

DATE: January 19, 2024

TO: Jennifer Carr, Administrator

FROM: Christine Andres, Chief, Bureau of Federal Facilities

SUBJECT: Quarterly Report: October 1, 2023 to December 31, 2023

FEDERAL FACILITY AGREEMENT AND CONSENT ORDER

(FFACO) QUARTERLY REPORT

Industrial Sites Activity

At the end of December 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 D&D 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 5 – Landfills – On November 1, 2023, BFF staff received the Draft *Notification of Unauthorized Activity in the Corrective Action (CAU) 5, Landfills, Corrective Action Site (CAS) 23-15-03, Disposal Site, Use Restriction (UR)*. On December 7, 2023, BFF staff conducted a site visit at this CAS, followed by a meeting with DOE personnel and their contractors. A formal letter documenting the site visit, along with follow-up questions and requests from BFF, will be issued to the EM NP early next quarter.

CAU 578 – Miscellaneous Inactive Sites -- On November 16, 2023, the BFF received the *Draft Closure Report for Corrective Action Unit 578: Miscellaneous Inactive Sites, Nevada National Security Site, Nevada*. The BFF responded with a comment letter to EM NP on December 22, 2023.

CAUs 4000 and 5000 – On November 28, 2023, the BFF received the preliminary draft *History Summaries of CAUs 4000 and 5000, Nevada National Security Site, Nevada, Revision 0, November 2023*. Comments will be sent to EM NP next quarter.

CAU 572 – Test Cell C Ancillary Building and Structures – On December 11, 2023, BFF staff received a *Request for Deadline Extension for the Final Closure Report (CR) for Corrective Action Unit (CAU) 572: Test Cell C Ancillary Building and Structures, Federal Facility Agreement and Consent Order (FFACO)*. BFF staff reviewed the request and on December 13, 2023, issued a letter granting EM NP's request for the deadline extension.

Meetings and Site Visit:

On November 7, 2023, the bureau chief, BFF supervisor, and BFF staff attended a meeting regarding the comments the BFF had on the CAU 572 Test Cell C Ancillary Buildings and Structures Closure Report. At this meeting, an update on the current demolition processes at CAU 114 EMAD and CAU 572 Test Cell C Ancillary Building and Structures was provided.

As stated above, on December 7, 2023, the bureau chief, BFF supervisor and BFF staff conducted a site visit and meeting to observe and discuss the UR intrusion at CAU 5, CAS 23-15-03.

Soils Activity Sites

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

Underground Test Area (UGTA) Activity

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

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

Document Reviews and Letters:

CAU 98 – Frenchman Flat – On October 12, 2023, BFF staff received the Frenchman Flat (CAU 98) *Closure Report Addendum Use Restrictions* for review and comment. The BFF responded with comments on December 11, 2023. Comment responses from EM NP were received on the same day. Comment responses were accepted by BFF on December 12, 2023.

CAU 99 – Rainier Mesa/Shoshone Mountain – On September 25, 2023, BFF received a draft Record of Technical Change (ROTC) 1 for the Closure Report for this CAU. On October 11, 2023, the BFF sent three comments to the EM NP. On November 1, 2023, the EM NP issued comment responses, which BFF accepted on November 3, 2023.

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 forwarded to the EM NP and their contractor on June 21, 2023. On September 27, 2023, BFF staff received the final *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 was issued on October 26, 2023, thanking the EM NP for the opportunity to review this Supplemental Work Product and accepting BFF's comments.

On October 19, 2023, BFF staff received the *Submittal of the Draft Corrective Action Decision Document/Corrective Action Plan (CADD/CAP) for Corrective Action Units (CAUs) 101 and 102: Central and Western Pahute Mesa, Nevada National Security Site, Nevada, Revision 0, October 2023*. A comment letter was sent to EM NP on December 5, 2023.

On December 6, 2023, the bureau chief, BFF supervisor, and BFF staff attended the Pahute Mesa Well Installation Presentation #3. BFF received a *Request for Notice of Completion on Corrective Action Unit (CAU) 101: Central Pahute Mesa and CAU 102: Western Pahute Mesa Well Installation Presentation #3 Milestones* on December 11, 2023. On December 13, 2023, BFF issued a Notice of Completion for the *Corrective Action Unit (CAU) 101: Central Pahute Mesa and CAU 102: Western Pahute Mesa Well Installation Presentation #3 Milestone*.

Quality Assurance Plan – On October 12, 2023, BFF received the *Draft Underground Test Area Activity Quality Assurance Plan, Nevada National Security Site, Nevada, Revision 1, October 2023*. Any BFF comments on the Plan will be sent next quarter.

Quality Assurance Report – On November 13, 2023, BFF received the *Underground Test Area (UGTA) Calendar Year (CY) 2022 Quality Assurance Report, Nevada National Security Site, Nevada, Revision 0, November 2023*. Any BFF comments on the Plan will be sent next quarter.

Meetings and Site Visit:

As stated above, on December 6, 2023, the bureau chief, BFF supervisor, and BFF staff attended the Pahute Mesa Well Installation Presentation #3.

On December 13, 2023, appropriate BFF staff met with EM NP staff and contractors to discuss the Pahute Mesa CAU.

General FFACO Business:

On October 26, 2023, BFF issued a *Notification of the Nevada Division of Environmental Protection, Bureau of Federal Facilities' Designated Federal Facility Agreement and Consent Order (FFACO) Coordinator and Corrective Action Coordinator*. The Department of Defense, also a signatory to the FFACO, issued a similar letter on November 7, 2023.

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. One Working Group meeting was held this quarter. A revision/update of Appendix I of the FFACO was received on December 7, 2023. No comments were generated by BFF staff. A *Meeting Notes Tracking Table* that has served to capture all questions or comments raised since the beginning of this Project, was received on December 13, 2023, from the EM NP. This *Table* will be reviewed and commented on next quarter by the Bureau Chief.

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 combined with the Pahute Mesa Well Installation Presentation #3 on December 6, 2023.

Use Restrictions (URs) and General FFACO Work – Several 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 continued to be 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. A path forward to complete this project within the next 18 months was also put in place.

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, while there were no document reviews, BFF staff were in discussion with LM staff regarding the needed updates to the FFACO in regard to the Central Nevada Test Area and Project Shoal narratives.

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 October, November and December 2023.

During this quarter, the bureau chief attended or participated virtually in: (1) numerous calls, meetings and/or webinars as a member of the NGA's Federal Facilities Task Force (FFTF), the State, Tribal, Government Working Group (STGWG), the Environmental Council of States (ECOS) and/or the Combined Intergovernmental Working Group (CIWG) Planning Committee; (2) along with the BFF supervisor and BFF staff, attended the annual DOE Intergovernmental meeting as members of the ECOS, FFTF and STGWG; (3) one Nevada Site-Specific Advisory Board meeting; (5) regular bureau staff meetings and meetings with individual staff; (6) a meeting with the EM NP's contractor regarding necessary revisions to FFACO reporting requirements; (7) NNSA/NFO Manager and staff to discuss the status of select projects on the NNSS; (7) a three-person presentation to a UNLV class on NDEP's work; (8) a States/DOE/EPA Dialogue Meeting at the Hanford Site in Washington state; (9) two meetings with the new Clark County representative working with DOE on NNSS matters; and, (10) a meeting with NDEP Administration and the Agency for Nuclear Projects staff.

Tribal Interaction – During several virtual meetings this quarter with the State, Tribal, Government Working Group, as well attending the DOE Intergovernmental Meeting in November, the bureau chief

and staff 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:

- 2024 NDEP Annual IT Security Training
- Active Assailant Training
- Sexual Harassment Prevention Training

The BFF Supervisor attended:

- Nevada Certified Public Manager Classes on October 17 – 19, 2023 and December 12 – 14, 2023

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, July 1, 2023 through September 30, 2023*, on October 23, 2023. BFF staff reviewed the report and sent a response letter to the National Nuclear Security Administration/Nevada Field Office (NNSA/NFO) on November 20, 2023, acknowledging the limits set forth in the permit had been met for the quarter.

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 *2023 Annual Water Pollution Control (WPC) Permit GNEV93001 Wastewater Treatment Ponds Inspection* report was issued on December 11, 2023.

Water Pollution Control Permit GNEV96021 – BFF staff received the *Submittal of E-Tunnel Wastewater Discharge Permit Quarterly Monitoring Report Wastewater Discharge Permit NEV96021 – Third Quarter Calendar Year 2023* on October 26, 2023. BFF reviewed the report and sent a response letter to NNSA/NFO on October 30, 2023, acknowledging that the report was in compliance with the limits set forth in the permit. The response letter also contained one repeat comment requesting all references to the previous version of the permit be removed in the next Quarterly Monitoring Report.

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 completed the Annual Compliance Evaluation Inspection of the Water Pollution Control Permit NEV96021 on October 3, 2023. The *2023 Annual Water Pollution Control (WPC) Permit NEV96021 E-Tunnel Discharge System Inspection* report was issued on November 20, 2023.

Spill Report Number 231101-06 – BFF staff received Spill Report Number 231101-06 on November 1, 2023. The *Nevada Division of Environmental Protection Spill Report #231101-06* letter was sent to NNSA/NFO on November 22, 2023, requesting additional information about the spill. BFF staff received the *NNSA/NFO's Final Report* on December 20, 2023. A comment letter was sent to NNSA/NFO on December 22, 2023, requesting further analytical information when it becomes available.

Spill Report Number 231121-01 – BFF staff received Spill Report Number 231121-01 on November 21, 2023. The *Nevada Division of Environmental Protection Spill Report #231121-01* letter was sent to NNSA/NFO on December 4, 2023, requesting additional information about the spill.

Meetings and Site Visits:

The quarterly water meeting was held on October 25, 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 October, November, and December 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.

Documents Reviewed/Letters Issued:

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

West Valley Demonstration Project (WVDP) Waste Certification Program (WCP) Surveillance Report, A-3018, received on October 3, 2023.

Closure of Finding I-3723 and Observations I-3724, I-3725, and I-3727 for Perma-Fix Environmental Services, Inc. (Perma-Fix), received on October 4, 2023.

Pantex-Plant (Pantex) Waste Certification Program (WCP) Surveillance Report, A-3223, received on October 19, 2023.

Closure of Finding I-3688 for Idaho National Laboratory - Battelle Energy Alliance (INL-BEA), received on October 24, 2023.

Depleted Uranium Hexafluoride Conversion Project (DUF6-PADUCAH) Waste Certification Program (WCP) Surveillance Report, SRV-24-001-DUF6, received on October 31, 2023.

Closure of RWAP Facility Evaluation A-3017, Finding I-3777, Observations I-3778, I-3779, I-3780, I-3781, and Opportunities for Improvement I-3782 and I-3783 for Pantex Plant (Pantex), A-3016, received on November 7, 2023.

EnergySolutions - Bear Creek Processing Facility (ES) Waste Certification Program (WCP) Surveillance Report, SRV-24-005-DRTK, received on November 8, 2023.

Perma-Fix Environmental Services, Inc. (Perma-Fix) Waste Certification Program (WCP) Surveillance Report, SRV-24-019-PERM, received on November 14, 2023.

Nevada National Security Site Waste Acceptance Criteria DOE/NV--325-22-00, Addendum 23-01, received on November 21, 2023.

Closure of Finding I-3755 and Observations I03756, I-3757, and I-3758 for Portsmouth Gaseous Diffusion Plan (PORTS), received on December 4, 2023.

Brookhaven National Laboratory (BNL) Waste Certification Program (WCP) Surveillance Report, SERV-24-017-BNLX, received on December 7, 2023.

Profiles Reviewed:

BFF staff reviewed a total of seventeen (17) waste profiles this quarter. Eight (8) profiles were strictly for LLW requiring disposal in Department of Energy (DOE) Order 435.1 LLW landfills. Five (5) profiles were strictly MLLW requiring disposal in the NDEP permitted RCRA cell. Two (2) profiles were Classified Hazardous Non-Radioactive requiring disposal in the NDEP permitted RCRA cell. Two (2) profiles were Classified Non-Radioactive requiring disposal in the NDEP permitted Solid Waste cell.

Meetings:

BFF staff participated in DOE's quarterly LLW Stakeholder's Meeting on November 7, 2023, in Las Vegas, 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 one (1) waste generator self-suspension.

Active Profiles:

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

Suspended Profiles:

There is currently 1 active profile under suspension.

Site Visits/Radioactive Waste Generator Facility Evaluations:

The Radioactive Waste Acceptance Program (RWAP) conducted six (6) surveillances, one (1) audit, and five

(5) mixed-waste verifications this quarter. NDEP participated in three (3) surveillances, one (1) audit and one (1) site visit this quarter as described in the sections below.

Surveillances:

EnergySolutions - Bear Creek Operations (BCO), Oak Ridge, TN - During the week of October 3, 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 NNSSWAC (DOE/NV--325-22-00). RWAP members completed checklists specific to the elements being evaluated by conducting interviews, reviewing procedures and conducting field inspections. NDEP personnel were provided access to interviews, procedures and field inspections when requested. No findings and three (3) observations were issued by the EM NP as a result of the surveillance.

Brookhaven National Laboratory (BNL), Brookhaven, NY - During the week of October 23, 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 NNSSWAC (DOE/NV--325-22-00). RWAP members completed checklists specific to the elements being evaluated by conducting interviews, reviewing procedures and conducting field inspections. NDEP personnel were provided access to interviews, procedures and field inspections when requested. No findings and no observations were issued by EM NP as a result of the surveillance.

Audits:

Mid-America Conversion Services (MCS) Portsmouth, Piketon, OH - During the week of November 14, 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 NNSSWAC (DOE/NV--325-22-00). RWAP members completed checklists that were specific to the elements being evaluated, conducted interviews, reviewed procedures, and performed field inspections. NDEP personnel were granted access to interviews, procedure reviews, and field inspections upon request. Additionally, personnel were provided a tour of the facility to gain a better understanding of the facility and its waste program. One (1) finding and two (2) observations were issued by EM NP as a result of the audit.

Site Visit:

Perma-Fix DSSI, Oak Ridge, TN – On October 5, BFF personnel, along with staff from the EM NP contractor, conducted an on-site focused profile review and discussion of waste profile PERMSINGLE002 submitted by this waste generator. The on-site visit and discussion was scheduled by the DOE to provide NDEP the opportunity to observe the waste generating process and ask additional questions regarding the proposed waste stream. RWAP members also completed a profile verification checklist by conducting interviews and performing field inspections. NDEP personnel were granted access to interviews and field inspections. The waste generator answered all of NDEP and RWAP's questions satisfactorily and the waste profile was subsequently approved on October 26, 2023.

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 NNSS 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. 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 (NNSS), 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. Following review of the Final Addendum, BFF sent a letter on October 31, 2023, stating that all comments were satisfactorily addressed. A final letter closing out the settlement agreement will be sent 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 seventeen 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. On October 3, 2023, BFF received the *Nevada National Security Site (NNSS) Radioactive Waste Acceptance Program (RWAP) Finding of Alleged Violation (FOAV) Action 12 and Action 14*. This submittal stated that the requirements of Actions 12 and 14 of the FOAV had been completed for FFY 2023. Periodic check-in meetings are held as needed. It is anticipated that a final letter closing out the settlement agreement will be sent next quarter.

5. Waste Management

Documents Reviewed/Letters Issued:

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

An Application for Modification of Area 23 Solid Waste Disposal Site (SWDS), Permit Number SW 13 097 04, received on October 2, 2023. BFF staff reviewed the permit application and updated the Area 23 Solid Waste Disposal Site (SWDS) Permit Number SW 13 097 04, which was issued by BFF on December 22, 2023.

The Nevada National Security Site (NNSS) Area 5 Asbestos Waste Disposal Report for Third Quarter of Calendar Year (CY) 2023 for Permit HW0101, received on October 4, 2023. BFF issued a response on October 11, 2023, acknowledging that the NNSA/NFO satisfied the permit and regulatory requirements.

The Nevada National Security Site (NNSS) Area 5 Asbestos Waste Disposal Report for Third Quarter of Calendar Year (CY) 2023 for Permit SW532, received on October 4, 2023. BFF issued a response on October 11, 2023, acknowledging that the NNSA/NFO satisfied the permit and regulatory requirements.

The Nevada National Security Site (NNSS) Quarterly Hazardous Waste Volume Report and Fee: Third Quarter Calendar Year 2023, received on October 10, 2023.

The Waste Volume Report for the Area 3 Radioactive Waste Management Site and for the Area 5 Radioactive Waste Management Complex at the Nevada National Security Site for Fiscal Year 2023, received on October 10, 2023.

The Post-Closure Report for Closed Resource Conservation and Recovery Act (RCRA) Corrective Action Units (CAUs), Nevada National Security Site, Nevada, for Calendar Year 2022, Revision 0, October 2023,

received on October 26, 2023. A response letter was issued on November 20, 2023, stating that EM NP had satisfied the post-closure monitoring requirements for the closed RCRA CAUs.

A Request for the Nevada Division of Environmental Protection (NDEP) Regulatory Interpretation for Asbestos Packaging, received on October 18, 2023. BFF issued a response to EM NP on October 30, 2023.

An Application for Modification of Area 6 Solid Waste Disposal Site (SWDS), Permit Number SW 13 097 02, received on October 18, 2023. BFF staff is in the process of reviewing the application and updating the permit.

The Five Year Volumetric Drawings for the Areas 6, 9, 23 Solid Waste Disposal Sites (SWDS) for the Nevada National Security Sites (NNSS), received on October 23, 2023. BFF issued a response letter on November 22, 2023.

A Hazardous Waste Storage Unit One-Year Storage Limitation Extension Request; Nevada National Security Site, RCRA Permit NEV HW0101, received on October 31, 2023. BFF issued a response letter on November 6, 2023.

A 90-Day Accumulation Extension Request – E-MAD 90-Day Accumulation Area: Nevada National Security Site, NV38900090001, received on October 31, 2023. BFF issued a response letter on November 6, 2023.

A Military Range Activity Notification – Cat Canyon Range, received on November 20, 2023. BFF will issue a response letter once notification of completion of range activity is received.

A Final Supplement Analysis for The Proposed Shipment of Commercial Spent Nuclear Fuel to Idaho National Laboratory for Research and Development Purposes (DOE/EIS-0203-SA-09), received on December 1, 2023. The BFF staff reviewed this Final Supplement Analysis and determined that the activities associated with these research and development activities would generate approximately 106 ft³ (3 m³) of low-level waste destined for the NNSS.

A 90-Day Accumulation Extension Request – E-MAD 90-Day Accumulation Area; Nevada National Security Site, NV3890009001: Update, received on December 18, 2023. A response letter will be issued at the beginning of next quarter.

A Hazardous Waste Storage Unit One-Year Storage Limitation Extension Request; Nevada National Security Site, RCRA Permit NEV HW0101: Update, received on December 18, 2023. A response letter will be issued at the beginning of next quarter.

Site Visits/Inspections:

BFF staff conducted the annual Compliance Evaluation Inspection for permitted units covered under RCRA Permit NEV HW0101 at the NNSS on November 13 and 14, 2023, with MSTS and NNSA/NFO personnel in attendance. BFF staff requested, through a letter dated September 12, 2023, required documentation (daily/weekly/monthly inspection checklists, training records and manifests) from MSTS to prepare for the inspection. The requested records were received and reviewed by BFF staff prior to the

November 13, 2023, inspection. The 2023 inspection report is expected to be completed early next quarter.

BFF staff visited the NNSS to familiarize new personnel with the Real Time Radiography (RTR) facility, and observe a session, on November 30, 2023.

Conference Calls/Meetings:

BFF staff participated in a meeting on October 11, 2023, with MSTs personnel to discuss questions on permit application comments made by NDEP.

BFF staff participated in a meeting on November 8, 2023, to discuss asbestos wetting requirements.

On November 28, 2023, BFF staff attended a meeting for an upcoming surveillance of MSTs.

On December 5, 2023, BFF staff attend a meeting with NNSA/NFO and EM NP on waste management activities at the NNSS.

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

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) NNSS PWS NV0000360 2023-3rd Quarter Chlorine Residual Report
- b) October 2023 NNSS Coliform Results PWS NV000360, NV0004098, Water Truck 84846 & 84847
- c) September 2023 NNSS Water Hauling Coliform Results
- d) October 2023 NNSS Water Hauling Coliform Results
- e) November 2023 NNSS Coliform Results PWS NV000360, NV0004098, Water Truck 84846 & 84847
- f) PWS NV0000360 & NV000408 2023 Arsenic & Nitrate
- g) PWS NV0000360 2023 Lead & Copper Report Form
- h) PWS NV0000360 2023 Lead & Copper Report – Lab Results

- i) PWS NV0000360 2023 SOCS Phase 2 & 5
- j) PWS NV0000360 HAA5 & TTHM 2023
- k) PWS NV0004099 2023 Secondary IOCs PT2
- l) PWS NV0004099 2023 Secondary IOCs, Nitrate & Nitrite-Pt1
- m) TTHM-HAA form 2023
- n) November 2023 NNSS Water Hauling Coliform Results
- o) December 2023 Coliform Results NNSS PWS NV0000360, NV0004098, NV0004099, Water Truck 84846 & 84847

BFF staff received the *Response to 2022 Sanitary Survey of NNSS A12 (NV0004099) Report* on December 19, 2022. BFF issued a response letter on December 11, 2023.

BFF staff received the *Response to 2022 Sanitary Survey of NNSS A23 and 6 (NV0000360) Report* on December 19, 2022. BFF issued a response letter on December 11, 2023.

BFF staff received the *Response to 2022 Sanitary Survey of NNSS A25 (NV0004098) Report* on December 19, 2022. BFF issued a response letter on December 11, 2023.

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 Nevada Division of Environmental Protection* on September 26, 2023. BFF staff completed the Annual Compliance Evaluation Inspection of Water Hauler 84846 and 84847 on October 3, 2023. The *2023 Annual Inspections of Water Hauler 84846 and Water Hauler 84847 at the Nevada National Security Site (NNSS)* letter was issued on October 11, 2023, stating that Water Hauler 84846 and 84847 were found to be managed in compliance with applicable regulations.

On October 18, 2023, BFF staff received email notification of the NNSS PWS NV0004098 Well J-12 (WO1) Re-Activation.

Meetings:

The quarterly water meeting was held on October 25, 2023.

On December 20, 2023, a meeting was held between BFF and BSDW to discuss water hauler inspection certificates.

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 \$178,562 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 October, November and December 2023.

During this quarter, the bureau chief attended or participated virtually in: (1) numerous calls, meetings and/or webinars as a member of the NGA's Federal Facilities Task Force (FFTF), the State, Tribal, Government Working Group (STGWG), the Environmental Council of States (ECOS) and/or the Combined Intergovernmental Working Group (CIWG) Planning Committee; (2) along with the BFF supervisor and BFF staff, attended the annual DOE Intergovernmental meeting as members of the ECOS, FFTF and STGWG; (3) one Nevada Site-Specific Advisory Board meeting; (5) regular bureau staff meetings and meetings with individual staff; (6) a meeting with the EM NP's contractor regarding necessary revisions to FFACO reporting requirements; (7) NNSA/NFO Manager and staff to discuss the status of select projects on the NNSS; (7) a three-person presentation to a UNLV class on NDEP's work; (8) a States/DOE/EPA Dialogue Meeting at the Hanford Site in Washington state; (9) two meetings with the new Clark County representative working with DOE on NNSS matters; and, (10) a meeting with NDEP Administration and the Agency for Nuclear Projects staff.

Tribal Interaction – During several virtual meetings this quarter with the State, Tribal, Government Working Group, as well attending the DOE Intergovernmental Meeting in November, the bureau chief and staff 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:

- 2024 NDEP Annual IT Security Training
- Active Assailant Training
- Sexual Harassment Prevention Training

The BFF Supervisor attended:

- Nevada Certified Public Manager Classes on October 17 – 19, 2023 and December 12 – 14, 2023