

HSWA LAW 5/11/94/45/49-001 (c-3) [MDA-AB]



GARY E. JOHNSON  
GOVERNOR

State of New Mexico  
**ENVIRONMENT DEPARTMENT**

Ground Water Quality Bureau  
Harold Runnels Building  
1190 St. Francis Drive, P.O. Box 26130  
Santa Fe, New Mexico 87502  
(505) 827-2918 phone  
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*John K*



PETER MAGGIORE  
Secretary

**CERTIFIED LETTER - RETURN RECEIPT REQUIRED**

December 4, 1998



Steven Rae, Group Leader  
ESH-18  
Mail Stop K497  
Los Alamos National Laboratory  
Los Alamos, New Mexico 87545

**RE: Response to Notice of Intent to Discharge for Dust Suppression Water at TA-49 MDA AB Stabilization Project**

Dear Mr. Rae:

The New Mexico Environment Department (NMED), Ground Water Quality Bureau (GWQB) has received your Notice of Intent (NOI), dated September 2, 1998, for the discharge of 1000 gallons per day from your proposed dust suppression and soil conditioning operations at TA-49 in accordance with Section 1201 of the Water Quality Control Commission (WQCC) Regulations. The facility is located at TA-49, Area 2, Los Alamos National Laboratory, Los Alamos County. The application satisfies the requirements of Section 1201 of the WQCC Regulations.

Based on the presently available information in your NOI, and information e-mailed to Phyllis Bustamante by Harvey Decker on September 22, 1998, a discharge plan is not being required for this discharge as long as the discharge is as described. A discharge plan is not being required because it appears that the discharge conforms to the numerical ground water standards in WQCC Regulation 3103 and does not contain any toxic pollutants as defined in WQCC Regulation 1101.TT, and therefore is exempt from the discharge plan requirement under WQCC Reg.3105.

The exempt discharge is briefly described as follows:

Up to 1000 gallons per day of potable water will be discharged by tanker trucks onto dirt roads for dust suppression and onto clean fill for soil conditioning. Potable water will not be discharged onto sites of known contamination and will not be allowed to enter surface water courses. The total volume to be discharged will be 20,000 gallons.

*TL*



Although a discharge plan is not being required for this discharge at this time, you are not relieved of liability should your operation result in actual pollution of surface or ground waters. Further, this decision by the NMED does not relieve you of your responsibility to comply with any other applicable federal, state, and/or local laws and regulations, such as zoning requirements, plumbing codes and nuisance ordinances.

If at some time in the future you intend to change the amount, the character, or location of your discharge so that it will not be as described, or if observation or monitoring shows that the discharge is not as described, you must file a new request for exemption with the Ground Water Pollution Prevention Section (GWPPS).

If you have any questions, please contact either Phyllis Bustamante of the GWPPS staff at 827-0166 or Dale Doremus, Program Manager of the GWPPS at 827-2900.

Sincerely,



Marcy Leavitt, Chief  
Ground Water Quality Bureau

ML:PAB/pab

xc: James Bearzi, District Manager, NMED District II  
SWQB  
HRMB  
NOI File