



**Department of Energy**  
Carlsbad Field Office  
P. O. Box 3090  
Carlsbad, New Mexico 88221  
November 23, 2004



Mr. Clint Marshall  
Ground Water Quality Bureau  
New Mexico Environment Department  
P.O. Box 26110  
Santa Fe, NM 87502

Subject: Permit Condition 5 of the Discharge Permit, DP-831, Renewed On  
April 29, 2003, Maintain Two Feet of Freeboard in All Lagoons At All Times

Dear Mr. Marshall:

We notified you in a phone conversation on September 30, 2004, that two feet of freeboard was not maintained in the Sewage Lagoons following 6.48 inches of rain during the last week of September 2004. All ponds in the sewage lagoon system were returned to an operating level with a minimum of two feet of freeboard by November 7, 2004. We notified you of our corrective actions in a letter dated October 28, 2004.

The purpose of this letter is to confirm our notification to you by phone last week that an additional 3.04 inches of rain between Saturday, November 13 and Tuesday, November 16, 2004, resulted in Evaporation Ponds A, B and C of the sewage lagoon system rising to a level that is approximately two to three inches above the two feet of freeboard level. The ponds still have at least 21 inches of freeboard.

In accordance with Condition 5 of DP-831, we propose corrective actions of monitoring the water level in each pond daily until the ponds return to a level that maintains two feet of freeboard. If the freeboard becomes less than 12 inches, we will either:

- (1) pump water from the evaporation ponds to upstream settling or polishing ponds which are currently at two feet of freeboard (maintaining at least one foot of freeboard); or
- (2) request temporary authorization to transfer water from the sewage lagoons to the H-19 Evaporation Pond. Due to the 3:1 side slopes, we believe that 12 inches of freeboard is more than adequate to prevent the release of wastewater due to wave action. As you know, prior to the April 2003 DP-831 renewal, the sewage lagoons were operated at one-foot of freeboard for more than 15 years without overflowing.



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We will notify your office when all ponds are returned to a level that maintains two feet of freeboard, if continued precipitation results in the need for additional corrective actions, or of any event in which wastewater is released from the sewage lagoon system.

If you have any questions or require additional information, please contact Mr. H. L. Plum of my staff at (505) 234-7495.

Sincerely,



Lloyd L. Piper  
Acting Manager

cc:

J. Kieling, NMED \*ED

J. Bearzi, NMED \*ED