



COPY



ENTERED

GROUND WATER

SEP 13 2019

BUREAU

*Environmental Protection & Compliance Division
Environmental Compliance Programs (EPC-CP)
PO Box 1663, K491
Los Alamos, New Mexico 87545
(505) 667-2211*

*National Nuclear Security Administration
Los Alamos Field Office
3747 West Jemez Road, A316
Los Alamos, New Mexico, 87544
(505) 665-7314 /Fax (505) 667-5948*

*Symbol: EPC-DO: 19-321
LA-UR: 19-28769
Locates Action No.: U1801172
Date: **SEP 13 2019***

Ms. Michelle Hunter, Chief
Ground Water Quality Bureau
New Mexico Environment Department
Harold Runnels Building, Room N2261
1190 St. Francis Drive
P.O. Box 26110
Santa Fe, NM 87502

**Subject: Request for Renewal of Temporary Permission to Discharge Treated Wastewater,
Radioactive Liquid Waste Treatment Facility, Discharge Permit DP-1132**

Dear Ms. Hunter:

On August 21, 2019, the New Mexico Environment Department (NMED) granted the request by the U.S. Department of Energy and Triad National Security, LLC (DOE/Triad) for temporary permission to continue to discharge up to 40,000 gallons per day of treated wastewater from the Technical Area (TA)-50 Radioactive Liquid Waste Treatment Facility (RLWTF) to the Mechanical Evaporator System (MES) and Outfall 051, as well as other activities described in the July 25, 2019 request (see Attachments 1 and 2). NMED approved the temporary permission for 120 days from June 18, 2019 through October 16, 2019 pursuant to 20.6.2.3106.B NMAC. As discussed in the request, the Water Quality Control Commission (WQCC) required the NMED to schedule a public hearing with a newly appointed hearing officer regarding a draft discharge permit (DP-1132). A public hearing on DP-1132 is expected to be held on November 14 and 15, 2019.

As a result of the WQCC Order, DOE/Triad seek an extension of the temporary permission to discharge previously granted by NMED on August 21, 2019 to (1) continue operations at RLWTF, (2) discharge treated wastewater from RLWTF to the MES and Outfall 051, and (3) complete other activities as described in the previously approved request while the draft discharge permit continues through the regulatory process. Attachment 3 contains the \$150.00 filing fee required by 20.6.2.3114 NMAC.





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As a result of the WQCC Order, DOE/Triad seek an extension of the temporary permission to discharge previously granted by NMED on August 21, 2019 to (1) continue operations at RLWTF, (2) discharge treated wastewater from RLWTF to the MES and Outfall 051, and (3) complete other activities as described in the previously approved request while the draft discharge permit continues through the regulatory process. Attachment 3 contains the \$150.00 filing fee required by 20.6.2.3114 NMAC.

We appreciate your attention to this matter. Please contact Karen E. Armijo at (505) 665-7314 or at Karen.Armijo@nnsa.doe.gov, or William Foley at (505) 665-8423 or at hfoley@lanl.gov if you have questions regarding this Temporary Permission Request.

Sincerely,



Enrique Torres
Division Leader
Environmental Protection & Compliance
Triad National Security, LLC

Sincerely,



Karen E. Armijo
Permitting and Compliance Program Manager
National Nuclear Security Administration
U.S. Department of Energy

ET/KEA/WJF:jdm

Attachment(s): Attachment 1 August 21, 2019 Letter from NMED Granting Temporary Permission To Discharge from the Technical Area (TA)-50 Radioactive Liquid Waste Treatment Facility (RLWTF)

Attachment 2 July 25, 2019 Letter Requesting Temporary Permission To Discharge from the Radioactive Liquid Waste Treatment Facility

Attachment 3 Check to NMED for Temporary Permission Filing Fee (\$150.00)

Copy: Shelly Lemon, NMED/SWQB, Shelly.Lemon@state.nm.us
John E. Kieling, NMED/HWB, john.kieling@state.nm.us
Steve Pullen, NMED/GWQB, steve.pullen@state.nm.us
Andrew Romero, NMED/GWQB, AndrewC.Romero@state.nm.us
Karen E. Armijo, NA-LA, Karen.Armijo@nnsa.doe.gov
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Michael T. Saladen, EPC-CP, saladen@lanl.gov
Robert S. Beers, EPC-CP, bbeers@lanl.gov
William J. Foley, EPC-CP, hfoley@lanl.gov
locatesteam@lanl.gov
epccorrespondence@lanl.gov
adesh-records@lanl.gov

ATTACHMENT 1

**August 21, 2019 Letter from NMED Granting
Temporary Permission To Discharge from the
Technical Area (TA)-50 Radioactive Liquid
Waste Treatment Facility (RLWTF)**

EPC-DO: 19-321

LA-UR-19-28769

Date: SEP 13 2019

Attachment 1

**NEW MEXICO
ENVIRONMENT DEPARTMENT**



MICHELLE LUJAN GRISHAM
Governor

HOWIE C. MORALES
Lieutenant Governor

Ground Water Quality Bureau
1190 South St. Francis Drive (87505)
P.O. Box 5469, Santa Fe, New Mexico 87502-5469
Phone (505) 827-2900 Fax (505) 827-2965
www.env.nm.gov



JAMES C. KENNEY
Cabinet Secretary

JENNIFER J. PRUETT
Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

August 21, 2019

Mr. Enrique Torres
EPC Division Director
Triad National Security, LLC.
Los Alamos National Laboratory
P.O. Box 1663, MS K404
Los Alamos, NM 87544

Ms. Karen E. Armijo
Permitting and Compliance Program Manager
National Nuclear Security Administration
Los Alamos Field Office
3747 West Jemez Road, A316
Los Alamos, NM 87544

RE: Temporary Permission to Discharge, Radioactive Liquid Waste Treatment Facility, DP-1132

Dear Mr. Torres and Ms. Armijo:

The New Mexico Environment Department (NMED) has reviewed a July 25, 2019 request from the U.S. Department of Energy and Triad National Security, LLC (DOE/Triad) for temporary permission for the continued discharge of up to 40,000 gallons per day of treated wastewater from the Radioactive Liquid Waste Treatment Facility (RLWTF) to the Mechanical Evaporator System (MES) and Outfall 051 (Request). The Request is associated with a groundwater discharge permit associated with the RLWTF (DP-1132) issued to DOE/Triad on August 29, 2018, which was subsequently vacated and remanded to NMED by the New Mexico Water Quality Control Commission (WQCC) on June 18, 2019 for a new hearing. The Request is made pursuant to 20.6.2.3106.B NMAC, which allows NMED's Cabinet Secretary (Secretary), for good cause shown, to allow a person to discharge without a permit for a period not to exceed 120 days.

The Request also seeks the continued use of the RLWTF's influent storage system (the Waste Management Risk Mitigation Facility) and continued work associated with NMED-approved workplans, i.e., stabilization of influent tanks no longer in service, installation of a soil moisture monitoring system, and the installation of two replacement monitoring wells located in the Mortandad Canyon alluvial aquifer.

Mr. Torres and Ms. Armijo
August 21, 2019
Page 2

DOE/Triad's Request commits to continued operation of the RLWTF in accordance with the procedures outlined in the discharge permit application and applicable requirements at 20.6.2 NMAC. The Request further commits to specific sampling and reporting activities associated with the discharge. The discharge is located within Los Alamos National Laboratory, approximately 1.5 miles south of Los Alamos, New Mexico, in Section 22, Township 19N, Range 06E, Los Alamos County.

Temporary permission to discharge for 120 days is hereby granted pursuant to 20.6.2.3106.B NMAC. Because the WQCC remanded DP-1132 on June 18, 2019, this permission will extend through October 16, 2019.

This approval does not relieve DOE/Triad of the responsibility to comply with any other applicable federal, state, and/or local laws and regulations, such as zoning requirements and nuisance ordinances. Also, this approval does not relieve DOE/Triad of liability should operation result in actual pollution of surface or ground waters.

If you have any questions, please contact Steve Pullen, manager of the bureau's Pollution Prevention Section at (505) 827-2962.

Sincerely,



Michelle Hunter, Chief
Ground Water Quality Bureau

MH:AR

cc: Robert Italiano, District Manager, NMED District II (electronic copy)
Steve Pullen, NMED/GWQB (electronic copy)
Andrew Romero, NMED/GWQB (electronic copy)
John Romero, Office of the State Engineer (electronic copy)
Anne Keller, DWB, UOCP (electronic copy)
John Kieling, NMED/HWB (electronic copy)
Shelly Lemon, NMED/SWQB (electronic copy)
Steven Yanicak, NMED/DOEOB (electronic copy)
Bob Beers, EPC-CP, bbeers@lanl.gov (electronic copy)

ATTACHMENT 2

**July 25, 2019 Letter Requesting Temporary
Permission To Discharge from the Radioactive
Liquid Waste Treatment Facility**

EPC-DO: 19-321

LA-UR-19-28769

Date: SEP 13 2019



*Environmental Protection & Compliance Division
Environmental Compliance Programs (EPC-CP)*
PO Box 1663, K491
Los Alamos, New Mexico 87545
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3747 West Jemez Road, A316
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(505) 665-7314 /Fax (505) 667-5948

Symbol: EPC-DO: 19-261
LA-UR: 19-27018
Locates Action No.: U1801172
Date: **JUL 25 2019**

Ms. Michelle Hunter, Chief
Ground Water Quality Bureau
New Mexico Environment Department
Harold Runnels Building, Room N2261
1190 St. Francis Drive
P.O. Box 26110
Santa Fe, NM 87502

Subject: Request for Temporary Permission to Discharge Treated Wastewater, Radioactive Liquid Waste Treatment Facility, Discharge Permit DP-1132

Dear Ms. Hunter:

This letter accompanies a formal request, made pursuant to 20.6.2.3106(B) NMAC, that seeks temporary permission (TP) from the New Mexico Environment Department (NMED) to allow the U.S. Department of Energy and Triad National Security, LLC (DOE/Triad) to continue to discharge treated wastewater from the Technical Area (TA)-50 Radioactive Liquid Waste Treatment Facility (RLWTF) to certain units at the Los Alamos National Laboratory. As further detailed in Attachment 1, this request is associated with DOE/Triad's permit application (discharge plan), multiple draft permits (DP-1132) and a final DP-1132 issued by NMED on August 29, 2018. On June 18, 2019, the Water Quality Control Commission (WQCC) vacated DP-1132 in an Order that remanded the matter to NMED for a new hearing with a newly appointed Hearing Officer. In accordance with the WQCC's Order, on July 17, 2019, the NMED Secretary appointed a new hearing officer and scheduled a new hearing for September 24, 2019.

As a result of the WQCC's Order, DOE/Triad seek temporary permission from NMED to discharge up to 40,000 gallons per day of treated wastewater from the RLWTF to the Mechanical Evaporator System (MES) and Outfall 051, which is also regulated by a National Pollutant Discharge Elimination System (NPDES) permit issued by the U.S. Environmental Protection Agency (EPA) pursuant to the federal Clean Water Act Section 402, 33 U.S.C. §1342.

EPC-DO: 19-261
Ms. Michelle Hunter

Page 2

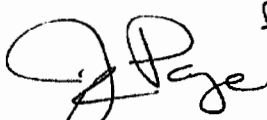
As described in DOE/Triad's Temporary Permission Request (Attachment 1), DOE/Triad will continue to operate the RLWTF in accordance with the permit application (discharge plan) and will meet applicable requirements under the WQCC rules at 20.6.2 NMAC. The RLWTF influent wastewater will be treated and discharged to meet applicable ground water standards, and DOE/Triad will ensure that the sampling and reporting requirements are met as outlined in the Temporary Permission Request. The Temporary Permission Request also seeks to continue the use of RLWTF's influent storage system (the Waste Management Risk Mitigation Facility) as described in the permit application and now-vacated DP-1132, and work associated with NMED-approved work plans, which address stabilization of influent tanks that ceased operation, installation of a soil moisture monitoring system, and installation of two replacement monitoring wells located in the Mortandad Canyon alluvial aquifer.

The following additional information is provided herewith:

- Attachment 1: Temporary Permission Request
- Attachment 2: Supporting Documentation
- Attachment 3: Check to NMED for temporary permission filing fee (\$150.00)

We appreciate your attention to this matter. Please contact Karen E. Armijo at (505) 665-7314 or at Karen.Armijo@nnsa.doe.gov, or Bill Foley at (505) 665-8423 or at bfoley@lanl.gov if you have questions regarding this Temporary Permission Request.

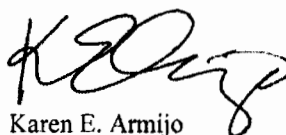
Sincerely,



for E. Torres

Enrique "Kiki" Torres
Division Leader
Environmental Protection & Compliance
Triad National Security, LLC

Sincerely,



Karen E. Armijo
Permitting and Compliance Program Manager
National Nuclear Security Administration
U.S. Department of Energy

ET/KEA/WJF/RSB:jdm

Attachment(s): Attachment 1 Temporary Permission Request
Attachment 2 Supporting Documentation - NMED Approved Work Plans
Attachment 3 Check to the NMED for the temporary permission filing fee (\$150.00)

EPC-DO: 19-261
Ms. Michelle Hunter

Page 3

Copy: Shelly Lemon, NMED/SWQB, Shelly.Lemon@state.nm.us
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locatesteam@lanl.gov
epccorrespondence@lanl.gov
adesh-records@lanl.gov

ATTACHMENT 3

**Check to NMED for Temporary Permission
Filing Fee (\$150.00)**

EPC-DO: 19-321

LA-UR-19-28769

Date: SEP 13 2019

Check included with original submittal only

INVOICE NO	DATE	DESCRIPTION	DISCOUNT	NET AMOUNT
NON082919007	08/29/19	PERMIT FEE*DP 1132		\$150.00

CHECK NO	DATE	VENDOR NO.	VENDOR NAME	TOTAL AMOUNT
400239	09/03/2019	AC0604401	NEW MEXICO ENVIRONMENTAL DEPT	150.00

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER, A VOID PANTOGRAPH AND MICROPRINTING. THE BACK OF THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK. HOLD AT AN ANGLE TO VIEW.

Wells Fargo Bank NA

LOS ALAMOS NATIONAL LABORATORY

400239

PO BOX 1663, MS P240

LOS ALAMOS, NM 87545

PLEASE CASH PROMPTLY
SUBJECT TO CANCELLATION
90 DAYS AFTER DATE

MO	DAY	YR
09	03	19

56-382
412

PAY One Hundred Fifty and 00/100 Dollars

\$ *****150 00

TO THE ORDER OF NEW MEXICO ENVIRONMENTAL DEPT
PO BOX 5469
SANTA FE NM 87502



Authorized Signature

⑈00400239⑈ ⑆041203824⑆ 9683451745⑈