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DEPARTMENT OF ENERGY
National Nuclear Security Administration
Los Alamos Site Office
Los Alamos, New Mexico 87544

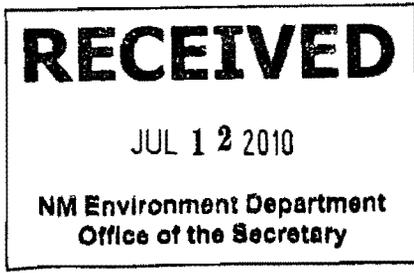


2010 JUL 20 PM 3: 27

Mr. Ron Curry, Secretary
New Mexico Environment Department
1190 St. Francis Drive
P. O. Box 26110
Santa Fe, NM 87502-0110

*Receipt from
OOTS*

#3274



Dear Mr. Curry:

The U. S. Department of Energy (DOE), National Nuclear Security Administration (NNSA), is considering a proposal to address more stringent National Pollution Discharge Elimination System (NPDES) permit requirements imposed under the Clean Water Act for Los Alamos National Laboratory (LANL) operations, and to increase the reuse of wastewater thereby decreasing potable water consumption. Additionally, DOE is also contemplating possible action measures for addressing potential migration of contaminated sediment in upper Sandia Canyon in accordance with the 2005 "Compliance Order on Consent" (the Consent Order), which was entered into by DOE, the LANL management and operations contractor, the State of New Mexico Attorney General, and the New Mexico Environment Department (NMED).

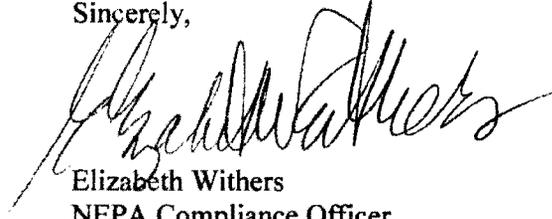
Because these potential activities could occur at about the same time and in close proximity, and each could result in potential direct, indirect, and cumulative impacts to the same natural ecosystem and set of natural resource elements near and within the upper end of Sandia Canyon at LANL, NNSA has prepared a single environmental assessment (EA) to consider these activities. The EA has been prepared in accordance with the Council on Environmental Quality's National Environmental Policy Act (NEPA) implementing regulations (40 CFR Parts 1500-1508) and DOE's NEPA implementing regulations (10 CFR 1022). The EA includes a Mitigation Action Plan within the document as an appendix. The EA also includes a Floodplain Assessment in accordance with DOE's regulations for compliance with Floodplain/Wetlands Environmental Review Requirements, and this letter serves as DOE's notice of a proposed floodplain action (10 CFR 1022.12(b)). The U.S. Army Corps of Engineers is a cooperating agency in the preparation of the EA.

We would appreciate your participation in compliance process. In accordance with DOE's NEPA policy, the predecisional draft EA, along with a draft Finding of No Significant Impact (FONSI) is enclosed for your review and comment. The documents have also been posted on the internet at: <http://www.doeal.gov/laso/NEPADocuments.aspx>. **The document review period is for 30 days, and comments on the draft documents will be accepted through August 10, 2010. A public hearing on the draft EA will be held to provide information and an opportunity for public comment on July 27, 2010 at the Holiday Inn Express in Los Alamos, New Mexico, from 2:00 pm until 4:00 pm.** Comments may also be submitted directly to me at: Mail Stop-A316, 3747 West Jemez Road, Los Alamos, NM, 87544; via fax at (505) 667-5948; or via e-mail to: nepalaso@doeal.gov. Comments on the draft documents received after August 10th will be considered to the extent practicable.



If you have any questions concerning this proposal or the EA process, please telephone me at (505) 845-4984.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth Withers", written in a cursive style.

Elizabeth Withers
NEPA Compliance Officer
EA Document Manager

14.10 NSM:8EW-262841

cc:

C. Borgstrom, EH-42, HQ/FORS
T. Chiri, OOM, LASO
L. Cummings, CCS, LASO
J. Griego, NSM, LASO
A. Nash, NSM, LASO
V. Loucks, NSM, LASO
G. Rael, EPO, LASO
N. Werdel, EPO, LASO
D. Pava, ENV-ES, LANL, MS-K404
Records Center, LASO
Official Contract File, LASO

**[Draft] Finding of No Significant Impact
for the Proposed Expansion of the Sanitary Effluent Reclamation
Facility and Environmental Restoration of Reach S-2 of Sandia
Canyon at Los Alamos National Laboratory,
Los Alamos, New Mexico
(DOE/EA-1736)**

**U. S. Department of Energy
National Nuclear Security Administration
Los Alamos Site Office
Los Alamos, New Mexico**

XXX, 2010

[DRAFT] FINDING OF NO SIGNIFICANT IMPACT
Proposed Expansion of the Sanitary Effluent Reclamation Facility
and
Environmental Restoration of Reach S-2 of Sandia Canyon
at Los Alamos National Laboratory,
Los Alamos, New Mexico

[DRAFT] ENVIRONMENTAL ASSESSMENT: The [Final] *Environmental Assessment for the Expansion of the Sanitary Effluent Reclamation Facility and Environmental Restoration of Reach S-2 of Sandia Canyon at Los Alamos National Laboratory, Los Alamos, New Mexico* (DOE/EA-1736) provides sufficient evidence and analysis to determine that a Finding of No Significant Impact (FONSI) is appropriate for the proposed wastewater treatment facility footprint and operations expansion, and the environmental restoration action measures that may be required within the upper end of Sandia Canyon at Los Alamos National Laboratory (LANL). The EA, which includes a Mitigation Action Plan (MAP) as an appendix, is attached and incorporated by reference. A detailed description of the No Action Alternatives, and proposed action alternatives for the Sanitary Effluent Reclamation Facility (SERF) expansion and operations, and for representative possible environmental restoration action measures within reach S-2, together with a discussion of the associated environmental consequences, are presented in the attached EA. Additionally, the EA presents a floodplain assessment as provided for in the Department of Energy (DOE) *Compliance with Floodplain and Wetland Environmental Review Requirements* (codified at 10 CFR 1022.13 (b)) as an appendix, and the NNSA [will issue/has issued] a [Draft] Floodplain Statement of Findings (attached).

The EA provides background and analyses in the following Chapters: 1. Purpose and Need for Agency Action; 2. Description of Alternatives; 3. Affected Environment, 4. Environmental Consequences, and 5. Cumulative Effects. The floodplain assessment is the subject of Appendix A of the EA; and the MAP is the subject of Appendix B of the EA. The EA analyzes the effects on geology and soils, water resources, ecological resources, cultural resources, air quality, noise, human health, utilities and infrastructure, traffic and transportation, and environmental restoration and waste management. Environmental regulations and the environmental permit systems coupled with oversight by state and federal regulatory agencies serve to lessen the potential for adverse environmental effects to the LANL natural and cultural resources present nearby and within upper Sandia Canyon. Additionally, the use of adaptive resource management practices applied to the implementation of specific resource mitigation commitments (as identified in the EA and MAP) would further serve to lessen the potential for adverse environmental effects on LANL natural and cultural resources present nearby and within reach S-2. Furthermore, actions that are inherent to conducting the SERF project and the environmental restoration action measures (such as the use of dust suppression measures during soil disturbance activities, and the very nature of the Stabilization in Place in reach S-2) would also serve to reduce adverse environmental effects to resources present nearby and within upper Sandia Canyon. Analyses performed in the subject EA and commitments made to implement mitigation actions allow the DOE, National Nuclear Security Administration (NNSA) to conclude that potential beneficial and adverse environmental effects of the subject potential

SERF expansion action alternatives and the potential environmental restoration action measures, would, under normal conditions, be minimal and non-significant.

PREDECISIONAL DRAFT REVIEW & COMMENT: On July 9, 2010, the U.S. Department of Energy, National Nuclear Security Administration invited review and comment on the predecisional Draft EA and Draft FONSI from the State of New Mexico, nearby American Indian tribes: the Pueblos of Santa Clara, San Ildefonso, Jemez, Cochiti, and Acoma, and the Mescalero Apache Tribe. The National Nuclear Security Administration also made the predecisional Draft EA and Draft FONSI available to the general public at the same time it was provided to the State and Pueblos for review and comment. The general availability of the predecisional Draft EA and Draft FONSI to the public was accomplished by placing it in Public Reading Rooms in: the Los Alamos National Laboratory Research Library, and the Mesa Public Library (both in Los Alamos, NM); the Española Public Library (in Española, NM); Santa Fe Public Library and the New Mexico State Library (both in Santa Fe, NM); and in the University of New Mexico's Zimmerman Library (in Albuquerque, NM). Additionally, more than 30 local stakeholder groups and individuals that have identified themselves as interested parties with respect to DOE activities at LANL were notified by letter of the availability of the predecisional Draft EA and FONSI on July 9, 2010. A notice of the availability of the predecisional Draft EA and Draft FONSI for review was published in local newspapers. Copies of the predecisional Draft EA and Draft FONSI were posted electronically on the Los Alamos Site Office Website: <http://www.doeal.gov/laso/NEPADocuments.aspx>. Copies of the predecisional Draft EA and Draft FONSI [will be/were] provided to all interested parties for their review upon request. The review and comment period was 30 days long and ended August 10, 2010. A single public hearing on the Draft EA was held in Los Alamos, NM on July 27, 2010.

[X] parties provided comments on the predecisional draft EA: [XXX to be filled in later]. Comments received were addressed through changes to the Final EA, as appropriate. Copies of the [final] FONSI and EA will be sent to each of the commentors.

AGENCY CONSULTATIONS: Informal consultation is required through the U.S. Fish and Wildlife Service under the provisions of Section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) for actions minimally determined to potentially affect, but not adversely affect threatened or endangered species or their critical habitats. A biological assessment for the subject actions was prepared and consultation has been requested of the Service for concurrence with a finding of "may affect, not likely to adversely affect" the Mexican spotted owl.

The LASO Cultural Resources Manager determined that the subject activities would not affect recorded historic or prehistoric resources through avoidance. The LANL Cultural Resources Management Plan as implemented at LANL serves to identify and protect historic and cultural resources, as well as provide a framework for consultation with and visitation of resources by local tribes and pueblos. Per the provisions of this Management Plan, consultation with the New Mexico State Historic Preservation Officer (SHPO) pursuant to Section 106 requirements of the National Historic Preservation Act for actions that would result in no affect to a cultural resource site through avoidance is not required to be completed prior to implementing the subject actions.

Additionally, the Albuquerque District, Corps of Engineers, participated in the preparation of the EA as a Cooperating Agency (40 CFR 1501.6). Their participation satisfies their procedural and statutory requirements (33 CFR 325, App.B and Sec. 230.16).

FINDING: Based on the evaluation presented in the attached [Final] EA, the U.S. Department of Energy, National Nuclear Security Administration find there would be no significant impact from proceeding with either of the two action alternatives for the expansion of the SERF (namely, the Partial Reuse Alternative, and the Total Reuse Alternatives), or from proceeding with the environmental restoration action measures for Reach S-2 in Sandia Canyon (namely, the Stabilization in Place with Long-Term Monitoring Alternative, and the Removal and Off-Site Disposal Alternative). The basis of this finding is that there are no significant beneficial or adverse direct, indirect, or cumulative environmental effects that would likely result from these subject alternative actions, based on the analysis of relevant issues of environmental concern in the attached EA and the implementation of mitigation actions committed to in the appended MAP. A separate [Draft] Statement of Floodplain Findings is also attached to this [Draft] FONSI.

The U.S. Department of Energy, National Nuclear Security Administration therefore approves this FONSI with mitigation measures pursuant to the National Environmental Policy Act (NEPA) of 1969 [42 U.S.C. 4321 et seq.]; the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA [40 CFR 1500]; the U.S. Department of Energy NEPA Implementing Procedures [10 CFR 1021]. No Environmental Impact Statement is required for this proposal.

Manager, Los Alamos Site Office

Date _____

[DRAFT]
U.S. DEPARTMENT OF ENERGY

National Nuclear Security Administration
Office of Los Alamos Site Operations

Floodplain Statement of Findings
for the Expansion of the Sanitary Effluent Reclamation Facility
and Environmental Restoration of Reach S-2 of Sandia Canyon at
Los Alamos National Laboratory, Los Alamos, New Mexico

AGENCY: U.S. Department of Energy, National Nuclear Security Administration, Los Alamos Site Office

ACTION: Floodplain Statement of Findings.

SUMMARY DESCRIPTION OF PROPOSED ACTIONS: This Floodplain Statement of Findings relates to two individual activities that would take place within Los Alamos National Laboratory (LANL), within or near the upper end of Sandia Canyon. The subject portion of Sandia Canyon extends from permitted outfall 001 to the eastern end of reach S-2, which is an area of contaminated sediment that also encompasses a small, 3-acre wetland.

One activity is the proposed construction of an expanded footprint for an existing wastewater treatment facility, the Sanitary Effluent Reclamation Facility (SERF), which is located on the mesa top along the southern rim of Sandia Canyon. The expansion project would also include increases to the level of operations of that facility, along with the installation of water storage tanks, pumps, collection pipelines, and distribution pipelines. Post-treatment, the SERF effluent could be reused at LANL cooling tower facilities; however, depending upon the amount of wastewater reused (namely, selection of the Partial Reuse Alternative or the Total Reuse Alternative for implementation), the reuse of the effluent would either reduce or eliminate the amount of wastewater released into the environment within reach S-2.

The second activity considers possible environmental restoration action measures that may be necessary to prevent migration of legacy contamination located within the soils and sediments present in reach S-2 along the bottom of Sandia Canyon. One possible action measure would involve stabilizing the contaminated sediment in place with the installation of a grade control structure made of rock-filled gabions and possibly steel pilings (the Stabilization in Place with Long-Term Monitoring Alternative). Another possible action measure (which is bounding in terms of impacts) would involve the removal of contaminated soil and sediment and the transportation of this waste off-site for disposal (the Removal and Off-Site Disposal Alternative).

Construction actions for the SERF project would occur along a mesa top near the floodplains of Sandia Canyon; there would be no SERF project actions within either the floodplain or within an established, approximately 3-acre wetland area within Sandia Canyon. However, the indirect reduction (the Partial Reuse Alternative) or elimination of the wastewater effluent (the Total Reuse Alternative) could affect the wetland and canyon surface stream flow, and could result in either the reduction in size or elimination of the wetland (see Figure 1 attached).

Environmental restoration action measures taken within reach S-2 in Sandia Canyon would occur within the floodplains of that canyon reach, and could occur within the wetland area. Both of the environmental