

PART III – SECTION J, ATTACHMENT V

ENVIRONMENTAL REGULATORY
STRUCTURE AND INTERFACE PROTOCOL
FOR THE INL CONTRACTOR

Purpose: This protocol outlines how the Department of Energy, Idaho Operations Office (DOE-ID), and the Idaho National Laboratory (INL) Contractor will interact with environmental regulatory agencies, such as the Idaho Department of Environmental Quality (DEQ), EPA Region 10, and U.S. Fish and Wildlife Service, for issues under the INL contract.

Overview: The Contractor is tasked with managing and operating the INL in compliance with all applicable laws, regulations, and agreements. Daily interactions with regulatory agencies are primarily handled by Contractor's ES&S in coordination with ESD.

NOTE: The majority of the interfaces with regulatory agencies occur on a day-to-day basis and this protocol addresses these interactions. Environmental Sustainability Division (ESD) and the Contractor's Environmental Support and Services (ES&S) organization are the principal organizations responsible for these communications outlined in this Protocol, except for CERCLA and Federal Facility Agreement/Consent Order (FFA/CO) items where the DOE-ID FFA/CO Project Manager or designated lead, is the principal DOE-ID interface.

Regulatory Interactions:

1. **Communication:** An attempt will be made to notify DOE-ID of the issue/topic of discussion prior to the communication with the regulator and an effort will be made on all communications to include both DOE-ID and the Contractor. The Contractor will notify DOE-ID of any conversations with regulators and provide a written summary. The same process applies for communications initiated by DOE-ID. The Contractor leads discussions when both parties are present. Industry partners will not participate in INL communications with regulators without DOE approval.
2. **Environmental Document Submission:** The Contractor coordinates with DOE-ID to certify specific documents before submission to regulatory agencies. Documents prepared by the Contractor that do not require DOE-ID certification or approval can be submitted directly without DOE-ID review. DOE will be included on distribution when documents are submitted to regulators.
3. **Regulatory Inspections:** The Contractor and DOE-ID will work together to coordinate inspections. The Contractor will notify DOE-ID upon regulator arrival for unannounced inspections. DOE-ID may choose to participate. The Contractor will inform DOE of the outcome of the inspection. For regulatory inspections involving RCRA and CERCLA, the ICP contractor is responsible for coordination.
4. **Technical Meetings/Enforcement Conferences:** The Contractor's ES&S, along with DOE-ID, prepares for and conducts technical meetings with regulatory authorities. Agenda and meeting minutes will be developed for technical meetings and enforcement conferences. Both parties share information related to enforcement actions affecting their interests.

5. **Stakeholder Communications:** DOE-ID's Stakeholder Communications Lead manages public and stakeholder communications. The Contractor's ES&S ensures their Communications organization is informed about planned communications related to regulatory actions.
6. **Federal Facility Agreement/Consent Order (FFA/CO) Specific Protocol:** The Contractor ES&S organization will coordinate with the Idaho Cleanup Project (ICP) Environmental Restoration organization for FFA/CO related actions specific to the Contractor responsibilities. The ICP will take the lead on FFA/CO issues by facilitating discussions with the regulators. Discussions will include representatives from the Contractor ES&S, ICP Environmental Restoration, and the DOE-ID FFA/CO Project Manager or designated lead. If DOE-ID chooses not to participate, meeting minutes will be provided to DOE-ID personnel summarizing the discussion. DOE-ID personnel participate in all interactions with the regulatory agencies, unless they are unavailable and have authorized the Contractor to proceed. CERCLA documents required pursuant to the FFA/CO shall be submitted in accordance with the FFA/CO for Primary and Secondary documents, including review and coordination with the ICP Contractor and the FFA/CO Project Manager or designated lead.

NOTE: For areas where DOE has specific government agency commitments (Government to Government Tribal Consultation, Idaho Settlement Agreement, Site Treatment Plan), DOE-ID may choose to involve the Contractor in conversations. The Contractor will not engage with the Fort Hall Business Council or the State of Idaho with respect to the Idaho Settlement Agreement and Site Treatment Plan without invitation from DOE-ID. The Contractor will not make commitments on behalf of DOE-ID. DOE-ID will consult with the Contractor prior to making commitments involving Contractor deliverables.