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June 28, 2006

Steven Rae, Group Leader
Water Quality & Hydrology Group
Los Alamos National Laboratory
P.O. Box 1663, Mail Stop K497
Los Alamos, New Mexico 87545

RE: Response to Modification to Existing Notice of Intent to Discharge for Dye Tracer Rhodamine WT Study at Los Alamos National Laboratory

Dear Mr. Rae:

The New Mexico Environment Department (NMED) received your May 25, 2006 *Modification to Existing Notice of Intent (NOI) to Discharge for Dye Tracer Rhodamine WT Study at Los Alamos National Laboratory* (Modified NOI) to define the flow of water in reaches on the Los Alamos National Laboratory (LANL) property. The information within the Modified NOI satisfies the Water Quality Control Commission requirements at Subsection A of 20.6.2.1201 NMAC.

The project, as described in the Modified NOI, involves a discharge of Rhodamine WT dye to be used at LANL to determine the flow at different stages in the unit hydrograph. According to the Modified NOI, the maximum Rhodamine WT dripping rate will be 50 parts per billion (ppb), the target for the overall mean dye concentration during any one event is 10 ppb, and no more than 20.2 L of Rhodamine WT has the potential to be discharged from any one station during a storm event, with the potential for no more than 60.5 L of Rhodamine WT released if all three stations are activated simultaneously during a single storm event.

Based on the information provided in the Modified NOI, and based on feedback from U.S. Environmental Protection Agency Region 6, the NMED Surface Water Quality Bureau (SWQB) has determined that a National Pollutant Discharge Elimination System (NPDES) permit is not required as long as the discharge is as described.

Also, based on the information provided in the Modified NOI, the NMED Ground Water Quality Bureau (GWQB) has determined that the proposed discharge will not adversely impact ground



Steven Rae
August 1, 2005
page. 2

water, and a Discharge Permit will not be required.

Although neither a NPDES nor a NMED Discharge Permit is being required for this discharge at this time, you are not relieved of liability should your operation result in a violation of a surface water or ground water quality standard adopted pursuant to the New Mexico Water Quality Act (74-6-10 NMSA 1978). Further, this decision by NMED does not relieve you of your responsibility to comply with any other applicable federal, tribal, 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 Modified NOI, you must file a new request for exemption with the SWQB and GWQB.

If you have any questions, please contact Jane DeRose-Bamman, SWQB at 505-476-3671 or Chris Vick, GWQB at 505-827-0078.

Sincerely,



Marcy Leavitt, Chief
Surface Water Quality Bureau



William C. Olson, Chief
Ground Water Quality Bureau

cc: Neil Weber, San Ildefonso Pueblo
Dr. Michael Meyer, New Mexico Highlands University
Bob Beers, Water Quality & Hydrology Group, Los Alamos National Laboratory
Scott Wilson, USEPA Region 6 (6WQ-PP)
Ralph Ford-Schmidt, NMED - DOEOB
Cecilia Williams, District Manager, NMED District II NMED Santa Fe Field Office
John Young, Hazardous Waste Bureau, NMED
NOI File
County File