



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733

EP2014-5156

**MAR 27 2014**

Mr. Jess Mousseau  
Environmental Programs  
Los Alamos National Laboratory  
P.O. Box 1663, MS M991  
Los Alamos, NM 87545

Mr. Peter Maggiore  
Environmental Project Office  
National Nuclear Security Administration  
Los Alamos Field Office, MS A316  
Los Alamos, NM 87544

Re: NPDES Permit No. NM0030759  
Alternative Compliance for Sites S-SMA-2 and -0.25 and Site Monitoring Requirements  
for Site 72-001 (S-SMA-6)

Dear Messrs. Mousseau and Maggiore:

This is to respond to your letters dated April 30, 2013, October 1, 2013, and October 25, 2013, respectively, regarding the above referenced permit. Since each Site is unique, the Environmental Protection Agency (EPA) is responding to your requests on a site-by-site basis.

Site S-SMA-2

Site monitoring area (SMA) S-SMA-2 which covers a 50.8-acre drainage area contains four solid waste management units (SWMUs) or Sites, and they are 03-012(b), 03-045(b), 03-045(c), and 03-056(c). Based on information provided in the Alternative Compliance Request document, Site 03-012(b) is eligible for a certificate of completion under the [NMED issued RCRA] Consent Order. Site 03-045(b) is identified as Outfall 001 and Site 03-045(c) is identified as Outfall 03A027 under NPDES Permit No. NM0028355. Site 03-056(c) is the only site subject to the Alternative Compliance request. Confirmation monitoring samples collected in 2011 from S-SMA-2 showed detections of copper, zinc, and total polychlorinated biphenyls (PCBs) at concentrations above the applicable target action levels (TALs). Two actions had been performed to remove PCB-contaminated soils from Site 03-056(c) in 1995 and 2001, respectively. NMED issued a certificate of completion with controls for SWMU 03-056(c) on February 18, 2011. The sources of copper and zinc are from run-ons. The permittee, Los Alamos National Laboratory (LANL), requests that EPA consider the run-on control as part of its individually tailored work plan for Site 03-056(c).

EPA's findings and determinations: (1) In accordance with the provision in permit Part I, Section E.2.(d) "The Site has achieved RCRA "corrective action complete without controls/corrective action complete with controls" status or a Certificate of Completion under NMED's Consent Order." a site is considered in compliance with the completion of corrective action if it receives the Certificate of Completion. (2) Non-storm water discharges at Sites 03-045(b) and 03-045(c) are not authorized under this permit, and the receiving stream of these discharges cannot be considered as a point

source for the purposes of NPDES permit. (3) Storm water run-on control is defined in the permit as one of the baseline control measures (Part I. section A.2), therefore, EPA does not accept “run-on control” as alternative compliance. However, LANL may install run-on control measure and other control measures as appropriate to minimize the discharge of pollutants to the waters of the United States. (4) The 50.8-acre drainage area designated for S-SMA-2 may be oversized. (5) In accordance with the provision in Part I.E.3(a), EPA sets the new compliance deadline for S-SMA-2 to be October 31, 2015. EPA may reevaluate LANL’s request for alternative compliance in the future if discharges still fail to meet Target Action Levels after the installation of run-on control and other feasible and applicable measures.

#### S-SMA-0.25

The 33-acre S-SMA-0.25 encompasses Sites 03-013(a) and 03-052(f). Site 03-013(a) was a 1500-ft-long corrugated metal pipe storm drain and most of the corrugated metal pipe associated with Site 03-013(a) was removed in 2004 to accommodate the construction of the National Security Sciences Building and the new parking structure east of the Otowi Building. A new storm drain line was installed west of Site 03-052(f) to manage storm water runoff from the new parking structure. The new storm drain discharges to Site 03-052(f). Copper and zinc were detected in soil samples collected at the Sites. LANL claims that non-point sources (i.e., metal roofs and siding; roof heating, ventilation, and air-conditioning (HVAC) systems; ductwork, turbines and equipment boxes; downspouts and gutters; light poles; motor oil, tire wear and vehicle brake in the parking area) contribute copper and zinc.

EPA’s findings and determinations: (1) If a site is under a building or parking lot and does not have exposure to storm water, it may be in compliance with the completion of corrective action under Part.I.E.2. (c) “Control measures that totally eliminate exposure of pollutants to stormwater have been installed at the Site.” (2) If a site is determined to be no longer under the definition of storm water associated with activity at 40 CFR 122.26(b)(14) due to no exposure of significant materials to storm water, it could be terminated from the coverage of the permit. (3) LANL’s request for Alternative Compliance for S-SMA-0.25 is denied based on the rationales given for the request. (4) The 33-acre drainage area designated for S-SMA-0.25 may be oversized. (5) In accordance with the provision in Part I.E.3(a), EPA sets the new compliance deadline for S-SMA-0.25 to be October 31, 2015, in case either or both Sites will remain in the permit.

#### Site 72-001

LANL requested permit modification to modify Appendix B, Site Monitoring Requirements for Site 72-001, located in Sandia Canyon, by deleting monitoring requirements for aluminum, cyanide, PCBs, gross-alpha radioactivity, and radium-226 and -228 at Site 72-001. LANL summarized the rationales for the request as (1) Site 72-000 is not the source of those pollutants; (2) upstream sources are likely the sources of PCBs; (3) upstream sources from TA-03 are likely the sources of cyanide; (4) the source of aluminum is naturally occurring; and (5) the source of gross-alpha radioactivity and isotopic radium is likely naturally occurring.

EPA's determination: To delete monitoring requirements is deemed a major permit modification. Because the current permit will expire on March 31, 2014, which is less than six months from the date when LANL sent the request to EPA, and early reissuance of the permit was not possible since LANL had been granted an extension on the deadline for submittal of the re-application until March 30, 2014. EPA will evaluate the rationales and as part of the permit reissuance process.

If you have any questions regarding EPA's determinations, you or your staff may contact Mr. Isaac Chen at 214-665-7364 or via email at [chen.isaac@epa.gov](mailto:chen.isaac@epa.gov).

Sincerely,



William K. Honker  
Director  
Water Quality Protection Division

cc: New Mexico Environment Department  
Surface Water Quality Bureau