



MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

August 13, 2021

Joseph Murdock
Program Manager
Newport News Nuclear BWXT-Los Alamos, LLC
Environmental, Safety and Health
1200 Trinity Drive, Suite 159
Los Alamos, NM 87544

Stephen Hoffman
Acting Manager
Environmental Management
Los Alamos Field Office
U.S. Department of Energy
1200 Trinity Drive, Suite 400
Los Alamos, NM 87544

RE: Administrative Completeness Determination and Applicant's Public Notice Requirements, DP-1835, Los Alamos National Laboratory Underground Injection Control Wells

Dear Joseph Murdock and Stephen Hoffman,

The New Mexico Environment Department (NMED) received a Groundwater Discharge Permit Application for the above referenced facility on July 9, 2021. Pursuant to Section 20.6.2.3108 NMAC of the New Mexico Ground and Surface Water Protection Regulations (20.6.2 NMAC), NMED determined on July 28, 2021, that your application is administratively complete.

Within 30 days of the date this letter, you must provide public notice. Instructions and materials needed to complete the public notice are enclosed.

After NMED receives the completed proof of public notice, a technical reviewer will contact you if additional information is needed to process your application. If you have a deadline of concern in the interim or any questions, please call the Ground Water Quality Bureau at (505) 827-2900.

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Joseph Murdock and Stephen Hoffman, DP-1835

August 13, 2021

Page 2 of 2

Sincerely,

Andrew C. Romero
Digitally signed by
Andrew C. Romero
Date: 2021.08.13
11:50:33 -06'00'

Michelle Hunter, Chief

Ground Water Quality Bureau

enc: Instructions for Completing Public Notice Requirements
Affidavit
Public Notice Flyer
Text for Newspaper Display Ad

cc: Christian Maupin, N3B, christian.maupin@em-la.doe.gov

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Ground Water Quality Bureau | 1190 Saint Francis Drive, PO Box 5469, Santa Fe, New Mexico 87502-5469
Telephone (505) 827-2900 | www.env.nm.gov/gwqb/

INSTRUCTIONS FOR COMPLETING PUBLIC NOTICE REQUIREMENTS

Discharge Permit DP-1835

New

Renewal/Modification

Modification

Within 30 days of the date when the US Postal Service first makes notice to you of its possession of this letter, you must provide public notice as follows:

1. Post sign(s) at the facility.

A sign 2 x 3 feet in size (or multiple signs if required) must be posted **at or near the facility for 30 days** in a conspicuous location approved by NMED. The text for the poster is enclosed. It is the responsibility of the applicant to provide the poster. NMED approves the following sign posting location(s).

One sign to be posted off Laredo Road adjacent to TA-72 Building 39 and also off Mesita del Buey adjacent to TA-54 Building 1009

2. Post a public notice flyer off-site.

The enclosed public notice flyer which must be posted **off-site** at a location conspicuous to the public and approved by NMED. NMED approves the following flyer posting location:

One flyer to be placed at LANL Public Reading Room, 94 Cities of Gold Rd, Pojoaque, NM 87506

3. Mail a public notice flyer to property owners within 1/3 mile.

A copy of the enclosed public notice flyer must be sent by 1st class mail to the owners of record of all properties within 1/3 mile from the boundary of the property where the discharge site is located. If there are no properties within 1/3 mile other than properties owned by the applicant, then the flyer must be mailed to the owners of record of the nearest adjacent properties.

The names and addresses of property owners can be obtained from the county tax assessor's office. The list of property owners' names and addresses must be submitted to NMED.

4. Mail a public notice flyer to the owner of the discharge site.

A copy of the enclosed flyer must be sent via certified mail, return receipt requested, to the owner(s) of the discharge site(s), if the applicant is not the owner. The list of owners' names and addresses and the certified mail receipts must be submitted to NMED.

5. Place a display ad in the newspaper.

A display ad 3 x 4 inches in size must be published for one day in a newspaper of general circulation in the location of the proposed discharge. The ad may **not** be placed in the classified or legal section. The text for the ad is enclosed. NMED approves publishing the ad in the following newspaper:

Los Alamos Daily Post and Albuquerque Journal

PROOF OF NOTICE. Within 15 days of completing the above requirements, the applicant must submit the following items as proof of notice to NMED:

- ✓ Affidavit regarding the sign posting and mailing (form enclosed).
- ✓ List of names and addresses to whom the public notice flyer was mailed.
- ✓ List of names and addresses of owners of discharge sites.
- ✓ Certified mail receipts for mailing to discharge site owner(s), if required.
- ✓ Copy of newspaper ad.

Send to NMED Ground Water Quality Bureau, PO Box 5469, Santa Fe, NM 87502.

Reviewer's Initials and Date AR 8/13/21

AFFIDAVIT OF PUBLIC NOTICE COMPLETION
Permit Renewal and Modification

DP-1835

I certify, under penalty of law, that I have fulfilled the Ground Water Discharge Permit public notice requirements of Section 20.6.2.3108(B) NMAC.

- ✓ I posted a sign for 30 days displaying a synopsis of the public notice in English and in Spanish at or near the proposed facility in a conspicuous public location (or multiple locations) approved by NMED.
- ✓ I posted a public notice flyer at a conspicuous off-site location approved by NMED.
- ✓ I placed a synopsis of the public notice in English and in Spanish in a newspaper approved by NMED. A copy of the newspaper page containing the synopsis is enclosed.
- ✓ I sent the public notice flyer via 1st class mail to *(check box)*:
 - owners of all properties within a 1/3 mile of the boundary of the property of the proposed discharge locations – mailing list is enclosed.
 - owners of all adjacent property (if applicant owns all property within 1/3 mile) – mailing list is enclosed.
- ✓ I sent the public notice flyer via certified mail, return receipt requested, to *(check box)*:
 - owner of the property of the proposed discharge locations (if applicant is not the owner) – mailing address is enclosed.

I am aware that there are significant penalties for false certification including the possibility of fines.

Signature of Applicant

Date

Printed Name

Title

Public Notice Synopsis, DP-1835
(for poster and newspaper display ad)

Newspaper display ad must be at least 3 inches by 4 inches in size and must be published for at least one day in a section other than the classifieds or legals.

Poster must be made to be at least 2 feet by 3 feet in size and must be posted at or near the facility, in a location approved by the department, and conspicuous to the public for a period of 30 days. For more than 640 contiguous acres of a discharge site, or when the discharge site is not located on contiguous properties, additional posters may be required.

**PUBLIC NOTICE
DISCHARGE PERMIT
RENEWAL AND
MODIFICATION**

Newport News Nuclear BWXT-Los Alamos, LLC and the United States Department of Energy propose to discharge up to 1,500,000 gallons per day of remediated groundwater to a Class V Underground Injection Control System. Discharge location: Los Alamos National Laboratory Underground Injection Control Wells, within the boundaries of Los Alamos National Laboratory in Mortandad Canyon. For additional information, contact the New Mexico Environment Department and reference: DP-1835 PN1.

(505) 660-8624 www.env.nm.gov/gwqb/public-notice

**AVISO PÚBLICO
RENOVACIÓN Y
MODIFICACIÓN DE
PERMISO DE DESCARGA**

Newport News Nuclear BWXT-Los Alamos, LLC y el Departamento de Energía de los Estados Unidos proponen descargar hasta 1,500,000 galones por día de aguas subterránea remediada a un Sistema de Control de Inyección Subterráneo Clase V. Sitio de descarga: Los Alamos National Laboratory Underground Injection Wells, dentro de los límites del Laboratorio Nacional Los Alamos en Mortandad Canyon. Para información adicional comuníquese con el Departamento de Medio Ambiente de Nuevo México y ponga la referencia: DP-1835 PN1.

PUBLIC NOTICE

Receipt of Discharge Permit Application

DP-1835, Los Alamos National Laboratory Underground Injection Control Wells

DP-1835, Los Alamos National Laboratory Underground Injection Control Wells: Newport News Nuclear BWXT-Los Alamos, LLC and the United States Department of Energy propose to renew and modify the Discharge Permit for the discharge of up to 1,500,000 gallons per day of remediated groundwater to a Class V Underground Injection Control System. Potential contaminants from this type of discharge include chlorides and metals. The treatment and discharge locations are within the boundaries of Los Alamos National Laboratory in Mortandad Canyon, in Sections 24 and 25, T19N, R06E, Los Alamos County. Groundwater most likely to be affected ranges from depths of approximately 45 feet to 1,350 feet and had a pre-discharge total dissolved solids concentration of 130-201 milligrams per liter.

Provided the applicant has met applicable requirements, the New Mexico Environment Department (NMED) will propose a Discharge Permit containing limitations, monitoring requirements, and other conditions intended to protect groundwater quality for present and potential future use. Information in this public notice was provided by the applicant and will be verified by NMED during the permit application review process. NMED will develop a Public Involvement Plan (PIP) to identify all communities potentially affected by the proposed permitted activity and expand public participation opportunities to accommodate the needs of those communities. The PIP will be posted online at <https://www.env.nm.gov/gwqb/public-involvement-plans/> and placed at the NMED field office nearest to the proposed permitted activity. NMED will accept comments and statements of interest regarding the application and will create a facility specific mailing list for persons who wish to receive future notices.

Questions, comments, statements of interest, or requests for non-English language assistance should be directed to:
Andrew Romero, DP-1835
Ground Water Quality Bureau
PO Box 5469
Santa Fe, NM 87502
(505) 660-8624

Applicant:
Newport News Nuclear BWXT-Los Alamos, LLC
Environmental, Safety and Health
Joseph Murdock, Program Manager
1200 Trinity Drive, Suite 159
Los Alamos, NM 87544

Environmental Management
Los Alamos Field Office
Stephen Hoffman, Acting Manager
U.S. Department of Energy
1200 Trinity Drive, Suite 400
Los Alamos, NM 87544

If you are a non-English speaker, do not speak English well, or if you have a disability, you may contact the NMED Permit Contact to request assistance, an interpreter, or an auxiliary aid in order to learn more about a Discharge Permit or the permitting process, or to participate in activities associated with the permitting process. Requested interpretation services and accommodations or services for persons with disabilities will be arranged to the extent possible. Telephone conversation assistance is available through Relay New Mexico at no charge for people who are deaf, hard of hearing, or have difficulty speaking on the phone, by calling 1-800-659-1779; TTY users: 1-800-659-8331; Spanish: 1-800-327-1857. NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Parts 5 and 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, you may contact: Kathryn Becker, Non-Discrimination Coordinator, New Mexico Environment Department, 1190 St. Francis Dr., Suite N4050, P.O. Box 5469, Santa Fe, NM 87502, (505) 827-2855, nd.coordinator@state.nm.us. If you believe that you have been discriminated against with respect to a NMED program or activity, you may contact the Non-Discrimination Coordinator identified above or visit our website at <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> to learn how and where to file a complaint of discrimination.

AVISO PÚBLICO

Recibo de la Aplicación del Permiso de Descarga

DP-1835, Los Alamos National Laboratory Underground Injection Control Wells

DP-1835: Los Alamos National Laboratory Underground Injection Control Wells: Newport News Nuclear BWXT-Los Alamos, LLC y el Departamento de Energía de los Estados Unidos proponen renovar y modificar el Permiso de Descarga para la descarga de hasta 1,500,000 galones por día de agua subterránea remediada a un Sistema de Control de Inyección Subterráneo Clase V. Los posibles contaminantes de este tipo de descarga incluyen cloruros y metales. Las ubicaciones de tratamiento y descarga se encuentran dentro de los límites del Laboratorio Nacional Los Alamos en Mortandad Canyon, en las secciones 24 y 25, T19N, R06E, condado de Los Alamos. Las aguas subterráneas que tienen más probabilidad de ser afectadas se encuentran a una profundidad de que oscila aproximadamente entre 45 pies y 1,350 pies y tenían una concentración de sólidos disueltos totales antes de la descarga de 130-201 miligramos por litro. Siempre que el solicitante cumpla con los requisitos aplicables, el Departamento de Medio Ambiente de Nuevo México (NMED, por sus siglas en inglés) propondrá para su aprobación un Permiso de Descarga que contiene limitaciones, requisitos de monitoreo, y otras condiciones destinadas a proteger la calidad del agua subterránea para su uso actual y potencial uso en el futuro. La información en esta notificación pública fue provista por los solicitantes y será verificada por NMED durante el proceso de revisión de solicitudes de permiso. NMED desarrollará un Plan de Participación Pública (PIP) para identificar a todas las comunidades potencialmente afectadas por la actividad permitida propuesta y ampliar las oportunidades de participación pública para acomodar las necesidades de esas comunidades. El PIP será publicado en línea en <https://www.env.nm.gov/gwqb/public-involvement-plans/> y se colocará en la oficina de campo de NMED más cercana a la actividad autorizada propuesta. El NMED aceptará comentarios y declaraciones de interés con respecto a las solicitudes y creará listas de correo específicas de las instalaciones para las personas que deseen recibir avisos en el futuro.

Todas las preguntas, comentarios, declaraciones de interés o solicitudes de asistencia en otro idioma deben dirigirse a:
Andrew Romero, DP-1835
La Oficina de Calidad de Aguas Subterráneas
PO Box 5469
Santa Fe, NM 87502
(505) 660-8624

Solicitante:
Newport News Nuclear BWXT-Los Alamos, LLC
Environmental, Safety and Health
Joseph Murdock, Program Manager
1200 Trinity Drive, Suite 159
Los Alamos, NM 87544
Environmental Management
Los Alamos Field Office
Stephen Hoffman, Acting Manager
U.S. Department of Energy
1200 Trinity Drive, Suite 400
Los Alamos, NM 87544

Si usted no habla inglés, no habla bien inglés, o si tiene una discapacidad, puede comunicarse con el contacto de permisos de NMED para solicitar asistencia, un intérprete o un dispositivo auxiliar con el fin de aprender más sobre un Permiso de Descarga o el proceso de permisos, o para participar en actividades asociadas con el proceso de permisos. Los servicios de interpretación solicitados y las acomodaciones o servicios para personas con discapacidades serán organizados en la medida de lo posible. Hay disponible asistencia para conversaciones telefónicas a través de Relay New Mexico de forma gratuita para las personas sordas, con problemas de audición o con dificultades para hablar por teléfono llamando al 1-800-659-1779; los usuarios de TTY: 1-800-659-8331; español: 1-800-327-1857. NMED no discrimina por motivos de raza, color, origen nacional, discapacidad, edad o sexo en la administración de sus programas o actividades, según lo exigido por las leyes y los reglamentos correspondientes. NMED es responsable de la coordinación de los esfuerzos de cumplimiento y la recepción de indagaciones relativas a los requisitos de no discriminación implementados por 40 C.F.R. Partes 5 y 7, incluido el Título VI de la Ley de Derechos Civiles de 1964, según enmendada; Sección 504 de la Ley de Rehabilitación de 1973; la Ley de Discriminación por Edad de 1975, Título IX de las Enmiendas de Educación de 1972 y la Sección 13 de las Enmiendas a la Ley Federal de Control de Contaminación del Agua de 1972. Si usted tiene preguntas sobre este aviso o sobre cualquier programa, política o procedimiento de no discriminación de NMED, usted puede comunicarse con la Coordinadora de No Discriminación: Kathryn Becker, Non-Discrimination Coordinator, New Mexico Environment Department, 1190 St. Francis Dr., Suite N4050, P.O. Box 5469, Santa Fe, NM 87502, (505) 827-2855, nd.coordinator@state.nm.us. Si usted piensa que ha sido discriminado/a con respecto a un programa o actividad de NMED, usted puede comunicarse con la Coordinadora de No Discriminación antes indicada o visitar nuestro sitio web en <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> para aprender cómo y dónde presentar una queja de discriminación.