



**NEW MEXICO
ENVIRONMENT DEPARTMENT**



Ground Water Quality Bureau

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June 26, 2020

Elizabeth Lowes, Program Manager
Environmental, Safety and Health
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1200 Trinity Drive, Suite 150
Los Alamos, NM 87544

David Nickless, Acting Director
Environmental Management
Los Alamos Field Office
P.O. Box 1663, MS M984
Los Alamos, NM 87545

RE: Response to Notice of Intent to Discharge; Discharge Permit Not Required for Los Alamos National Laboratory, AI-856

Dear Mr. or Ms. Last Name:

The Ground Water Quality Bureau of the New Mexico Environment Department (NMED) received a Notice of Intent from you on April 10, 2020 to perform a moisture monitoring pilot study at the Los Alamos National Laboratory (LANL). The proposed discharge is located at LANL Technical Area 21 (TA-21), just west of the Material Disposal Area (MDA) T, approximately 3 miles southeast of Los Alamos, in Section 14, Township 19N, Range 6E, Los Alamos County.

The Notice satisfies the requirements of Subsection B of 20.6.2.1201 NMAC, Ground and Surface Water Protection Regulations, (20.6.2 NMAC).

The proposed discharge is briefly described as follows:

Up to 12,000 gallons of potable water will be discharged to a trench at TA-21, just west of MDA-T. The purpose of the monitoring pilot study is to collect sufficient data to evaluate several vadose zone moisture monitoring techniques and instrument deployment methods in a noncontaminated "pilot" setting before deploying a preferred approach within the footprint of MDA-T. Three angled boreholes will be drilled to allow for moisture monitoring instrumentation to be installed. A trench will be dug above the angled boreholes into the bedrock (Bandelier Tuff) approximately 20 ft. long by 2 ft. deep by 3 ft. wide using a backhoe or excavator. The location of the trench has approximately 6 ft. of overlying fill material that will be excavated to access the underlying bedrock.

Following excavation of the trench, water will be applied to the trench for a period of approximately 14 days. A constant pond depth of about 1 ft. will be maintained within the trench either using a float valve or by manually adding water. The water level within the trench may vary between 6 in. to 1.5 ft. deep. Up to 12,000 gallons of potable water will be added to the trench over the 14-day period. To test and calibrate the deployed moisture monitoring instruments, data will be collected over the 14-day period when water is in the trench.

NMED has determined that a Discharge Permit is not required based on the information provided in your Notice of Intent and as long as the discharge is performed as described. A Discharge Permit is not required at this time because the information provided indicates it is unlikely that the discharge will adversely affect groundwater quality.

Although a Discharge Permit is not being required for this discharge at this time, you are not relieved of liability should your operation result in actual pollution of surface or groundwaters. Further, this decision by NMED does not relieve you of your responsibility to comply with any other applicable federal, state, and/or local laws and regulations, 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 Notice of Intent, you must file a revised Notice of Intent with the GWQB.

This approval is pursuant to WQCC Regulation 20.6.2.3106.B NMAC, and the NMED Delegation Order dated January 15, 2020, through which the Cabinet Secretary has delegated this authority to sign responses to a Notice of Intent to discharge to the Chief of the GWQB.

NMED is taking all necessary precautions to reduce the spread of COVID-19. Given the current public health emergency, all monitoring and permit required activities must be conducted in accordance with the Governor's current Executive Orders and Public Health Orders. Please help to keep New Mexicans safe by visiting the New Mexico Department of Health's website to learn how you can play a role in stopping the spread of COVID-19. That website is cv.nmhealth.org. If you believe the current COVID-19 restrictions impact your ability to safely complete one or more permit required tasks, please include this information with your submittals.

Elizabeth Lowes and David Nickless

June 26, 2020

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If you have any questions, please contact either Andrew Romero at (505) 827-0076 or Steve Pullen, Program Manager of the Ground Water Pollution Prevention Section, at (505) 827-2962.

Sincerely,

Steve Pullen

Digitally signed by Steve Pullen
Date: 2020.06.26 14:37:50
-06'00'

(for) Michelle Hunter, Chief
Ground Water Quality Bureau

MH:AR

cc: Steve Pullen, Program Manager
Robert Italiano, District Manager, NMED District II
County File
Christian T. Maupin, N3B – Los Alamos (christian.maupin@em-la.doe.gov)