



TR54
 NEW MEXICO
 ENVIRONMENT DEPARTMENT
 Ground Water Quality Bureau



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RON CURRY
 Secretary
 JON GOLDSTEIN
 Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

January 22, 2010

Bob Beers,
 Environmental Protection Division
 Water Quality and RCRA Group (ENV-RCRA)
 P.O. Box 1663, Mail Stop K490
 Los Alamos, NM 87545



RE: Response to Notice of Intent to Discharge for the Treatment of R-39 Development Water, AI: 856 (PRD20090005)

Dear Mr. Beers:

The Ground Water Quality Bureau of the New Mexico Environment Department (NMED) received a Notice of Intent from you on October 21, 2009. The notice describes your intent to treat and discharge 12,000 gallons of purge water from regional monitoring well R-39 which was contaminated in the containment vessel during well development. Based on information submitted in the Notice of Intent, the proposed discharge would be a single, short-term event. The notice satisfies the requirements of Subsection A of 20.6.2.1201 NMAC of the New Mexico Water Quality Control Commission (WQCC) Regulations (20.6.2 NMAC – copy available upon request). The proposed discharge is located at 35°49'39.29"N and 106°14'03.60" approximately one mile northwest of White Rock in Section 31, Township 19N, Range 07E, Los Alamos County.

NMED has reviewed the information provided in accordance with Subsection D of 20.6.2.1201 NMAC. **You are hereby notified that a Discharge Permit is required for the proposed discharge. However, NMED recommends that Los Alamos National Laboratory (LANL) seeks authorization to discharge under a temporary permission in accordance with Subsection B of 20.6.2.3106 NMAC.** In order for NMED to grant temporary permission to discharge, a Discharge Plan proposal must be submitted to NMED. Information to be included in the proposal must include:

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- The total duration of the discharge;
- Proposed timelines for treatment and discharge;
- The total estimated volume of discharge;
- The quality of water prior to and after treatment;
- Specifications on the treatment system;
- Specific locations for the land application area;
- Management practices to be implemented during the discharge to protect Solid Waste Management Units (SWMUs) and prevent unauthorized discharges to waterbodies;
- Proposed actions for removal and disposal of the treatment system and its associated byproducts; and

A \$150.00 fee for temporary permission is required with submission of your request.

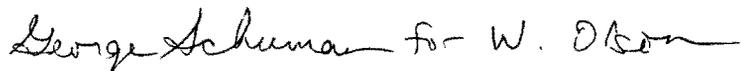
Upon review of the submitted information and in accordance with Subsection B of 20.6.2.3106 NMAC, the secretary will determine whether or not to authorize this facility to discharge under temporary permission for a period not to exceed 120 days.

Please be advised that any discharge from this facility without prior written approval from NMED would be a violation of the WQCC Regulations.

Any appeal of this determination that a Discharge Permit is required must be made to the New Mexico Water Quality Control Commission within 30 days of receipt of this letter, in accordance with Subsection B of 20.6.2.3112 NMAC.

If you have any questions, please contact either Jennifer Fullam at 505-827-2909 or George Schuman, Program Manager of the Ground Water Pollution Prevention Section, at 505-827-2945.

Sincerely,



William C. Olson, Chief
Ground Water Quality Bureau

WO:JF

Enc: Notice of Intent letter dated October 14, 2009

cc: Robert Italiano, District Manager, NMED District II
NMED Santa Fe Field Office
Steven Yanicak, NMED DOE-OB (with NOI)
Rich Powell, NMED SWQB(with NOI)
James Bearzi, NMED HWB(with NOI)
DP Required File