



NEW MEXICO  
ENVIRONMENT DEPARTMENT

*Surface Water Quality Bureau*

SUSANA MARTINEZ  
Governor

JOHN A. SANCHEZ  
Lieutenant Governor

Harold Runnels Building, N2050  
1190 South St. Francis Drive (87505)  
P.O. Box 5469, Santa Fe, NM 87502-5469  
Phone (505) 827-0187 Fax (505) 827-0160  
[www.nmenv.state.nm.us](http://www.nmenv.state.nm.us)

ERID-522732



RYAN FLYNN  
Cabinet Secretary - Designate

BUTCH TONGATE  
Deputy Secretary

THOMAS SKIBITSKI  
Acting Director  
Resource Protection Division

EP2013-5124

June 4, 2013

Anthony R. Grieggs, Group Leader  
Water Quality & RCRA Group (ENV-RCRA)  
Los Alamos National Security, LLC (LANS)  
P.O. Box 1663, MS K490  
Los Alamos, New Mexico 87545

**RE: Response to Notice of Intent to Discharge Waste/Process Water from WX Firing Sites Fire Fragment Mitigation**

Dear Mr. Grieggs:

The New Mexico Environment Department, Surface Water Quality Bureau (NMED SWQB) received your Notice of Intent (NOI) to discharge per 20.6.2.1201 NMAC dated March 28, 2013 and additional information dated May 20, 2013 on May 21, 2013. Preliminary site maps of the active firing sites were received on April 24, 2013. The following is a summary of the activities proposed based on LANS NOI information:

The project involves proposed discharges to the ground in the vicinity of the WX firing sites surrounding detonation areas, including 30-500 gallon of potable water per event (approximately 8,000 gallons of water per year) to mitigate the incidence of fire and fragment dispersal as well as support material research and analysis. The NOI information listed eleven sites on LANL property. The list of energetic chemicals that could potentially be in the air and water discharged to the ground during detonation activities was extensive, and included HMX/RDX-based explosives. LANS NOI information includes regulatory status for each of the firing sites, including associated or nearby Solid Waste Management Units (SWMU) and Area of Concerns (AOC).

LANL's National Pollutant Discharge Elimination System (NPDES) Stormwater Individual Permit (IP), permit number NM0030759 states:

*This Permit authorizes only those storm water discharges associated with solid waste management units (SWMUs) and area of concerns (AOCs) listed in Appendix A of the Permit. The SWMUs and AOCs identified in Appendix A are collectively referred to throughout this Permit as "Sites." This Permit does not authorize storm water discharges associated with current conventional industrial activities at the Permittees' LANL facility. Storm water discharges associated with current conventional industrial activities shall be covered under EPA's NPDES general permit for storm water discharges from industrial activity, also known as the Multi-Sector General Permit (MSGP).*

Concerning unauthorized discharges, LANL's NPDES Stormwater IP NM0030759 states:

*The Permittees must eliminate non-stormwater discharges (e.g. process wastewater, spills or leaks of toxic or hazardous materials, contaminated groundwater, or any contaminated non-storm water) not authorized by an NPDES permit.*

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State surface water quality standards must be met at all times and violations of these standards are enforced by the New Mexico Environment Department under authority of the New Mexico Water Quality Act. State regulations (20.6.2.2201 NMAC Disposal of Refuse) states *“No person shall dispose of any refuse in a natural watercourse or in a location and manner where there is a reasonable probability that the refuse will be moved into a natural watercourse by leaching or otherwise.”*

Enclosure 1 of LANS NOI states, *“No water will run off the site to a watercourse during the discharge event”* and *“Procedures mandate good housekeeping practices and waste minimization. They dictate the usage of only the amount of materials necessary for detonation activities and the cleanup of materials and debris following a detonation.”* Document numbers, references or citations for the described procedures were not included in LANS NOI information. LANL should be prepared to make available to NMED this information, if requested.

As you are aware, the United States Environmental Protection Agency (USEPA) has promulgated regulations at 40 CFR Part 122 which govern permitting and monitoring requirements regarding discharges of pollutants to waters of the U.S. To confirm how these active firing sites may affect LANL’s Stormwater Individual Permit or if stormwater discharges from these active firing sites are eligible under the MSGP, Mr. Isaac Chen, USEPA Region 6 can be contacted at 214-665-7364, [chen.isaac@epa.gov](mailto:chen.isaac@epa.gov) or Mr. Brent Larsen, USEPA Region 6 can be contacted at 214-665-7523, [larsen.brent@epa.gov](mailto:larsen.brent@epa.gov).

If you have any questions, please contact me at 505-827-2795 or Erin Trujillo of my staff at 505-827-0418, or by e-mail at [bruce.yurdin@state.nm.us](mailto:bruce.yurdin@state.nm.us) and [erin.trujillo@state.nm.us](mailto:erin.trujillo@state.nm.us).

Sincerely,

*/s/Bruce J. Yurdin*

Bruce J. Yurdin  
Surface Water Quality Bureau

cc: Jennifer Fullam, NMED/GWQB by email  
Michael Saladen, LANS, LLC by email  
Jacob Meadows, LANS, LLC by email  
Steve Yanicak, NMED DOE OB by email  
Eric Galloway, NMED DOE OB by email  
Gene Turner, DOE/AIP/POC by email  
Isaac Chen, USEPA Region 6 by email