

# Federal Facility Agreement and Consent Order

safety ❖ performance ❖ cleanup ❖ closure



From 1951 to 1992, the Nevada Test Site was the location of hundreds of nuclear tests and related support operations. These activities resulted in some contamination at the site, located 65 miles northwest of Las Vegas. The Nevada Environmental Restoration Project was established in 1989 by the U.S. Department of Energy (DOE) to address contamination from weapons research at the Nevada Test Site, portions of the Nevada Test and Training Range, the Project Shoal Area, as well as the Central Nevada Test Area. The project's goal is to protect public health and the environment through investigations and corrective actions.

What is being done about cleaning up these areas? How are contaminated sites prioritized? How are different kinds of contamination categorized? How are these corrective actions overseen and enforced? These questions have been addressed by the Federal Facility Agreement and Consent Order (FFACO).

The Agreement outlines a schedule of cleanup and monitoring commitments for sites contaminated by historic nuclear testing activities conducted by DOE and the U.S. Department of Defense (DoD) in Nevada. The Agreement ensures these government 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.



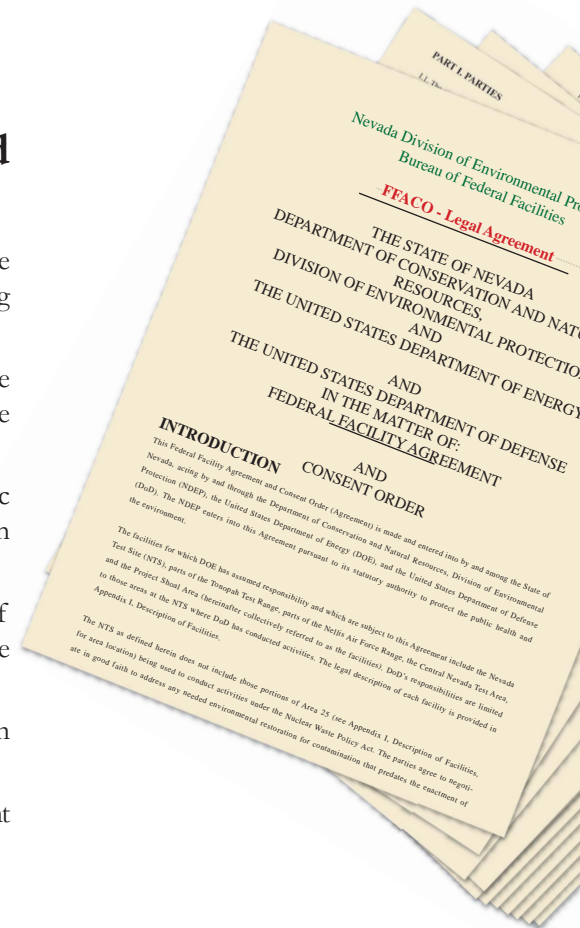
*Nevada Test Site Community Advisory Board members tour an Underground Test Area well drilling site in Area 16 of the Nevada Test Site.*

## What does the Federal Facility Agreement and Consent Order Do?

The Agreement outlines a schedule of cleanup and monitoring commitments as follows:

- Formalizes relationships among the State of Nevada, DOE, and the DoD;
- Identifies sites of potential historic 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; and
- Provides public involvement opportunities.

The FFACO, with its six appendices, is a legally binding document. The appendices describe the Nevada facilities; identify the contaminated sites; list and prioritize milestones, due dates, and deadlines; outline a corrective action strategy; and detail the public involvement process. The Agreement also satisfies the corrective action requirements of the Resource Conservation and Recovery Act (RCRA), superseding previous requirements of a RCRA permit issued in May 1995.



## Definitions

**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, or other important factors.

**Community Advisory Board for Nevada Test Site Programs:** A group of volunteers who represent Nevada stakeholders by reviewing and commenting on environmental management activities at the Nevada Test Site.



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## The Corrective Action Strategy

One of the Agreement's appendices, the Corrective Action Strategy, outlines the approach for identifying, prioritizing, investigating, and remediating sites. A corrective action ranges from no action to clean closure (the removal of all contamination from a site). Corrective action sites are grouped into units having common contaminants, geology, location, or other factors. These groups, called 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. The Corrective Action Units are divided into four sub-projects:

- Underground Test Area consists of those sites where underground nuclear detonations 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 (aboveground) nuclear and near-surface tests have resulted in surface and/or shallow subsurface contamination.
- Offsites are located outside the Nevada Test Site boundaries, but within the state of Nevada, and include the Project Shoal Area and the Central Nevada Test Area. *It is important to note* that Offsites are currently managed by the DOE Office of Legacy Management.

Under the Agreement, the DOE and DoD propose and discuss priorities with the State, which then makes recommendations. The recommendations will be presented for review by the public and the Community Advisory Board for Nevada Test Site Programs. Following the public's input, the State, DOE, and DoD develop a final prioritization of units for investigation and corrective action.

**For more information, please contact:**

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[www.nv.doe.gov](http://www.nv.doe.gov)

## Public Participation

Making sure the public receives timely and useful information on environmental restoration activities is a very important part of the FFACO. For that reason, public reading facilities have been established in Las Vegas and Carson City, Nevada:

Nuclear Testing Archives  
755 East Flamingo Road, Las Vegas

Nevada State Library & Archives  
100 North Stewart Street, Carson City

Both facilities contain information related to the activities covered by the Agreement, including the Agreement itself and all appendices. Additionally, the Agreement can be viewed on the State's web site: [www.ndep.nv.gov/boff/ffco.htm](http://www.ndep.nv.gov/boff/ffco.htm). A number of documents are associated with the corrective action process, including investigation plans, work plans, decision documents, corrective action plans, and closure reports. The supporting documentation for each site or corrective action unit is submitted to the State for approval, and a public notice is posted to the Nevada Site Office web site: [www.nv.doe.gov/ffaco.htm](http://www.nv.doe.gov/ffaco.htm). Upon receiving approval from the State, the final documents are submitted to the public reading facilities.

There are other public involvement activities associated with the DOE Environmental Management Program. Interested stakeholders can receive updates on proposed and current activities by signing up for the Environmental Management electronic mailing list at [envmgt@nv.doe.gov](mailto:envmgt@nv.doe.gov). Community Advisory Board meetings provide opportunities for the public to play an active role in the decision-making process, and speakers can be requested for presentations to community organizations.



*Contaminated soil in Area 6 of the Nevada Test Site is remediated in accordance with the Federal Facility Agreement and Consent Order.*

For information on all Nevada Site Office Environmental Management activities visit:  
[www.nv.doe.gov/envmgt](http://www.nv.doe.gov/envmgt)

