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NEW MEXICO
ENVIRONMENT DEPARTMENT

Ground Water Quality Bureau

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DAVE MARTIN
Secretary

BUTCH TONGATE
Deputy Secretary

EP2013-5070

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

March 15, 2013

Anthony R. Grieggs
Group Leader, Water Quality & RCRA
P.O. Box 1663, MS M704
Los Alamos, NM 87545

Gene Turner
Environmental Permitting Manager
Environmental Projects Office
Los Alamos Site Office
U.S. Department of Energy
Mail Stop A316,
Los Alamos, NM 87545

RE: Response to Notice of Intent to Discharge; Discharge Permit Not Required for Potable Water Dust Suppression and Decontamination at Technical Area (TA) 54 Disposal Pit 38, Los Alamos National Laboratory, AI:856 (PRD20120005)

Dear Msrs. Grieggs and Turner:

The New Mexico Environment Department (NMED) received a Notice of Intent (NOI) from Los Alamos National Laboratory (LANL) on August 13, 2012 (copy enclosed) for the discharge of approximately 7,000 gallons per day (gpd) of potable water used for worker protection on the handling of 350 waste bins containing contaminated soil at TA-54 Pit 38 for a period of approximately 22 days. An amendment to the NOI, dated September 17, 2012 (copy enclosed) was received by NMED on September 18, 2012 and stated that the previously proposed volume would be reduced to 1,700 gpd through internal management and conservation efforts. NMED responded on October 15, 2012 and requested additional information be submitted in order to make a determination on the proposed discharge, LANL responded to NMED on January 2, 2013. The notice of intent and subsequent information submitted to NMED satisfy the requirements of Subsection A of 20.6.2.1201 NMAC of the New Mexico Water Quality Control Commission (WQCC) Regulations (20.6.2 NMAC). The proposed discharge is located at TA-54, approximately two miles west of White Rock, in Section 31, Township 19N, Range 07E, within the boundaries of Los Alamos National Laboratory, Los Alamos County.

Mssrs. Grieggs and Turner, AI:856 (PRD20120005)

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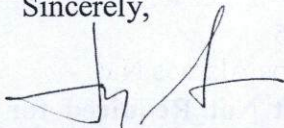
Based on the information provided in the Notice of Intent and subsequent correspondence, NMED has determined that the above referenced facility meets the definition of a Solid Waste Management Unit (copy enclosed) and is thereby subject to the regulatory authority of the Hazardous Waste Bureau and that a Discharge Permit is not required as long as the discharge is as described.

Although a Discharge Permit is not being required for this discharge at this time, you are not relieved of liability should your operation result in actual pollution of surface or ground waters. Further, this decision by NMED does not relieve you of your responsibility to comply with any other applicable federal, state, and/or local laws and regulations, such as zoning requirements, plumbing codes and nuisance ordinances.

If at some time in the future you intend to change the amount, character or location of your discharge, or if observation or monitoring shows that the discharge is not as described in your Notice of Intent, you must file a revised Notice of Intent with the Ground Water Quality Bureau.

If you have any questions, please contact either Jennifer Fullam at (505) 827-2909 or Jennifer Pruett, Program Manager of the Ground Water Pollution Prevention Section, at (505) 827-0062.

Sincerely,



Jerry Schoeppner, Chief
Ground Water Quality Bureau

JS:JF

Enc: Notice of Intent dated August 13, 2012
Amendment to the Notice of Intent, dated September 17, 2012
Request for Information dated October 15, 2012
Amendment and submittal of requested information dated January 2, 2013
Response to Solid Waste Management Unit Assessment dated January 11, 2013

cc: Robert Italiano, District Manager, NMED District II (via electronic transmission
w/enclosure)
NMED Santa Fe Field Office (w/enclosure)
County File (w/enclosure)
James Hogan, NMED SWQB (w/o enclosure)
Richard Powell, NMED SWQB (w/o enclosure)
John Kieling, NMED HWB (w/o enclosure)
Steven Yanicak, NMED-DOE-Oversight Bureau (w/o enclosure)
Hai Shen, LASO-EPO, Los Alamos National Laboratory, Los Alamos NM 87545 (w/o
enclosures)

Carl Beard, PADOPS, Los Alamos National Laboratory, A102, Los Alamos, NM
87545 (w/o enclosures)

Michael T. Brandt, ADESH, Los Alamos National Laboratory, K491, Los Alamos,
NM 87545 (w/o enclosures)

Bruce G. Schappell, ADEP, Los Alamos National Laboratory, Los Alamos, NM
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Alison M. Dorries, ENV-DO, Los Alamos National Laboratory, K491, Los Alamos,
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Victoria George, REG-DO, Los Alamos National Laboratory, Los Alamos, NM 87545
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Bob Beers, ENV-RCRA, Los Alamos National Laboratory, K490, Los Alamos NM,
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