

Status of Permitting

- Permitting process overview
- General permitting needs
- Permits for exploratory studies facility
- Recommendations
- Status of legislation
- Additional detailed permitting status

Permitting Process Overview

- Scope of work developed from Site and Engineering
- Compile information for permit application from Site and Engineering detailed criteria
- Examples of required information
 - purpose
 - location
 - design
 - acreage

- schedule
- water requirements
- tracers (MSDS sheets)
- Consult/negotiate with regulatory agency in person
- Prepare and submit permit application based on input

Permitting Process Overview

(Continued)

- Agency reviews application and provides comments
- Applicant responds to comments
- Agency determines application complete
- Agency issues permit for public comment, if applicable

Permitting Process Overview

(Continued)

- Agency may or may not hold public hearing
- Agency makes final decision
- Permit specifies conditions for compliance
 - Time limit for permit
 - Time limit for starting activity
 - Operational limits
 - Monitoring conditions
 - Reporting conditions
 - Agency compliance inspection

General Permitting Needs

Activities that require the following can proceed

- Land disturbance
- Water
- Gravel (Drillhole Wash)
- C-Well Tracers
- Flood Plain Assessment Site Received 7/91
- LM300 Drill Rig
- Example activities include:
 - Geophysical Surveys
 - Trenches
 - Test Pits
 - Neutron Boreholes (shallow)

Received 6/91 Received 3/92 Received 10/89 Received 7/91 Received 7/91 Received 11/91

- Road/pad construction
- Pavement studies
- C-Well hydrological tests

General Permitting Needs

(Continued)

• Drilling into water table requires

- Water permit waiver
- UIC permit for tracer
- Discharge approval
 - UZ-16 SRG-5 UZ-14 SD-1 USW-G5

- (1 month)
- (4 months)
- (if appropriate)

- Drilling not into water table requires
 - UIC permit for tracer (gaseous) (4 months) Neutron boreholes NRG 1,3,4,5 SRG 1,2,3,4

Permits for Exploratory Studies Facility

Criteria has not yet been provided* to environmental compliance staff to allow for preparation of applications for ESF permits. The following has been prepared based on input from design staff.

ACTIVITY	PERMIT	DATE <u>NEEDED</u>	FILE <u>DATE</u>	STATUS
Earth Works (All Activities)	Air Quality - Disturbance	11/92	1/88	Received 6/91
() / (0.000000)	Water Appropriation		7/88	Received 3/92
	Free Use Permit - Gravel			
	Drillhole Wash Pit		7/89	Received 10/90
	40 Mile Wash Pit		1/92	Expected 4/92
	Proposed Pit		6/92	Expected 9/92
	Floodplain Assessment		5/92	Expected 9/92
ESF-Related Drillholes (NRG, SRG)	UIC Permit - Tracers	4/92	12/91	Expected 4/92
Stormwater Discharge	NPDES Permit	11/92	4/92	Expected 10/92

*Exception is free-use permit for gravel

Permits for Exploratory Studies Facility

(Continued)

ACTIVITY	PERMIT	DATE <u>NEEDED</u>	FILE <u>DATE</u>	STATUS
Gravel Screen Gravel Plant Concrete Plant Portal Vents	Air Quality - Point Source	5/92 7/93 7/93 4/95	3/92 12/92 12/92 9/94	Expected 5/92 Expected 6/93 Expected 6/93 Expected 3/95
Class III Landfill	Landfill Permit	3/93	8/92	Expected 12/92
Drinking Water	Drinking Water System	2/24	2/93	Expected 8/93
Sewage Treatment	Sewage System Permit	2/94	3/93	Expected 10/93
Effluent Discharge	NPDES Permit	4/95	2/93	Expected 3/95
Effluent Ponds	Nevada Pond Construction Permit	4/95	2/93	Expected 3/95

Pursuing These Recommendations will Help to Assure Site Characterization Proceeds without Delays from the State Permitting Process

- (1) Schedule for site activities needs to stabilize
- (2) Detailed criteria for well design, construction, location, tracer use, zones of injection, discharge amount if any, need to be provided to environmental staff well in advance
- (3) A suite of site characterization activities that require no additional permits should always exist should time frames change i.e., contingency plans

DOE Successful with Litigation to Conduct Scientific Studies

- State lawsuit filed against DOE in January 1990 is <u>Closed</u>
 - U.S. Supreme Court upheld lower court unanimous ruling
- DOE filed lawsuit against State of Nevada in January 1990 to obtain permits
 - Case dismissed at DOE request
- In the last year, the State issued three major permits

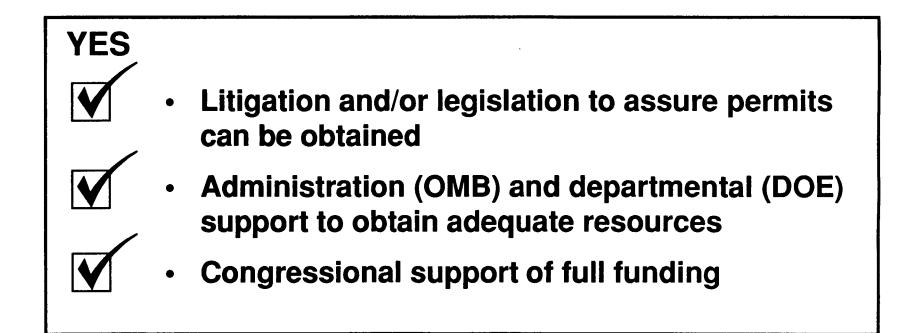
DOE has Obtained Permits to Start Major New Scientific Studies

- Air Quality June 1991
- Underground Injection Control (UIC) July 1991
 - For C Well Complex
- Water Appropriations Permit received March 2, 1992 for Well J-13
- Other incidental permits received
 - Permit for LM-300 diesel engines
 - Permit waiver for drill holes JF3 and UZ16
- Additional permits and permit modifications will be requested as appropriate

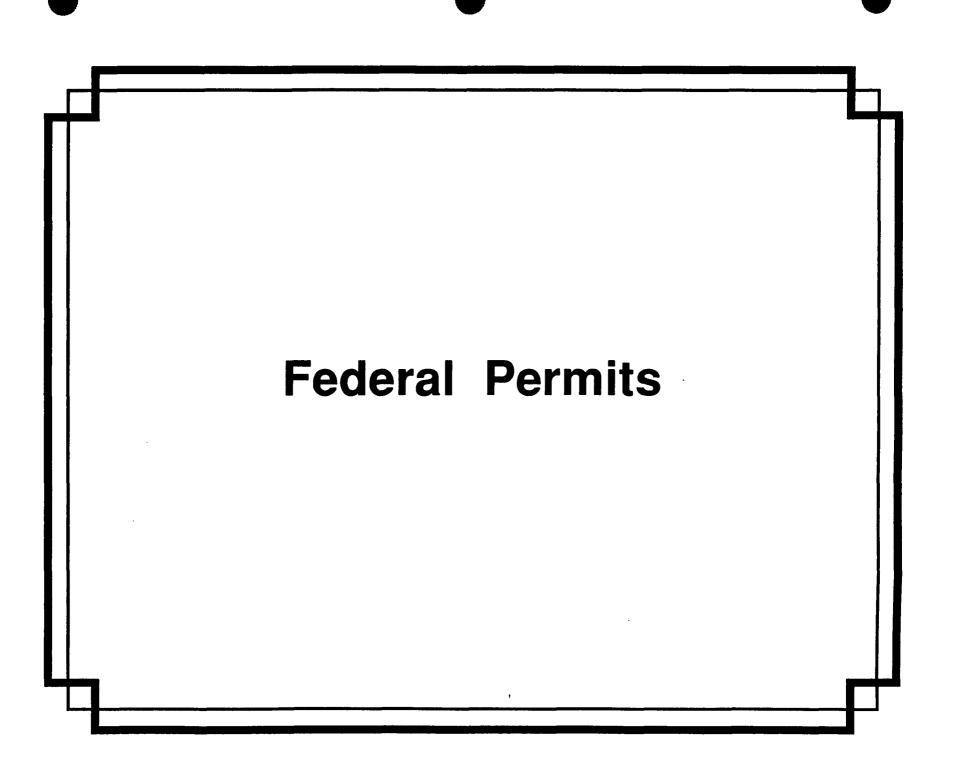
Congressional Legislation May Be Needed to Ensure Studies Continue Uninterrupted

- Included in the President's proposed National Energy Strategy
- House and Senate Committees passed legislation
- House and Senate Leadership to determine next steps

To Demonstrate Federal Resolve DOE Needs Assistance



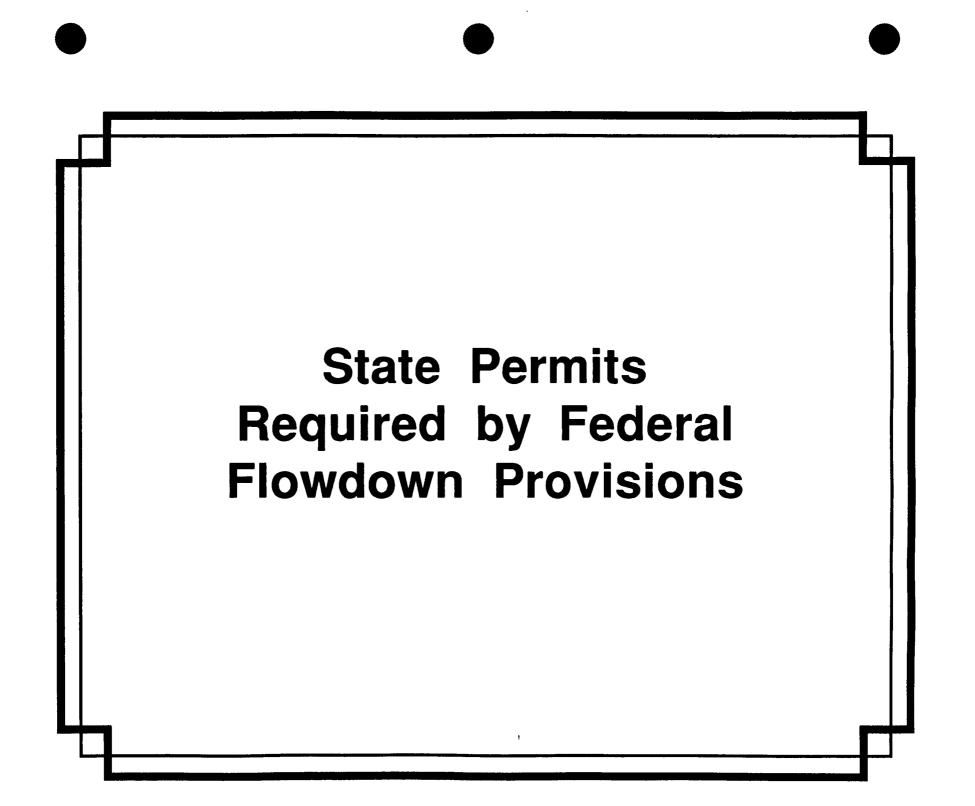
Without all three of the above, the repository program will become stalled and the nuclear power option will become less viable as part of the National Energy Strategy.



PERMITTING APPLICABLE FOR SITE CHARACTERIZATION ACTIVITIES (FEDERAL)

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REGULATION	PERMIT	AGENCY	APPLICABILITY	FILED	EXPECTED (E) /ACTUAL	STATUS
FEDERAL LAND POLICY 6 MANAGEMENT PLAN	FREE USE PERMIT	BIM	NEEDED FOR EXCAVATION OF SAND AND GRAVEL FROM PUBLIC LANDS. Includes NTS Land. Additional Gravel Needed For Construction of Roads, Drill Pads, ESF Pads.			
			- DRILLHOLE WASH PIT	7/15/89	10/26/90	- PERMIT RECEIVED (THIS PIT IS AN Alternative to the 40 mile Wash Pit.)
			- 40 MILE WASH PIT	1/20/92	4/15/92(E)	- BLM REVIEWING 40 MILE WASH APPLICATION
			- PROPOSED PIT		9/30/92(E)	- NEW PIT LOCATION TO BE DETERMINED.
	RIGHT-OF-WAY RESERVATION	BLM/USAF	NEEDED FOR ACCESS TO PUBLIC AND AIR FORCE LAND	11/23/87 10/23/87	1/10/89 7/11/89	- RECEIVED BLM ROWR - RECEIVED AIR FORCE ROWR
ENDANGERED SPECIES ACT	ENDANGERED SPECIES ACT COMPLIANCE	USFWS	NEEDED IF ENDANGERED SPECIES POTENTIALLY AFFECTED (TORTOISE)	10/10/89	2/9/90	- BIOLOGICAL OPINION RECEIVED
			EACH ACTIVITY LOCATION MUST BE Surveyed prior to disturbance		7/2/91	- EG&G ANIMAL HANDLING Permit received
EXECUTIVE ORDER 11988 {10 CFR 1022}	FLOODPLAIN ASSESSMENT AND FEDERAL REGISTER NOTICE	DOE/EH	NEEDED BEFORE CONSTRUCTION IN A FLOODPLAIN (100 YR) EH-1 REVIEWS/APPROVES ASSESSMENT. MUST BE PUBLISHED IN FEDERAL		10/1/91	- SBT ASSESSMENT AND Statement of findings Issued
			REGISTER	5/15/92	9/30/92 (E)	- ESF ASSESSMENT BEING WRITTEN. NO PROBLEMS EXPECTED SINCE MOST CONSTRUCTION IS NOT IN FLOODPLAIN
CLEAN WATER ACT	NATIONWIDE GENERAL PERMIT (Section 404)	COE	NEEDED BEFORE CONSTRUCTING IN A WATER COURSE	4/28/89	7/17/90	- PERMIT RECEIVED
NATIONAL HISTORIC PRESERVATION ACT ARCHAEOLOGICAL RESOURCES PROTECTION ACT AMERICAN INDIAN RELIGIOUS FREEDOM ACT	PROGRAMMATIC AGREEMENT	ACHP	CULTURAL PROPERTIES MUST BE PROTECTED. EACH ACTIVITY Location Must be Surveyed Prior to Disturbance	12/1/86	12/22/88	- PA COMPLETED
FARMLAND PROTECTION ACT	PRIME FARMLAND CONSULTATION	SCS	NEEDED TO ENSURE NO IMPACT TO PRIME FARMLAND	2/11/88	3/1/88	- CONSULTATION COMPLETED

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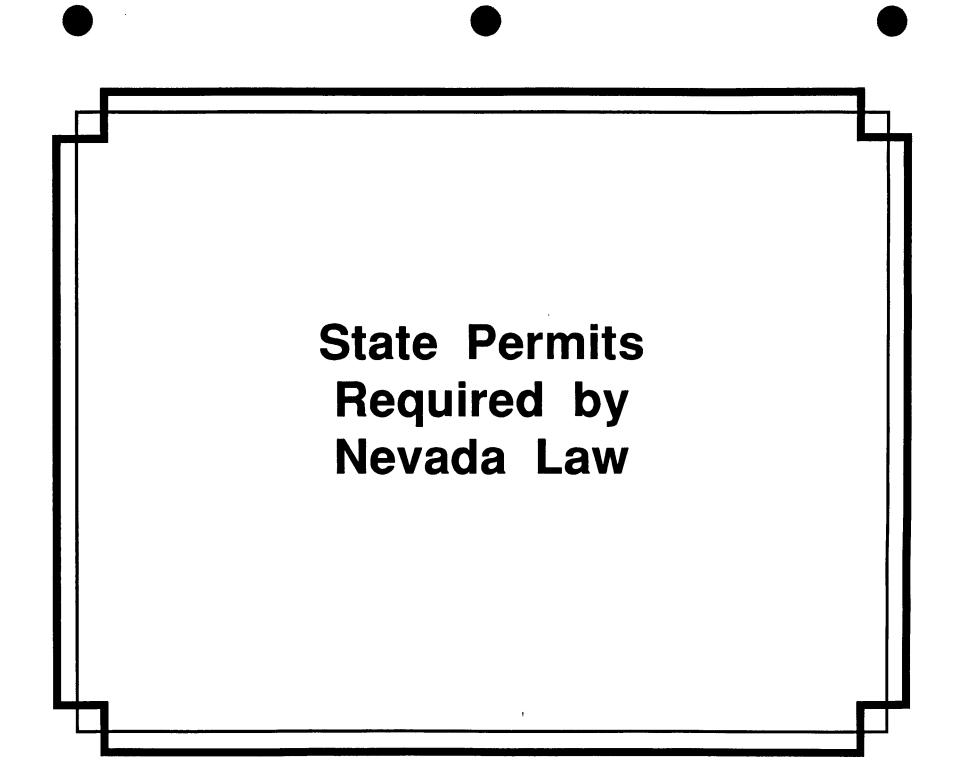
PERMITTING APPLICABLE FOR SITE CHARACTERIZATION ACTIVITIES (FEDERAL FLOWDOWN)

				-		-
REGULATION	PERMIT	AGENCY	APPLICABILITY	FILED	EXPECTED (E) / ACTUAL	STATUS
CLEAN AIR ACT	AIR QUALITY Land disturbance	NDEP	REQUIRED FOR DISTURBANCE >20 ACRES	1/20/88	6/12/91	- PERMIT RECEIVED
	AIR QUALITY REGISTRATION CERTIFICATE(S) AND OPERATING	NDEP G	NEEDED FOR EACH POINT SOURCE OF EMISSIONS.			
	PERMIT		- LM 300 DRILLRIG	8/27/91	11/4/91	- LM 300 RECEIVED**
			- GRAVEL SCREEN	3/9/92	5/15/92(E)	- NDEP REVIEWING APPLICATION
			- BATCH PLANT	12/30/92	6/30/93(E)	 AWAITING DESIGN SCHEDULED 11/92
			- PORTAL VENTS	9/30/94	3/30/95 (E)	- AWAITING DESIGN SCHEDULED 8/94
			- GRAVEL SCREENING PLANT	12/30/92	6/30/93(E)	- AWAITING DESIGN SCHEDULED 11/92
SAFE DRINKING WATEF. ACT	UNDERGROUND INJECTION CONTROL PERMIT	NDEP	NEEDED BEFORE INJECTING TRACERS IN DRILLHOLES, ESF AND INFILTRATION STUDIES			
			- C-WELL COMPLEX	4/6/89	7/17/91	- PERMIT RECEIVED FOR C-WELLS
			- DRILLHOLES	12/30/91	4/15/92 (E)	- PERMIT MODIFICATION PENDING FOR SUITE OF TRACERS TO BE USED IN 50 DRILLHOLES'
			- ESF TRACERS			- TRACERS NOT YET IDENTIFIED
RESOURCE CONSERVATION AND RECOVERY ACT	RCRA EPA REGISTRATION AND I.D. NUMBER	NDEP	NEEDED BEFORE GENEFATING REGULATED QUANTITIES OF HAZARDOUS WASTE	4/1/89	6/26/89	- ID NUMBER RECEIVED
CLEAN WATER ACT	NPDES DISCHARGE PERMIT	NDEP	NEEDED PRIOR TO DISCHARGING EFFLUENT			
			- PUMP TESTS			
			C WELL COMPLEX*** JF-3	4/6/89	7/17/91	- APPROVAL RECEIVED
			– STORIMATER	10/18/91	11/15/91	- APPROVAL RECEIVED
			- STORIMALLK	4/30/92	10/15/92(E)	 AWAITING DESIGN SCHEDULED 4/92
			- WASTEWATER	9/30/94	3/30/95 (E)	- AWAITING DESIGN SCHEDULED 8/94
SAFE DRINKING WATER ACT	DRINKING WATER SYSTEM PERMIT	NDEP	NEEDED BEFORE CONSTRUCTION BEGINS ON THE SYSTEM	2/30/93	8/15/93(E)	- AWAITING DESIGN SCHEDULED 12/92

NOTE: "SHOULD PUBLIC COMMENT INDICATE PROBLEMS WITH A TRACER IT CAN BE DELETED WITHOUT JEOPARDIZING SCHEDULE BECAUSE ALTERNATES HAVE BEEN REQUESTED.

**ONCE CERTIFICATE IS GRANTED, NDEP INSPECTS FACILITY AND ISSUES OPERATING PERMIT. REQUIRED FOR ENGINE OVER 500 HP OR MAXIMUM ALLOWABLE THROUGHOUT OVER 50 LBS/HR.

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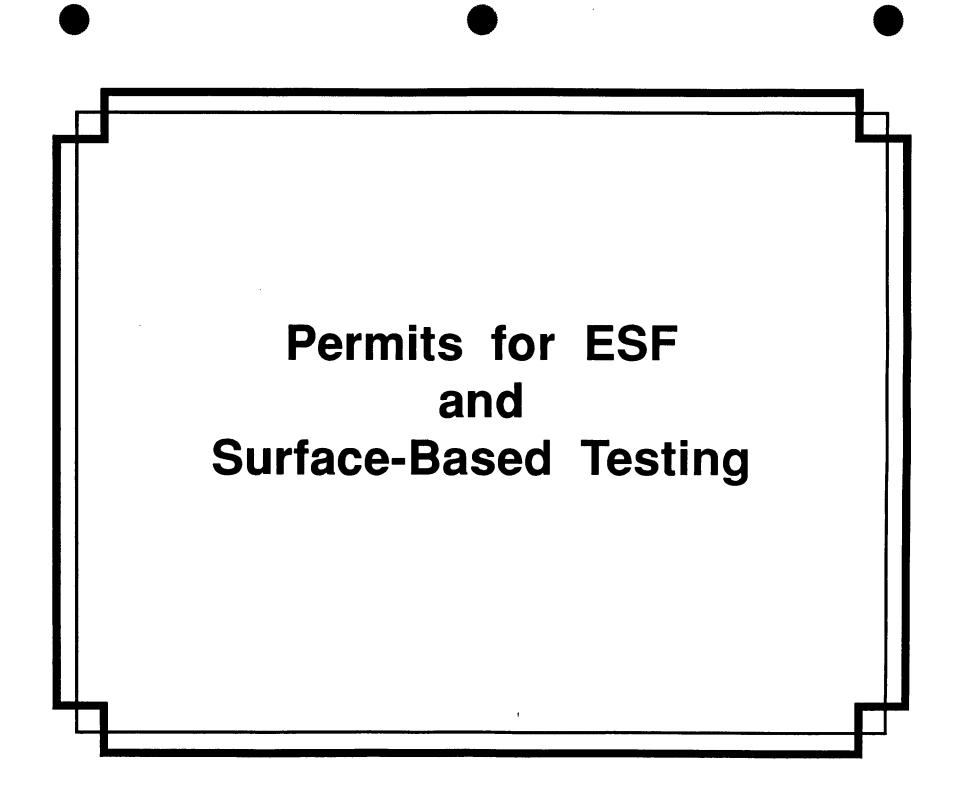
PERMITTING APPLICABLE FOR SITE CHARACTERIZATION ACTIVITIES (STATE)

REGULATION	PERMIT	AGENCY	APPLICABILITY	FILED	EXPECTED (E) /ACTUAL	STATUS
NEVADA LAM	GROUNDWATER APPROPRIATION	NSE	NEEDED FOR USE OF WATER - WELL J-13 - WELL VH-1 - WELL JF-3 - HOLE UZ-16	7/12/88 9/3/91 10/10/91 12/11/91	3/2/92 9/13/91 10/24/91 1/10/92	- PERMIT RECEIVED - TEMPORARY PERMIT Received - Maiver Received - Waiver Received
	WATER POLLUTION CONTROL PERMIT	NDEP	NEEDED FOR POND CONSTRUCTION	7/30/93	3/30/95 (E)	- AWAITING DESIGN SCHEDULED 6/93
	SANITARY SEWAGE DISPOSAL Permit	NDEP	NEEDED FOR SEWAGE SYSTEM CONSTRUCTION	3/30/93	10/30/93 (E)	- AWAITING DESIGN SCHEDULED 12/92
	LANDFILL APPROVAL	NDEP	NEEDED FOR CLASS III LANDFILL CONSTRUCTION	8/1/92	12/30/92 (E)	- AWAITING DESIGN Scheduled 7/92

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LEGEND

- NDEP Nevada Division of Environmental Protection
- Nevada State Engineer Bureau of Land Management MSE
- BLN
- U.S. Fish and Wildlife Service **USP**WS
- Corps of Engineers COE
- U.S. Air Force USAF
- ACHP
- \$CS
- Advisory Council on Historic Preservation Soil Conservation Service Department of Energy/Office of Environment Safety and Health Environmental Protection Agency DOE/EH
- RPA
- SBT
- ESF
- Surface-Based Testing Exploratory Studies Pacility National Pollutant Discharge Elimination System NPDES



PERMITS FOR EXPLORATORY STUDIES FACILITY

Criteria has not yet been provided* to environmental compliance staff to allow for preparation of applications for ESF permits. The following has been prepared based on input from design staff.

<u>ACTIVITY</u>	PERMIT	DATE <u>NEEDED</u>	FILE <u>DATE</u>	STATUS
Earth Works	Air Quality - Disturbance	11/92	1/88	Received 6/91
(All Activities)	Water Appropriation		7/88	Received 3/92
All all	Free Use Permit - Gravel Drillhole Wash Pit 40 Mile Was Pit Proposed Pit Floodplain Assessment		7/89 1/92 6/92 5/92	Received 10/90 Expected 4/92 DO B Expected 9/92 Expected 9/92
ESF-Related Drillholes (NRG, SRG)	UIC Permit - Tracers	4/92	12/91	Expected 4/92
Stormwater Discharge	NPDES Permit	11/92	4/92	Expected 10/92

*Exception is free-use permit for gravel

PERMITS FOR EXPLORATORY STUDIES FACILITY

(CONTINUED)

ACTIVITY	PERMIT	DATE <u>NEEDED</u>	FILE <u>DATE</u>	STATUS
Gravel Screen Gravel Plant Concrete Plant Portal Vents	Air Quality - Point Source	5/92 7/93 7/93 4/95	3/92 12/92 12/92 9/94	Expected 5/92 Expected 6/93 Expected 6/93 Expected 3/95
Class III Landfill	Landfill Permit	3/93	8/92	Expected 12/92
Drinking Water	Drinking Water System	2/24	2/93	Expected 8/93
Sewage Treatment	Sewage System Permit	2/94	3/93	Expected 10/93
Effluent Discharge	NPDES Permit	4/95	2/93	Expected 3/95
Effluent Ponds	Nevada Pond Construction Permit	4/95	2/93	Expected 3/95

		DATE	FILE	
ACTIVITY	PERMIT	<u>NEEDED</u>	DATE	<u>STATUS</u>
Drillholes not into Water	Air Quality - Land Disturbance	4/92	1/88	Received 6/91
Table (NRG-1)	Air Quality - Point Source (LM-300)		8/91	Received 11/91
	Water Appropriation		7/88	Received 3/92
	UIC - Tracers		12/91	Expected 4/92
	Free Use Permit - Gravel		1/92	Expected 4/92
	Floodplain Assessment			Issued 10/91
Dry Drillholes into Water	Same Permits as Non-WT Holes	4/92	-	As Above -
Table (UZ-16)	Water Permit Waiver		12/91	Received 1/92
Wet Drillholes into Water	Same Permits as Non-WT Holes	7/93	-	- As Above -
Table (USW-G5)	Water Permit Waiver		3/93	Expected 6/93
	Approval to Discharge		3/93	Expected 6/93

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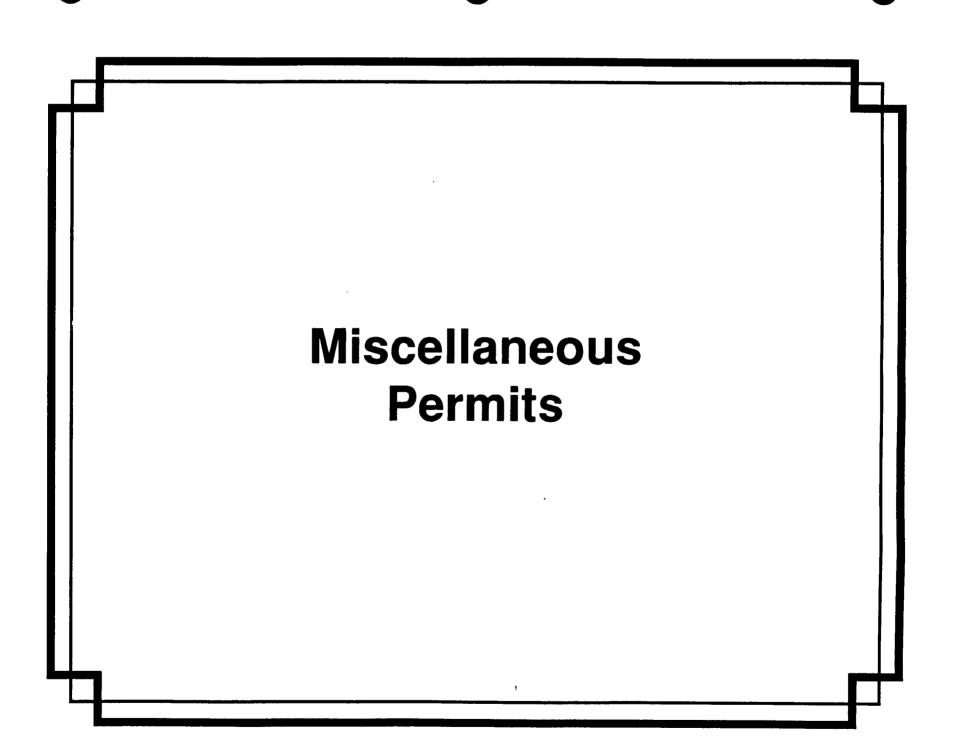
<u>ACTIVITY</u>	PERMIT	DATE <u>NEEDED</u>	FILE DATE	<u>STATUS</u>
Neutron Boreholes	Air Quality - Land Disturbance	FY92	1/88	Received 6/91
	Water Appropriation		7/88	Received 3/92
Excavations	Air Quality - Land Disturbance	FY92	1/88	Received 6/91
	Water Appropriation		7/88	Received 3/92
	Floodplain Assessment			Received 11/91
Artificial Infiltration	Air Quality - Land Disturbance	FY93	1/88	Received 6/91
	Water Appropriation		7/88	Received 3/92
	UIC - Tracers		12/91	Expected 4/92
	Approval to Discharge		12/92	Expected 3/93
Geophysical Lines	Air Quality - Land Disturbance	FY92	1/88	Received 6/91
	Water Appropriation		7/88	Received 3/92
				STPRM.DOE.DIXON/3-17-92

ACTIVITY	PERMIT	DATE <u>NEEDED</u>	FILE <u>DATE</u>	STATUS
Drillholes not into Water	Air Quality - Land Disturbance	4/92	1/88	Received 6/91
Table (NRG-1)	Air Quality - Point Source (LM-300)		8/91	Received 11/91
	Water Appropriation		7/88	Received 3/92
	UIC - Tracers		12/91	Expected 4/92
	Free Use Permit - Gravel		1/92	Expected 4/92
	Floodplain Assessment			Issued 10/91
Dry Drillholes into Water	Same Permits as Non-WT Holes	4/92	-	As Above -
Table (UZ-16)	Water Permit Waiver		12/91	Received 1/92
Wet Drillholes into Water	Same Permits as Non-WT Holes	7/93		- As Above -
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	Water Appropriation		7/88	Received 3/92
Excavations	Air Quality - Land Disturbance	FY92	1/88	Received 6/91
	Water Appropriation		7/88	Received 3/92
	Floodplain Assessment			Received 11/91
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	Water Appropriation		7/88	Received 3/92
	UIC - Tracers		12/91	Expected 4/92
	Approval to Discharge		12/92	Expected 3/93
Geophysical Lines	Air Quality - Land Disturbance	FY92	1/88	Received 6/91
	Water Appropriation		7/88	Received 3/92
				STPRM.DOE.DIXON/3-17-92



GENERAL STATE ANCILLARY PERMITS

ACTIVITY	PERMIT REQUIRED	REQUIRE	
GENERAL ANCILLARY PERMITS			
Terrestrial Ecosystem Studies	Animal Handling Permit (EG&G)	1 991	Permit received
Archaeological Studies	Archaeological Collection Permit (DRI)	1 991	Permit received
Material/Equipment Transport	Oversized load transportati permit (hauler)	ion 1992	To be scheduled
Elevator	Elevator permit (REECo)		To be determined
Building	Building permits	_	None require in Nye County
Well Drilling	Driller license (REECo)	1 992	License received
Radiological Source Material	Handling Permit obtained (user)	1 992	Permit received as needed
Explosives	Explosives certification (REECo)	1 992	No current scheduled requirement
Bus driving	Chauffeur license (REECO)	19 92	REECo responsibility