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GOVERNOR

*FACE 1*  
State of New Mexico  
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**MEMORANDUM**

To: Peter Monahan, Acting NPS Program Manager, Surface Water Quality Bureau

From: Cecilia Brown, NPS Section, Surface Water Quality Bureau *CB*

CC: Barbara Hoditschek, PSR Section, Surface Water Quality Bureau

Date: March 2, 1998

Subject: Travel Report for Wednesday, February 25, 1998

Jim Wood of the Army Corps of Engineers and I arrived at the Los Alamos County landfill at 12:45 p.m. We met with staff from DOE Oversight Bureau, Los Alamos County landfill, and Los Alamos National Laboratory (LANL). Mr. Wood stated that the Corps had not made a final determination on whether the rubble pile was in compliance with Section 404 of the Clean Water Act and Nationwide Permit 26, but that it was probably in violation of erosion control and suitable material requirements. Mr. Wood stated that all current activity in the rubble pile had to be in compliance with all current conditions, including State certification. If the rubble pile complies with all permit conditions, a Nationwide Permit 26 will be issued. Nationwide Permit 26 will expire December 31, 1998, at which time an Individual 404 permit will be required for any future fill. The issue of the responsible party was clarified; Los Alamos County and the Department of Energy are responsible for complying with regulations and obtaining all permits. LANL staff stated that the fill was being placed to construct a road crossing over the canyon.

County landfill staff stated that the rubble pile consisted of concrete, asphalt, and earthen fill. They said that one severely contaminated load from TA-54 had been dumped in the landfill and subsequently removed to comply with RCRA. They stated that loads were routinely inspected to keep deposition of trash and biodegradable materials to a minimum. Mr. Wood stated that the Corps needs to make a determination on whether the asphalt is suitable material or not. Ordinarily it would not be, but the 1987 permit application described the fill material, including the asphalt. Since the Corps did not inform the County at that time that asphalt was unsuitable, they may not be able to change their determination.



3746

While inspecting the project site, Mr. Wood expressed concern with the lack of erosion control on the north and west sides of the rubble pile. Ralph Ford-Schmid pointed out the locations of PCB-contaminated SWMUs. He told me that the culverts installed under the rubble pile had caused the wetland to develop a defined channel, which was preventing the wetland from containing the PCBs entering the canyon from upland runoff.

I informed the parties present that the project would have to demonstrate compliance with all State water quality standards to qualify for water quality certification. I stated that the State may have concerns with standards violations from sedimentation and toxic materials such as PCBs. Mr. Wood stated that he would review all the information he had and determine what course of action the Corps would take.