



ENTERED

General

NEW MEXICO  
ENVIRONMENT DEPARTMENT



Surface Water Quality Bureau

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Deputy Secretary

June 3, 2008

Mr. Anthony R. Grieggs, ENV-RCRA  
Los Alamos National Security, LLC  
P.O. Box 1663 MS K490  
Los Alamos, NM 87545

**RE: Response to Modification to Existing Notice of Intent to Discharge for Dye Tracer Rhodamine WT Study at Los Alamos National Laboratory (Summer 2008)**

Dear Mr. Grieggs:

The New Mexico Environment Department (NMED) received your April 16, 2008 *Modification to Existing Notice of Intent to Discharge for Dye Tracer Rhodamine WT Study at Los Alamos National Laboratory (Summer 2008)* (Modified NOI) to continue a study to define the flow of water in reaches on the Los Alamos National Laboratory (LANL) property. The information within the Modified NOI satisfies the New Mexico 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 a maximum target concentration of 50 parts per billion (ppb) in the stream, the target for the overall mean dye concentration during any one event will be 10 ppb (average range from 3.5 – 22.1 ppb), and no more than 6.0 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 15.0 L of Rhodamine WT released if all four stations are activated simultaneously during a single storm event (45.0 L total for three events).

Based on the information provided in the Modified NOI, and based on previous inquiries to the U.S. Environmental Protection Agency Region 6, the NMED Surface Water Quality Bureau (SWQB) believes 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 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,



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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 Richard Powell, SWQB at (505) 827-2798 or Jennifer Fullam, GWQB at (505) 827-2909.

Sincerely,



Glenn E. Saums, Acting 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  
Tim Zimmerly, LANS, LLC, P.O. Box 1663, MS K490, Los Alamos, New Mexico 87545-0001  
Scott Wilson, USEPA Region 6 (6WQ-PP)  
Ralph Ford-Schmidt, NMED/DOEOB  
Dave Cobrain, NMED/HWB  
NMED, District II, Santa Fe