



BILL RICHARDSON
Governor

DIANE DENISH
Lieutenant Governor

LETTER TA 16
NEW MEXICO
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
Phone (505) 476-6000 Fax (505) 476-6030
www.nmenv.state.nm.us



RON CURRY
Secretary

JON GOLDSTEIN
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

January 26, 2009

David Gregory
Federal Project Director
Los Alamos Site Office
Department of Energy
528 35th Street, Mail Stop A316
Los Alamos, NM 87544

David McInroy
Environmental Operations Project Director
Los Alamos National Security, LLC
P.O. Box 1663, MS M992
Los Alamos, NM 87545

**RE: APPROVAL
"CONTAINED-IN" DETERMINATION FOR WELL DEVELOPMENT WATER
FROM DRILLING REGIONAL WELL R-25b,
LOS ALAMOS NATIONAL LABORATORY (LANL),
EPA ID #NM0890010515**

Dear Messrs. Gregory and McInroy:

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 (LANS) (collectively, the Permittees) document entitled *Request for "Contained-In" Determination for Well Development Water from Drilling Regional Well R-25b*, dated January 6, 2009 and referenced by ENV-RCRA-09-003.

The Permittees provide a comparison of the maximum detected concentration of the potential F-listed organic constituent with the New Mexico Water Quality Control Commission (WQCC) human health standards listed in 20.6.2.3.3103 NMAC and the Environmental Protection Agency (EPA) Safe Drinking Water Act Maximum Contaminant Levels (MCLs) (40 CFR §141.61). The analytical results demonstrate that the concentration of the only detected constituent (toluene) is below the human health standards and MCLs. Based on the information provided, NMED has determined that the development water does not need to be managed as hazardous waste.

The Permittees propose to land apply the development water in accordance with the NMED approved NOI Decision Tree, *Land Application of Groundwater*. The Permittees provided a



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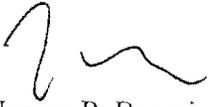
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comparison of the maximum detected concentration of the potential F-listed constituent with the EPA Region 6 Tap Water Human Health Medium-Specific Screening Levels and Land Disposal Restrictions (LDRs) Treatment Standards (40 CFR §268.40). The maximum detected concentration of toluene is below the LDRs and cleanup levels listed in 20.6.2.3.3103 NMAC. LDRs therefore do not apply to the development water.

NMED hereby grants the Permittees' request that well development water from drilling well R-25b be managed as non-hazardous waste.

Please contact Kristen Van Horn of my staff at (505) 476-6046 should you have any questions.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
K. Roberts, NMED HWB
S. Yanicak, NMED DOE OB, MS J993
T. Skibitski, NMED DOE OB
L. King, EPA 6PD-N
G. Rael, DOE LASO, MS A316
M. Graham, ENV MS J591
File: Reading and LANL, 2009 TA-16, R-25b