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ENTERED



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SARAH COTTRELL
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

April 9, 2010

Ms. Elizabeth Withers
NNSA NEPA Compliance Officer
Los Alamos Site Office
Department of Energy
3747 West Jemez Road, MS A316
Los Alamos, NM 87544

**RE: SCOPING COMMENTS
SANITARY EFFLUENT RECLAMATION FACILITY
ENVIRONMENTAL ASSESSMENT
LOS ALAMOS NATIONAL LABORATORY (LANL)**

Dear Ms. Withers:

The New Mexico Environment Department (NMED) has received the United States Department of Energy's (DOE) March 4, 2010, letter that outlines a proposal to modify wastewater discharges specified in LANL's Clean Water Act National Pollutant Elimination System (NPDES) Permit. Specifically, the letter states that the current LANL Sanitary Effluent Reclamation Facility (SERF) may undergo changes to wastewater discharge volumes that could affect the upper Sandia Canyon wetland and animal migration patterns. These changes have initiated the National Environmental Policy Act (NEPA) evaluation process and preparation of an Environmental Assessment (EA). These comments are being provided in preliminary form for consideration in the scoping of the EA:

1. Changes to the SERF should not interfere or hinder ongoing environmental investigations and cleanup in the Sandia Canyon watershed as required in the March 1, 2005 Compliance Order on Consent.

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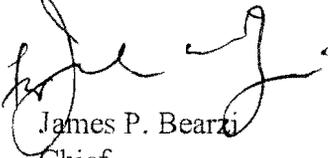


2. Changes to the SERF will require modification to the existing SWWS facility groundwater discharge permit (DP-857), and may require that LANL secure additional permits under the Water Quality Control Commission Regulations, depending upon what treated wastewater reuse activities LANL seeks to pursue.
3. During large storm events, the eastern or front edge of the wetland continues to erode, resulting in the transport of contaminants such as PCBs and chromium down canyon and potentially onto properties located downstream from the Laboratory. Physical stabilization of the wetland is essential to prevent migration of contaminants currently immobilized in the wetlands.
4. Drying of the wetland would cause a succession of plant species from wetlands species to dry land grasses and shrubs resulting in a major ecological change.
5. Chromium and other contaminants in the wetland appear to be chemically stable. De-watering or drying of the wetland may detrimentally influence the stability of these contaminants.
6. Reduced flows to the wetlands (and to the canyon downstream from the wetlands) will alter the recharge and contaminant transport conditions with respect to the chromium plume in the drinking water aquifer, (e.g., decrease the rate and total volume of recharge or eliminate the source of recharge) assuming surface-water flow to the recharge zone is discontinued.
7. Maintaining an effluent flow at a rate that keeps the wetland healthy and stable is beneficial to: 1) save water; 2) preserve a biologically healthy wetland; c) sustain the stability of non-toxic chromium (III) and other contaminants in the wetland; and d) remove a driving mechanism for chromium migration, assuming the majority of effluent discharges are captured by the wetland and that minimal volumes of water exit the wetland.

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If you have any questions regarding these comments, please contact Michael Dale at (505) 661-2673.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

BRZ:md

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