ERID-521615



SUSANA MARTINEZ Governor

JOHN A. SANCHEZ Lieutenant Governor NEW MEXICO ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1 Santa Fe, New Mexico 87505-6303 Phone (505) 476-6000 Fax (505) 476-6030 www.nmenv.state.nm.us



DAVE MARTIN Cabinet Secretary

BUTCH TONGATE Deputy Secretary

JAMES H. DAVIS, Ph.D. Director Resource Protection Division EP2012-5288

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 5, 2012

Pete Maggiore, Environmental Operations Manager Los Alamos Site Office Department of Energy 3747 West Jemez Road, MS A316 Los Alamos, NM 87544 Jeffrey D. Mousseau, Associate Director Environmental Programs Los Alamos National Security, L.L.C. P.O. Box 1663, MS 991 Los Alamos, NM 87545

RE: RESPONSE TO USE OF POTABLE WATER FOR DUST SUPPRESSION DURING DISPOSAL OF BULK LOW-LEVEL WASTE AT TECHNICAL AREA-54 LOS ALAMOS NATIONAL LABORATORY (LANL) EPA ID #NM0890010515

Dear Messrs. Maggiore and Graham:

The New Mexico Environment Department (NMED) has received the United States Department of Energy (DOE) and the Los Alamos National Security L.L.C.'s (LANS) (collectively, the Permittees) *Use of Potable Water for Dust Suppression during Disposal of Bulk Low-Level Waste at Technical Area 54 (Document)*, dated November 15, 2012 and referenced by EP2012-0278.

In the Document, the Permittees state, "Pit 38 is used exclusively for the disposal of LLW." Based on the analytical laboratory data contained in Table 1 of Enclosure 2 of the Permittees' August 13, 2012 Notice of Intent to Discharge Potable Water Used for Dust Suppression and Decontamination at Technical Area 54 Disposal Pit 38, solid waste containing hazardous constituents was disposed of in Pit 38. Therefore, the statement quoted above is not accurate. Messrs. Maggiore and Mousseau December 5, 2012 Page 2

Please contact Dave Cobrain at (505) 476-6055 should you have any questions.

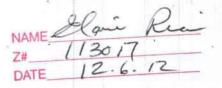
Sincerely,

John E. Kieling

Chief Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
N. Dhawan, NMED HWB
B. Wear, NMED HWB
J. Schoeppner, NMED GWQB
J. Fullam, NMED GWQB
S. Yanicak, NMED DOE OB, MS J993
T. Skibitski, NMED DOE OB
G. Turner, DOE-LASO, MS A316
L. King, EPA 6PD-N

File: LANL 2012, MDA G, TA-54



New Mexico Environment Department Hazardous Waste Bureau 2905 Rodeo Park Drive East, Bldg.1 Santa Fe, New Mexico 87505 CERTIFIED MAIL 7011 3500 0002 1601 1563

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Jeffrey D. Mousseau, Associate Director Environmental Programs Los Alamos National Security, L.L.C. P.O. Box 1663, MS 991 Los Alamos, New Mexi co 87545

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