

Appendix V

Public Involvement Plan

Revision No.: 8

June 2014

Federal Facility Agreement
and Consent Order
(FFACO)



FFACO

Public Involvement Plan

U.S. Department of Energy
National Nuclear Security Administration
Nevada Field Office
Las Vegas, Nevada

U.S. Department of Defense
Defense Threat Reduction Agency
Detachment 1, Nevada Operations
Mercury, Nevada

U.S. Department of Energy
Office of Legacy Management
Grand Junction, Colorado

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List of Acronyms and Abbreviations

The federal government commonly uses acronyms in its publications and operations. Acronyms are words formed from the first letter of each major part of a compound term. For example, the U.S. Department of Energy is typically shortened to DOE. Acronyms are an effective means of communication, but only when readers are familiar with the representative terms. The following acronyms are used in this document:

CADD	Corrective action decision document
CAIP	Corrective action investigation plan
CAP	Corrective action plan
CAS	Corrective action site
CAU	Corrective action unit
CERCLA	<i>Comprehensive Environmental Response, Compensation, and Liability Act</i>
CNTA	Central Nevada Test Area
CR	Closure report
DoD	U.S. Department of Defense
DOE	U.S. Department of Energy
DTRA	Defense Threat Reduction Agency
EA	Environmental assessment
EIS	Environmental impact statement
EM	Environmental Management
FFACO	<i>Federal Facility Agreement and Consent Order</i>
LM	Legacy Management
NAD	North American Datum
NDEP	Nevada Division of Environmental Protection
NEPA	<i>National Environmental Policy Act</i>
NNSS	Nevada National Security Site

List of Acronyms and Abbreviations (Continued)

NNSA/NFO	U.S. Department of Energy, National Nuclear Security Administration Nevada Field Office
NSSAB	Nevada Site Specific Advisory Board
NTS	Nevada Test Site
NTTR	Nevada Test and Training Range
RCRA	<i>Resource Conservation and Recovery Act</i>
RWMS	Radioactive Waste Management Site
SAFER	Streamlined Approach for Environmental Restoration
TTR	Tonopah Test Range
UGTA	Underground Test Area
UTM	Universal Transverse Mercator

Preface

The Public Involvement Plan serves two purposes: It provides a broad public involvement strategy, and it fulfills requirements contained in the *Federal Facility Agreement and Consent Order* (FFACO) relating to public awareness and participation. Under the FFACO (1996, as amended)—agreed to by the State of Nevada; U.S. Department of Energy, Environmental Management (DOE/EM); U.S. Department of Defense (DoD); and DOE, Legacy Management (DOE/LM)—sites and facilities potentially contaminated by past DOE and DoD activities must be effectively investigated and corrective actions established to protect public health, safety, and the environment. The plan, which is incorporated into the FFACO as Appendix V, is a key resource for gaining information on public participation options that relate to DOE and DoD environmental restoration and waste management activities.

1.0 FFACO Overview

The *Federal Facility Agreement and Consent Order* (FFACO) is a legally binding document that was agreed to by the State of Nevada; U.S. Department of Energy (DOE), Environmental Management (DOE/EM); U.S. Department of Defense (DoD); and DOE, Legacy Management (DOE/LM). The agreement outlines a process to ensure that DOE and/or DoD, under the regulatory authority and oversight of the Nevada Division of Environmental Protection (NDEP), thoroughly investigate and take corrective actions concerning the release of hazardous pollutants at certain federal facilities owned or operated by DOE and/or DoD.

Signed in 1996, the FFACO:

- Formalizes relationships among the State of Nevada, DOE, and DoD.
- Identifies sites of potential historical contamination and prioritizes them for cleanup.
- Defines the regulations the State of Nevada will use to direct and enforce corrective action activities.
- Establishes a corrective action strategy for cleanup activities.
- Outlines public involvement opportunities.

The FFACO is regulated for the State of Nevada by NDEP. The requirements of the FFACO are managed for DOE by DOE/EM and DOE/LM, and for DoD by the Defense Threat Reduction Agency (DTRA). Descriptions of public involvement opportunities for each organization's environmental restoration and FFACO activities are provided in the following sections.

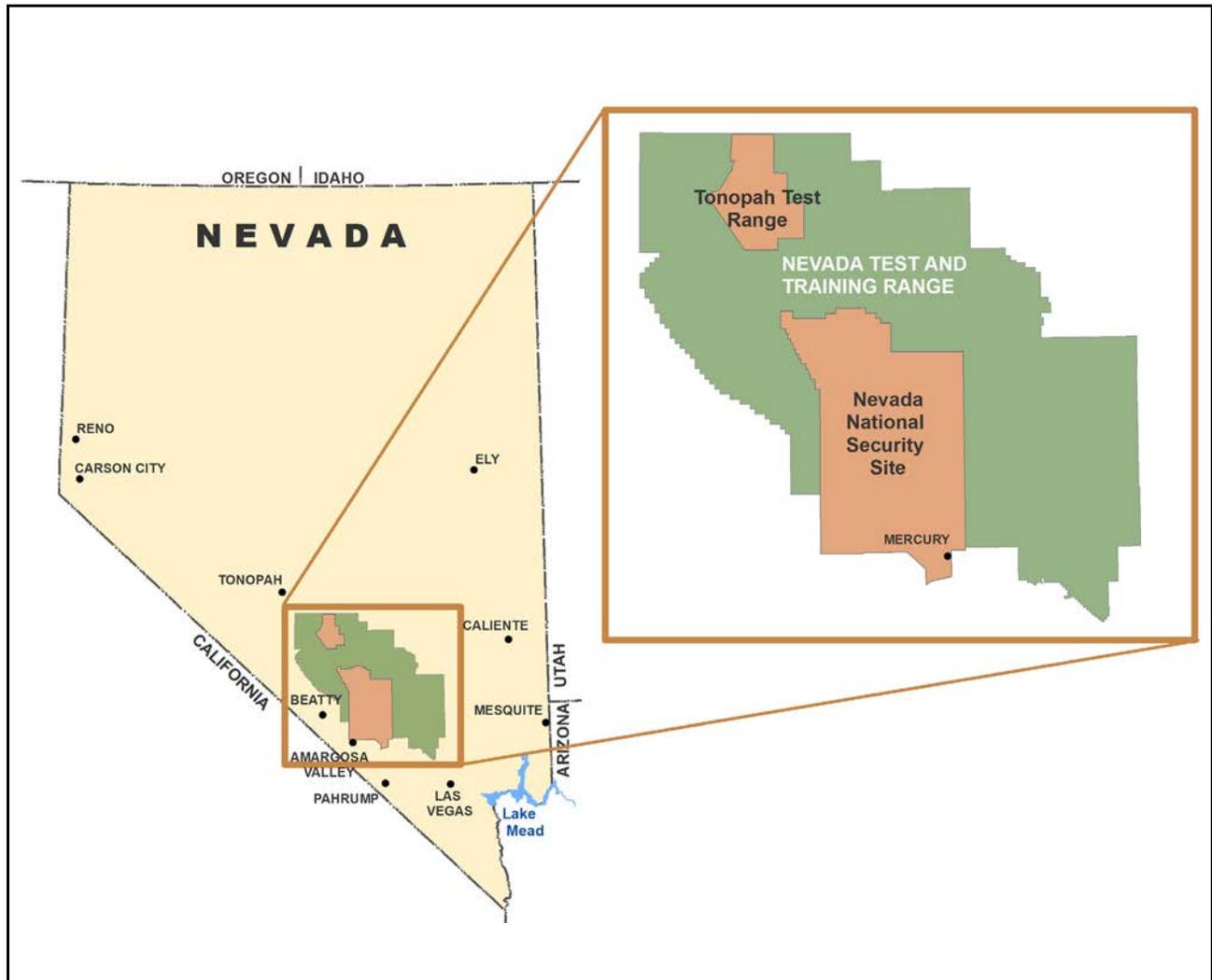
2.0 U.S. Department of Energy Environmental Management

2.1 Environmental Management Overview

In 1989, DOE created the Office of Environmental Restoration and Waste Management, now called the Office of Environmental Management (EM). The EM Program was instituted at DOE field offices around the country to address the environmental liabilities of 50 years of nuclear weapons production in the United States. The EM Program at the DOE, National Nuclear Security Administration Nevada Field Office (NNSA/NFO) is part of that effort. It is EM's responsibility to determine the risk and future cleanup costs associated with environmental contamination, hazardous and radioactive materials and wastes, and contaminated buildings and facilities that are the result of historical testing and research activities.

Most NNSA/NFO EM activities are carried out at the Nevada National Security Site (NNSS) and at the Tonopah Test Range (TTR), which is part of the Nevada Test and Training Range (NTTR). Located in Nye County, the NNSS (formerly known as the Nevada Test Site [NTS]) is a unique national resource ([Figure 2-1](#)). The approximately 1,360-square-mile site is located about 65 miles northwest of Las Vegas, Nevada. The NNSS is larger than the state of Rhode Island, making it one of the largest restricted access areas in the United States. This remote, arid site is predominantly surrounded by tightly controlled federal lands and facilities. The NTTR provides a buffer zone on the east, north, and most of the west border of the NNSS, and the Bureau of Land Management land provides a buffer zone on the south and southwest border (see [Attachment 1](#) for an overview of the NNSS).

The NNSA/NFO EM Program elements under the purview of the FFACO are Environmental Restoration and Waste Management. These activities have separate yet interrelated roles and responsibilities, as detailed in [Sections 2.1.1](#) and [2.1.2](#) of this plan. Under the NNSA/NFO EM Program, the activities operate with the common goals of soliciting and incorporating public comments into the decision-making process, protecting human health and safety, emphasizing environmental responsibility for NNSA/NFO activities, and complying with all applicable laws and regulations affecting program activities.



**Figure 2-1
NNSS and Surrounding Areas**

The laws, regulations, and NNSA/NFO and State of Nevada agreements with specific requirements for public interactions include the following:

- *Resource Conservation and Recovery Act (RCRA)*
- *Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)*
- *National Environmental Policy Act (NEPA)*
- *Federal Facility Agreement and Consent Order (FFACO)*

A more detailed description of environmental regulations is provided in [Section 2.3](#).

2.1.1 Environmental Restoration

The NNSA/NFO EM Environmental Restoration activity addresses NNSA/NFO facilities and locations contaminated by historical nuclear research, development, and testing activities. These activities included nuclear weapons testing and related support operations, nuclear rocket experiments, and non-nuclear experiments. Contaminants include radioactive materials, unexploded ordnance, gasoline, oils, solvents, and heavy metals such as lead.

Environmental Restoration objectives are to identify the nature and extent of the contamination, and to assess the potential risk the contamination poses to the public and the environment. More than 3,000 potential Environmental Restoration sites have been identified to date, ranging from locations where car batteries have been discarded to craters formed by underground nuclear tests. These sites, referred to as corrective action sites (CASs), have been grouped geographically by technical similarity, agency responsibility, or for other appropriate reasons into corrective action units (CAUs). Major environmental restoration activities include the following:

- **Groundwater studies** characterize the effects of historical underground nuclear detonations at the NNS. Underground Test Area (UGTA) well data are used to generate computer models, which are sophisticated imaging tools that forecast the location and future movement of contaminants in complex geological settings. Ultimately, these models will help establish contaminant boundaries and a groundwater monitoring network ([Figure 2-2](#)).
- **Soils remediation studies** characterize contaminated surface and shallow subsurface soils on the NNS and NTTR, including the TTR. Depending on the results of the characterization and planned land use scenarios, an appropriate remediation activity is then conducted.
- **Industrial Sites studies** characterize and remediate historical nuclear testing support sites, including disposal wells, inactive tanks, contaminated waste sites, inactive ponds, muck piles, spill sites, drains and sumps, and ordnance sites ([Figures 2-3 and 2-4](#)). Industrial Sites activities also include the decontamination and decommissioning of NNS facilities that are no longer used, will not be used in the future, and are known or suspected to be contaminated. After contamination levels have been identified and contaminants stabilized, contained, or removed, the facilities are sealed, dismantled, or converted for non-nuclear uses. Industrial Sites are located on the NNS and TTR.

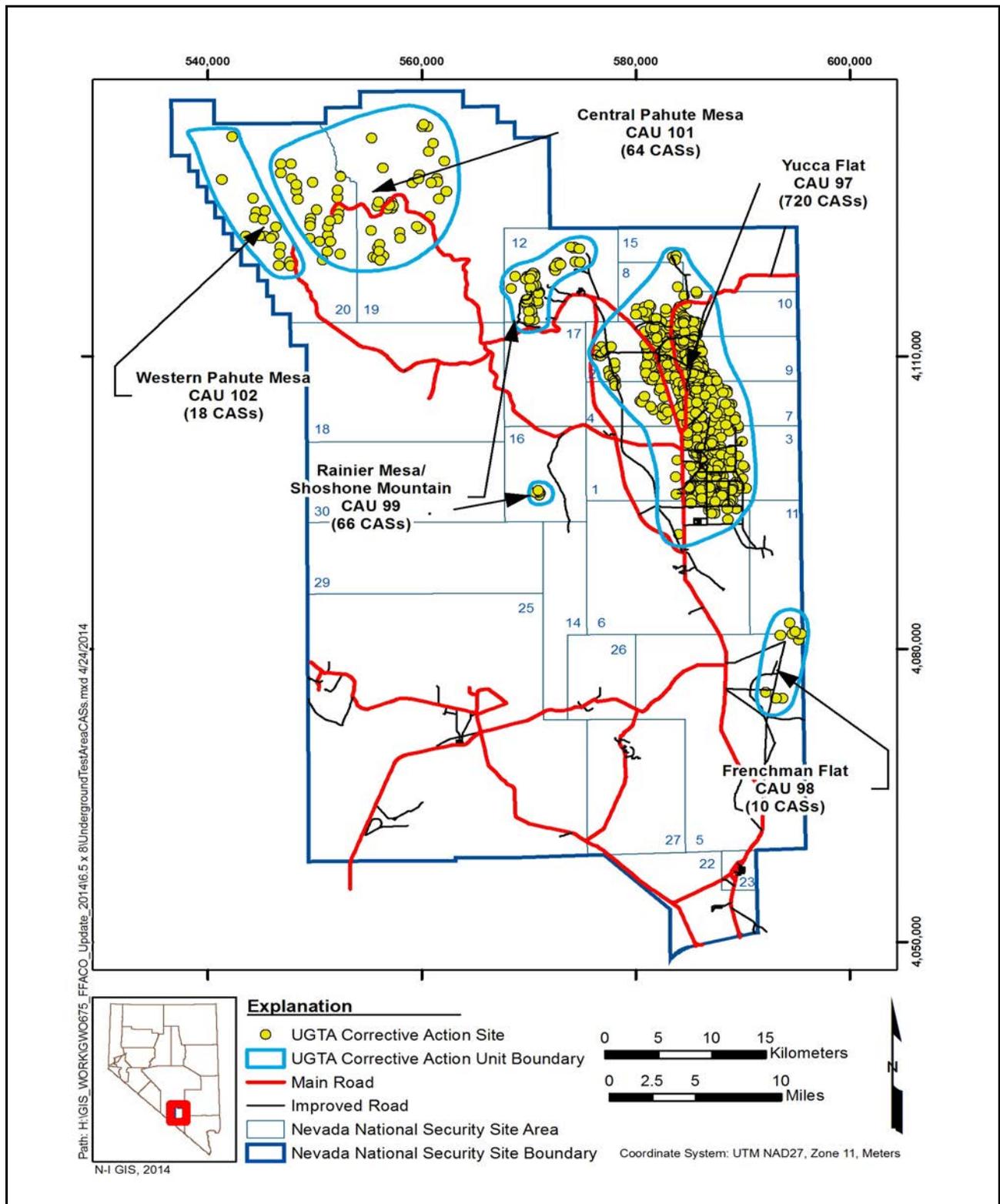


Figure 2-2
UGTA CASs and CAU Boundaries

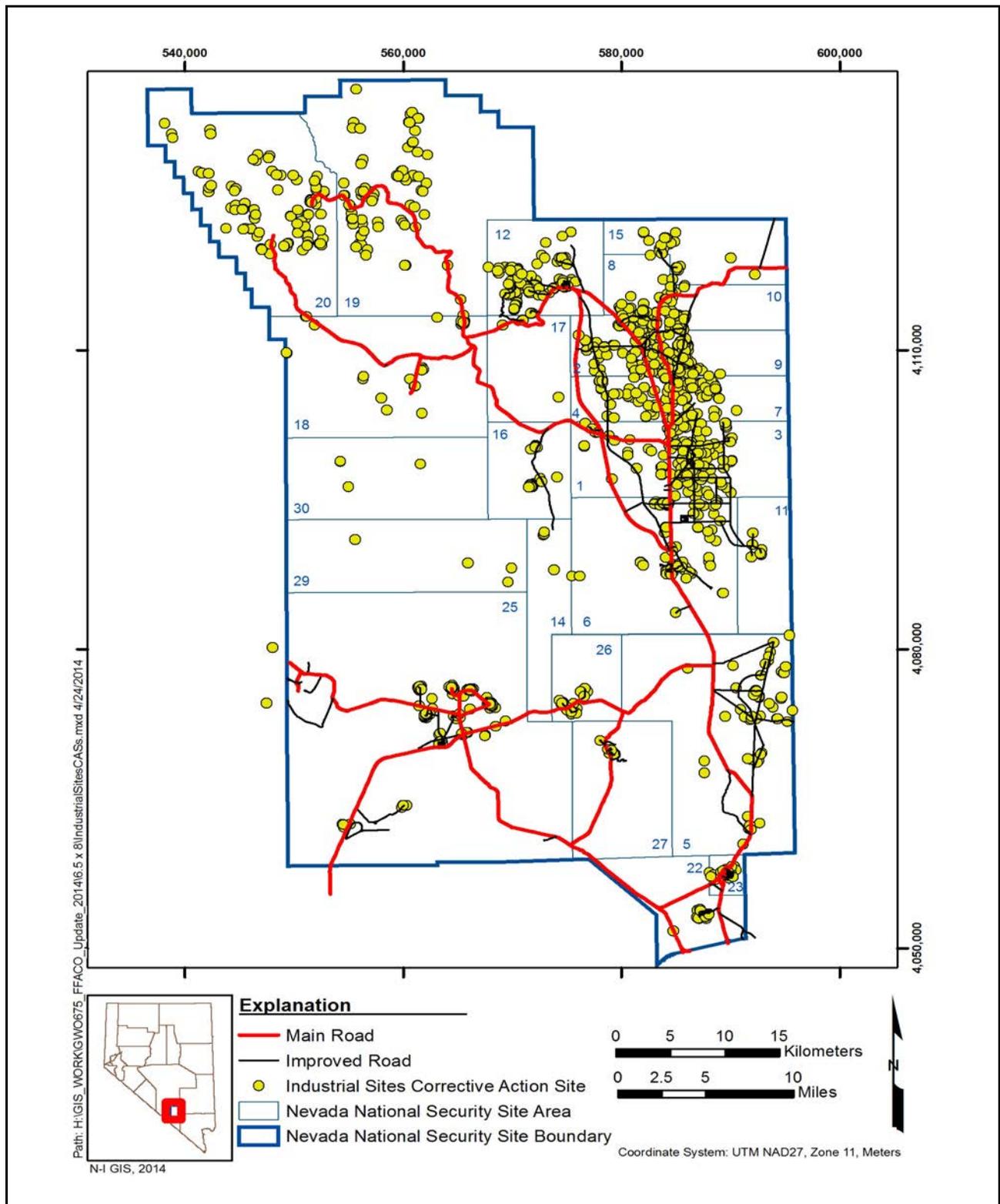


Figure 2-3
Industrial Sites CASS at the NNSS

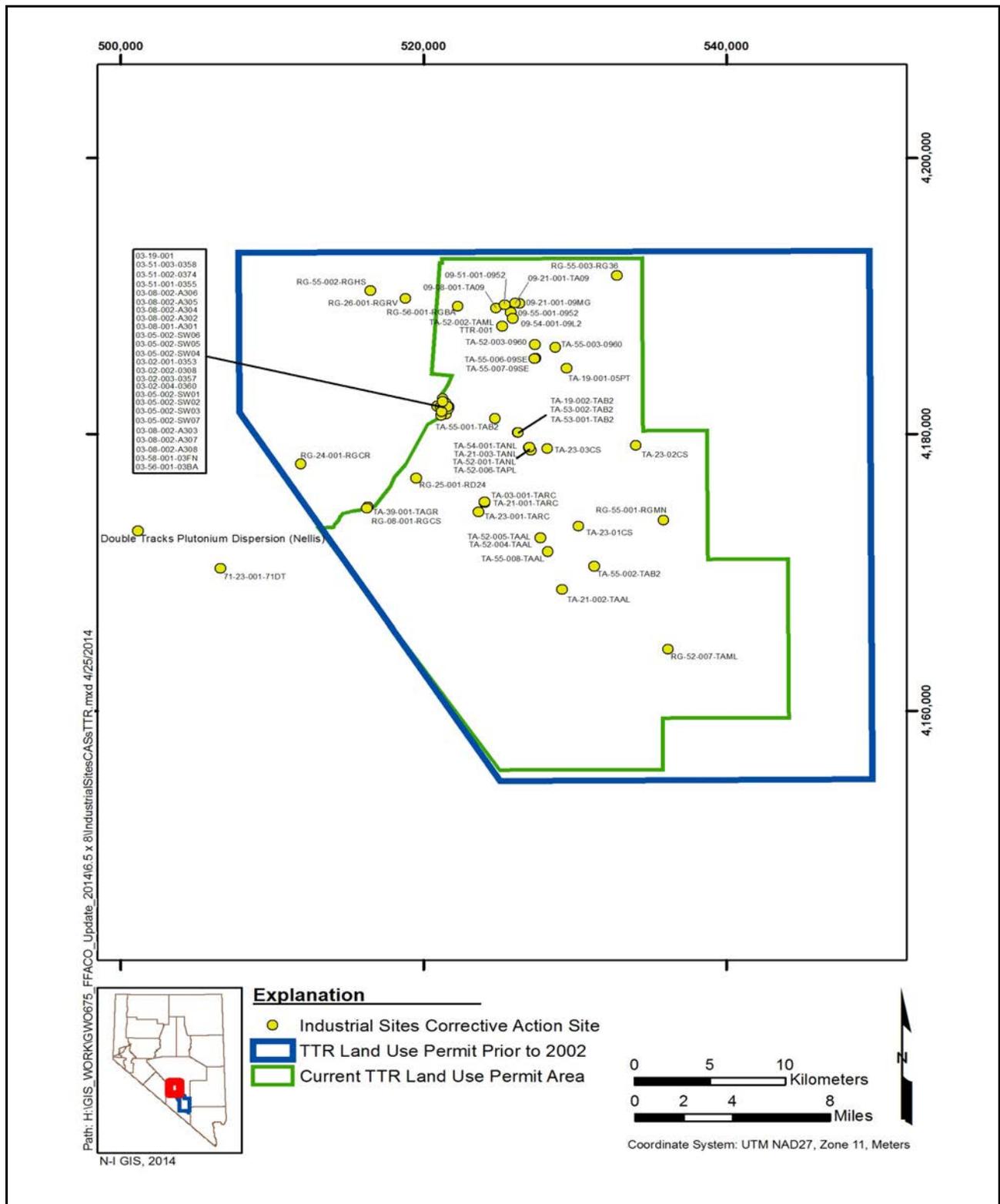


Figure 2-4
Industrial Sites CASS at the TTR

2.1.2 Waste Management

The Waste Management activity is responsible for the management and disposal of low-level and mixed low-level radioactive waste from the NNSS and other approved DOE and DoD facilities. The Waste Management activity also stores mixed low-level radioactive waste before disposal. The objective is to protect the environment and the public's health while minimizing, treating, storing, and disposing waste generated at DOE sites.

The above-mentioned waste types are currently managed at the Area 5 Radioactive Waste Management Site (RWMS) located on the NNSS (Figure 2-5). Excavated, engineered cells are currently used for the disposal of low-level and mixed low-level radioactive waste. Onsite hazardous waste is accumulated at the NNSS and shipped off site to a RCRA-permitted treatment, storage, and disposal facility. To ensure control of the Area 5 RWMS in perpetuity, DOE/NNSA has formally accepted permanent custody and accountability for the 740-acre area comprising the disposal location. Related waste management activities include the following:

- **Radioactive Waste Acceptance Program.** This program ensures that approved generators sending low-level and mixed low-level radioactive waste for disposal at the NNSS characterize, manage, and transport radioactive waste in compliance with rigorous NNSS Waste Acceptance Criteria.
- **Performance Assessment.** Computer models are developed to ensure the disposal facility maintains its integrity for the protection of the surrounding environment. These models provide conservative forecasts on potential short-term and long-term risks associated with waste disposal. The NNSS waste management sites are closely monitored to ensure wastes are properly contained within the disposal cells and contamination is not released beyond disposal site boundaries.
- **Emergency Response.** An NNSA/NFO grant funds emergency preparedness activities and resources in counties near the NNSS. This grant is funded by an additional fee charged to generators, which is based upon the volume of waste disposed. To date, more than \$11 million has been distributed to Clark, Elko, Esmeralda, Lincoln, Nye, and White Pine counties to enhance emergency response capabilities.
- **Transportation.** The Waste Management activity is responsible for the safe, efficient, and cost-effective packaging and transportation of materials, such as *radioactive and hazardous* materials and wastes, at the NNSS. Other responsibilities associated with transportation include preparing and analyzing transportation data in support of local transportation and stakeholder outreach efforts. NNSA/NFO is not responsible for the transportation of waste to the NNSS from offsite generators. However, NNSS Waste Acceptance Criteria require

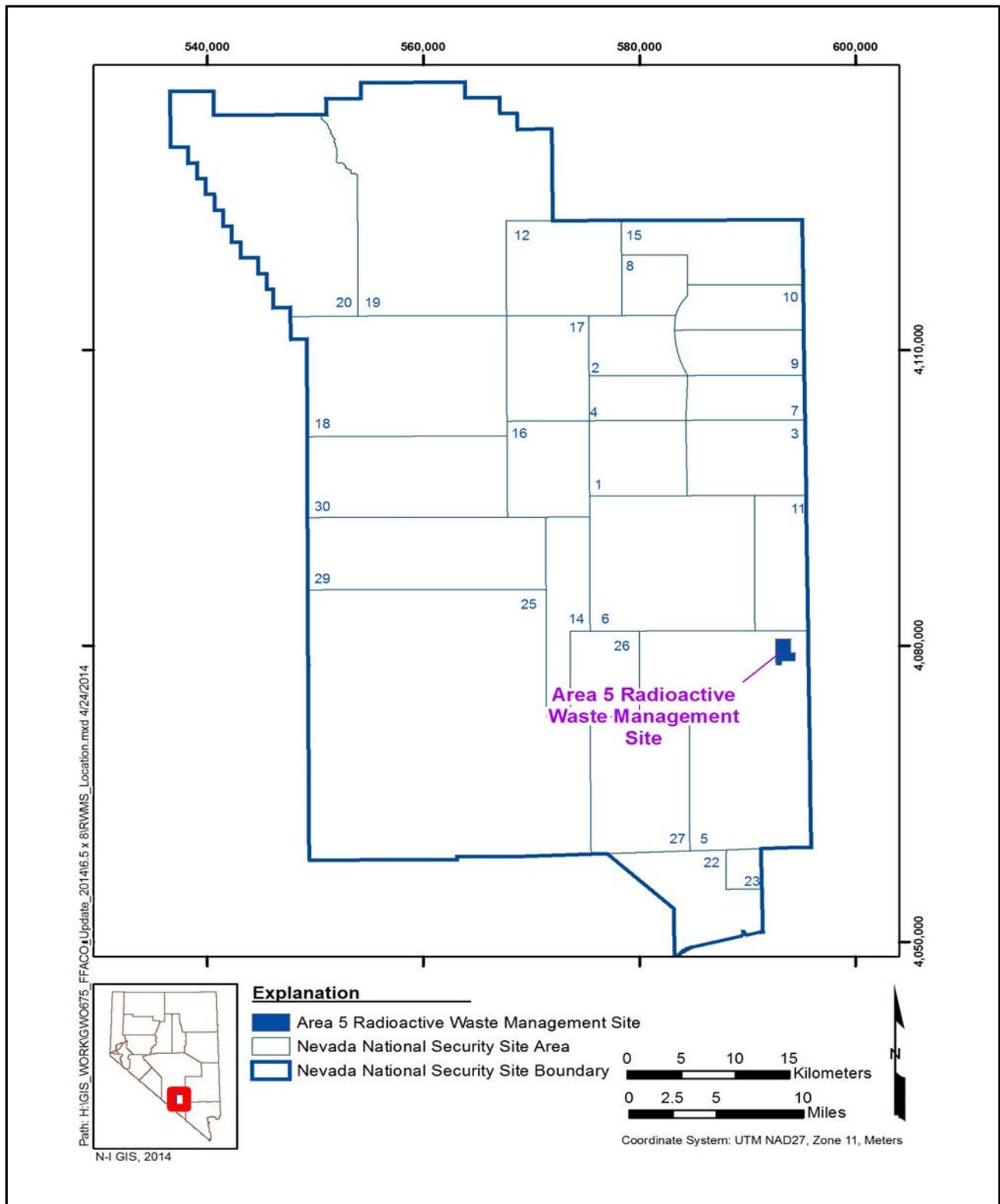


Figure 2-5
Area 5 RWMS

low-level and mixed low-level radioactive waste generators and their contractors to transport waste shipments to the NNSS in accordance with applicable DOE, U.S. Department of Transportation, U.S. Environmental Protection Agency, state, and local hazardous waste regulations and requirements. NNSA/NFO also encourages approved generators and their contracted carriers to select routes that minimize radioactive risk, enhance safety, and address public concerns. Other national decisions outside the scope of NNSA/NFO are not covered by this plan.

Specific waste types include the following:

- **Low-level radioactive waste** is the most common type of radioactive waste disposed at the NNSS, and typically consists of soil, rags, papers, equipment, solidified sludge, concrete, building materials, and discarded protective clothing contaminated with low levels of radiation. Low-level radioactive waste is currently disposed at the Area 5 RWMS located within the boundaries of the NNSS (Figure 2-5).
- **Mixed low-level radioactive waste** contains both radioactive and hazardous components. Currently, NNSA/NFO EM operates a Mixed Waste Disposal Unit at the Area 5 RWMS (Figure 2-5). The disposal unit functions under a RCRA permit regulated by NDEP.
- **Hazardous waste** consists of toxic, reactive, or ignitable substances. Hazardous waste is not radioactive and includes materials such as waste chemicals, fuels, and paints. Hazardous waste stored at the NNSS is sent off site to licensed, commercial facilities for recycling, incineration, or disposal. If the waste contains explosive materials, it is treated on site.
- **Sanitary waste** contains no hazardous or radioactive components. The NNSS handles its own solid and liquid wastes using landfills and water treatment facilities similar to those found in metropolitan areas.

2.2 Public Involvement Strategy

2.2.1 Strategic Overview

Public involvement has taken many forms since testing began at the NNSS. Beginning with the publicity surrounding the atmospheric tests in the 1950s, the public has expressed an ongoing interest in activities at the NNSS. At a national level, the Openness Policy, enacted by former U.S. Energy Secretary Hazel O'Leary in December 1993, paved the way for the declassification and availability of information and materials. The policy inspired further changes at the local levels. In 1994, NNSA/NFO conducted formal community interviews to establish a dialogue with the public. The interviews helped identify participants' key concerns, attitudes, knowledge, and understanding of the NNSA/NFO EM Program. This information was candid and helpful, setting in motion a number of

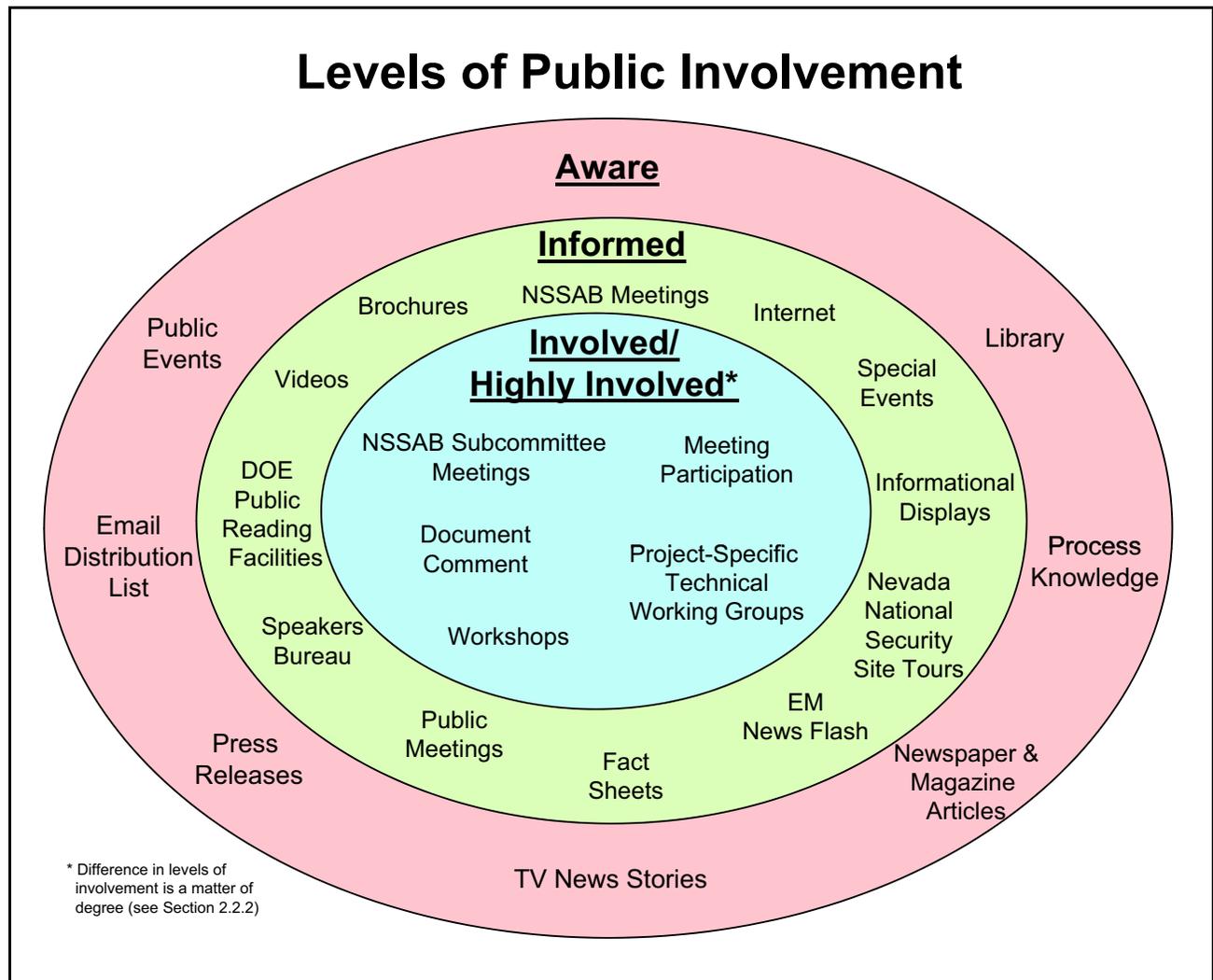
programs that would appeal to diverse audiences with different informational needs and interests. The creation of the Nevada Site Specific Advisory Board (NSSAB) (formerly known as the Community Advisory Board) and regular NSSAB meetings provided additional opportunities for public input.

2.2.2 Participation Levels

People have demonstrated varying levels of interest in NNSA/NFO activities. Some individuals have specific interests, and attend meetings or request materials only when the related topics address those interests. Others are satisfied to receive information through media coverage and NNSA/NFO news articles. Still, there are others who take a more active approach by joining an outreach effort and/or volunteering to serve on the NSSAB or on one of the board's committees.

This public interest and involvement has been categorized at four basic levels: aware, informed, involved, and highly involved (Figure 2-6). These levels are defined as follows:

- **Aware.** Television, print media, and/or the internet are usually the first places people turn to get current, issue-oriented information. This helps increase awareness of events and activities taking place at the NNSA. To facilitate this flow of information, NNSA/NFO personnel prepare news releases, schedule news conferences, conduct media interviews, use social media, and place advertisements in local newspapers.
- **Informed.** Those individuals who actively seek out information on a particular topic, subject, or program fall into the category of wanting to become informed. Information can be attained by attending a public meeting; requesting to be added to the EM email distribution list to receive notices of upcoming meetings or events, and the latest EM News Flash articles; reading topical fact sheets, publications, and brochures; browsing NNSA/NFO EM websites; requesting displays for special events; touring the NNSA; and requesting guest speakers for meetings, conferences, and educational functions.
- **Involved.** When attending meetings or reviewing written materials, a person may be inspired to dig deeper or find answers to questions; he/she has entered the involvement phase of public participation. The search for more specific answers might result in people voicing their opinions at public meetings, participating in workshops, or serving on committees such as those offered by the NSSAB. Involvement requires a personal commitment and the willingness to devote free time to participate in meetings and read background materials.
- **Highly Involved.** When a stakeholder or organization invests the time and effort to attend public meetings and review the result of research projects in order to contribute to the decision-making process, this person or group is highly involved. This level of involvement typically requires researching, reviewing, and formally commenting on public documents;



**Figure 2-6
Levels of Public Involvement**

requesting more information or a briefing from key managers; and participating in public meetings to stay current with an activity and its potential impact to the environment or public health and safety. People who are highly involved become conversant with the topic, time line, and “language” of the activity, and are likely to interact frequently with NNSA/NFO decision makers. The main avenue for interaction at this level is through membership on the NSSAB.

2.2.3 Opportunities To Become Aware and Informed

Those seeking general information regarding NNSA/NFO EM can use a variety of resources. Some public awareness opportunities are available on an ongoing basis, while others are developed in response to a specific activity or public demand. The activities are outlined below:

- Request to be added to the **NNSA/NFO Environmental Management Distribution List**. The NNSA/NFO EM Program maintains a comprehensive email list, and regularly disseminates meeting notices and information on EM activities. Names may be added or deleted to the list by contacting the NNSA/NFO EM Public Involvement Office at envmgt@nnsa.doe.gov or by calling (702) 295-3521.
- Browse local and national EM **websites** provided by DOE. Visit the local NNSA/NFO site at <http://www.nv.energy.gov/emprograms> or the national EM site at <http://www.em.doe.gov>. NNSA/NFO also maintains Facebook, Twitter, and Flickr pages at <https://www.facebook.com/NNSANevada>; <https://twitter.com/nnsanevada>; <http://www.flickr.com/photos/nnsanevadasiteoffice>; and <http://www.youtube.com/NNSANevada>, respectively.
- Read **fact sheets and other materials** that provide information about specific activities and overviews of general NNSA/NFO EM activities. Copies of these products are available online at <http://www.nv.energy.gov/library/.aspx>, at the Nuclear Testing Archive Public Reading Facility, at select Nevada public libraries, or by contacting NNSA/NFO EM Public Involvement at envmgt@nnsa.doe.gov or (702) 295-3521.
- Read periodic **EM News Flash** articles, which relay NNSA/NFO EM activities, programs, personnel changes, NSSAB recommendations, and other related information. The EM News Flash is available on the NNSA/NFO website at <http://www.nv.energy.gov/outreach/news>. A notice of new publications is distributed to those on the NNSA/NFO EM mailing list. (See [Attachment 2](#) for an EM information request form.)
- Read news releases that describe achievements, events, workshops, meetings, personnel changes, and other items of interest.
- Request a speaker from the **NNSA/NFO Speakers Bureau**. Community, academic, civic, and professional groups are encouraged to engage a speaker from NNSA/NFO staff and/or contractors to learn more about any of many environmental topics. To request a speaker, contact NNSA/NFO EM Public Involvement at envmgt@nnsa.doe.gov or (702) 295-3521.
- Attend **public outreach events** that feature NNSA/NFO EM exhibits and displays. The EM displays can also be requested for use at schools, libraries, conferences, and other special events. To request a speaker, contact NNSA/NFO EM Public Involvement at envmgt@nnsa.doe.gov or (702) 295-3521.

- Take part in an **NNSS tour**. Monthly public tours of the NNSS provide historical background and information about activities at the NNSS. Additional information about the tour, registration, and schedules can be found by visiting the NNSA/NFO website at <http://www.nv.energy.gov/outreach/tours.aspx> or by calling (702) 295-0944.

2.2.4 Opportunities To Become Involved

The following opportunities are available for those seeking to become involved in specific projects or activities:

- Visit and use the **Public Reading Facilities**, which contain complete information on EM Program activities. Reading facility locations are provided in [Section 4.3](#).
- Attend **public meetings** to learn more about current and potential activities at the NNSS. Public meetings take place on an as-needed basis and typically focus on specific topics such as new permit applications or changes to the existing EM Program.
- Attend **NSSAB meetings** that highlight specific projects and subjects. Such meetings may also provide interested citizens with updates of ongoing issues, such as budget activities. Visit <http://www.nv.energy.gov/nssab/Workplan.aspx> for meeting times and dates.
- Provide **public comment and review** of documents such as NEPA assessments and plans required by the FFACO. A list of FFACO Public Notices, and information on how to review documents and submit comments is available on the NNSA/NSO website at <http://www.nv.energy.gov/outreach/publicnotices.aspx>.
- Request one-on-one or small **informal meetings and briefings** by EM to receive timely and ongoing information about such topics as the budget process, cleanup activities, or waste shipments to the NNSS by contacting NNSA/NSO EM Public Involvement at envmgt@nnsa.doe.gov or (702) 295-3521.
- Become involved in **educational outreach programs** in which NNSA/NSO participates, such as Operation Clean Desert, by contacting NNSA/NSO EM Public Involvement at envmgt@nnsa.doe.gov or (702) 295-3521.

2.2.5 Opportunities To Become Highly Involved

The NNSA/NFO EM Program provides various opportunities for the public to become involved in the EM decision-making process and often seeks input from the public, where appropriate and feasible, to incorporate feedback. Such opportunities arise through participation in workshops, NNSA/NFO EM stakeholder groups (such as the NSSAB) and the development of topic-specific

stakeholder plans. Whenever possible, NNSA/NFO EM offers feedback to the public as to the manner in which its input has been used.

- ***Nevada Site Specific Advisory Board.*** In 1994, the Community Advisory Board for Nevada National Security Site Programs was officially approved by the U.S. Secretary of Energy. Now known as the NSSAB, the board operates under a national federal charter approved by the Office of Management and Budget, and the General Services Administration. As such, it falls under provisions of the *Federal Advisory Committee Act*.

The NSSAB, which is composed of 10 to 20 individuals, was established to enhance public involvement and input related to NNSA/NFO EM activities. Membership is open to all Nevada residents. All meetings are open to the public, and the public is strongly encouraged to attend. Liaisons to the NSSAB include representatives from DOE, State of Nevada, Nye County, Clark County, and the U.S. National Park Service. The NSSAB provides a convenient and accessible way for individuals or organizations to explore public participation opportunities at all involvement levels. Those wishing to become aware or informed may attend without actively participating in discussions or question and answer sessions. The NSSAB is electronically provided a monthly status update on EM activities and members are encouraged to ask questions/discuss the items listed. Copies of the monthly reports can be found at <http://www.nv.energy.gov/nssab/MonthlyReports.aspx>.

Those with a keen interest in specific activities or projects may take a more active role in meeting participation. To submit an application for membership on the NSSAB, please contact the NSSAB office at (702) 657-9088 or visit <http://www.nv.energy.gov/nssab/default.aspx>.

- ***Public Open Houses*** provide a forum for information gathering and dialogue with key decision makers and other groups and organizations. Open Houses that address specific issues, such as groundwater, provide mechanisms for the public to offer input regarding general programmatic decisions. Notification of such opportunities are made through news releases, advertisements, and the NNSA/NFO's electronic distribution list. To be added to the electronic mailing list, visit www.nv.energy.gov/govdelivery.aspx.
- ***Stakeholder Involvement Plans*** are produced when specific topics are identified and have been determined to have a greater public interest. These plans contain a description of the activity, key dates for project development, and specific opportunities for stakeholders to become highly involved in the issue.

2.3 Regulatory Drivers and Agreements

An essential part of the public involvement strategy is to inform the public about laws, regulations, and agreements affecting environmental management. Whether entered into voluntarily or required by law, agreements provide the basis for much of the work conducted by NNSA/NFO.

2.3.1 Federal Facility Agreement and Consent Order

The FFACO (1996, as amended) is the dominant regulatory driver for NNSA/NFO environmental restoration activities in Nevada. It sets the framework to prioritize specific restoration activities based on risk, agency regulations, and public input. A list of corrective action sites with activities currently in progress can be found in Appendix III of the FFACO. The FFACO also establishes a technical strategy for cleanup activities, maximizes the opportunity to complete multiple corrective actions, and provides for public involvement activities.

Under the FFACO, NNSA/NFO, DoD, and DOE/LM propose priorities and discuss them with State of Nevada representatives who make recommendations. After discussion, the State, NNSA/NFO, DoD, and DOE/LM develop a final prioritization of corrective action units for investigation and remedial action. Throughout the corrective action process, documents are written to detail activities needed to ensure the completion of the corrective action.

The NSSAB is the main conduit for those who are highly involved and want to participate in FFACO-related activities. Each fiscal year, the NSSAB and DOE jointly establish the board's work plan for the year. Items covered in the work plan typically are associated with FFACO activities and milestones. Tasks associated with the yearly work plan are discussed at each board meeting. To view the current year's work plan, visit <http://www.nv.energy.gov/nssab/Workplan.aspx>.

The public can learn about the availability of FFACO documents by visiting Public Reading Facilities (see [Section 4.3](#) for locations). A brief description of each document follows:

- ***Streamlined Approach for Environmental Restoration (SAFER) Plan*** provides a process for initiating and completing corrective actions at units where enough information exists to select the appropriate remedy before completing an investigation. The plan will incorporate the essential elements of the investigation plan, the decision document, and the action plan (described below).
- ***Corrective Action Investigation Plan (CAIP)*** provides or references all specific information for planning investigation activities associated with corrective action units or sites. This document must include or reference the management, technical, quality assurance, health and safety, public involvement, field sampling, and waste management information needed to conduct the investigation.

- **Corrective Action Unit Work Plan** is an optional planning document that provides information for a corrective action unit or collection of units where significant commonality exists. This plan may be developed to eliminate redundant corrective action unit documentation and may contain management, technical, quality assurance, health and safety, public involvement, field sampling, and waste management information. Common information will be referenced in appropriate Corrective Action Investigation Plans.
- **Corrective Action Decision Document (CADD)** provides a summary of the corrective action investigation; and describes the selected remedy and the rationale for its selection, documenting remedial alternatives ranging from no action to clean closure.
- **Corrective Action Plan (CAP)** is prepared when the CADD requires a corrective action. The CAP outlines the method for implementing the selected corrective action alternative and explains how the action will be completed.
- **Corrective Action Decision Document/Corrective Action Plan (CADD/CAP)** combines both the results of the corrective action investigation (normally presented in the CADD) and the remediation plan (normally presented in the CAP). The document is developed as a time-saving method when the compliance boundary is well defined, and the remediation alternatives are limited.
- **Corrective Action Decision Document/Closure Report (CADD/CR)** is developed when results from the corrective action investigation indicate that contaminant concentrations are below the level of regulatory concern. The document provides the rationale for no further corrective action, and may recommend closure with or without use restrictions or long-term monitoring.
- **Closure Report (CR)** verifies that the completed corrective action was conducted in accordance with the approved action plan and provides (to the State) all necessary support data to confirm the appropriate action took place.
- **Notice of Completion** is a State-issued document (usually in the form of a letter) signifying the completion of the corrective action in accordance with approved plans (not available at the Public Reading Facilities).

If DOE requests closure in place as the final remediation for a corrective action unit, it shall be publicly noticed and available for comment on the NNSA/NFO website at

<http://www.nv.energy.gov/outreach/publicnotices.aspx>.

2.3.2 Agreement in Principle/Joint Low-Level Waste Oversight Agreement

NNSA/NFO and the State of Nevada entered into an Agreement in Principle that is intended to assure Nevada residents that NNSA/NFO protects the public health and safety as well as the environment through existing programs and commitments. State of Nevada officials validate this effort through a program of independent monitoring and oversight of NNSA/NFO daily operational activities. An appendix to the Agreement in Principle is the *DOE/NV-State of Nevada Joint Low-Level Waste Oversight Agreement*, a cooperative oversight arrangement between NNSA/NFO and the State of Nevada that allows the State an increased role in monitoring the management of low-level and mixed low-level radioactive wastes generated and disposed at the NNSS. By entering into the agreement, NNSA/NFO and the State agree to share information concerning waste types and quantities in addition to any general information that allows the State to conduct detailed oversight of waste disposal operations.

2.3.3 Other Regulatory Drivers

Throughout EM processes, NNSA/NFO is bound by various federal and state laws. Three of these laws (RCRA, CERCLA, and NEPA) are highlighted below:

- The ***Resource Conservation and Recovery Act*** (RCRA) of 1976 is a comprehensive program for regulating and managing hazardous wastes, nonhazardous solid wastes, and underground storage tanks; and for promoting the use of recycled and recovered materials. This act sets a federal policy that limits land disposal of wastes in favor of other disposal methods, and encourages solid waste management practices that promote environmentally sound disposal methods, maximizes the reuse of recoverable resources, and fosters resource conservation. Federal agencies are required to comply with all applicable federal, state, and local RCRA regulations. NNSA/NFO obtained a RCRA permit to operate the Mixed Waste Disposal Unit at the Area 5 RWMS ([Figure 2-5](#)). The fully lined cell became operational in December 2010 and replaces the previous mixed low-level waste disposal cell, which closed on November 30, 2010.
- The ***Comprehensive Environmental Response, Compensation, and Liability Act*** (CERCLA), as amended by the Superfund Amendments and Reauthorization Act, provides for remediation of, and emergency response for, hazardous substances released into the environment and for remediation of hazardous waste sites that present a substantial danger to public health and welfare. Title III, or the *Emergency Planning and Community Right-to-Know Act* of 1986, was added to the *Superfund Amendments and Reauthorization Act* as a free-standing law to address “extremely hazardous substances,” and reporting of Occupational Safety and Health Administration-defined “hazardous chemicals.” The *Federal*

Compliance with Right-to-Know Laws and Pollution Prevention Requirements enacted in 1993 require all federal agencies to comply with certain planning and notification provisions of the *Emergency Planning and Community Right-to-Know Act*. CERCLA is one of the legal authorities that the FFACO is bound by.

- The ***National Environmental Policy Act*** (NEPA) was passed in 1969 and requires federal agencies to fully consider and document all environmental consequences before beginning new programs or constructing new facilities. This applies to any activity that affects the government and is funded or approved by a federal agency. The depth of analysis and level of documentation under NEPA are dependent upon the potential for significant environmental impacts resulting from a proposed action, and may range up to an environmental impact statement (EIS). An EIS presents a very detailed consideration of a proposed action or program and its potential impacts. For an EIS, NEPA requires a significant amount of public involvement, including public input during the scoping process and public hearings associated with the draft EIS.

Preparation of the *Environmental Impact Statement for the Nevada Test Site and Other Off-Site Locations in the State of Nevada* (NTS EIS), which examines alternatives for current and future missions at NNSA/NFO sites in Nevada, was initiated in August 1994. Approval of the final NTS EIS occurred in the fall of 1996. The Record of Decision for the NTS EIS was issued on December 9, 1996, and describes in detail the decisions reached for operation of NNSA/NFO sites and facilities in Nevada. A supplemental analysis of the NTS EIS was completed in July 2002 and found that current EM activities were consistent with the 1996 NTS EIS descriptions and analyses. In July 2009, NNSA/NFO announced its intent to prepare a Site-Wide EIS for the NNSS and other facilities under its purview. Using the existing EIS as a baseline, the newer Site-Wide EIS will cover NNSA/NFO activities conducted for a period of 10 years once the newer Record of Decision is published.

Generally, for proposed actions for which the severity of environmental impacts are unknown but thought to be insignificant, the agency may prepare an environmental assessment (EA), which is a less rigorous level of documentation than the EIS. The EA is a concise public document used to determine whether a proposed action would, in fact, have significant impacts. If the analyses in the EA demonstrate that potential impacts would be insignificant, the agency may prepare a “Findings of No Significant Impact” and proceed to implement the activity. If the EA identifies potentially significant environmental impacts, the agency must then prepare an EIS before implementing an action. Public review requirements for an EA are generally less stringent than for an EIS, and no public hearings are necessary. Final EAs and “Findings of No Significant Impact” are made available to the public and placed in the Public Reading Facilities.

Proposed actions that fit within certain predefined classes of action and meet other rigorous requirements may be considered categorically excluded from further consideration under NEPA. The classes of action that may be considered for a categorical exclusion include those that have no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal; are not connected to other actions

with potentially significant impacts; are not related to other proposed actions with cumulatively significant impacts; or are not precluded by other regulations. A categorical exclusion is defined as “a category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effect in procedures adopted by a Federal agency in implementation of these regulations.” If a proposed action meets all of the requirements, it may be considered categorically excluded, and no further analyses or documentation would be required for purposes of NEPA.

Under NEPA, information must be made available to state and federal agencies, potentially affected American Indian tribes, and the public before decisions are made. The NEPA process depends on public involvement, which impacts decision making more directly as people take a more hands-on interest in environmental issues.

For more detailed information regarding laws and regulations, contact the librarian at the Nuclear Testing Archive Public Reading Facility at (702) 295-1628. The Public Reading Facilities are currently located at the Southern Nevada Public Reading Facility, c/o Nuclear Testing Archive, 755 E. Flamingo Road, Las Vegas, Nevada, 89119 (telephone [702] 295-1628); and at the Northern Nevada Public Reading Facility, Nevada State Library and Archives, 100 N. Stewart Street, Carson City, Nevada, 89701-4285 (telephone [775] 684-3326). Website information may also be obtained through the reading facilities.

3.0 U.S. Department of Energy Legacy Management

3.1 Legacy Management Overview

Activities of DOE and its predecessor agencies, particularly during the Cold War, left a legacy of environmental impact at more than 100 sites throughout the country. The DOE has the responsibility to permanently and safely dispose of the radioactive waste and to protect human health and the environment.

The DOE created the Office of Legacy Management (LM) in December 2003 to effectively and efficiently manage the environmental and human legacy issues related to the U.S. Government's Cold War nuclear weapons program for current and future generations. The DOE/LM responsibilities include long-term surveillance and maintenance, records management, work force restructuring and benefits continuity, property management, land use planning, stakeholder relations, and community assistance. Sites may be transferred from DOE/EM in order for DOE/LM to perform these responsibilities.

3.2 Offsites

Nine nuclear test sites (collectively called Offsites) in five states were transferred from DOE/EM to DOE/LM in 2006 for long-term surveillance and maintenance (Figure 3-1). The two Offsites in the state of Nevada are the Central Nevada Test Area (CNTA) and the Shoal site (Figure 3-2). A formal Site Transition Plan was created to transition responsibility for the Offsites from EM to LM. The Site Transition Plan included all the information necessary to transfer the Offsites. The plan was then signed by the Assistant Secretary for EM and the LM Director.

The CNTA was developed as an alternative location to the NNSS for subsurface tests of high-yield nuclear explosive devices. The CNTA is located in the Hot Creek Valley of south-central Nevada, about 70 miles northeast of Tonopah. The site is at an elevation of 6,100 feet above sea level and consists of three parcels totaling 2,560 acres. The parcels are spaced about three miles apart from one another along a roughly north-south line. The CNTA is on lands administered by the Bureau of Land Management and the Forest Service, and is managed by DOE.



**Figure 3-1
Offsites Locations**

An underground nuclear test at the Shoal site was conducted in 1963 to evaluate granite as a test medium and to determine whether seismic waves generated by the explosion could be differentiated from seismic waves generated by naturally occurring earthquakes. No further tests were conducted at the Shoal site. The site occupies 2,560 acres in the northern part of the Sand Springs Mountain Range in southern Churchill County of western Nevada. The nearest town is Fallon, located 30 miles northwest of the site. The Shoal site is on land administered by the Bureau of Land Management. A land withdrawal allows DOE and DoD to manage the site.

3.3 Public Involvement Strategy

The DOE continues its public involvement efforts as the focus of the cleanup mission turns to long-term operation, monitoring, and maintenance of the Offsites. The cleanup at DOE sites and the plans for long-term management of the sites have benefited and are expected to continue to benefit from public involvement dialogue among state and federal regulators, stakeholder organizations, elected officials, and members of the general public.

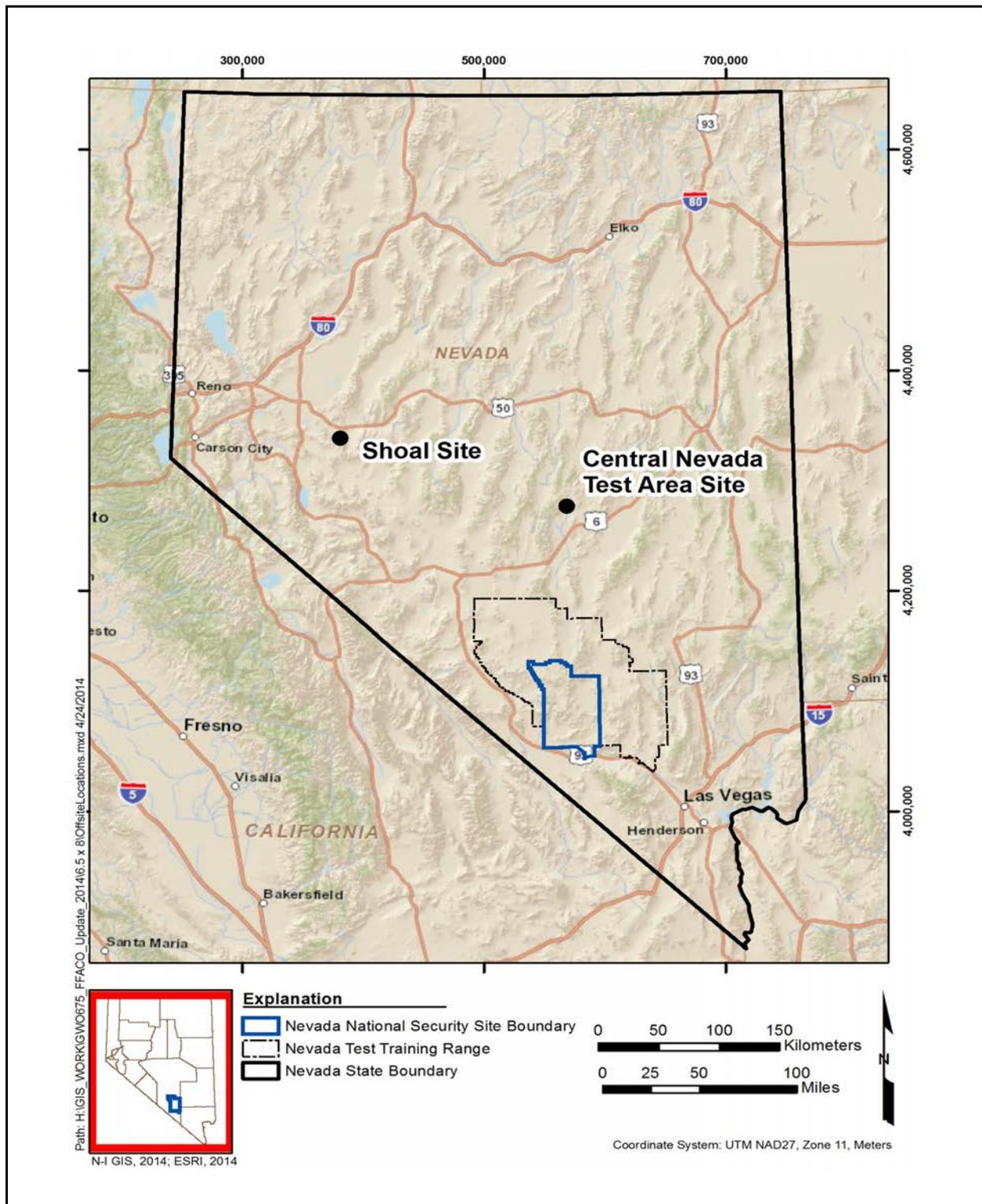


Figure 3-2
Shoal and CNTA Locations

The following resources are available to those seeking information about LM:

- The LM website, at <http://energy.gov/lm/office-legacy-management/>, contains general information about the LM organization, policies, guidance, reports, and programs.
- The LM Program Update is a quarterly publication that reports news about LM's activities. It is available on the LM website at <http://energy.gov/lm/news/program-updates>. Individuals can also be added to the LM mailing list to receive the LM Program Update. To add a name to the LM Program Update mailing list, email LM@hq.doe.gov, or fax a request to (202) 586-1540.
- Specific information about the CNTA and Shoal sites is available at <http://www.lm.doe.gov/land/sites/nv/central/central.htm> and <http://www.lm.doe.gov/land/sites/nv/shoal/shoal.htm>. Information on these websites includes site records, fact sheets, and a link to the Geospatial Environmental Mapping System for each site.
- Fact sheets and information about the CNTA and Shoal sites are available by contacting Public Affairs at (970) 248-6363 or (970) 248-6000, or by sending an email request to miller@lm.doe.gov.
- To request LM documents, fill out the electronic document request form at <http://www.lm.doe.gov/LMForms.aspx?ekfrm=1922>.

4.0 Defense Threat Reduction Agency

4.1 DTRA Overview

DTRA is a DoD organization with a mission of safeguarding the United States and its allies from weapons of mass destruction (chemical, biological, radiological, nuclear, and high-yield explosives) by providing capabilities to reduce, eliminate, and counter the threat, and mitigate its effects. As a tenant on the NNSS, DTRA and its predecessor agencies (the Defense Nuclear Agency and the Defense Special Weapons Agency) conducted nuclear weapons-effects testing from 1962 to 1992. DoD was a sponsor on 50 nuclear tests conducted in six different tunnels on the NNSS.

4.2 DTRA Environmental Restoration

The DTRA Environmental Restoration Program addresses contamination from the historical DTRA nuclear weapons effects testing at the NNSS. The contamination resulted from nuclear testing and related support operations. Contaminants include radioactive materials, unexploded ordnance, gasoline, oils, solvents, and heavy metals such as lead. Major environmental restoration activities include the following:

- ***Muckpiles*** were constructed at the portal of each tunnel. Muckpiles may contain
 - mining waste rock
 - construction debris
 - low-level radioactive waste (generated during reentry)
 - hazardous waste (primarily lead) or
 - hydrocarbons.
- ***Containment ponds***, at four of the tunnels, controlled tunnel effluent generated during mining, construction, and reentry.

4.3 Public Involvement Strategy

The following resources are available to those seeking information about DTRA Environmental Restoration activities:

- Read and listen to **news releases and public service announcements** that describe DTRA programs, current environmental restoration activities, and other items of interest.

- Take part in an **NNSS tour**. Monthly public tours of the NNSS provide historical background and information about activities at the NNSS. Additional information about the tour, registration, and schedules can be found by visiting the NNSA/NFO website at <http://www.nv.energy.gov/outreach/tours.aspx> or by calling (702) 295-0944.
- Visit and use the **Public Reading Facilities**. The facilities contain complete information on DTRA Environmental Restoration activities. The reading facility locations are as follows:
 - Southern Nevada Public Reading Facility: Nuclear Testing Archive,
755 E. Flamingo Road, Las Vegas, Nevada
 - Northern Nevada Public Reading Facility: Nevada State Library and Archives,
100 N. Stewart Street, Carson City, Nevada
- Provide public comment and review of DoD/DTRA documents required by the FFACO. A list of FFACO Public Notices, and information on how to review documents and submit comments is available on the NNSA/NFO website at <http://www.nv.doe.gov/emprograms/environment/restoration/ffaco.htm>.

5.0 Conclusion

This Public Involvement Plan details the various mechanisms that interested individuals, organizations, and stakeholders can use to gain knowledge about FFACO activities conducted by NNSA/NFO. Furthermore, the plan offers communication techniques in order to appeal to people with varying levels of interest. The overall goal of the plan is to reflect the FFACO parties' commitment to involve the public as activities are developed and decisions are made.

The plan represents a culmination of comments and suggestions that were offered by the public, and attempts to satisfy those that are most relevant. For the most part, the public is asking for clear, understandable summaries of technical data as well as general background information. Responding to this request, the plan not only offers clear, concise descriptions of activities, but also details public involvement opportunities and communication channels that can enhance the learning process for the layperson. As FFACO parties strive to accommodate the perspectives of both technical and non-technical audiences, further efforts are being made to include easy-to-read summaries in all documents. In keeping with public requests, the plan also makes available crucial background data, such as historical and regulatory information, to help the audience relate to the "big picture," or overall objectives.

Public participation, which often provides FFACO parties with the insight needed to develop activities and prioritize work, is important at every level of the decision-making process. This plan describes a number of opportunities for the public to become part of that process. The FFACO parties update the plan as activities change and as the public identifies ways to make NNSA/NFO activities more effective. Please take the time to share your comments so the plan can continue to reflect your needs.

6.0 **Contacts**

For more information on any of these topics, please contact the following:

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Attachment 1: Overview of the Nevada National Security Site

History of the Nevada National Security Site

For more than 60 years, the primary mission of the Nevada National Security Site (NNSS) was to conduct field testing using both nuclear and conventional explosives. The NNSS was established in 1950 when President Harry Truman authorized the designation of a continental atomic testing area. In addition to weapons tests, areas at the NNSS have been used for various secondary missions, including neutron and gamma-ray interaction studies; open-air nuclear reactor, nuclear engine, and nuclear furnace tests; hazardous materials spill response testing; and experiments conducted by the U.S. Department of Defense involving radioactive and nonradioactive materials. In the 1950s, atmospheric tests were carried out until the Limited Test Ban Treaty went into effect in 1963, ending testing activities in the atmosphere, oceans, and space. After June 1963, all nuclear tests in the United States were conducted underground, most of them at the NNSS. Following a presidential mandate, nuclear weapons testing was suspended in October 1992, with a stipulation that a readiness posture must be maintained.

To date, there have been 1,054 nuclear tests conducted by the United States, 928 of which were performed at the NNSS. These operations generated residual radioactive and hazardous waste that contaminated the surface and subsurface environment. The U.S. Department of Energy (DOE) established the Environmental Management Program to address the issue of remediating and disposing of accumulated waste and contamination.

The primary mission of the DOE, National Nuclear Security Administration Nevada Field Office (NNSA/NFO) has shifted from nuclear testing to stockpile stewardship. Activities at the NNSS also reflect NNSA/NFO's changing mission. Work conducted at the NNSS now focuses on subcritical and other weapons physics experiments, emergency management and test readiness activities, environmental restoration, low-level radioactive waste management, and work for national security organizations and experimental programs. In an effort to further diversify opportunities at the NNSS, NNSA/NFO developed partnerships with private industry; national laboratories; and other federal, state, and local entities to explore new technologies.

The Environment at the NNSS

The NNSS is located approximately 65 miles northwest of Las Vegas. Located on the southern edge of the Great Basin, the NNSS is home to a diverse and complex mosaic of plant and animal communities representative of both the Mojave and Great Basin Deserts and the transition zone between the deserts. Some 700 species of plants have been found across the NNSS. Although extensive surveys over most of the NNSS have been conducted, no plants have been identified as threatened or endangered.

Nearly 2,000 types of insects, birds, mammals, and reptiles inhabit the NNSS. Wild horses range over areas of the NNSS. One bald eagle and one peregrine falcon, listed as endangered by the State of Nevada, have been seen on the NNSS. The only animal species found on the NNSS that are listed as threatened by the State of Nevada are the spotted bat and the desert tortoise. The desert tortoise is also listed as threatened by the U.S. Fish and Wildlife Service. About 8 percent of the NNSS has been disturbed by testing and other support activities. The remaining 92 percent supports typical, regional plant and animal life.

The Nevada Test and Training Range provides a buffer zone on the east, north, and west borders of the NNSS; and the Bureau of Land Management oversees the land bordering the southern and southwestern boundaries of the NNSS. This unpopulated area covers some 5,470 square miles, making it one of the largest contiguous unpopulated land areas in the United States.

Attachment 2: Environmental Management Information Request Form

If you are not currently on the Environmental Management electronic mailing list and would like to receive the *EM News Flash*, please provide the following information:

Name: _____

Company Name: _____

Street/Box/Apt. No.: _____

City: _____ **State:** _____

Zip: _____

Email: _____

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