



Department of Energy
Carlsbad Field Office
P. O. Box 3090
Carlsbad, New Mexico 88221

December 10, 2004



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

Subject: H-19 Evaporation Pond and 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:

The purpose of this letter is to follow-up on the November 24, 2004, phone conversation in which you were notified that recent precipitation has resulted in the H-19 Evaporation Pond rising to a level that is slightly above the two feet of freeboard. Uncommonly high precipitation rates resulted in the loss of freeboard in the H-19 Evaporation Pond. Your office has already been notified of the effect of the high precipitation rates on freeboard capacity in the sewage lagoons in letters dated October 28, 2004, and November 23, 2004.

During the phone conversation notifying you of the status of the H-19 Evaporation Pond on November 24, 2004, you:

- (1) verbally authorized us to temporarily operate the H-19 Evaporation Pond with one foot of freeboard;
- (2) requested that we send you a letter regarding the H-19 Evaporation Pond; and,
- (3) stated that you would provide a combined response addressing the November 23, 2004, letter proposing corrective actions for the sewage lagoon system and this notice regarding the H-19 Evaporation Pond.

As part of our corrective actions for the lack of freeboard at the H-19 Evaporation Pond, we will continue weekly inspections and inspect the pond following significant precipitation events (greater than one inch). 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 H-19 Evaporation Pond.

Thanks for your assistance in this matter. 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

