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Via USPS and email (Honker.William@epa.gov)

June 30, 2014

William K. Honker, Division Director
Water Quality Protection Division
U.S. EPA, Region VI
Fountain Place, 12th Floor, Suite 1200
1445 Ross Avenue
Dallas, TX 75202-2733

Dear Mr. Honker,

Under separate cover, Amigos Bravos is petitioning the Regional Administrator for a determination that storm water discharges in Los Alamos County are contributing to violations of water quality standards and, therefore, require NPDES permits pursuant to Section 402(p) of the Clean Water Act and/or designation as a municipal separate storm sewer system. Our petition is supported by extensive data and analysis from the New Mexico Environment Department and the Los Alamos National Laboratory. We firmly believe this petition has merit and should be granted.

If the petition is granted, your division will have the task of implementing the decision. In this letter I would like to share with you our vision of how MS4 coverage for Los Alamos could be accomplished. Urban storm water pollution from Los Alamos should be covered by an individual permit.

Both the nature of the pollution and the current monitoring infrastructure that is unique to this area support the case for coverage under an individual permit. The urban storm water runoff from developed areas at LANL and the Los Alamos Townsite are additionally harmful because of LANL's history of releases. Many of the canyons on the Pajarito Plateau have old dump sites called solid waste management units (SWMUS), which continue to release pollution. Annual reports for LANL's individual industrial storm water permit (IP) detail the scope of continuing storm water exceedances from these SWMUS. Specifically, of the 246 sites for which samples were collected, 233 of them had releases that exceeded water quality standards.[1] Some of these

[1] Los Alamos National Laboratory, *Storm Water Individual Permit Annual Report, Reporting Period: January 1–December 31, 2013, NPDES Permit No 0030759* 154 (March

exceedances continue to be over 32,000 times greater than water quality standards.[2] The urban storm water that is discharged into these canyons exacerbates and mobilizes this historic toxic pollution. The unique contamination issues associated with Los Alamos merit the individual treatment and monitoring opportunities available under an individual permit.

Another reason why an individual permit is appropriate in this case is LANL, as demonstrated by its detailed background study reports on PCBs and Metals, as well as by its extensive monitoring under the IP, has the needed monitoring infrastructure already in place as well as an extensive baseline to compare monitoring results collected under an individual MS4 permit.

An individual permit could provide for needed monitoring and specific treatment options that are not available under the general small MS4 permit. Appropriate treatment options for Los Alamos could be similar to those proposed for the individual MS4 permit for Charles County, Maryland under which treatment of twenty percent of the County's impervious surface would be required by the end of the 5-year permit term.[3]

We look forward to having a constructive dialogue with you and your staff on this topic.

Sincerely,

Rachel Conn
Projects Director
Amigos Bravos

Cc: Claudia Hosch
Brent Larsen

2014) (table 8.2), http://permalink.lanl.gov/object/tr?what=info:lanl-repo/eprr/ERID-254067.

[2] Los Alamos National Laboratory, *Renewal Application for NPDES Permit Number NM0030759, Individual Permit for Storm Water Discharges from Solid Waste Management Units and Areas of Concern, Volume 1 of 2* 133 (March 2014) (Table 10), http://permalink.lanl.gov/object/tr?what=info:lanl-repo/eprr/ERID-254864.

[3] *Maryland Department of the Environment Draft National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit* 8 (June 18, 2014) (Draft permit for Charles County, Maryland. Permit No MD0068365, http://www.mde.state.md.us/programs/Water/StormwaterManagementProgram/Documents/Charles%20Permit%20tentative%20determination.pdf.