



# IRM-RMMSO Official Correspondence Form

<b>Name:</b>	U1100841		
<b>Title:</b>	No Longer Contained In Determination Drilling Fluids Development Water and Contact Waste Regional Well R-63 LANL EPA ID NM0890010515 HWB-LANL-MISC-GW		
<b>Date Received:</b>	5/2/2011		
<b>Addressee Name:</b>	M. Graham, ADEP		
<b>Originator:</b>	J. Bearzi, NMED		
<b>Action Item Description:</b>			
<b>Action Due Date:</b>			
<b>Responsible for Action:</b>	Search		
<b>Responsible Office:</b>			
<b>Distribution:</b>	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;">                     Michael J. Graham                      Isaac E. RichardsonIII                      Michael B. Mallory                      David J. McInroy                      Phoebe K. Suina                      William Z. Alexander                      Tina M. Sandoval                      Paul Henry                 </td> <td style="width: 50%; vertical-align: top;">                     Michael R. Anastasio                      Richard A. Marquez                      Deborah K. Woitte                      James C. Cantwell                      Anthony R. Grieggs                      Victoria A. George                      Scotty Jones                 </td> </tr> </table>	Michael J. Graham Isaac E. RichardsonIII Michael B. Mallory David J. McInroy Phoebe K. Suina William Z. Alexander Tina M. Sandoval Paul Henry	Michael R. Anastasio Richard A. Marquez Deborah K. Woitte James C. Cantwell Anthony R. Grieggs Victoria A. George Scotty Jones
Michael J. Graham Isaac E. RichardsonIII Michael B. Mallory David J. McInroy Phoebe K. Suina William Z. Alexander Tina M. Sandoval Paul Henry	Michael R. Anastasio Richard A. Marquez Deborah K. Woitte James C. Cantwell Anthony R. Grieggs Victoria A. George Scotty Jones		





SUSANA MARTINEZ  
Governor

JOHN A. SANCHEZ  
Lieutenant Governor

**NEW MEXICO  
ENVIRONMENT DEPARTMENT**

***Hazardous Waste Bureau***

**2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
Phone (505) 476-6000 Fax (505) 476-6030  
[www.nmenv.state.nm.us](http://www.nmenv.state.nm.us)**



DAVE MARTIN  
Secretary

RAJ SOLOMON, P.E.  
Deputy Secretary

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

April 29, 2011

George J. Rael  
Assistant Manager  
U.S. Department of Energy  
National Nuclear Security Administration  
Los Alamos Site Office  
3747 West Jemez Rd, MSA316  
Los Alamos, NM 87544

Michael J. Graham  
Associate Director Environmental Programs  
Los Alamos National Security, L.L.C.  
P.O. Box 1663, MS M991  
Los Alamos, NM 87545

**RE: NO LONGER CONTAINED-IN DETERMINATION  
DRILLING FLUIDS, DEVELOPMENT WATER, AND CONTACT WASTE  
REGIONAL WELL R-63  
LOS ALAMOS NATIONAL LABORATORY  
EPA ID#NM0890010515  
HWB-LANL-MISC-GW**

Dear Messrs. Rael and Graham:

The New Mexico Environment Department (NMED) has reviewed the United States Department of Energy (DOE) and Los Alamos National Security, L.L.C.'s (collectively, the Permittees) document entitled *Request for "Contained-In" Determination for Drilling Fluids, Development Water, and Associated Contact Waste from Regional Well R-63* (Request) dated April 7, 2011 and referenced by ENV-RCRA-11-0064.

The analytical results for the development water indicate that toluene, a potentially F-listed constituent, is present in the media. The Permittees provide a comparison of the maximum detected concentration of toluene in the development water with the New Mexico Water Quality Control Commission (WQCC) groundwater standard, the Environmental Protection Agency (EPA) Safe Drinking Water Act Maximum Contaminant Level (MCL) and Land Disposal Treatment Standards (LDR) that shows the toluene concentrations are well below the WQCC, EPA MCL, and LDR comparison

standards. Therefore, the waste is not a characteristic hazardous waste as defined by 40 CFR 261.21 through 261.24. Based on the information provided, NMED has determined that the development water and associated contact waste does not need to be managed as hazardous waste.

Because the Request does not include analytical results for drilling fluids, NMED cannot make a determination as to whether or not the drilling fluids need to be managed as hazardous waste. NMED will evaluate the status of the drilling fluids upon receipt of appropriate analytical data for them.

Please contact Michael Dale at (505) 661-2673 should you have any questions or wish to discuss this further.

Sincerely,



James P. Bearzi  
Chief  
Hazardous Waste Bureau

cc: J. Kieling, NMED HWB  
D. Cobrain, NMED HWB  
M. Dale, NMED HWB  
J. Kulis, NMED HWB  
T. Skibitski, NMED DOE OB  
S. Yanicak, NMED DOE OB, MS M894  
B. Olson, NMED GWQB  
L. King, EPA 6PD-N  
A. Grieggs, ENV-RCRA, K490  
J. Griffin, ENV-RCRA, K490  
M. Haagenstad, ENV-RCRA, K490  
G. Turner, LASO-EO, A316  
H. Shen, DOE-LASO, MS A316

File: Reading and LANL 2011 – Contained-In Approval R-63 drilling fluid, development water, and associated contact waste  
ENV-RCRA-11-0064

11 MAY 2 PM 2:15:27

NAME Deven Montoya  
Z# 086365  
DATE 5-2-11

**CERTIFIED MAIL™**

State of New Mexico  
ENVIRONMENT DEPARTMENT  
Hazardous Waste Bureau  
2905 Lugo Park Drive East-Building 1  
Santa Fe, New Mexico 87505



7008 0500 0001 4593 8141



Hasler

016H26523547  
**\$05.590**  
04/29/2011  
Mailed From 87505  
**US POSTAGE**

Michael J. Graham, Associate Director  
Environmental Programs  
Los Alamos National Security, LLC  
P.O.Box 1663, MS M991  
Los Alamos, NM 87545 *A150*

