

DATE: April 17, 2020
TO: Greg Lovato, Administrator
FROM: Christine Andres, Chief, Bureau of Federal Facilities
SUBJECT: Quarterly Report: January 1, 2020 to March 31, 2020

Agreement in Principle (AIP) Functional Areas Summary – Grant #DE-NA0003295

1. On-Site Discharges

Water Pollution Control

Document Reviews and Site Inspections:

Water Pollution Control Permit GNEV 93001 – The Nevada Division of Environmental Protection’s Bureau of Federal Facilities (NDEP and/or BFF) staff reviewed the Second Quarter of State Fiscal Year (SFY) 2020 Quarterly Discharge Monitoring Report (QMR) received from the National Nuclear Security Administration/Nevada Field Office (NNSA/NFO). With the temporary waiver from the use of the calculated flow limit for the DAF sewage lagoon system as a permit limit, granted by the BFF in the first quarter of SFY 2016, the facilities at the Nevada National Security Site (NNSS) are in compliance with the current permit.

BFF staff continued researching information and discussing with staff from the Bureau of Water Pollution Control and the NFO’s contractor at the NNSS the renewal application submitted by the NFO for this permit, which expires in August 2020.

Water Pollution Control Permit GNEV 96021 – BFF staff reviewed the QMR for the Second quarter of SFY 2020 and the Annual Report required under this permit. NDEP sent letters stating the NNSA/NFO was compliant.

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

Spills

One spill was reported this quarter. An overflow event occurred in Mercury on the NNSS. Information and submitted reports were reviewed and the corrective actions were accepted by BFF.

Meetings

A water meeting at the NNSS was attended on March 12, 2020.

2. Ground Water Monitoring

There was no activity in this category during this quarter.

3. Air Quality Monitoring

There was no activity in this category during this quarter.

4. Low Level and Mixed Low Level Waste Oversight

Conference Calls:

Staff participated in weekly Waste Acceptance Review Panel (WARP) meetings in person and/or via teleconference during January, February and March 2020. Review panel members discussed waste profile comments and waste-specific compliance issues for generator-submitted low-level and mixed low-level radioactive 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 low-level radioactive waste and mixed waste profiles (for compliance with NNSSWAC, Rev. 16-00) and reviewed all comment responses submitted by the currently approved Low-Level Waste and Mixed Low-Level Waste generators.

Site Visits/Radioactive Waste Generator Facility Evaluations:

NDEP staff participated in the following radioactive waste generator facility preparatory meetings and surveillances/audits: Pantex, Amarillo, TX; Portsmouth Gaseous Diffusion Plant, Portsmouth, OH; Lawrence Livermore National Laboratory, Livermore, CA; Argonne National Laboratory, Chicago, IL; and, Nuclear Fuel Services, Erwin, TN.

Waste Generators Violation Statuses:

BFF and NDEP personnel continued to review documentation provided by the Department of Energy (DOE) and the Y-12 National Security Complex (Y-12), located in Oak Ridge, related to an incident on July 3, 2019, when NDEP was informed of a potential violation of RCRA Permit NEV HW0101. Specific details of events that occurred between July 3, 2019 and December 31, 2019 are provided in the two previous quarterly reports. During this quarter, BFF staff participated in three conference calls with EPA Region IX to discuss EPA's potential findings from a RCRA Inspection that agency conducted on August 13 and 14, 2019, at the NNSS. BFF and NDEP personnel continue to review documentation and have internal discussions in order to make a determination as to whether there has been a violation of RCRA Permit NEV HW0101.

5. Waste Management

Document Review / Letters Issued:

Staff reviewed and/or approved: (1) Area 6 Annual Solid Waste Disposal Site (SWDS) Report for the NNSS January 1, 2019 through December 31, 2019; (2) Area 9 Annual Solid Waste Disposal Site (SWDS) Report for the NNSS January 1, 2019 through December 31, 2019; (3) Area 23 Semi-

Annual Solid Waste Disposal Site (SWDS) Report for the NNSS July 1, 2019 through December 31, 2019; (4) The NNSS Quarterly Hazardous Waste Volume Report and Fee: Fourth Quarter Calendar Year (CY) 2019; (5) Nevada National Security Site Area 5 Asbestos Waste Disposal Reports for the Fourth Quarter of CY 2019 for Permits HW0101 and SW532; (6) NNSS Area 5 Annual Asbestos Waste Disposal Report for Calendar Year 2019; (7) NNSS Area 5 Solid Waste Disposal Report for Permits SW532 and HW0101 for Calendar Year 2019; (8) Quarterly Progress Reports for Revegetation at CAU 111: Area 5 WMD Retired Mixed Waste Pits; (9) US EPA 2020 Inventory of Federal Hazardous Waste Activities at Formerly Owned or Operated Federal Facilities Reports for the Central Nevada Test Area and Project Shoal Sites; (10) Annual Summary/Waste Minimization Report, Calendar Year 2019, RCRA - Permit Number NEV HW0101; (11) Tribal Revegetation Project Fiscal Year 2019 Annual Report: 92-Acre Area, Area 5 Radioactive Waste Management Complex, NNSS, Nevada; (12) Area 5 Annual Groundwater Report; and (13) the Explosive Ordinance Disposal Unit Five-Year Soil Sampling Report (a HW0101 Permit Requirement). Staff also researched information on subjects such as asbestos and PCBs and background information on CAU 111 and volumes of disposed waste in Areas 3 and 5.

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 at the NNSS that had received trivalent chromium-bearing waste in the past from Nuclear Fuel Services, located in Erwin, TN. During this quarter, NNSA/NFO and EM NP personnel continued to draft a Corrective Action Decision Document/Corrective Action Plan for this CAU after receiving comments from BFF on a preliminary draft. BFF staff attended a meeting to be updated on the status of the Supplemental Environmental Project (SEP) that was part of a Settlement Agreement between the NDEP and the NNSA/NFO for the RCRA violation of disposing of the trivalent chromium-bearing waste in non-RCRA permitted cells at the NNSS.

Meetings and Conference Calls:

EPA Conference Calls – BFF personnel participated in three conference calls with EPA during this quarter to discuss potential findings from the EPA RCRA Inspection conducted on August 13 and 14, 2019 at the NNSS.

Y-12 Conference Calls – Staff participated in bi-weekly conference calls with NNSA/NFO & EM NP on the ongoing investigation into the events that began on July 3, 2019.

PCB Discussion – NDEP personnel met with NNSA/NFO and EM NP to discuss questions with PCB regulation interpretations and its potential effect on PCB disposal at the NNSS.

NEV HW0101 Permit Renewal – NDEP personnel met with NNSA/NFO and EM NP personnel to discuss the permit renewal process for this permit which expires in August 2020.

Cell 18 under NEV HW0101 Permit – BFF staff discussed and reviewed NNSA/NFO's request to extend the closure of Cell 18 and eliminate other permit-required inspections at the NNSS due to limited workforce at the NNSS during the COVID-19 pandemic. These requests for limited inspections were granted by NDEP with conditions of reporting any off-normal observations.

6. Major Program Proposals

There was no activity in this category during this quarter.

7. Historic Preservation

Funding has been provided to the SHPO for historic reviews at DOE and/or the NNSS during the year.

8. Environmental Monitoring Program and Report

There was no activity in this category during this quarter.

9. Sampling

No sampling activities were conducted by the Bureau during this quarter.

10. Safe Drinking Water

Meetings

A water meeting at the NNSS was attended on March 12, 2020.

Fiscal Analysis:

Estimate of personnel resources used (FTE or hours)

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

Total expenditures for each task area

A total of approximately \$100,000 was spent during this quarter for AIP work. This is the most current figure available at this time and includes personnel, operating, information services, DOE and DOE oversight and purchasing costs.

Comparison of estimate to budgeted expenses:

Expenses this quarter were within the legislatively approved spending limits.

Miscellaneous:

The chief attended the NDEP Attorney General and Division Staff Meetings in Carson City on February 6, 2020. While in Carson City for the meetings, various other bureau business was conducted, including meeting with the administrator and fiscal staff. Staff meetings on January 6 and 21, February 3 and 18 and March 2 and 16, 2020 were participated in via conference call.

During this quarter, the bureau chief attended/participated in: (1) one local Intergovernmental Meeting and NNSAB meeting; (2) numerous calls for NGA's FFTF and the State, Tribal, Government Working Group (STGWG); (3) the Low-Level Waste Stakeholder's Forum Quarterly Meeting; (4) bi-weekly calls with the Administrator; (5) a meeting with the Administrator to prepare for the semi-annual meeting between DOE and NDEP; (6) the Annual Waste Management Symposium in Phoenix, AZ; (7) a meeting with DOE's NNSS contractor, MSTs, and NDEP's Administrator; (8) a NNSS site tour given to staff from Nevada Department of Transportation; (9) bureau staff meetings; and, (10) meetings and site visits in regards to relocating the Las Vegas Office.

Training:

Staff completed their 8-hour HAZWOPER training.

Staff completed the annual Safety Refresher.