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JUN 18 2015

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Hazardous Waste Bureau



**Environmental Protection Division**  
**Environmental Compliance Programs (ENV-CP)**  
PO Box 1663, K490  
Los Alamos, New Mexico 87545  
(505) 667-0666

**National Nuclear Security Administration**  
**Los Alamos Field Office, A316**  
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Los Alamos, New Mexico, 87545  
(505) 667-5794/Fax (505) 667-5948

Date: JUN 18 2015  
Symbol: ENV-DO-15-0121  
LA-UR: 15-23339  
Locates Action No.: N/A

**Mr. John E. Kieling**  
Hazardous Waste Bureau  
New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, NM 87505-6313

Ms. Michelle Hunter  
Groundwater Quality Bureau  
New Mexico Environment Department  
P.O. Box 5469  
Santa Fe, NM 87502

Dear Mr. Kieling and Ms. Hunter:

**Subject Request for Approval – Updated Decision Tree for Management of Investigation –  
Derived Waste Solids from Drilling Operations**

The purpose of this letter is to request approval on proposed revisions to the 2007 Notice of Intent to Discharge (NOI) Decision Tree for the Management of Investigation-Derived Waste (IDW) Solids from Drilling Operations (i.e., drill cuttings). In 2007, the Department of Energy and Los Alamos National Security, LLC (DOE/LANS) received approval from NMED on the NOI Decision Tree. After this initial approval, DOE/LANS received further approval from the Ground Water Quality Bureau to land apply drill cuttings without a Discharge Permit, provided the conditions identified in the 2007 NMED-approved NOI Decision Tree are met (See Enclosure 1).

Since the original approval of the 2007 NOI Decision Tree, we have land applied cuttings generated from drilling operations, resulting in a significant reduction in the amount of cuttings having to be disposed of as industrial waste. We are proposing one minor revision to the 2007 Decision Tree in order to streamline the land application determination process (See Enclosure 2). The revision includes removing the following criterion from Decision Box 6 (D6):

1. *Less than applicable Land Disposal Restrictions (LDR) treatment standards.* LDR treatment standards only apply to hazardous waste, and in order to reach D6, the drill cuttings must be non-hazardous. Therefore, it is not appropriate for this criterion to be included in D6.

We look forward to receiving your response to the proposed revisions to the 2007 Notice of Intent to Discharge (NOI) Decision Tree for the Management of Investigation-Derived Waste (IDW) Solids from Drilling Operations.



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If you have questions or need additional information, please contact Deborah Williams at (505) 667-6520 or via e-mail at [dlwilliams@lanl.gov](mailto:dlwilliams@lanl.gov) or Jocelyn Buckley at (505) 665-5209 or via e-mail at [jbuckley@lanl.gov](mailto:jbuckley@lanl.gov).

Sincerely,



Alison M. Dorries  
Division Leader  
Environmental Protection Division  
Los Alamos National Security LLC

Sincerely,



Gene E. Turner  
Environmental Permitting Manager  
National Security Missions  
Los Alamos Field Office  
U.S. Department of Energy

AMD:GET/lm

Enclosure 1: NMED's Response to Notice of Intent to Discharge for Los Alamos National Laboratory  
Enclosure 2: NOI Decision Tree, *Land Application of Drill Cuttings*

Cy: Katie Roberts, NMED/RPD, Santa Fe, NM, (E-File)  
Dave Cobrain, NMED/HWB, Santa Fe, NM, (E-File)  
Michael Dale, NMED/HWB, Santa Fe, NM, (E-File)  
Steve Huddleson, NMED/GWQB, Santa Fe, NM (E-File)  
James Hogan, NMED/SWQB, Santa Fe, NM, (E-File)  
Steve M. Yanicak, NMED/DOE/OB, (E-File)  
David Rhodes, DOE-EM-LA, (E-File)  
Cheryl Rodriguez, DOE-EM-NSM, (E-File)  
Gene Turner, DOE-NNSA-LA, (E-File)  
Michael A. Lansing, PADOPS, (E-File)  
Randy Erickson, ADEP, (E-File)  
Dave McInroy, ADEP-ER, (E-File)  
Michael T. Brandt, ADESH, (E-File)  
Raeanna Sharp-Geiger, ADESH, (E-File)  
Alison M. Dorries, ENV-DO, (E-File)  
Tony Grieggs, ENV-CP, (E-File)  
Michael Saladen, ENV-CP, (E-File)  
Mark Haagenstad, ENV-CP, (E-File)  
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BILL RICHARDSON  
Governor  
DIANE DENISH  
Lieutenant Governor

NEW MEXICO  
ENVIRONMENT DEPARTMENT

*Ground Water Quality Bureau*

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Phone (505) 827-2918 Fax (505) 827-2965  
www.nmenv.state.nm.us



RON CURRY  
Secretary  
CINDY PADILLA  
Deputy Secretary

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

November 16, 2007

Anthony R. Grieggs, Group Leader  
Water Quality and RCRA (ENV-RCRA) Group  
P.O. Box 1663, Mail Stop K490  
Los Alamos, NM 87545

**RE: Response to Notice of Intent to Discharge for Los Alamos National Laboratory**

Dear Mr. Grieggs:

The New Mexico Environment Department (NMED) received a Notice of Intent on October 16, 2007 to discharge investigation-derived waste (IDW) solids from drilling operations. The notice satisfies the requirements of Section 20.6.2.1201.A of the New Mexico Water Quality Control Commission (WQCC) Regulations (20.6.2 NMAC). The proposed discharge is located within Los Alamos National Laboratory Boundaries in Los Alamos, Los Alamos County, New Mexico.

Based on the information provided in your Notice of Intent, NMED has determined that a Discharge Permit is not required as long as the discharge is as described. A Discharge Permit is not required at this time because the information provided indicates it is unlikely that the leachate will adversely affect ground water quality.

The exempt discharge is briefly described as follows:

Cuttings and associated media produced with well drilling are stored in lined pits or containers. Free liquids are removed from the solids and managed in accordance with the NMED-approved NOI Decision Tree for land application of IDW liquids from construction of wells and boreholes. Following removal of the pit liner, solids are mixed with native material to backfill the drill pit used as fill during drill site restoration, or used to maintain drill site access roads.

Although a Discharge Permit is not being required for this discharge at this time, you are not relieved of liability should your operation result in actual pollution of surface or ground waters. Further, this decision by NMED does not relieve you of your responsibility to comply with any

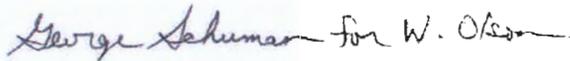
Anthony Grieggs  
November 16, 2007  
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other applicable federal, state, and/or local laws and regulations, such as zoning requirements, plumbing codes and nuisance ordinances.

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 Notice of Intent, you must file a revised Notice of Intent with the Ground Water Quality Bureau.

If you have any questions, please contact either Jennifer Montoya at 505-827-2909 or George Schuman, Program Manager of the Ground Water Pollution Prevention Section, at 505-827-2900.

Sincerely,

A handwritten signature in blue ink that reads "George Schuman for W. Olson". The signature is written in a cursive style.

William C. Olson, Chief  
Ground Water Quality Bureau

WO:jm

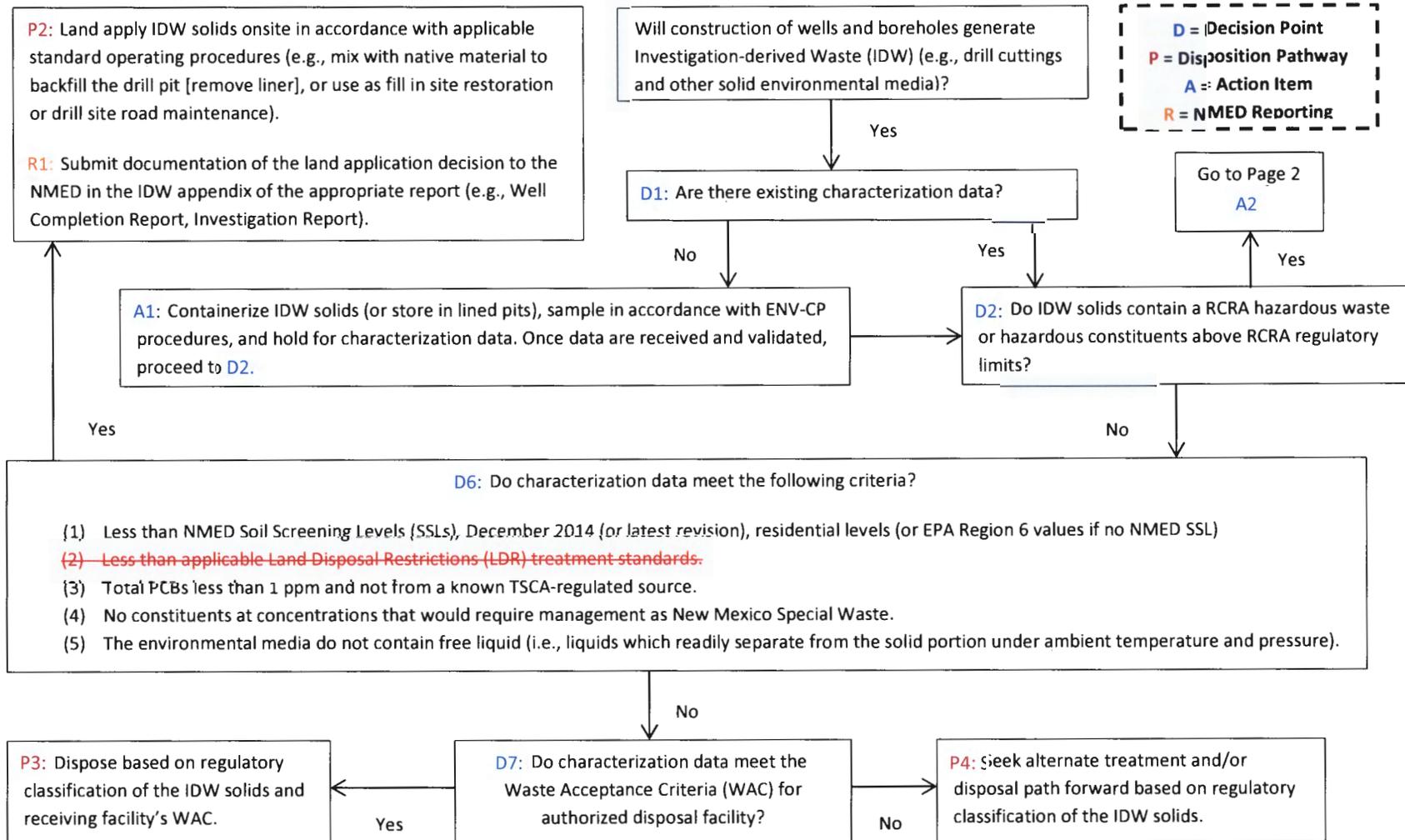
cc: Jennifer Ickes, District Manager, NMED District I  
NMED Field Office  
NOI File  
County File



Decision Tree

NOI Decision Tree  
Land Application of Drill Cuttings

4/24/2015



### Decision Tree (Page 2)

NOI Decision Tree  
Land Application of Drill Cuttings

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