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

Office of the Regional Administrator

March 6, 2015

Ms. Rachel Conn
Projects Director
Amigos Bravos
Post Office Box 238
Taos, New Mexico 87571

Re: Petition by Amigos Bravos for a Determination that Storm Water Discharges in Los Alamos County Contribute to Water Quality Standards Violations and Require a Clean Water Act Permit

Dear Ms. Conn:

Thank you for your letter of June 30, 2014, transmitting a petition by Amigos Bravos seeking a determination by the U.S. Environmental Protection Agency Region 6 that storm water discharges in Los Alamos County require permits under the National Pollutant Discharge Elimination System ("the Petition").

The Petition alleges that non de minimus stormwater discharges from Los Alamos County that are currently unregulated under the NPDES program are contributing to exceedances of water quality ~~of~~ standards in certain impaired waters throughout the area. The Petition requests that the EPA use its Residual Designation Authority under 40 CFR 122.26(a)(9)(i)(D) to require NPDES permit coverage for these stormwater discharges pursuant to Section 402(p) of the Clean Water Act.

After review of the Petition, information subsequently provided by Los Alamos National Laboratory and Los Alamos County, and the state of New Mexico's assessment of water quality in the area, the EPA has made a preliminary determination that discharges of storm water from municipal separate storm sewer systems on LANL property and urban portions of Los Alamos County result in or have the potential to result in exceedances of state water quality standards, including impairment of designated uses, or other significant water quality impacts such as habitat and biological impacts. As a result, EPA has made a preliminary determination to designate these discharges as discharges requiring NPDES permit coverage pursuant to 40 CFR §122.26(a)(9)(i)(A), 40 CFR § 122.26(a)(9)(i)(D) and 40 CFR §122.32(a)(2). The EPA plans to public notice its Preliminary Designation via an upcoming Federal Register Notice announcing a 30-day comment period.

This Preliminary Designation of regulated small MS4s requiring NPDES permit coverage applies to MS4s owned or operated by:

- LANL, including the Department of Energy and Los Alamos National Security, LLC located within Los Alamos County
- Los Alamos County located within the Los Alamos and White Rock Urban Clusters, as defined

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- by the latest decennial Census
- New Mexico Department of Transportation located within the Los Alamos and White Rock Urban Clusters, as defined by the latest decennial Census
- NMDOT located within and interconnected with regulated LANL (DOE and LANS) storm sewer systems

The EPA appreciates your continuing stewardship concerning our natural resources. If you have any questions, please contact me at (214) 665-2100, or your staff may contact Ms. Nasim Jahan at (214) 665-7522.

Sincerely,

Ron Curry
Regional Administrator

cc: Mr.Ryan Flynn
Secretary, New Mexico Environmental Department

Mr.Tom Church
Cabinet Secretary, New Mexico Department of Transportation

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March 6, 2015

Mr. Gene E.Turner
Environmental Permitting Manager
Environmental Projects Office
U.S Department of Energy
Los Alamos Field Office, A316
3747 West Jemez Road
Los Alamos, New Mexico 87545

Re: Petition by Amigos Bravos (the Petitioner) for a Determination that Storm Water Discharges in Los Alamos County Contribute to Water Quality Standards Violations and Require a Clean Water Act Permit

Dear Mr. Turner:

On June 30, 2014, Amigos Bravos filed a petition, seeking a determination by the Environmental Protection Agency Region 6 that storm water discharges in Los Alamos County require permits under the National Pollutant Discharge Elimination System ("the Petition") and/or be designated as a municipal separate storm sewer system.

The Petition alleges that non de minimus stormwater discharges from Los Alamos County that are currently unregulated under the NPDES program are contributing to exceedances of water quality ~~of~~ standards in certain impaired waters throughout the area. The Petition requests that the EPA use its Residual Designation Authority under 40 CFR 122.26(a)(9)(i)(D) to require NPDES permit coverage for these stormwater discharges pursuant to Section 402(p) of the Clean Water Act.

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Sincerely,

for Sam Coleman

Ron Curry
Regional Administrator

cc: Mr.Ryan Flynn
Secretary, New Mexico Environmental Department

Mr.Tom Church
Cabinet Secretary, New Mexico Department of Transportation

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
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Office of the Regional Administrator

March 6, 2015

Ms. Alison M. Dorries
Division Leader
Environmental Protection Division
Environmental Compliance Programs (ENV-CP)
Los Alamos National Security LLC
Post Office Box 1663, K490
Los Alamos, New Mexico 87545

Re: Petition by Amigos Bravos (the Petitioner) for a Determination that Storm Water Discharges in Los Alamos County Contribute to Water Quality Standards Violations and Require a Clean Water Act Permit

Dear Ms. Dorries:

On June 30, 2014, Amigos Bravos filed a petition, seeking a determination by the Environmental Protection Agency Region 6 that storm water discharges in Los Alamos County require permits under the National Pollutant Discharge Elimination System ("the Petition") and/or be designated as a municipal separate storm sewer system.

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Sincerely,

for Ron Curry
Regional Administrator

cc: Mr.Ryan Flynn
Secretary, New Mexico Environmental Department

Mr.Tom Church
Cabinet Secretary, New Mexico Department of Transportation

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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Office of the Regional Administrator

March 6, 2015

Mr. Harry Burgess
County Administrator
Los Alamos County
1000 Central Avenue, Suite 350
Los Alamos, New Mexico 87544

Re: Petition by Amigos Bravos (the Petitioner) for a Determination that Storm Water Discharges in Los Alamos County Contribute to Water Quality Standards Violations and Require a Clean Water Act Permit

Dear Mr. Burgess:

On June 30, 2014, Amigos Bravos filed a petition, seeking a determination by the Environmental Protection Agency Region 6 that storm water discharges in Los Alamos County require permits under the National Pollutant Discharge Elimination System ("the Petition") and/or be designated as a municipal separate storm sewer system.

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Sincerely,

Sam Coleman
for Ron Curry
Regional Administrator

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