

# Federal Facility Agreement and Consent Order

safe ♦ secure ♦ successful



## Background

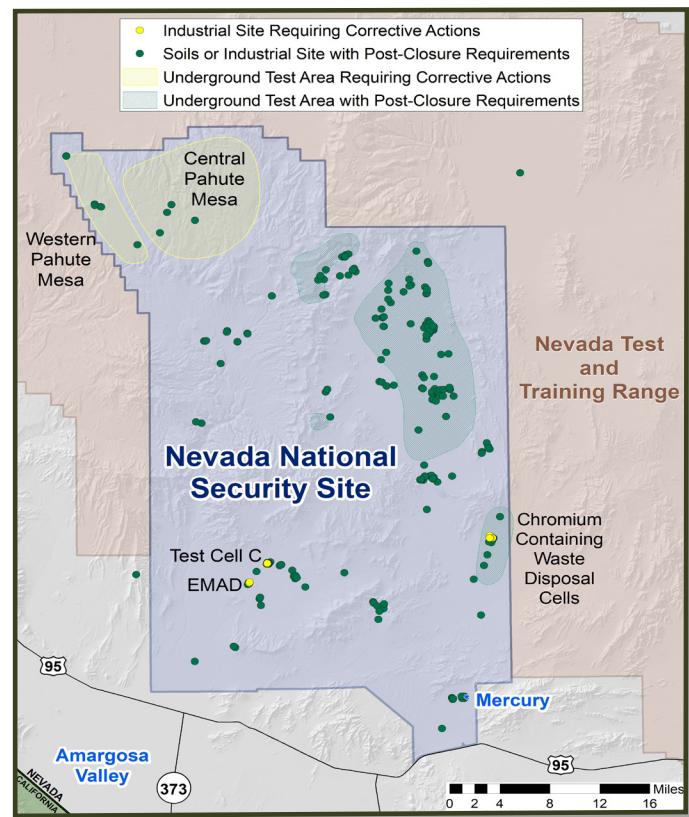
The Nevada National Security Site (NNSS) and Nevada Test and Training Range (NTTR), including the Tonopah Test Range (TTR), played important roles in the advancement of the nation's nuclear testing program. From 1951 through 1992, the sites were used by the U.S. Department of Energy (DOE) and its predecessor agency, the Atomic Energy Commission, and the U.S. Department of Defense (DoD) to conduct atmospheric and underground nuclear weapons tests and chemical explosion tests of plutonium-bearing materials. In addition, safety experiments and storage-transportation tests were conducted to evaluate the safety of nuclear weapons in accident scenarios. Today, the DOE Environmental Management (EM) Nevada Program is addressing the remaining contaminated sites and conducting any required monitoring of closed sites under its purview.

**What is being done to address these areas? How are sites prioritized? How are corrective actions enforced?** These questions are addressed in the [Federal Facility Agreement and Consent Order](#) (FFACO).

The FFACO outlines a schedule of commitments to address sites contaminated by historic nuclear testing activities conducted by DOE and DoD in Nevada. This agreement between the State of Nevada, DOE, and DoD ensures the entities work together to authorize cost-effective corrective actions in the state. It also establishes a framework for identifying, prioritizing, investigating, remediating, and monitoring contaminated sites. The EM Nevada Program is committed to responsibly remediating and managing these sites through investigations, corrective actions, and post-closure monitoring that is protective of public health and the environment.

## What does the FFACO Do?

- Formalizes relationships among the State of Nevada Division of Environmental Protection (NDEP); DOE (Headquarters, EM, NNSA, and the Office of Legacy Management); and DoD
- Identifies sites of potential historic contamination and prioritizes them for safe, secure, and successful remediation
- Defines the regulations the State of Nevada will use to direct and enforce corrective action activities
- Establishes a corrective action strategy for addressing contaminated sites
- Provides for public involvement



FFACO Locations where EM Nevada Program Activities are Ongoing

## Fast Facts

- **Corrective Action Site:** A site that has been identified as potentially needing remediation.
- **Corrective Action Unit:** A grouping of Corrective Action Sites that are similar in remediation technique, type of contaminants, proximity to each other, geology, or other important factors.
- **Remediate:** Corrective actions taken to clean, remove, and/or isolate materials contaminated by historic nuclear testing and related experiments and other activities. Examples include excavation and removal, demolition, dismantlement, entombment, fencing and posting, or a combination of these techniques.
- **DOE Office of Legacy Management:** Responsible for the long-term stewardship of 110 Corrective Action Sites within the state of Nevada (located outside the NNSS boundary) that were closed with NDEP approval.

# Federal Facility Agreement and Consent Order

The FFACO is a legally binding document that also satisfies the corrective action requirements of the Resource Conservation and Recovery Act (RCRA), a federal law that must be followed for managing hazardous materials from generation to disposal.

## The Corrective Action Strategy

The Agreement's Appendix VI, Corrective Action Strategy, outlines the approach for identifying, prioritizing, investigating, and remediating Corrective Action Sites. A corrective action ranges from no action to clean closure (the removal of all contamination from a site). Corrective Action Units are prioritized based on potential risk to workers and the public, available technology, future land use, agency and stakeholder concerns, and other criteria.

Following completion of corrective actions, NDEP approval is required to achieve closure of a Corrective Action Unit. For some Corrective Action Units, NDEP approval requires post-closure monitoring activities.

Corrective Action Units are organized as follows:

- Underground Test Area (UGTA) Sites are associated with underground nuclear detonations that have resulted, or might result, in impacts to the groundwater.
- Industrial Sites were used to support nuclear testing activities, either directly or indirectly. Industrial Sites may or may not have radioactive contamination.
- Soils Sites are those where atmospheric (above ground) nuclear and near-surface tests have resulted in surface and/or shallow subsurface contamination.

## Public Participation

Making sure the public receives information on environmental restoration activities is very important. The Agreement can be viewed [online](#). The Agreement and all appendices can also be viewed at public reading facilities located in Las Vegas and Carson City, Nevada:

- Nuclear Testing Archives - 755 East Flamingo Road, Las Vegas, Nevada 89119
- Nevada State Library & Archives - 100 North Stewart Street, Carson City, Nevada 89701



Bailer Sampling of Groundwater in Central Pahute Mesa

Several documents are associated with the corrective action process, including investigation plans, work plans, decision documents, corrective action plans, and closure reports. These documents are submitted to NDEP for review and approval, and, as appropriate, a public notice is posted to the Nevada Field Office [website](#). After addressing any NDEP comments on the documents, the final NDEP-approved documents are submitted to public reading facilities.

Other public involvement opportunities include attending [Nevada Site Specific Advisory Board](#) meetings, subscribing to NNSS [news](#), and requesting a speaker for presentations to community organizations. Use the contact information below to obtain additional information.