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TA14
NEW MEXICO
ENVIRONMENT DEPARTMENT

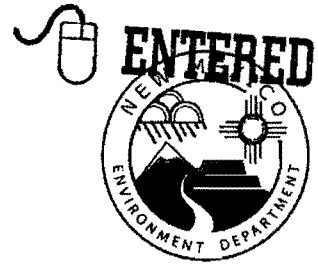
Hazardous Waste Bureau

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Secretary

SARAH COTTRELL
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

August 31, 2010

George J. Rael
Federal Project Director
Los Alamos Site Office
Department of Energy, NNSA
3747 West Jemez Road, MS A316
Los Alamos, NM 87544

Michael Graham
Associate Director Environmental Programs
Los Alamos National Security, L.L.C.
P.O. Box 1663, MS 991
Los Alamos, NM 87545

**RE: APPROVAL FOR "CONTAINED-IN" DETERMINATION FOR DRILLING
FLUIDS AND ASSOCIATED CONTACT WASTE, FROM THE DRILLING OF
INTERMEDIATE AQUIFER WELL R-47i
LOS ALAMOS NATIONAL LABORATORY
EPA ID#NM0890010515
HWB-LANL-MISC-GW**

Dear Messrs Rael and Graham:

The New Mexico Environment Department (NMED) has reviewed the United States Department of Energy (DOE) and the Los Alamos National Security, L.L.C.'s (collectively, the Permittees) document entitled *Request for "Contained-in" Determination for Drilling Fluids and Associated Contact Waste, from the Drilling of Intermediate Well R-47i* dated August 12, 2010 and referenced by ENV-RCRA-10-160.

In the request, the Permittees provide a comparison of the maximum detected concentrations of potential F-listed organic compounds with the New Mexico Water Quality Control Commission (WQCC) groundwater standards, the Environmental Protection Agency (EPA) Safe Drinking Water Act Maximum Contaminant Levels (MCLs) and Land Disposal Restrictions Treatment Standards (LDRs). The analytical results for the drilling fluids and associated contact waste indicate that low concentrations of 2-butanone (MEK), a potentially F-listed constituent, is

33893




Messrs. Rael and Graham
August 31, 2010
Page 2

present in the media. Only two applicable comparison standards for MEK are available: LDRs and EPA tap water. The maximum detected concentration of MEK in the media is less than the LDR and EPA tap water standards. The waste also is not a characteristic hazardous waste as defined by 40 CRF 261.21 through 261.24. Based on the information provided, NMED has determined that the drilling fluid and contact waste does not need to be managed as a hazardous waste.

NMED hereby grants the Permittees' request that the drilling fluids and associated contact waste be managed as non-hazardous waste. Should you have any questions or comments, please contact Michael Dale at (505) 661-2673.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

JPB:md

cc: J. Kieling, NMED HWB
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S. Yanicak, NMED DOE OB, MS M894
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File: '10 Reading and LANL Contained-In Approval R-47i drilling fluid and contact waste