



BILL RICHARDSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT

Ground Water Quality Bureau
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, New Mexico 87502-6110
Telephone (505) 827-2918
Fax (505) 827-2965



RON CURRY
SECRETARY
DERRITH WATCHMAN-MOORE
DEPUTY SECRETARY

August 1, 2005

Steven Rae, Group Leader
Water Quality & Hydrology Group
Los Alamos National Laboratory
P.O. Box 1663, Mail Stop K497
Los Alamos, New Mexico 87545



LANL TA-74 [Pueblo Canyon, surface water]

RE: Response to Notice of Intent to Discharge Dye Tracer Rhodamine WT at Los Alamos National Laboratory

Dear Mr. Rae:

The New Mexico Environment Department (NMED) received your July 1, 2005 Notice of Intent (NOI) package and the July 8, 2005 Supplemental Information to the NOI (NOI supplement) about your intended study to use a tracer dye (Rhodamine WT) to define the flow of water in reaches on the Los Alamos National Laboratory (LANL) property. The information within the NOI and the NOI supplement satisfy the Water Quality Control Commission requirements at Subsection A of 20.6.2.1201 New Mexico Administrative Code.

The project, as described in the NOI and NOI supplement, involves a discharge of Rhodamine WT dye to be used at LANL to determine the flow at different stages in the unit hydrograph. Rhodamine WT will be injected at a maximum concentration of 5 parts per billion (ppb) for low flow events and 1 ppb for high flow events.

Based on the information provided in the NOI and NOI supplement and feedback from U.S. Environmental Protection Agency Region 6, the NMED Surface Water Quality Bureau (SWQB) has determined that a National Pollutant Discharge Elimination System (NPDES) permit is not required as long as the discharge is as described.

Also, based on the information provided in your NOI and NOI supplement, the NMED Ground Water Quality Bureau (GWQB) has determined that a Discharge Permit is not required as long as the discharge is as described and the following conditions, which differ from the proposed NOI, are adhered to during the course of the discharge(s):



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- (1) The target flow to activate the drip shall be doubled from the figures noted in the July 1, 2005 NOI; and
- (2) Gauging station E060 shall not be used as a discharge location.

Therefore, if the study described in your NOI and NOI supplement is modified as noted above so that no more than 25.8 L of Rhodamine WT has the potential to be discharged, then the NMED GWQB concludes that the proposed discharge will not adversely impact ground water, and a Discharge Permit will not be required.

Although neither a NPDES nor a NMED Discharge Permit is being required for this discharge at this time, you are not relieved of liability should your operation result in a violation of a surface water or ground water quality standard adopted pursuant to the New Mexico Water Quality Act (74-6-10 NMSA 1978). Further, this decision by NMED does not relieve you of your responsibility to comply with any other applicable federal, tribal, 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, character, or location of your discharge, or if observation or monitoring shows that the discharge is not as described in your NOI, you must file a new request for exemption with the SWQB and GWQB.

If you have any questions, please contact Jane DeRose-Bamman, SWQB at 505-476-3671 or Chris Vick, GWQB at 505-827-0078.

Sincerely,



for Marcy Leavitt, Chief
Surface Water Quality Bureau



William C. Olson, Chief
Ground Water Quality Bureau

cc: Neil Weber, San Ildefonso Pueblo
Dr. Michael Meyer, Highlands University
Bob Beers, Water Quality & Hydrology Group, Los Alamos National Laboratory
Scott Wilson, USEPA Region 6 (6WQ-PP)
Ralph Ford-Schmidt, NMED - DOEOB
Cecilia Williams, District Manager, NMED District II NMED Santa Fe Field Office
John Young, Hazardous Waste Bureau, NMED
NOI File
County File