



BILL RICHARDSON  
Governor

DIANE DENISH  
Lieutenant Governor

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](http://www.nmenv.state.nm.us)



**ENTERED**



RON CURRY  
Secretary

JON GOLDSTEIN  
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 31, 2009

David Gregory  
Federal Project Director  
Los Alamos Site Office  
Department of Energy  
3747 West Jemez Road, Mail Stop A316  
Los Alamos, NM 87544

David McInroy  
Remediation Services Deputy Project Director  
Los Alamos National Security, LLC  
P.O. Box 1663, Mail Stop M992  
Los Alamos, NM 87545

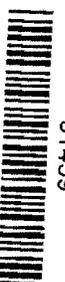
**RE: APPROVAL  
"CONTAINED-IN" DETERMINATION FOR DEVELOPMENT WATER FROM  
REDEVELOPMENT OF REGIONAL WELL R-25B,  
LOS ALAMOS NATIONAL LABORATORY (LANL),  
EPA ID #NM0890010515  
LANL-MISC-GW**

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 Development Water Generated from Redevelopment of Regional Well R-25B*, dated March 9, 2009 and referenced by ENV-RCRA-09-045.

The Permittees provide analytical evidence that the maximum measured concentrations of detected contaminants (toluene in development water from previous development effort at R-25b and 2-butanone in drilling fluids from R-25b) are below the New Mexico Water Quality Control Commission human health standards listed in 20.6.2.3.3103 NMAC (NMWQCC standards), the Environmental Protection Agency (EPA) Safe Drinking Water Act Maximum Contaminant Levels (MCLs), the EPA Region 6 Tap Water Human Health Medium-Specific Screening Levels (HHMSSLs), and the EPA Land Disposal Restrictions Treatment Standards (LDRs).

The Permittees propose to manage the development water from redevelopment of R-25b as non-hazardous waste in accordance with the NMED-approved *NOI Decision Tree for Land*



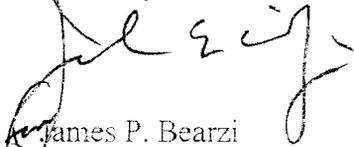
31459

*Application of Drilling, Development, Rehabilitation, and Sampling Purge Water* (November 2006) if concentrations of toluene and 2-butanone in redevelopment water are below the regulatory levels listed above, and there are no other 40 CFR 261.31 (F-listed) contaminants detected in that water.

NMED hereby grants the Permittees' request that development water from redevelopment of regional well R-25b be managed as non-hazardous waste if concentrations of toluene and 2-butanone in that water are below NMWQCC standards, MCLs, HHMSSLs, and LDRs, and there are no other F-listed contaminants detected in that water.

Please contact Jerzy Kulis of my staff at (505) 476-6039 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  
File: Reading and LANL, 2009 TA-16, R-25b