



LANL  
 1190 St. Francis Drive  
 Santa Fe, New Mexico  
 ENVIRONMENTAL IMPROVEMENT DIVISION

SWQB  
 Information  
 on TA-35/  
 125  
 overtopping

GARREY CARROLLERS  
 Governor  
 Carla L. Muth  
 Secretary  
 Michael J. Burkhardt  
 Deputy Secretary

Richard Mitzelfelt  
 Director

TA 35

*Handwritten signature/initials*

Certified Mail Return Receipt Requested

RECEIVED

January 23, 1989

JAN 25 1989

HAZARDOUS WASTE SECTION

Mr. Harold Valencia  
 Area Manager  
 U. S. Department of Energy  
 Los Alamos Area Office  
 Los Alamos, New Mexico 87544

RE: New Mexico Water Quality Control Commission (WQCC) Regulations

Dear Mr. Valencia:

I am in receipt of the letter from Frank Baca dated September 23, 1988, addressed to Mr. Saladen of my staff, responding to inquiries made by this office concerning discharges from a surface impoundment located near TA-35, Building 125. The letter describes one discharge from the gunite-lined surface impoundment and one from the storm drain. On both October 9, 1986, and December 3, 1986, less than 1000 gallons of dielectric oil discharged from the tech area into the adjacent ephemeral canyon. The SWQB has carefully reviewed your letter and inspected the site on November 21, 1988. The following determinations have been made regarding these discharges:

Section 1-203.A, Notification of Discharge - Removal, of the WQCC Regulations as amended through June 18, 1986 at the time (this regulation was amended November 24, 1988) required that:

Any person in charge of a facility, as soon as he has notice or knowledge of a discharge from the facility, of oil or other water contaminant, in such quantity as may with reasonable probability injure or be detrimental to human health, animal or plant, or property, or unreasonably interfere with the public welfare or use of the property, shall immediately:

1. ...notify the chief, Water Pollution Control Bureau, Environmental Improvement Division, of the nature, amount and location of discharge....

LANL did not properly notify the EID of the two discharges. LANL's failure to notify EID constitutes a violation of Regulation 1-203.

The material spilled and discharged from the surface impoundment is "refuse" pursuant to WQCC Regulation 1-101, and would be a violation of WQCC Regulation 2-201.

EQUAL OPPORTUNITY EMPLOYER



5045

Mr. Harold Valencia  
January 23, 1989  
Page 2

Furthermore, the material discharged from the surface impoundment implicitly meets the criteria of "contaminant in such quantity as may with reasonable probability injure or be detrimental to human health, animal or plant, or property, or unreasonably interfere with the public welfare or use of the property" because the surface impoundment has since been found to contain hazardous waste and is subject to closure and post closure requirements under the Resource Conservation and Recovery Act.

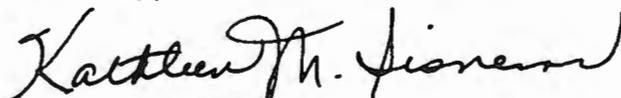
Based on the information available, the Division finds that the discharges on October 9, 1986 and December 3, 1986 violate WQCC Regulations 1-203. EID is interested in resolving these violations in an amicable manner by seeking voluntary compliance. Therefore, please submit within thirty (30) days of receipt of this letter:

1. Written and detailed explanation of procedures implemented or will be implemented to prevent this violation or similar violations from occurring in the future.

I appreciate the September 23rd response; however, the additional information requested is also necessary.

All future spills or discharges must be reported pursuant to Section 1-203 of the WQCC Regulations in a timely manner. If you so desire, a meeting in Santa Fe to discuss this matter may be scheduled at a mutually convenient time. Please contact Mike Saladen if you have any questions or to schedule a meeting.

Sincerely,



Kathleen M. Sisneros  
Chief  
Surface Water Quality Bureau

KMS:ms

Enclosure

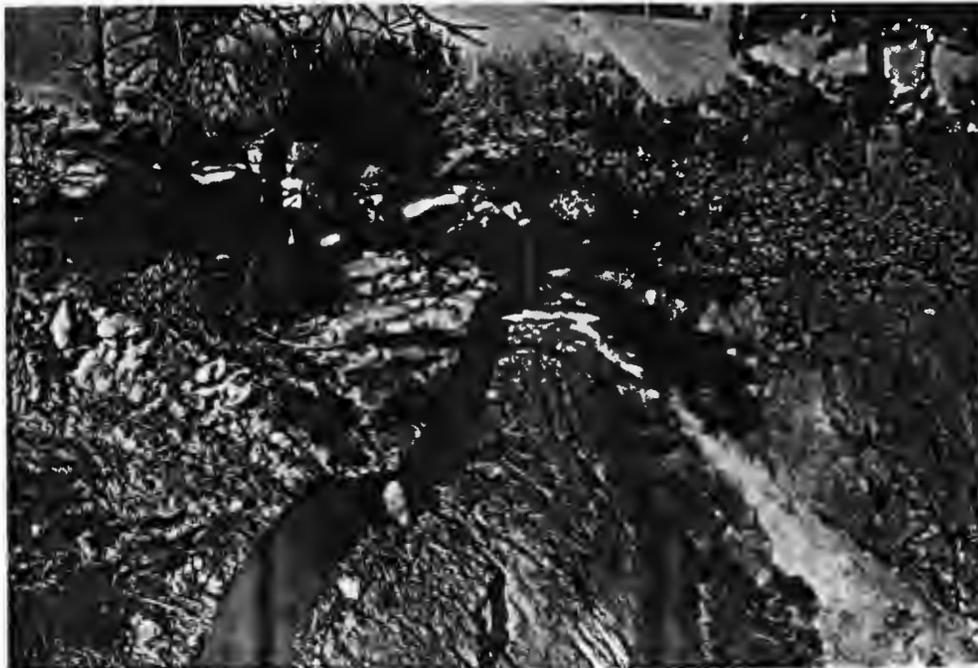
xc: Charles Nylander, LANL  
NMEID District II Office  
John Gould, NMEID Hazardous Waste Section  
Tracy Hughes, HED Legal Counsel  
Kelly Crossman, NMEID Hazardous Waste Section  
Jim Phoenix, DOE

**Los Alamos National Laboratory  
TA-35, Building 125  
December 5, 1988**

Photos taken by Bill Bartels, witnessed by Mike Saladen, Jim Phoenix and Al Valentine



Surface impoundment near TA-35, building 125. Note the waterline is to the top of the impoundment. Sandbags are present to minimize any overflow.



Overflow of effluent at the surface impoundment has left an oily residue on the soil.

**Los Alamos National Laboratory  
TA-35, Building 125  
December 5, 1988**

Photos taken by Bill Bartels, witnessed by Mike Saladen, Jim Phoenix and Al Valentine



Surface impoundment near TA-35, building 85. Note the effluent waterline is very close to the top of the impoundment.