFF staff discussed these potential avenues with the NDEP Administrator and with EM NP in a meeting on February 2, 2022. EM NP took NDEP feedback and will review the potential avenues discussed. It is anticipated that NDEP and EM NP will meet next quarter to further discuss the potential avenues.

Site Visits and Inspections:

Permit SW-532 – BFF personnel conducted a site visit on March 1, 2022 with new staff as an introduction for this disposal site.

Permits SW13 097 02 and SW13 097 03 Inspection – BFF staff conducted a follow-up inspection of waste cells covered under the permit numbers listed above, on March 2, 2022. This inspection was the result of BFF staff identifying two alleged non-compliance issues in the Area 6 landfill, and one alleged non-compliance issue in the Area 9 U10C landfill during annual inspections conducted in 2021. All issues were resolved.

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

A new Water Hauling Plan was approved for NNSS by the Bureau of Safe Drinking Water (BSDW) in February 2022.

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

- a) Fourth Quarter 2021 Disinfection Report (Chlorine Residuals) for PWS NV0000360
- b) First Quarter 2022 Disinfection Report (Chlorine Residuals) for PWS NV0000360
- c) January 2022 Potable Water Truck Coliform Results for PWS NV0000360
- d) February 2022 Potable Water Truck Coliform Results for PWS NV0000360
- e) March 2022 Potable Water Truck Coliform Results for PWS NV0000360
- f) January 2022 Coliform Results PWS NV0000360, NV0004098, NV0004099
- g) February 2022 Coliform Results PWS NV0000360, NV0004098, NV0004099
- h) March 2022 Coliform Results PWS NV0000360, NV0004098, NV0004099

Meetings:

Due to scheduling conflicts, the quarterly meeting was actually held early the following quarter on April 6, 2022.

Spills/Line Breaks

There were no spills or line breaks this quarter.

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 \$154,053 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 virtual NDEP Attorney General staff meetings, bi-weekly Division-Wide Chief's Staff Meetings and bi-weekly meetings with the Administrator via conference calls in January, February and March 2022. The Chief's Meeting and meeting with Administrator on February 18, 2022, were attended in person.

During this quarter, the bureau chief attended/participated virtually in: (1) two NSSAB Intergovernmental Meetings and two full NNSAB meetings; (2) numerous calls, Zoom 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); (3) the Low-Level Waste Stakeholder's Forum Quarterly Meeting; (4) regular bureau staff meetings; (5) yearly office safety meeting; (6) a transition meeting with the NNSA/NFO Field Manager; (7) was a member of a panel on Risk Communication; (8) the quarterly meeting with DOE EM NP and headquarters personnel on waste topics for Nevada; and, (9) a budget transition meeting.

Staff Training:

Risk Management Defensive Driving Course

NNSS/MSTS Initial Security Briefing and Counterintelligence Briefing as part of the Virtual New Hire Orientation

NNSS virtual training courses to qualify for NNSS access

Newly hired BFF personnel completed mandatory online trainings

BFF personnel completed DOE-FBI Radiant Response: Nevada, a Radiological Transportation Awareness Virtual Workshop