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February 23, 1998

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Mr. Michael Tomlinson, Manager  
 Los Alamos County Solid Waste Division  
 P. O. Box 30  
 Los Alamos, New Mexico 87544

ENVIRONMENT BUREAU

RE: Landfill Compliance Options

Dear Mr. Tomlinson:

By letter dated December 9, 1997, Vincente Valdez of your staff responded to a Notice of Violation (NOV) dated December 1, 1997, from Ernie Gutierrez of this Bureau. The NOV addressed Solid Waste Management Regulations (20 NMAC 9.1.) Sections 402.E., run-on and run-off of water, and P.2., recyclable materials. Engineering options dated September 30, 1996, and Technical Specifications dated December 2, 1996, were submitted to address these issues, as well as other concerns raised by the Surface Water Quality Bureau (SWQB) and Department of Energy Oversight Bureau (DOEOB).

The following comments are offered on the options presented.

1. Erosion control for the construction rubble disposal area. 20 NMAC 9.1.105.BX. states: "...Solid waste facility does not include:...12. any facility or person accepting, stockpiling, or using clean fill material as long as:

- a. the material does not create a public nuisance or adversely impact the environment;
- b. the material is not placed in a watercourse or in any other manner inconsistent with the Water Quality Control Commission regulation 2-201 "Disposal of Refuse"; and,
- c. the material used is covered with two feet of clean earth immediately after deposition or within a reasonable time as determined by the Secretary."

The options proposed do not directly address this regulation. If the material is clean fill and is covered with two feet of clean earth in such a way as to prevent erosion, e.g., with seeding of the slopes and drainage swales to carry runoff gently to the sides of the slopes, the construction of a road by placement of the

LANL/EX/04/1114

TH-3  
 TA-61 (Rubble Pile, Sandia Canyon)



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material over the culvert may be a reasonable reuse of clean fill materials. Side slopes of landfill final covers are required to be 4 to 1 or gentler, but clean fill side slopes are not regulated.

The rubble pile may act as a dam if the culvert capacity should be exceeded or reduced by blockage. Consultation with the State Engineer Dam Safety Section, 827-6120, is advised. Multiple year growth of perennial vegetation on the downstream face of the rubble pile indicates that the final contour likely has been reached for that face and it should be covered with clean earth as soon as possible, provided all other conditions and regulations are met.

The confinement of the watercourse to the culvert would need to comply with SWQB regulations and Clean Water Act Section 404 Permit requirements. If the material in the rubble pile is construction and demolition (C&D) debris, a permit would be required for a C&D landfill.

2. Stockpile area erosion control design for county landfill. Sections 402.E. requires:

E. Control run-on water onto the site, and run-off water from the site, such that:

1. the run-on control system shall prevent flow onto the active portion of the landfill during the peak discharge from a [24 hour,] 25-year storm;
2. the run-off control system from the active portion of the landfill collects and controls at least the water volume resulting from a 24-hour, 25-year storm; and,
3. run-off from the active portion of the landfill shall not be allowed to discharge any pollutant to the waters of the State or U.S. that violates any requirements of the New Mexico Water Quality Act, Commission regulations and standards or the Federal Clean Water Act.

The "active portion" of the landfill is defined in 105.C. as the area receiving wastes. The stockpile area, therefore, is not subject to the provisions of 402.E. If the goal of the proposals is to keep sediment out of Sandia Canyon, a swale at the bottom of the stockpile that would convey runoff to a sedimentation basin near the level of the watercourse at the west end of the pile may be more useful than encasing the pile in plastic. Use of the crest of the stockpiled dirt in covering the rubble pile would reduce the length of the slope and the amount of runoff to be controlled.

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Control of blowing debris for county landfill. Many landfills in New Mexico adequately control litter with snow fences or something similar arranged on all sides of a small working face.

Thank you for the opportunity to comment on these proposals. If you have any questions, please call me at (505) 827-2924.

Sincerely,

  
Charles A. Hules, Manager  
Compliance Monitoring & Enforcement Section  
Solid Waste Bureau

CAH:ed

cc: Glen Saumms, SWQB  
Ralph Ford-Schmid, DOEOB  
Julie Wanslow, DOEOB