



State of New Mexico
ENVIRONMENT DEPARTMENT

Ground Water Quality Bureau
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General

BILL RICHARDSON
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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

October 23, 2003

Steven R. Rae, Group Leader
Water Quality and Hydrology Group
Risk Reduction and Environmental Stewardship Division
Los Alamos National Laboratory
P.O. Box 1663, MS K497
(RRES-WQH)
Los Alamos, New Mexico 87545



RE: Response to Notice of Intent to Discharge for the Application of Dust Suppression and Soil Stabilizing Agents as Best Management Practices

Dear Mr. Rae:

The New Mexico Environment Department (NMED), Ground Water Quality Bureau (GWQB) has reviewed your notice of intent (NOI) dated December 9, 2002, for the use of dust suppression and soil stabilizing agents. The products listed in the NOI will be used throughout the Los Alamos National Laboratory Property, in the vicinity of Section 21, T19N, R6E, Los Alamos County. The notice of intent satisfies the requirements of Section 20.6.2.1201 NMAC of the Water Quality Control Commission (WQCC) Regulations.

Based on the information submitted with your NOI, a discharge permit is not being required for the use of the dust suppression and soil stabilizing agents, as long as the products are used as described in the notice of intent. The Ground Water Quality Bureau has concluded that the proposed use of these products will not adversely impact ground water, and a discharge permit will not be required.

The exempt discharge is briefly described as follows: Dust control and soil stabilizing agents will be applied with manual or truck mounted sprayers to mesa tops, canyon bottoms, and canyon sides as Best Management Practices (BMPs). Agents will not be applied directly to watercourses. Appropriate structural controls and other BMPs will be maintained during application.

Although a discharge permit is not being required for this discharge at this time, you are not relieved of liability should your use of the products listed in the NOI result in actual pollution of surface or ground waters. Further, this decision by the NMED does not relieve you of your responsibility to comply with any other applicable federal, state, and/or local laws and regulations.



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If at some time in the future you intend to change the products used or the location of your discharge so that it will not be as described in the above referenced NOI, or if observation or monitoring shows that the discharge is not as described, you must file a new NOI with the Ground Water Pollution Prevention Section (GWPPS).

If you have any questions, please contact Curt Frischkorn of the GWPPS staff at 827-0078, or Maura Hanning, Program Manager of the GWPPS at 827-2945.

Sincerely,


Jerry Schoeppner, Chief
Ground Water Quality Bureau

JS:CSF/csf

xc: Mark Haagenstad, Water Quality and Hydrology Group, Los Alamos National Laboratory,
P.O. Box 1663, MS K497, RRES-WQH, Los Alamos, NM 87545
Courte Voorhees, District Manager, NMED District II
John Young, NMED Hazardous Waste Bureau, P.O. Box 26110, Santa Fe, NM 87502
Brett Lucas, NMED Surface Water Quality Bureau
NOI File