

TA-61-005



State of New Mexico
ENVIRONMENT DEPARTMENT
Surface Water Quality Bureau
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, New Mexico 87502
(505) 827-0187

GARY E. JOHNSON
GOVERNOR

MARK E. WEIDLER
SECRETARY

EDGAR T. THORNTON, III
DEPUTY SECRETARY

December 4, 1997

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

P 332 409 138

Mr. Mike Tomlinson
Solid Waste Division Manager
Los Alamos County
P. O. Box 30
Los Alamos, NM 87554

RE: Notification of Violation: Refuse In A Watercourse Due To Exposed Landfill Cell at Los Alamos County Landfill (LACL)

Dear Mr. Tomlinson:

On November 13, 1997, a site visit to the Sandia Wetlands (located below the LACL) conducted by NMED-Surface Water Quality Bureau (NMED-SWQB) representative Ms. Barbara Hoditschek, revealed that erosion had exposed a cell of the LACL and that refuse was being released into the watercourse feeding the wetland. This is a violation of the New Mexico Water Quality Control Commission (WQCC) Regulations (20 NMAC 6.2) Section 2201 which states, "No person shall dispose of any refuse in a natural watercourse or in a location and manner where there is a reasonable probability that the refuse will be moved into a natural watercourse by leaching or otherwise."

In addition, the County may also be in violation of WQCC Regulations Section 1203 A., which states, in part: "any discharge from any 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 life... requires notification and corrective action."



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LACL Solid Waste Division Manager
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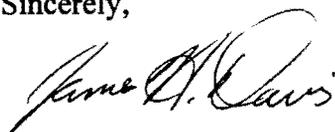
Section 1203.5 of the WQCC Regulations requires that the owner/operator of the facility take corrective actions as necessary or appropriate to contain and remove or mitigate the damage caused by the discharge. Furthermore, Section 1203.6. of the WQCC Regulations requires that a corrective action plan be submitted no later than fifteen (15) days after the discharger learns of the discharge. Upon written request and for good cause shown, the Bureau Chief may extend this time limit beyond fifteen (15) days.

Therefore, NMED-SWQB is requiring Los Alamos County comply with the requirements of the WQCC by providing the following:

- 1) stabilization of the landfill cell that is exposed,
- 2) removal of the garbage from the watercourse,
- 3) submittal of corrective action plans for stabilization of the entire landfill slope located above the Sandia wetland such that future releases of refuse materials (e.g., garbage, sediment) into the watercourse and/or Sandia wetlands do not occur, and;
- 4) provide written verification for approval by NMED-SWQB that the cleanup and stabilization are adequate to address the problem.

The action and information requested in this letter is an attempt to achieve voluntary compliance. Your cooperation regarding this matter is requested. Failure to act regarding stabilization, cleanup and verification could result in appropriate enforcement action pursuant to Section 74-6-10 of the New Mexico Water Quality Act. Compliance with these regulations does not release the County from any other regulatory requirements associated with the discharge from this landfill cell.

Sincerely,



James H. Davis, Ph.D.
Bureau Chief
Surface Water Quality Bureau

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LACL Solid Waste Division Manager
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cc:

S. McMichael, NMED-OGC
G. Saums, Mgr. PSRS, NMED-SWQB
C. Hules, Mgr., NMED-SWB
S. Yanicak, NMED-DOE/OB (White Rock), MS J993
S. Dinwiddie, Ph.D., NMED-HRMB
T. Todd, Area Mgr., DOE
J. Vozella, LAAO, MS A316
T. Baca, EM, MS J591
J. Plum, DOE/LANL, MS A316
S. Rae, ESH-18, MS K497
File: LA County:Ldfl:1203:2201

DOE